

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



**ITEM**  
3.69  
(ID # 7562)

**MEETING DATE:**

Tuesday, August 28, 2018


**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Amendment No.1 to Cooperative Funding Agreement with the Chino Basin Desalter Authority (CDA), Interstate 15 and Limonite Avenue Interchange Improvements, City of Jurupa Valley and City of Eastvale; CEQA Finding of Nothing Further is Required; 2nd District, [\$306,484]; CDA 100%

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

1. Find that the construction of the Chino Basin Desalter Authority (CDA) waterline facilities for the Interstate 15 and Limonite Avenue Interchange Improvements Project, have been analyzed under the adopted CEQA Initial Study/ Mitigated Negative Declaration (IS/MND), and nothing further is required; and
2. Approve and Execute Amendment Number One to Cooperative Agreement for the Construction of Chino Basin Desalter Authority Facilities as Part of the Interstate 15 and Limonite Avenue Interchange Improvement Project for an amount not to exceed \$306,484, for Fiscal Year 18/19.

**ACTION:** Policy

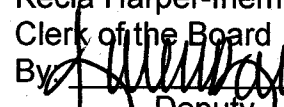
  
Patricia Romo, Director of Transportation 7/20/2018

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

**Ayes:** Jeffries, Tavaglione, Washington, Perez and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** August 28, 2018  
**xc:** Transp.

Kecia Harper-Ihem  
Clerk of the Board  
By   
Deputy

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STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 306,484	\$ 0	\$ 306,484	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> CDA (100%) There are no County funds used for this Agreement			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	18/19

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

**BACKGROUND:**

**Summary**

The County of Riverside is the lead agency for the development of the project to construct interchange improvements at Interstate 15 and Limonite Avenue, within and on behalf of the Cities of Jurupa Valley and Eastvale.

The County advertised for construction bids on March 20, 2018 (agenda item 3.13), and bids were opened on May 2, 2018. Construction is anticipated to begin in the third quarter of 2018.

The Chino Basin Desalter Authority (CDA) requested the County of Riverside to include the construction of one water pipeline as part of the County's construction contract. A cooperative agreement between the County and CDA was executed on February 27, 2018 (agenda item 3.61), which provides for the County to perform the construction work on behalf of CDA, at CDA's sole expense.

The work was included in the bid documents for the interchange improvement project, and bid prices for the work received by the lowest responsive and responsible bidder were higher than estimated. The total estimated cost for the work on behalf of CDA has increased from \$198,000 to \$306,484 (55%), necessitating an amendment to the underlying agreement.

Amendment no. 1 to the cooperative agreement provides for the County to perform the construction work on behalf of CDA at the increased bid prices, plus associated engineering and administrative costs.

CDA has executed the submitted agreement amendment. The agreement has been reviewed and approved by County Counsel.

Project No: A3-0393

**Environmental Impacts**

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STATE OF CALIFORNIA**

The Chino Basin Desalter facilities work will include the construction of one 18 inch water pipeline through the Limonite Avenue bridge structure. Thus, the CDA facilities will be located within the Interstate 15 and Limonite Avenue Interchange Improvements Project's footprint, analyzed under that particular environmental document referenced below.

By Minute Order dated June 21, 2016 (Agenda Item 3.71), the Riverside County Board of Supervisors adopted that particular California Environmental Quality Act (CEQA) Initial Study with Mitigated Negative Declaration for the Interstate 15 and Limonite Avenue Interchange Improvements Project. The CEQA Notice of Determination was posted with Riverside County Clerk's Office on June 21, 2016 with the 35-day posting terminated on July 29, 2016. A Caltrans NEPA Exclusion Determination Form was signed on 3/3/16.

Therefore, the approval of Amendment No. 1 to the original February 27, 2018 cooperative agreement is an action in furtherance of the interchange improvement project, and nothing further is required for CEQA compliance.

**Impact on Citizens and Businesses**

The work will be performed by the County's contractor, who will perform public outreach to area residents and schools. All work will be performed in coordination with the Cities and County so as to minimize inconvenience to the public.

**Additional Fiscal Information**


All work will be 100% funded by CDA. No general funds will be used.

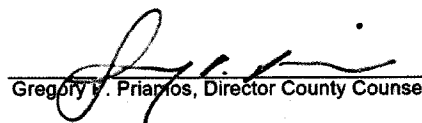
**Contract History and Price Reasonableness**

The increased costs have been reviewed by CDA, which has approved the award of the alternate bid schedule as bid by the lowest responsive and responsible bidder.

