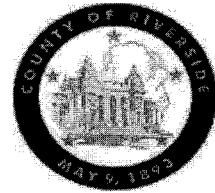


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.30
(ID # 2610)

MEETING DATE:

Tuesday, November 15, 2016

FROM : TLMA-TRANSPORTATION:

SUBJECT: TLMA-TRANSPORTATION: Approval of Amendment No. 1 to the Agreement for the Funding of Measure A Regional Arterial Improvements between the County of Riverside and the Riverside County Transportation Commission for the Construction of Clinton Keith Road Extension Project between Whitewood Road to Leon Road. 3rd District; [\$2,717,000 - Total Cost]; Local Funds 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 1 to the Agreement for the Funding of Measure A Regional Arterial Improvements between the County of Riverside (County) and the Riverside County Transportation Commission (RCTC) for the Clinton Keith Road Extension Project; and
2. Authorize the Chairman of the Board to execute the same.

ACTION: Policy

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$2,717,000	\$ 2,717,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Riverside County Transportation Commission (RCTC) Measure A (100%). There are no General Funds used on this project.			Budget Adjustment:	No
			For Fiscal Year:	17/18

C.E.O. RECOMMENDATION: Approve

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Benoit and Ashley
 Nays: None
 Absent: Tavaglione and Washington
 Date: November 15, 2016
 xc: Transp.

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

3-30

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

BACKGROUND:

Summary

The County is the lead agency for the Clinton Keith Road Extension Project between Antelope Road in the City of Murrieta and State Route 79 (SR-79) in the Winchester area of unincorporated Riverside County.

Clinton Keith Road will ultimately be constructed to include a six lane urban arterial road with traffic signals installed at Menifee Road, Trois Valley Street, and Leon Road. The construction of the Clinton Keith Road Extension Project is being phased due to funding constraints. Phase 1 construction was completed by the City of Murrieta from Antelope Road to Whitewood Road to the ultimate six lane road width.

The segment of Clinton Keith Road between Whitewood Road and Leon Road will be constructed as Phase 2 and Phase 4 of the overall project. Phase 2 includes four of the six lanes and traffic signals at Menifee Road and Trois Valley Street and is currently under construction. Phase 4 will complete the road to the ultimate six lane arterial road between Whitewood Road and Leon Road. Phase 3 includes the segment of Clinton Keith Road from Leon Road to SR-79, which will be constructed in the future as additional funds become available.

The County was successful in competing for funding in response to the RCTC 2013 Call for Projects. The Project was awarded \$16.5 million of Measure A Regional Arterial (MARA) funds to be used for construction of Clinton Keith Road.

The funding agreement, entitled "Agreement for the Funding of Measure A Regional Arterial Improvements with Riverside County", was approved by the Board of Supervisors on August 5, 2014 (Agenda Item 3-41). The County received favorable bids for Phase 2 construction. The Agreement includes provisions for cost savings to be applied proportionately to each funding source. The project savings to MARA funds for Phase 2 was \$ 2,931,047.

It is now the County's desire to amend the Agreement in order to utilize \$2,717,000 of the cost savings to construct Phase 4 (the additional two lanes), to provide the ultimate six lane facility between Whitewood Road and Leon Road. Amendment No. 1 to the agreement includes the amended Description of Work, Funding Amount, and Local Match Contribution. The County of Riverside Transportation Department (Transportation Department) is working on the design plans for Phase 4 and expects to have the project out to construction in the Spring of 2018, following construction completion of Phase 2.

County Counsel has approved the Amendment as to form.

Impact on Residents and Businesses

This project will improve mobility and circulation through the region and reduce congestion on the surrounding roadways.

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

SUPPLEMENTAL:

