

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

622 A



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
April 28, 2011

SUBJECT: Amendment 1 to TUMF Funding Agreement with Western Riverside Council of Governments (WRCOG) for the Interstate 10 Bypass South Project (Hargrave Street to Apache Trail).

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the subject TUMF Funding Amendment 1 with WRCOG, and authorize the Chairman to execute the same.
2. Authorize the Director of Transportation to approve future administrative amendments to this TUMF Funding Agreement.

BACKGROUND: Currently, there is no direct local road connection between the I-10/Hargrave Street Interchange in the City of Banning and the I-10/Apache Trail Interchange in the

Juan C. Perez
Director of Transportation

JCP:gh
(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 1,748,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/2011
SOURCE OF FUNDS: TUMF Funds (100%)				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNCIL
BY:
WILLIAM GUNZEL

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref. 7/14/09, Item 3.95 | District: 5 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.26

The Honorable Board of Supervisors

RE: Amendment 1 to TUMF Funding Agreement with Western Riverside Council of Governments (WRCOG) for the Interstate 10 Bypass South Project (Hargrave Street to Apache Trail).

April 28, 2011

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unincorporated community of Cabazon. The Interstate 10 freeway is currently the only roadway that links these communities together. The County has been working with the City of Banning and the Morongo Tribe to identify an alternative route that can provide better connectivity to these communities, promote the economic well-being of the area, and provide a critically needed alternate route in the event of a major freeway closure on I-10. The Project study area is located about one half mile south of and parallel to the I-10 Freeway between I-10/Hargrave Street and I-10/Apache Trail. The proposed Project would construct two lanes of new roadway approximately three miles long to support a future four lane roadway between the City of Banning and the community of Cabazon.

The County and WRCOG entered into a TUMF Funding Agreement for the Planning phase of this Project in the amount of \$464,000, approved by the Board on July 14, 2009 (Agenda Item 3.95). This Amendment 1 would increase the TUMF Funding amount for the Agreement to a revised total of \$1,748,000. This increase in funds is for the Environmental and Engineering phase of the project. This amended amount is consistent with the revised budget amount currently programmed in the WRCOG Pass Zone TIP for this Project.

This I-10 by-pass project also has \$1.7 million in federal funding available that will be used to develop and complete the environmental document and also develop the engineering plans and specifications. The Transportation Department is currently evaluating consultant proposals to perform the environmental and engineering work on this project and expects to take a contract to the Board in the near future. We will continue to look for funding for the right-of-way acquisition and construction of this project.

Project Number: B70776

AMENDMENT #1 TO TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM AGREEMENT

I-10 BYPASS SOUTH (HARGRAVE ST TO APACHE TRAIL)

THIS AMENDMENT 1 ("Amendment") is entered into this _____ day of _____, 2011, by and between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ("WRCOG") and the COUNTY OF RIVERSIDE ("Agency"). WRCOG and the Agency are sometimes referred to individually as "Party" and collectively as "Parties."

RECITALS

A. WRCOG and Agency have entered into an agreement titled "Transportation Uniform Mitigation Fee Program Agreement" that is dated **July 14, 2009** ("Agreement"). The Agreement provides the terms and conditions, scope of work, schedule and funding amount for the delivery of the **I-10 Bypass South (Hargrave Street to Apache Trail) Project** (the "Project"), formerly I-10 Bypass South (Hathaway Street to Fields Road).

B. The Parties desire to amend the Agreement by modifying the funding amount and Project limits specified in the Agreement.

C. The funding amount specified in the Agreement is being amended to match the funding amounts shown in the current Pass Zone 5-year Transportation Improvement Plan (TIP) for this Project.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and subject to the conditions contained herein, the Parties hereby agree as follows:

1. The Funding Amount contained in Section 2 of the Agreement is hereby increased from Four Hundred Sixty Four Thousand dollars (\$464,000) to a revised not to exceed amount of **One Million Seven Hundred Forty Eight Thousand dollars (\$1,748,000)**.

2. The forgoing modification of the Funding Amount is within the Maximum TUMF Share.

3. Exhibit "A-1" Estimate of Cost of the Agreement is hereby deleted in its entirety and replaced with Exhibit "A-1" Estimate of Cost attached to this Amendment and incorporated herein by reference.

4. Exhibit "A-2" Project Schedule of the Agreement is hereby deleted in its entirety and replaced with Exhibit "A-2" Project Schedule attached to this Amendment and incorporated herein by reference.

5. The Project limits described in the Agreement are hereby revised from "Hathaway Street to Fields Road" to "Hargrave Street to Apache Trail".

6. The description of items eligible for advance/reimbursement in Section 3 of the Agreement shall be amended to include at the end of the last line of this Section the following: "and (10) any AGENCY administrative cost to deliver the Project."

7. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement shall remain in full force and effect between the Parties hereto.

[Signatures on following page]


IN WITNESS WHEREOF, the Parties have caused this Amendment to the Agreement to be executed by their duly authorized representatives to be effective on the day and year first written above.

**WESTERN RIVERSIDE COUNCIL
OF GOVERNMENTS**

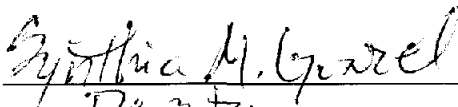
**COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT**

RECOMMENDED FOR APPROVAL:

By: 
RICK BISHOP
Executive Director

By: 
JUAN C. PEREZ
Director of Transportation

APPROVED AS TO FORM:

By: 
Deputy
County Counsel

SYNTHIA M. GUNZEL

APPROVAL BY THE BOARD OF
SUPERVISORS:

By: _____ Date: _____

Chairman, Riverside County Board of
Supervisors

ATTEST:

By: _____ Date: _____

KECIA HARPER-IHEM
Clerk of the Board

EXHIBIT "A-1"
ESTIMATE OF COST

PHASE	TUMF	LOCAL	TOTAL
PA&ED	\$981,000	\$0	\$981,000
PS&E	\$767,000	\$0	\$767,000
ROW	TBD	TBD	TBD
CON	TBD	TBD	TBD
<i>Total Approved by WRCOG</i>	\$1,748,000		

EXHIBIT "A-2"
PROJECT SCHEDULE

PHASE	START DATE	COMPLETION DATE
PA&ED	FY 08/09	FY 11/12
PS&E	FY 10/11	FY 12/13
ROW	TBD	TBD
CON	TBD	TBD