**ATTACHMENTS**

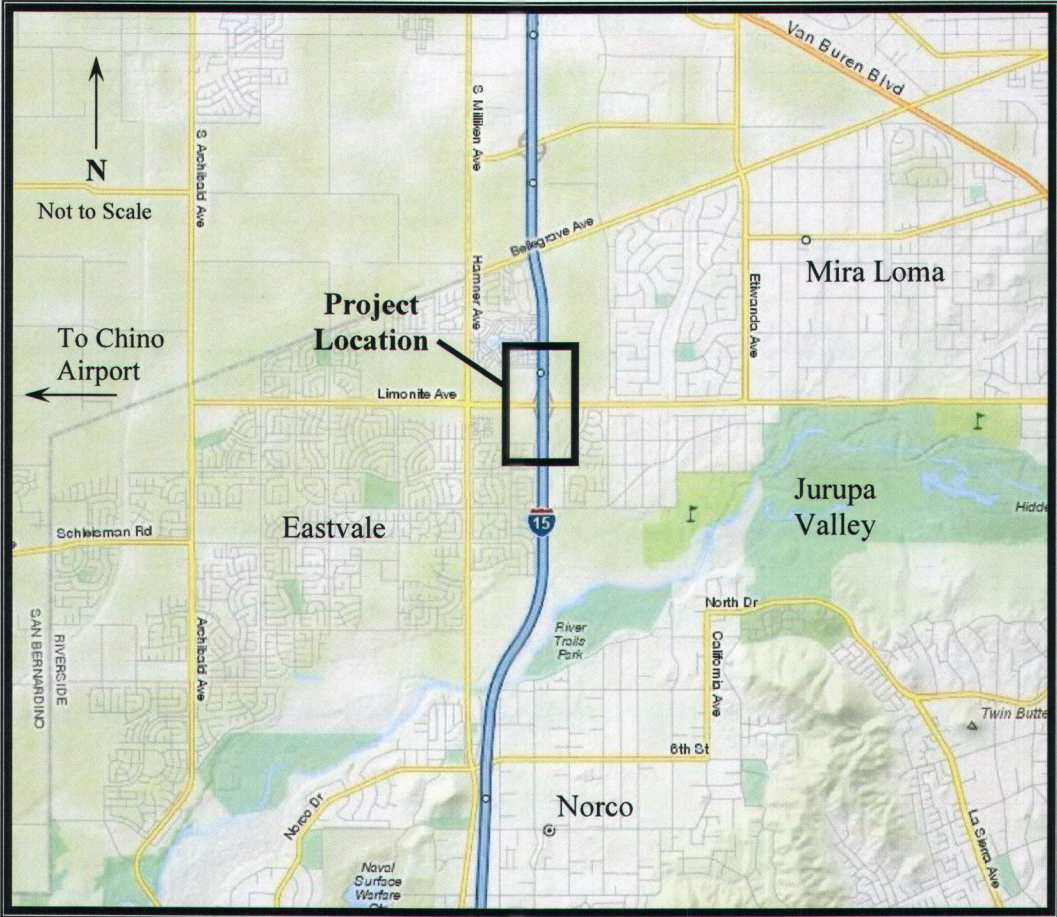
Vicinity Map  
Amendment to Cooperative Agreement

  
\_\_\_\_\_  
Scott Bruckner 8/20/2018

  
\_\_\_\_\_  
Gregory V. Priamos, Director County Counsel 8/6/2018



Vicinity Map



On Route 15 from 0.7 miles south of Limonite Avenue to 0.7 miles north of Limonite Avenue



## Amendment Number One

to

### Cooperative Agreement for the Construction of Chino Basin Desalter Authority Facilities As Part of the Interstate 15 and Limonite Avenue Interchange Improvement Project Eastvale/Jurupa Valley Area

This Amendment No. One is made and entered into this 20<sup>th</sup> day of June, 2018, by and between the **Chino Basin Desalter Authority**, a joint powers authority (hereinafter referred to as "CDA"), and the **County of Riverside**, a political subdivision of the State of California (hereinafter "County").