Additional Fiscal Information

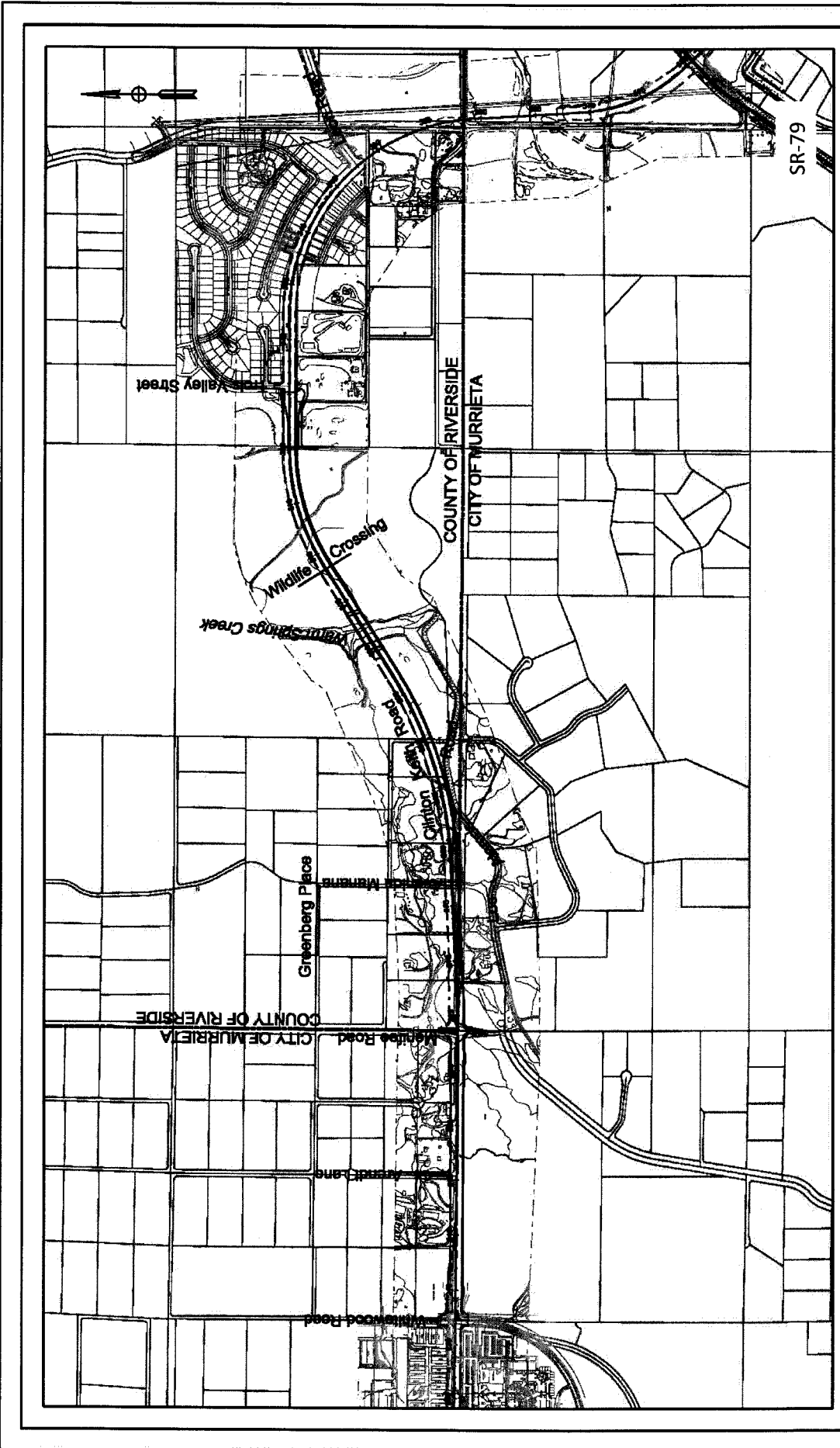
The Transportation Department submitted the Clinton Keith Road Extension Project for \$16.5 million of funding through RCTC's Multi-Funding Call for Projects, which consists of Federal Congestion Mitigation and Air Quality and Surface Transportation Program funds and Measure A Regional Arterial (MARA) Western County funds. This project has been environmentally cleared based on the California Environmental Quality Act criteria and is eligible for local funding only, including MARA funds.

ATTACHMENTS

Vicinity Map
Amendment No. 1



Gregory P. Priamos, Director County Counsel 11/1/2016



LEGEND

----- City of Murrieta/County of Riverside Boundary

Clinton Keith Road Vicinity Map

**AMENDMENT NO. 1 TO AGREEMENT FOR THE FUNDING OF
MEASURE A REGIONAL ARTERIAL IMPROVEMENTS
WITH RIVERSIDE COUNTY**

1. Parties and Date.

1.1 This Amendment No. 1 is executed and entered into this 7th day of Dec., 2016, by and between the RIVERSIDE COUNTY TRANSPORTATION COMMISSION ("RCTC") and the COUNTY OF RIVERSIDE ("County"). RCTC and County are sometimes collectively referred to herein as the "Parties".

2. Recitals.

2.1 On August 18, 2014, RCTC and County entered into an agreement to distribute Measure A Regional Arterial ("MARA") Funds to the County for the Clinton Keith Extension Ph. 2 ("Phase 2") and to participate in the joint development of the Project, as defined therein, ("Master Agreement").

2.2 The total approved funding for Phase 2 was \$39,478,000, which consisted of \$16,500,000 in MARA funding and \$22,978,000 in local funding.

