

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

847A



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
February 15, 2011

SUBJECT: Amendment No. 3 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 SR 79 (Winchester Road) from Thompson Road to Domenigoni Parkway

RECOMMENDED MOTION: That the Board approve and authorize the Chairman to execute the attached Amendment 3 to the Cooperative Agreement between the County of Riverside and Caltrans for SR 79, Thompson Road to Domenigoni Parkway, Widening project (Caltrans Agreement No. 08-1234 A/3).

BACKGROUND: On December 14, 2004 (agenda item 3.25) the Board of Supervisors approved the Cooperative Agreement between the County of Riverside and Caltrans for the

Juan C. Perez
Director of Transportation

(Continued On Attached Page)

| | | | | |
|-----------------------|-------------------------------|------|-------------------------|-----------|
| FINANCIAL DATA | 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 |

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

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Tina Grande

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Tavaglione, Stone and Benoit
Nays: None
Absent: Ashley
Date: February 28, 2012
xc: Transp., Purchasing, Auditor

Kecia Harper-Ihem
Clerk of the Board

By: Deputy

Prev. Agn. Ref. 11/24/09 (3.116) | District: 3/3 | Agenda Number:
3/31/09 (3.45)
12/14/04 (3.25)

3.58

FORM APPROVED COUNTY COUNSEL
BY: MARSHAL L. VICTOR
DATE: 2/15/12

Departmental Concurrence

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

The Honorable Board of Supervisors

RE: Amendment No. 3 to the Cooperative Agreement between the County of Riverside and the State of California Department of Transportation (Caltrans) for for the preparation of environmental and design documents for SR 79 (Winchester Road) from Thompson Road to Domenigoni Parkway

February 15, 2011

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preparation of environmental and design documents for the widening of SR 79, Thompson Road to Domenigoni Parkway. On March 31, 2009 (agenda item 3.45) the Board approved Amendment No. 1 to the Cooperative Agreement, extending the termination date to December 31, 2011, and on November 24, 2009 (agenda item 3.116) the Board approved Amendment No. 2. to the agreement which allowed the phasing of construction of the project between Scott Road and Domenigoni Parkway (Phase 1) and from Abelia Street to Scott Road (Phase 2).

Phase 1 has been awarded and is scheduled for construction to begin in March 2012. Phase 2 is in the process of final design approval and is anticipated to be advertised for construction in the summer of 2012.

Amendment 3 extends the Design Cooperative Agreement termination beyond the current termination date of December 31, 2011.

Project No. B405272

Contract No. 04-11-011 A3
Riverside Co. Transportation

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.

08-Riv-79-PM 8.4/15.8
Widen SR-79 to 4-Lane Highway
EA 46460 (PM 8.4/15.8)
EA 46461 (PM 12.2/15.8)
EA 46462 (PM 8.4/15.1)
District Agreement No. 8-1234 A/3
Project Numbers 0800000742,
0800001041 and 0800001042

**AMENDMENT No. 3 TO AGREEMENT
(RE-AFFIRMATION of AGREEMENT No. 8-1234)**

This AMENDMENT No. 3 TO AGREEMENT (AMENDMENT), ENTERED INTO EFFECTIVE ON _____, 2012 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 an Cooperative Agreement No. 8-1234, hereinafter AGREEMENT, on December 14, 2004 defining the terms and conditions of improvements consisting of widening SR-79 in Riverside County from Thompson Road to Domenigoni Parkway from two to four lanes, for approximately 12 kilometers (8 miles), referred to herein as "PROJECT."
2. PARTIES hereto also entered into an Amendment No. 1 to Agreement on April 23, 2009, which extended the termination date from June 30, 2009 to December 31, 2011.
3. PARTIES hereto also entered into an Amendment No.2 to Agreement on December 1, 2009, which divided the Plans, Specifications, and Estimate portion of the PROJECT into two phases.
4. PROJECT was not completed prior to the termination date as stated in AGREEMENT.
5. AGREEMENT expired on December 31, 2011 and is herein revived by PARTIES to this AMENDMENT by reaffirming their rights, liabilities and obligations under AGREEMENT.

SIGNATURES

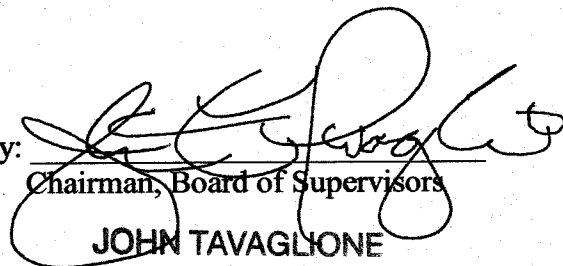
PARTIES declare that:

1. Each Party is an authorized legal entity under California state law.
2. Each Party 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.

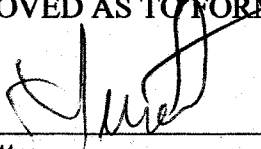
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

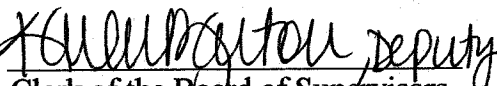
COUNTY OF RIVERSIDE

By: _____
RAYMOND W. WOLFE, PhD
District Director

By: 
Chairman, Board of Supervisors
JOHN TAVAGLIONE

APPROVED AS TO FORM:


By: 
Attorney
Department of Transportation

By: 
Clerk of the Board of Supervisors
Kecia Harper - Dem

CERTIFIED AS TO FINANCIAL TERMS
AND CONDITIONS:

APPROVED AS TO FORM:
Office of the COUNTY Counsel

By: 
Accounting Administrator

By:  2/15/12
COUNTY Counsel

CERTIFIED AS TO FUNDS:

By: _____
LISA PACHECO
District Budget Manager