#### RECITALS

- (A) County and CDA entered into a Cooperative Agreement, hereinafter referred to as "Agreement" on February 27, 2018 for the construction of one 18-Inch potable water pipeline and associated improvements (hereinafter "The Work") within the replacement bridge on Limonite Avenue over Interstate 15, which specified the terms and conditions under which the CDA Facilities are to be financed, designed, administered and constructed.
- (B) County, as lead agency, advertized for public construction bids, which were received on May 2, 2018. The low responsive bid for the interchange improvement project hereinafter "Project", including the work of constructing CDA Facilities (The Work), was submitted by the firm of Guy F. Atkinson Construction, referred to herein as "Contractor". The low bid amount for the construction of The Work, as bid by Contractor for Alternate Bid Schedule "D" totaled \$262,258.00. The estimate of cost, pursuant to the bid summary, for the construction of The Work was \$154,900. The estimate of cost for The Work, as included in the Agreement, was \$146,778. Total anticipated costs have increased from \$198,000 to \$306,484.
- (C) CDA has approved the award of Alternate Bid Schedule "D", and County intends to include the work of constructing CDA facilities in its award of the construction contract with Contractor.
- (D) Section 2 of the Agreement provides that if total project costs exceed the total estimated cost by an amount greater than 25%, an amendment to the Agreement shall be executed by both parties.
- (E) The County and CDA now desire to amend the Agreement by this Amendment to provide for the funding of The Work, as bid by Contractor.

AUG 28 2018 3.69

NOW, THEREFORE, it is mutually agreed as follows:

1. Exhibit "C", described and attached to the Agreement, is hereby replaced and superseded by the attached Exhibit "C-1", which includes costs for pipeline improvements as originally requested by CDA and as bid by Contractor.
2. The sixth paragraph of Section 5 "Construction and Inspection Responsibilities" is deleted in its entirety and replaced with the following:

Soils Engineering and Survey costs attributable to District's Facilities shall be the responsibility of District, and shall be a fixed amount as shown on Exhibit C-1.


3. The seventh paragraph of Section 5 "Construction and Inspection Responsibilities" is revised to read as follows:

County and CDA agree that CDA shall pay \$9,000 for Administrative Costs and \$9,000 for Soil Engineering and Survey Costs, and that an accounting of actual costs for these services would be burdensome.

4. If any provision of the Agreement or this Amendment is held to be invalid or unenforceable by a court of competent jurisdiction, this Amendment shall be interpreted and enforceable as if such provision were severed or limited, but only to the extent necessary to render such provision and this Amendment enforceable.
5. This Amendment shall in all respects be governed by and construed in accordance with the laws of the State of California applicable to agreements made and fully to be performed in such state, without giving effect to conflicts of law principles.
6. This Amendment may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
7. All terms and conditions of the Agreement shall remain in full force, except as specifically modified hereby.

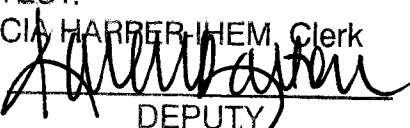
IN WITNESS WHEREOF, the parties hereto have executed this Agreement Amendment as of the date indicated above.

**COUNTY OF RIVERSIDE**

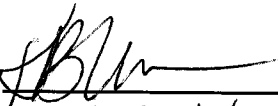
By   
Chairman of the Board of Supervisors  
CHUCK WASHINGTON

Dated AUG 28 2018

ATTEST:

ATTEST:  
KECIA HARRER-HEM, Clerk  
By   
DEPUTY

APPROVED AS TO FORM:

By   
Supervising Deputy County Counsel

**CHINO BASIN  
DESALTER AUTHORITY**

By   
GM/CEO

Dated June 20, 2018

ATTEST:

By \_\_\_\_\_

APPROVED AS TO FORM:

By \_\_\_\_\_

**EXHIBIT C-1**

**COST ESTIMATE  
 LIMONITE AVENUE INTERCHANGE PROJECT  
 Alternate Bid Schedule D - CDA  
 Revised Estimate Based On Bids Received from Low Bidder**

**Domestic Water Transmission Main**

<u>Item</u>	<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
1	24" Welded Steel Pipe Casing (Bridge)	LF	77	965.00	74,305
2	18" Welded Steel Pipe (0.250" Thick) Water Line	LF	456	268.00	122,208
3	Seismic Expansion Assembly	EA	2	30,000.00	60,000
4	2" Combination Air Release and Air/Vacuum Valve	EA	1	5,745.00	5,745
	CDA Construction Cost:				262,258
	Contingencies (10%):				26,226
	Total Construction Cost:				288,484
	Administrative Cost (Fixed):				9,000
	Soils Engineering and Survey Costs (Fixed):				9,000
	<b>Total Estimated Cost:</b>				<b>\$306,484</b>