

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE: 10/15/15

Departmental Concurrence

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

612A



**FROM:** TLMA – Transportation Department

**SUBMITTAL DATE:**  
 September 18, 2015

**SUBJECT:** Amendment No. 3 to the Construction Cooperative Agreement Between the County of Riverside and the State of California Department of Transportation, Phase 2, State Route 79 Widening Project – Scott Road to Thompson Road. 3<sup>rd</sup> District; [\$0]

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

1. Approve the attached Amendment No. 3 to the Construction Cooperative Agreement Between the County of Riverside (County) and the State of California Department of Transportation; and
2. Authorize the Chairman to execute the same.

*Patricia Romo*

Patricia Romo  
 Assistant Director of Transportation

*Juan C. Perez*

Juan C. Perez  
 Director of Transportation and Land Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (Per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

**SOURCE OF FUNDS:** N/A

**Budget Adjustment:** No  
**For Fiscal Year:** 15/16

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

APPROVE

BY: *Tina Grand*  
 Tina Grand

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- 4/5 Vote
- Positions Added
- Change Order

**Prev. Agn. Ref.:** 2/8/11, Item 3-31; 5/3/11, Item 3-55; 1/10/12, Item 3-59

**District:** 3

**Agenda Number:**

**3-21**

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

**FORM 11:** Amendment No. 3 to the Construction Cooperative Agreement Between the County of Riverside and the State of California Department of Transportation, Phase 2, State Route 79 Widening Project – Scott Road to Thompson Road. 3<sup>rd</sup> District; [\$0]

**DATE:** September 18, 2015

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary**

State Route 79 (SR-79) was recently widened to four lanes from Thompson Road to Domenigoni Parkway. The project was divided into two phases in order to accelerate construction while property acquisitions were being finalized. Phase 1 included the widening of SR-79 from Scott Road to Domenigoni Parkway, and Phase 2 widened SR-79 between Thompson Road and Scott Road. The County acted as the lead agency for this State Highway project through the environmental, design, and construction stages of the project in cooperation with State of California Department of Transportation (Caltrans). Since the SR-79 Widening Project was being constructed in two phases, two separate Construction Cooperative Agreements were entered into with Caltrans, covering each of the project phases.

On February 8, 2011 (Agenda Item 3-31), the Board of Supervisors approved the Construction Cooperative Agreement between Caltrans and the County for Phase 2 of the SR-79 Widening Project. The Construction Cooperative Agreement outlined each agency's responsibility for the construction of the improvements between Scott Road and Domenigoni Parkway. On May 3, 2011 (Agenda Item 3-55), the Board of Supervisors approved Amendment No. 1 of the Construction Cooperative 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. On January 10, 2012 (Agenda Item 3-59), the Board of Supervisors approved Amendment 2, which adjusted the federal funding split between Phase 1 and Phase 2 of the project.

Amendment No. 3 to the Construction Cooperative Agreement is now needed to allow the County to request relief of maintenance for certain SR-79 Phase 2 improvements. The County will be modifying a drainage facility near Newport Road, including the construction of a detention basin. Once the basin is completed, the County will request relief of maintenance for the remainder of the project improvements.

A separate amendment to the construction cooperative agreement for Phase 1 of the project is required and appears separately on this agenda.

Project No.: B4-05273

**Impact on Residents and Businesses**

Amendment No. 3 to the Construction Cooperative Agreement for SR-79 Phase 2 improvements will allow the County to be relieved of maintenance costs for the completed improvements.