2.3 The County received favorable bids for Phase 2, and, on November 10, 2015, the County Board of Supervisors awarded the contract to Sukut Construction for Alternate Bid Schedule 2 consisting of a four-lane facility between Whitewood Road and Trois Valley Street at a cost of \$32,461,610.

2.4 Based on the agreements with the local agencies for the call for projects, in the event the bids came in lower than originally anticipated, the cost savings would be applied proportionately to each funding source. The project savings to MARA funds for Phase 2 was \$2,931,047 ("Project Savings").

2.5 RCTC and County now desire to amend the Master Agreement in order to utilize \$2,717,000 of the Project Savings to add construction of Phase 4 of the Clinton Keith Extension ("Phase 4"), including two additional lanes to provide the ultimate six lane facility between Whitewood Road and Trois Valley Street. The anticipated cost of adding Phase 4 to the current Phase 2 construction is estimated to be \$6,500,000 for a total construction cost of \$38,961,610. The County and RCTC desire to include Phase 4 as part of the Work as defined in the Master Agreement, and to reduce the RCTC Funding Amount and the local match contribution, as set forth in the Master Agreement, in order to reflect the cost savings resulting from the contract awarded to Sukut Construction.

2.6 Phase 3 of the Clinton Keith Road Extension, which includes the section from Leon Road to SR 79, will be built in the future as additional funding is identified.

2016 DEC 12 10:10:38

3. Terms.

3.1 Section 3.1 of the Master Agreement is hereby amended, in its entirety, to read as follows:

3.1 Description of Work. This Agreement is intended to distribute MARA Funds to the County for the Clinton Keith Extension Phase 2, which includes the construction of a four lane facility between Whitewood Road and Trois Valley Street, a six lane width bridge over Warm Springs Creek, a wildlife crossing, new traffic signals at Trois Valley Street and Menifee Road, and a signal modification at Whitewood Road, and for the subsequent Clinton Keith Extension Phase 4, construction of the remaining two lanes between Whitewood Road and Trois Valley Street, building the ultimate arterial widening of six lanes (three lanes in each direction) (“Work”). The Work, including a timetable and a detailed scope of work, is more fully described in Exhibit “A” attached hereto and, pursuant to Section 3.15 below, is subject to modification as requested by the County and approved by RCTC. The Work shall be consistent with one or more of the defined RCTC Call for Projects phases detailed herein as follows:

- 1) PA&ED – Project Approvals & Environmental Document
- 2) PS&E – Plans, Specifications and Estimates
- 3) R/W – Right of Way Acquisition and Utility Relocation
- 4) CONS – Construction

The Work phase(s) funded pursuant to this Agreement shall be consistent with the County’s Call for Projects Nomination Form submitted to the RCTC (“the Project”). The Project is more fully described in Exhibit “B” attached hereto. It is understood and agreed that the County shall expend MARA Funds only as set forth in this Agreement and only for the Work. To this end, any use of funds provided pursuant to this Agreement shall be subject to the review and approval of RCTC.

3.2 Section 3.2 of the Master Agreement is hereby amended, in its entirety, to read as follows:

3.2 RCTC Funding Amount. RCTC hereby agrees to distribute to the County, on the terms and conditions set forth herein, a sum not to exceed Sixteen Million, Two Hundred Eighty Five Thousand, Nine Hundred Fifty Three Dollars (\$16,285,953), to be used exclusively for reimbursing the County for eligible Work expenses as described herein (“Funding Amount”). The County acknowledges and agrees that the Funding Amount may be less than the actual cost of the Work, and that RCTC shall

not contribute MARA Funds in excess of the maximum authorized in this section.

- 3.3 Section 3.3.2 of the Master Agreement is hereby amended, in its entirety, to read as follows:

3.3.2 County's Local Match Contribution. The County shall provide at least Twenty Two Million Six Hundred Seventy Five Thousand Six Hundred Fifty Seven dollars (\$22,675,657) of funding toward the Work, as shown in Exhibit "A" and as called out in the County's Project Nomination Form submitted to RCTC in response to its Call for Projects.


- 3.4 Exhibit "A" of the Master Agreement shall be amended and replaced, in its entirety, with the version of Exhibit "A" attached to this Amendment No. 1 and incorporated herein by reference.
- 3.5 Exhibit "B" of the Master Agreement shall be amended and replaced, in its entirety, with the version of Exhibit "B" attached to this Amendment No. 1 and incorporated herein by reference.
- 3.6 Except as amended by this Amendment No. 1, all provisions of the Master Agreement, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the Parties under this Amendment No. 1.

