

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

416 A



**FROM:** TLMA - Transportation Department

**SUBMITTAL DATE:**  
December 19, 2011

**SUBJECT:** Amendment No. 2 to the Construction Cooperative Agreement between the County of Riverside and the State of California Department of Transportation (Caltrans) for Phase 1, SR 79 - Scott Road to Domenigoni Parkway

**RECOMMENDED MOTION:** That the Board approve and execute the attached Amendment 2 to the Construction Cooperative Agreement between the State of California and the County of Riverside and authorize the Chairman to execute the same (Caltrans Agreement No. 08-1484 A/2).

**BACKGROUND:** The proposed project consists of widening SR-79 from Thompson Road to Domenigoni Parkway from two to four lanes, for approximately 8 miles. Winchester Road (SR-79) is a major north-south corridor in Southwest Riverside County. This project will improve

*[Signature]*  
 Juan C. Perez      Patricia Romo  
 Director of Transportation      Deputy Director of Transportation

(Continued On Attached Page)

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/2012

<b>SOURCE OF FUNDS:</b>	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
There are no Genral Funds used on this project	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE  
 BY: *[Signature]*  
 Michael R. Shetler

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
 BY: *[Signature]* MARSHAL VICTOR      DATE: 12/19/11

Departmental Concurrence

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

Prev. Agn. Ref. 04/12/11 (3.25)      District: 3      Agenda Number:  
 02/08/11 (3.30)

3.60

The Honorable Board of Supervisors

RE: Amendment No. 2 to the Construction Cooperative Agreement between the County of Riverside and the State of California Department of Transportation (Caltrans) for Phase 1, SR 79 - Scott Road to Domenigoni Parkway

December 19, 2011

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travel through the corridor and ease congestion caused by the significant increase in traffic volume. The project environmental document was approved on December 28, 2010.

On February 8, 2011 the Board of Supervisors approved the Caltrans Construction Cooperative agreement, No. 08-1484 which outlined each agency's responsibility for the construction of the improvements on Phase 1, SR 79 from Scott Road to Domenigoni Parkway. On April 12, 2011 the Board of Supervisors approved Amendment 1 to the agreement which reduced the overall funding, changed the distribution of Federal funds to include construction support activities, and added language designating the County as the Legally Responsible Person and Approved Signatory Authority for construction.

Amendment 2 to the Construction Cooperative Agreement for Phase 1 is required in order to adjust the Federal funding split between Phase 1 and Phase 2 of the project. Federal STP Discretionary funds in the amount of \$20,407,000 are currently designated for Phase 1 construction. Due to favorable bid prices, savings will be transferred to the Phase 2 project. Exhibit A of the cooperative agreement shows the revised funding of Federal STP funds on Phase 1 to be \$15,096,645, and the remaining balance of \$5,310,355 will be shifted to Phase 2 construction. The Phase 2 construction cooperative agreement amendment, reflecting this funding adjustment, also appears on this agenda.

On November 22, 2011 the Board of Supervisors approved the award of the Phase 1 construction contract. Construction is anticipated to begin early in 2012.

Project No. B405272

Contract No. 11-01-017 A2  
Riverside Co. Transportation

08-RIV-79-R12.2/R15.8

EA: 46461

Federal Funds

District Agreement 08-1484 A/2

Project Number 0800001041

### **AMENDMENT NO. 2 TO AGREEMENT 08-1484**

THIS AMENDMENT No. 2 (AMENDMENT), entered into and effective on \_\_\_\_\_, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and

County of Riverside, a political subdivision of the State of California, referred to as COUNTY.

### **RECITALS**

1. CALTRANS and COUNTY collectively referred to as PARTNERS, entered into Agreement No. 08-1484, (AGREEMENT) on March 3, 2011, defining the terms and conditions for improvements consisting of widening State Route 79 in Riverside County from Scott Road to Domenigoni Parkway from two to four lanes, for approximately 4 miles, referred to as PROJECT.
2. PARTNERS entered into Amendment No. 1 to AGREEMENT on April 19 2011, to add language for the Legally Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit and to modify the funding summary (based on updated engineers estimate).
3. PARTNERS now seek to modify the FUNDING SUMMARY to shift excess Federal Surface Transportation Program Local (STPL) Funds from Phase 1 (AGREEMENT 08-1484) to Phase 2 (AGREEMENT 08-1485) due to low bids on Phase 1, and to reduce the COUNTY funds.

### **IT IS THEREFORE MUTUALLY AGREED:**

1. A revised FUNDING SUMMARY; dated November 14, 2011, is attached and made part of the AGREEMENT. Any reference to the FUNDING SUMMARY in the AGREEMENT is deemed to refer to the revised FUNDING SUMMARY, dated November 14, 2011, attached herein.

2. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
3. This AMENDMENT is deemed to be included and made part of the AGREEMENT.

**SIGNATURES**

PARTNERS declare that:

1. Each PARTNER is an authorized legal entity under California state law.
2. Each PARTNER has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.


STATE CALIFORNIA DEPARTMENT  
OF TRANSPORTATION

COUNTY OF RIVERSIDE

By: \_\_\_\_\_  
Raymond W. Wolfe, PhD  
District Director

By: \_\_\_\_\_  
Chairman, Board of Supervisors

APPROVED AS TO FORM AND  
PROCEDURE:

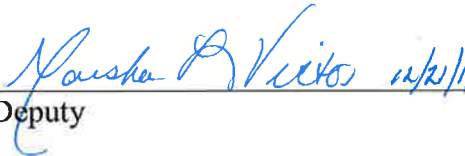
By:  \_\_\_\_\_  
Attorney  
Department of Transportation

By: \_\_\_\_\_  
Kecia Harper-Ihem  
Clerk of the Board

CERTIFIED AS TO FUNDS:

APPROVED AS TO FORM AND  
PROCEDURE:  
Pamela J. Walls  
County Counsel

By: \_\_\_\_\_  
Lisa Pacheco  
Budget Manager

By:  \_\_\_\_\_  
Deputy

By:  \_\_\_\_\_  
Accounting Administrator

FUNDING SUMMARY

Dated: November 14, 2011

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Con Support	Subtotal Con Capital	Subtotal Funds Type
FEDERAL	COUNTY	STPL	\$13,127,518	\$1,969,127	\$1,969,127	\$13,127,518	\$15,096,645
LOCAL	COUNTY	COUNTY	\$2,746,143	\$353,873	\$353,873	\$2,746,143	\$3,100,016
		Subtotals by Component	\$15,873,661	\$2,323,000	\$2,323,000	\$15,873,661	\$18,196,661