**Contract History and Price Reasonableness**

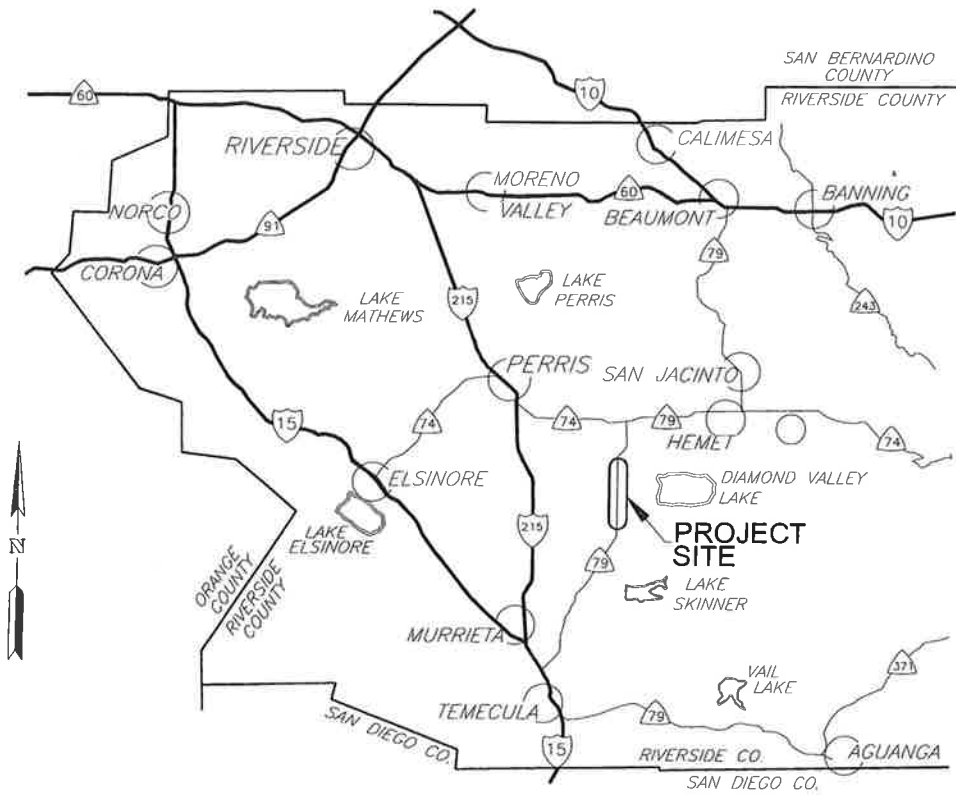
N/A

**ATTACHMENTS**

Vicinity Map  
Amendment No. 3, Phase 2

# STATE ROUTE 79, WIDENING PROJECT

## LOCATION MAP



**AMENDMENT NO. 3 TO AGREEMENT 08-1485**

THIS AMENDMENT No. 3 (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. 08-1485, (AGREEMENT) on March 3, 2011, defining the terms and conditions for improvements consisting of widening State Route 79 in Riverside County from Thompson Road to Scott Road from two to four lanes, for approximately 4 miles, referred to as PROJECT.
2. PARTNERS entered into Amendment No. 1 to AGREEMENT on May 17, 2011, to add language for the Legally Responsible Person and the Approved Signatory Authority as mandated by the Construction General Permit.
3. PARTNERS entered into Amendment No. 2 to AGREEMENT on January 18, 2012, 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; reduce the COUNTY funds; and to add additional STPL Funds.
4. PARTNERS now seek to revise the language to permit partial Relief of Maintenance for completed segments of the PROJECT.

**IT IS THEREFORE MUTUALLY AGREED:**

1. Article 55 in the AGREEMENT is replaced in its entirety to read as follows:  
“55. As IMPLEMENTING AGENCY for CONSTRUCTION, COUNTY is responsible for maintenance within PROJECT limits as part of the construction contract until a request from COUNTY is submitted and approved by CALTRANS for a relief of maintenance for any portion of the PROJECT in accordance with CALTRANS Standard Specifications.”

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: \_\_\_\_\_  
John Bulinski  
Interim District 8 Director

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

APPROVED AS TO FORM AND  
PROCEDURE:

By: *Joan Georgakis*  
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~~ Gregory P. Priamos  
County Counsel

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

By: *Marsha L. Victor 10/14/15*  
Deputy Marsha L. Victor

By:   
Accounting Administrator