

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

225 A



**FROM:** TLMA - Transportation Department

**SUBMITTAL DATE:**  
March 15, 2012

**SUBJECT:** Amendment No. 2 to the Construction Cooperative Agreement between the County of Riverside (COUNTY) and the State of California Department of Transportation (CALTRANS) for the Interstate 215 (I-215) at Van Buren Boulevard interchange improvement project.

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve and execute the attached Amendment No. 2 to the Construction Cooperative Agreement between the COUNTY and CALTRANS (Caltrans Agreement No. 08-1471 A/2), and;
2. Authorize the Chairman to execute the same, and authorize the Director of Transportation to execute administrative amendments within the funding amounts

Juan C. Perez  
Director of Transportation

Departmental Concurrence

(Continued On Attached Page)

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

**SOURCE OF FUNDS:**

There are no General Funds used on this project

<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Tina Grande

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
DATE: 3/14/12  
BY:   
MARSHALA L. VICTOR

Policy

Consent

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

**Prev. Agn. Ref.** 12/07/10 (3.39) | **District:** 1/1&5/5 | **Agenda Number:**  
09/13/11 (3.97)

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

3.37

The Honorable Board of Supervisors

RE: Amendment No. 2 to the Construction Cooperative Agreement between the County of Riverside (COUNTY) and the State of California Department of Transportation (CALTRANS) for the Interstate 215 (I-215) at Van Buren Boulevard interchange improvement project.

March 15, 2012

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identified in this agreement.

**BACKGROUND:** The proposed project consists of replacing and widening the Van Buren Boulevard freeway and railroad overcrossing structures, reconfiguring and signaling of the on and off ramps and adding auxiliary lanes on Interstate 215. Landscaping and aesthetic features are also part of the project.

On December 7, 2010 the Board of Supervisors approved the Caltrans Construction Cooperative agreement, No. 08-1471 which outlined each agency's responsibility for the construction of the improvements to the I-215/Van Buren Boulevard Interchange. On September 13, 2011 the Board of Supervisors approved Amendment 1 to the agreement (08-1471 A/1) to: designate the County as the Legally Responsible Person and Approved Signatory Authority for construction; add Federal Demonstration (DEMO) Earmark Funds; add Federal Surface Transportation Program (STP) funds; reduce the construction capital funds based on the updated engineers estimate; and to replace the Trade Corridor Improvement Funds (TCIF) with Measure A funds, due to the inability of the State to sell bonds.

Amendment 2 to the Construction Cooperative Agreement is now required to replace the designated Measure A with TCIF funds due to bond approvals by the California Transportation Commission (CTC) making TCIF funds available for the project in the amount of \$10,000,000. The attached Agreement Amendment 2 includes the revised Funding Summary illustrating the funding adjustment.

Construction is anticipated to begin in the summer of 2012.

Received  
Project No. B70798

**AMENDMENT NO. 2 TO AGREEMENT 1471**

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. 08-1471, (AGREEMENT) on December 15, 2010, defining the terms and conditions to reconstruct the Interstate 215 (I-215) and Van Buren Boulevard interchange in the County of Riverside, as well as, the realignment of I-215 due to right of way constraints and adjacent airport clearance requirements, referred to as PROJECT.
2. PARTNERS entered into Amendment No. 1 to AGREEMENT on September 22, 2011, to add language for the Legally Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit; add Federal Demonstration (DEMO) Earmark funds for Construction Capital; add Federal Surface Transportation Program (STP); reduce local's Construction Capital funds due to updated construction estimates; and to advance Local Funds in advance of the Trade Corridor Improvement Funds (TCIF).
3. Due to the bond approval by the California Transportation Commission and the availability of the TCIF, PARTNERS now seek to amend this coop and replace the \$10,000,000 in Local Funds with TCIF.

**IT IS THEREFORE MUTUALLY AGREED:**

1. New Article is added in the AGREEMENT under DEFINITIONS to read as follows:  
  
"OBLIGATIONS – All responsibilities included in this Agreement."
2. Article 10 in the AGREEMENT is replaced in its entirety to read as follows:

<b>Applicable Cost Principles and Administration Requirements</b>		
The federal cost principles and administrative requirements associated with each organization type apply to that organization.		
<b>Organization Type</b>	<b>Cost Principles</b>	<b>Administrative Requirements</b>
Federal Governments	2 CFR Part 225	OMB A-102
State and Local Government	2 CFR, Part 225	49 CFR, Part 18
Educational Institutions	2 CFR, Part 220	2 CFR, Part 215
Non-Profit Organizations	2 CFR, Part 230	2 CFR, Part 215
For Profit Organizations	48 CFR, Chapter 1, Part 31	49 CFR, Part 18
<b>CFR (Code of Federal Regulations)</b>		
<b>OMB (Office of Management and Budget)</b>		
<b>Related URLs:</b>		
• Various OMB Circular:	<a href="http://www.whitehouse.gov/omb/grants_circulars">http://www.whitehouse.gov/omb/grants_circulars</a>	
• Code of Federal Regulations:	<a href="http://www.gpoaccess.gov/CFR">http://www.gpoaccess.gov/CFR</a>	

“20.3 PARTNERS will undergo an annual audit in accordance with the Single Audit Act of OMB Circular A-133.”

6. New Article is added to the AGREEMENT under SCOPE (Scope: Construction) to read as follows:

“59.1 IMPLEMENTING AGENCY will use a CALTRANS-approved construction contract claims process, will administer all claims through said process, and will be available to provide advice and technical input in any claims process.”

7. A revised FUNDING SUMMARY, dated December 27, 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 December 27, 2011, attached herein.
8. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
9. This AMENDMENT is deemed to be included and made part of the AGREEMENT.

**REVISED FUNDING SUMMARY**

**Dated: December 27, 2011**

<b>Funding Source</b>	<b>Funding Partner</b>	<b>Fund Type</b>	<b>CON Capital</b>	<b>CON Support</b>	<b>Subtotal Support</b>	<b>Subtotal Capital</b>	<b>Subtotal Funds Type</b>
STATE	CALTRANS	TCIF	\$10,000,000	\$0	\$0	\$10,000,000	\$10,000,000
FEDERAL	COUNTY	STP	\$10,000,000	\$0	\$0	\$10,000,000	\$10,000,000
FEDERAL	COUNTY	DEMO Earmarks	\$568,153	\$0	\$0	\$568,153	\$568,153
LOCAL	COUNTY	Local Funds	\$26,627,847	\$5,500,000	\$5,500,000	\$26,627,847	\$32,127,847
		Subtotals by Component	\$47,196,000	\$5,500,000	\$5,500,000	\$47,196,000	\$52,696,000