

FORM APPROVED COUNTY COUNSEL
 BY: *S.P. Victor* 3/19/10
 MARSHAL VICTOR DATE

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

437A



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
 March 11, 2010

SUBJECT: Amendment No. 1 to the Cooperative Agreement between the County of Riverside and the State of California Department of Transportation (Caltrans) for the preparation of environmental and design documents for improvements at the Indian Truck Trail/Interstate 15 Interchange.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify the attached Amendment to the Cooperative Agreement between the County of Riverside and Caltrans for improvements at the Indian Truck Trail/Interstate 15 Interchange (Amendment 1 - Caltrans Agreement No. 08-1233 A/1), and;
2. Authorize the Chairman to execute the same.

BACKGROUND: On December 20, 2005, the Board of Supervisors approved a cooperative

[Signature]
 Juan C. Perez
 Director of Transportation

BEC
 (Continued on next page)

FINANCIAL DATA	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:	2009/2010
SOURCE OF FUNDS: N/A				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
[Signature]
 BY: Tina Grande
 Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
 Nays: None
 Absent: Tavaglione
 Date: April 6, 2010
 xc: Transp.

Kecia Harper-Ihem
 Clerk of the Board
 By: *[Signature]*
 Deputy

Prev. Agn. Ref. 4/12/05 (3.16) | District: 1 | Agenda Number:
 12/20/05 (3.41)
 12/12/06 (3.32)

3.75

ATTACHMENTS FILED
 WITH THE CLERK OF THE BOARD

Departmental Concurrence

Dept's Recomm.: Consent
 Per Exec. Ofc.: Policy

The Honorable Board of Supervisors

RE: Amendment No. 1 to the Cooperative Agreement between the County of Riverside and the State of California Department of Transportation (Caltrans) for the preparation of environmental and design documents for improvements at the Indian Truck Trail/Interstate 15 Interchange.

March 11, 2010

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agreement for the preparation of the environmental and design documents between Caltrans and the County of Riverside, for the Indian Truck Trail Interchange Project at Interstate 15. The cooperative agreement terminated on December 31, 2009. This amendment extends the termination date to December 31, 2015. The environmental document has been approved and final design work is nearing completion. However, the timing of when construction can start is unknown since these improvements would primarily be funded by a combination of developer contributions and Development Impact Fees.

The terms of the original cooperative agreement between Caltrans and the County of Riverside remain the same. This agreement is necessary for Caltrans to provide continued project oversight, quality assurance, and appropriate reviews and approvals of project document submittals by the County. The cost of project oversight and quality assurance will be borne by the State.

Roadway improvements at the Indian Truck Trail and Interstate 15 interchange are needed as a result of a significant increase in traffic and planned additional development in the area. The surrounding land uses in the vicinity of the interchange include commercial, retail and residential parcels west of Interstate 15, with light industrial parcels and a major future master-planned residential community east of Interstate 15. The project improvements include widening the exit ramps from one to three lanes, adding dedicated left-turn lanes to the on ramps, and expanding the undercrossing from two to four lanes. The estimated cost of this project is approximately \$10 million.

Project No. B40501

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010

Post Office Box 1147, Riverside, Ca 92502-1147

Thank you,

Contract No. 05-03-013 A1
Riverside Co. Transportation

08-Riv-15-KP 48.6/49.3
I-15/Indian Truck Trail
Interchange Improvement
EA 0E450K
District Agreement No. 08-1233 A/1

**AMENDMENT No. 1 TO AGREEMENT
(RE-AFFIRMATION of AGREEMENT No. 08-1233)**

This AMENDMENT No.1 TO AGREEMENT No. 08-1233 (AMENDMENT), ENTERED INTO EFFECTIVE ON April 19, 2010 between the STATE OF CALIFORNIA, acting by and through its Department of Transportation referred to herein as STATE, and

COUNTY OF RIVERSIDE, a political subdivision of the State of California, referred to herein as "COUNTY."

RECITALS

1. The parties hereto (PARTIES) entered into a Cooperative Agreement No.08-1233, hereinafter AGREEMENT, on January 24, 2006 defining the terms and conditions of improvements consisting of widening of Indian Truck Trail, construction of retaining walls under the Interstate 15 (I-15) bridges, widening the existing ramps, and signalization of intersections on I-15 at the Indian Truck Trail Interchange, referred to herein as "PROJECT."
2. PROJECT was not completed prior to the termination date as stated in AGREEMENT
3. AGREEMENT expired on December 31, 2009 and is herein revived by PARTIES to this AMENDMENT by reaffirming their rights, liabilities and obligations under AGREEMENT while making a correction to the Kilo Post (KP) description of the project limits.
4. The Project Report was prepared showing KP 48.6/49.3 but AGREEMENT was erroneously executed with KP 48.9 therefore the need to correct the same in this Amendment.

IT IS THEREFORE MUTUALLY AGREED:

1. The termination date specified in Section III, "It Is Mutually Agreed", Article 15 of the AGREEMENT shall now be December 31, 2015 instead of December 31, 2009.
2. The Kilo Post shown on the original Agreement is hereby corrected to read KP 48.6/49.3.
3. The other terms and conditions of AGREEMENT are herein incorporated by reference and re-affirmed by PARTIES.
4. PARTIES also ratify herein PARTIES' actions during the period from December 31, 2009 to the date of execution of this AMENDMENT.
5. PARTIES empowered by Street and Highways Code section 114 & 130 to enter into AGREEMENT have delegated to their undersigned authority on behalf of the respective agencies and covenants and have followed all the necessary legal requirements to validly execute this AMENDMENT.

WHEN DOCUMENT IS FULLY EXECUTED RETURN
CLERK'S COPY
to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

District Agreement No. 08-1233 A/1


IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

COUNTY OF RIVERSIDE


RANDELL H. IWASAKI
Director of Transportation

By: 
Chairman, Board of Supervisors
MARION ASHLEY

By: 
RAYMOND W. WOLFE, PhD
Deputy District Director


SIGNED AND CERTIFIED THAT
A COPY OF THIS DOCUMENT
HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

APPROVED AS TO FORM:

By: 
Attorney, Department of
Transportation

By:  DEPUTY
Clerk of the Board of Supervisors
KECIA HARPER-IHEM

CERTIFIED AS TO FINANCIAL TERMS
AND CONDITIONS:

By: 
Accounting Administrator

APPROVED AS TO FORM:
Office of the COUNTY Counsel

CERTIFIED AS TO FUNDS:

By: 
LISA PACHECO
District Budget Manager

By:  3/19/10
Counsel Marsha L. Victor