[Signatures on following page]

SIGNATURE PAGE
TO
AMENDMENT NO. 1 TO AGREEMENT FOR THE FUNDING OF
MEASURE A REGIONAL ARTERIAL IMPROVEMENTS


**RIVERSIDE COUNTY
TRANSPORTATION COMMISSION**

COUNTY OF RIVERSIDE
Recommended for Approval:



Anne Mayer
Executive Director


Dated: 12/7/14



Patricia Romo
Director of Transportation

Dated: 10/20/16

APPROVED AS TO FORM:



Best, Best & Krieger
Counsel to the Riverside County
Transportation Commission

Dated: 9/24/16

APPROVED AS TO FORM:

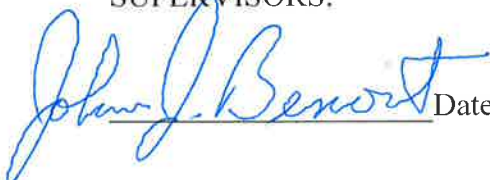


Gregory P. Priamos
County Counsel, Riverside County

Dated: 10/27/16

Dated: _____
Synthia M. Gunzel
Supervising Deputy County Counsel

APPROVAL BY THE BOARD OF
SUPERVISORS:




Dated: NOV 15 2016

JOHN J. BENOIT

Printed Name
Chairman, Riverside County Board of
Supervisors

ATTEST:



Dated: NOV 15 2016
Kecia Harper-Ihem
Clerk of the Board (SEAL)

EXHIBIT "A"

SCOPE OF WORK, FUNDING AND TIMETABLE

SCOPE OF WORK: Detail the Phase(s) of Work to be performed under this Agreement

Clinton Keith Extension Phase 2 – Construct a four lane facility between Whitewood Road and Trois Valley Street, a full six lane width bridge over Warm Springs Creek, a wildlife crossing, traffic signals at Trois Valley Street and Menifee Road, and a signal modification at Whitewood Road.

FUNDING:

PHASE	MARA Fund	LOCAL	TOTAL
CONSTRUCTION	\$13,568,953	\$18,892,657	\$32,461,610
TOTAL	\$13,568,953	\$18,892,657	\$32,461,610

TIMETABLE:

Phase	Start	End	Comments
Construction	May 2016	December 2017	Contract Awarded 11-10-2015

Clinton Keith Extension Phase 4 – Construct remaining two lanes between Whitewood Road and Trois Valley Street (building ultimate width of arterial to six lanes – three lanes in each direction).¹

FUNDING:

PHASE	MARA Fund	LOCAL	TOTAL
CONSTRUCTION	\$2,717,000	\$3,783,000	\$6,500,000
TOTAL	\$2,717,000	\$3,783,000	\$6,500,000

TIMETABLE:

Phase	Start	End
Construction	December 2017	September 2018

¹ RCTC Board action on June 8, 2016 incorrectly identified the title of this phase as "Phase III"; however, the phase description, work, and funding approved by the Board was for "Phase 4", in accordance with the Agreement.

EXHIBIT “B”

“PROJECT” DESCRIPTION AND MILESTONES

PROJECT DESCRIPTION:

The Clinton Keith Extension includes the construction of Clinton Keith Road as a 6 lane Urban Arterial from Antelope Road to SR-79. Construction is being phased due to funding constraints. Phase 1 construction was recently completed by the City of Murrieta from Antelope Road to Whitewood Road. Phase 2 of the project for which MARA funds have been awarded includes the construction of a four lane facility from Whitewood Road to Trois Valley Street, a full six lane width bridge over Warm Springs Creek, a wildlife crossing, traffic signals at Trois Valley Street and Menifee Road, and a signal modification at Whitewood Road. The section of Clinton Keith Road from Trois Valley Street to Leon Road is an existing full width, six lane section built by a developer. Phase 4 of the Clinton Keith Extension includes construction of the remaining two lanes between Whitewood Road and Trois Valley Street (building the ultimate width arterial road to six lanes – three lanes in each direction). Construction of Phases 2 and 4 are the subject of this Agreement.

Future Phase 3 will complete the remaining six lane facility from Leon Road to SR-79 and is not a part of this Agreement. The attached exhibit depicts the project phasing.

MILESTONES: (including all construction phases described above)

Phase	Start	End	Comments
PA&ED		10/2000	Cert. EIR 10/2000, Supp. EIR 1/2006, EIR Addendum 4/2014
Design (PS&E)		11/2013	Complete
Right of Way		2/2012	Complete
Construction	9/2014	9/2018*	

*Includes construction completion of Phases 1, 2 & 4. Phase 3 construction schedule is currently undetermined.

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Ms Miller

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 3.30

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.