

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

220A



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
March 15, 2012

SUBJECT: Amendment 1 to TUMF Funding Agreement with Western Riverside Council of Governments (WRCOG) for the Clinton Keith Road/I-15 Interchange Project

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the subject TUMF Funding Amendment 1 between WRCOG and the County, and authorize the Chairman to execute the same.
2. Authorize the Director of Transportation to approve future administrative amendments to this Agreement.

BACKGROUND: The Clinton Keith Road/I-15 Interchange is located in the City of Wildomar, and was constructed in 1979. The current Clinton Keith Road/I-15 Interchange is a diamond configuration with Clinton Keith Road crossing over I-15. The existing Clinton Keith Road

Juan C. Perez
Director of Transportation

JCP:gh
(Continued On Attached Page)

| | | | | |
|-----------------------|-------------------------------|--------------|-------------------------|-----------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ 1,500,000 | 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: TUMF (100%)

There are no General Funds used in this project.

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

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: March 27, 2012
xc: Transp.

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref. 9/14/10, Item 3.43 | **District:** 1/1 | **Agenda Number:**

3.40

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER
DATE: 3/14/12
Departmental Concurrence

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

The Honorable Board of Supervisors

RE: Amendment 1 to TUMF Funding Agreement with Western Riverside Council of Governments (WRCOG) for the Clinton Keith Road/I-15 Interchange Project

March 15, 2012

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overcrossing consists of one lane in each direction plus a median left turn lane. Increasing demand for freeway access at Clinton Keith Road is causing significant congestion at the interchange ramp intersections and other associated elements of the interchange. The proposed project would improve safety and operation of the interchange and Clinton Keith Road, and is consistent with local and regional planning.

Proposed improvements for this Project include widening the bridge structure to accommodate six through lanes (three in each direction) plus dual median left turn lanes in each direction, reconstruction and widening of the freeway ramps, and the addition of ramp auxiliary lanes in both directions on Interstate 15.

The County and WRCOG initially entered into a TUMF Funding Agreement for this Project in the amount of \$7,800,000, approved by the Board on September 14, 2010 (Agenda Item 3.43). This Amendment 1 would increase the TUMF funding amount for the Agreement by \$1,500,000 to a revised total of \$9,300,000 for the construction phase of the Project. This amended amount is consistent with the revised budget amount currently programmed in the WRCOG Southwest Zone TIP for this Project. The County is the lead agency for the State Highway improvement project and will be administering the construction contract. Construction is anticipated to begin in April 2012.

Project Number: A20264

**AMENDMENT 1 TO TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM
AGREEMENT**

CLINTON KEITH ROAD / I-15 INTERCHANGE

THIS AMENDMENT 1 ("Amendment") is entered into this 27 day of March, 2012, by and between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ("WRCOG") and the COUNTY OF RIVERSIDE ("Agency"). WRCOG and the Agency are sometimes referred to individually as "Party" and collectively as "Parties."

RECITALS

A. WRCOG and Agency have entered into an agreement titled "Transportation Uniform Mitigation Fee Program Reimbursement Agreement" that was approved by the Riverside County Board of Supervisors on **September 14, 2010** ("Agreement"). The Agreement provides the terms and conditions, scope of work, schedule, and funding amount for the **Clinton Keith Road/I-15 Interchange** Improvements, a Qualifying Project (the "Project").

B. The Parties desire to amend the Agreement by modifying the funding amount and Project Schedule specified in the Agreement.

C. The funding amount specified in the Agreement is being amended to match the funding amounts shown in the current Southwest Zone 5-year Transportation Improvement Plan (TIP) for this Project.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and subject to the conditions contained herein, the Parties hereby agree as follows:

1. The Funding Amount contained in Section 2 of the Agreement is hereby increased from Seven Million, Eight Hundred Thousand dollars (\$7,800,000) to a revised not to exceed amount of **Nine Million, Three Hundred Thousand dollars (\$9,300,000)**.
2. The forgoing modification of the Funding Amount is within the Maximum TUMF Share.
3. Exhibit "A-1" Estimate of Cost of the Agreement is hereby deleted in its entirety and replaced with Exhibit "A-1" Estimate of Cost, which is attached to this Amendment and incorporated herein by reference.
4. Exhibit "A-2" Project Schedule of the Agreement is hereby deleted in its entirety and replaced with Exhibit "A-2" Project Schedule, which is attached to this Amendment and incorporated herein by reference.
5. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement shall remain in full force and effect between the Parties hereto.

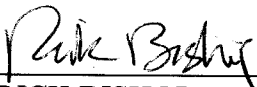
[Signatures on Following Page]


IN WITNESS WHEREOF, the Parties have caused this Amendment to the Agreement to be executed by their duly authorized representatives to be effective on the day and year first written above.

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT

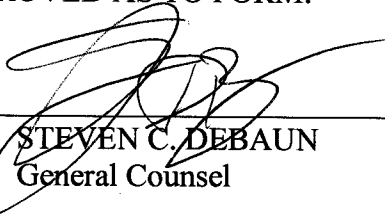
RECOMMENDED FOR APPROVAL:

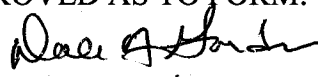
By: 
RICK BISHOP
Executive Director

By: 
JUAN C. PEREZ
Director of Transportation

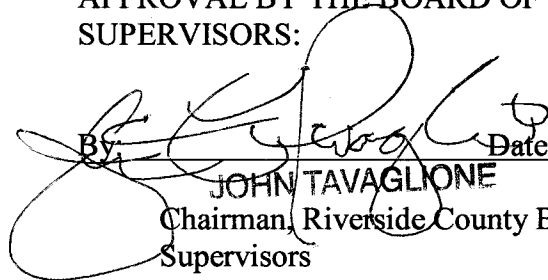
APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: 
STEVEN C. DEBAUN
General Counsel

By: 
Dale A. Gardner
County Counsel

APPROVAL BY THE BOARD OF SUPERVISORS:

By:  Date: 3/27/12
JOHN TAVAGLIONE
Chairman, Riverside County Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board


By:  Date: 3/27/12
Deputy

EXHIBIT "A-1"
ESTIMATE OF COST

| PHASE | TUMF | LOCAL | TOTAL |
|---|--------------------|--------------------|---------------------|
| PA&ED | NA | NA | NA |
| PS&E | NA | NA | NA |
| ROW | NA | NA | NA |
| CON | \$9,300,000 | \$8,900,000 | \$18,200,000 |
| <i>Total Approved by WRCOG</i> | \$9,300,000 | \$8,900,000 | \$18,200,000 |

EXHIBIT "A-2"
PROJECT SCHEDULE

| PHASE | START DATE | COMPLETION DATE |
|--------------|-------------------|------------------------|
| PA&ED | NA | NA |
| PS&E | NA | NA |
| ROW | NA | NA |
| CON | FY 11/12 | FY 12/13 |