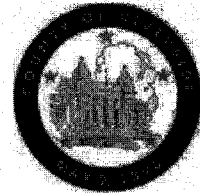


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
3.23  
(ID # 8550)

MEETING DATE:

Tuesday, January 8, 2019

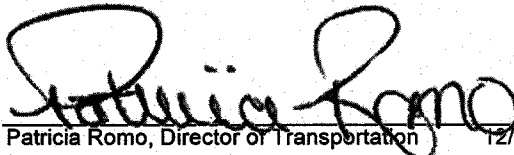
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION  
DEPARTMENT: Approve and Execute Amendment Number One to the Cooperative Funding Agreement between the County of Riverside and the Eastern Municipal Water District, for Interstate 215 and Scott Road Interchange Improvements. CEQA Exempt. City of Menifee and City of Murrieta; 3rd and 5th Districts. [\$102,349 Total Cost - 100% EMWD]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the relocation of the Eastern Municipal Water District (EMWD) facilities for the Interstate 215 and Scott Road Interchange Project have been fully analyzed in the Categorical Exclusion/Mitigated Negative Declaration and nothing further is required; and
2. Approve and Execute Amendment Number One to the Cooperative Agreement Between the County of Riverside and the Eastern Municipal Water District for the Construction of Eastern Municipal Water District Improvements in the Interstate 215 and Scott Road Menifee/Murrieta Area.

ACTION: Policy

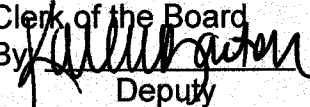
  
Patricia Romo, Director of Transportation 12/18/2018

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MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: January 8, 2019  
xc: Transp.

Kecia Harper  
Clerk of the Board  
By  Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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>	\$102,349	\$ 0	\$102,349	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> EMWD 100%			<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 construction of the Interstate 215 and Scott Road Interchange, within the Cities of Menifee and Murrieta.

Construction began on October 2018 following the award of the contract at the July 31, 2018 Board of Supervisors meeting (Agenda item 3.53), and is anticipated to be completed in June of 2020.

Eastern Municipal Water District (EMWD) owns water and sewer facilities that are in conflict with the project improvement, and requested the County of Riverside to include the necessary relocation and adjustment work in the County's construction contract. A cooperative agreement between the County and EMWD was executed at the August 29, 2017 Board of Supervisors meeting (Agenda item 3.113), which provides for the County to perform the relocation and adjustment work on behalf of EMWD, at EMWD's sole expense which was estimated to be \$63,125.

The work was included in the bid documents for the interchange improvement project, and the bid prices for the EMWD work, as received by the lowest responsive and responsible bidder, were higher than estimated. The total estimated cost for the work on behalf of EMWD has increased from \$63,125 to \$102,349 (62%), requiring an amendment to the original agreement.

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

EMWD has executed the amendment. The agreement has been reviewed and approved to form by County Counsel.

Project No: B3-0689

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

**Environmental Findings**

CEQA (California Environmental Quality Act) compliance for the cooperative agreement has been documented with the approval of the agreement (August 29, 2017) as having been fully analyzed in the Interchange projects' environmental documentation. The amendment to the cooperative agreement is an action in furtherance of the 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**

No County or City funds will be used for the work requested by EMWD.

**Contract History and Price Reasonableness**

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

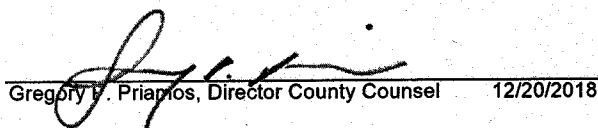
**ATTACHMENTS**

Vicinity Map

Amendment to Cooperative Agreement

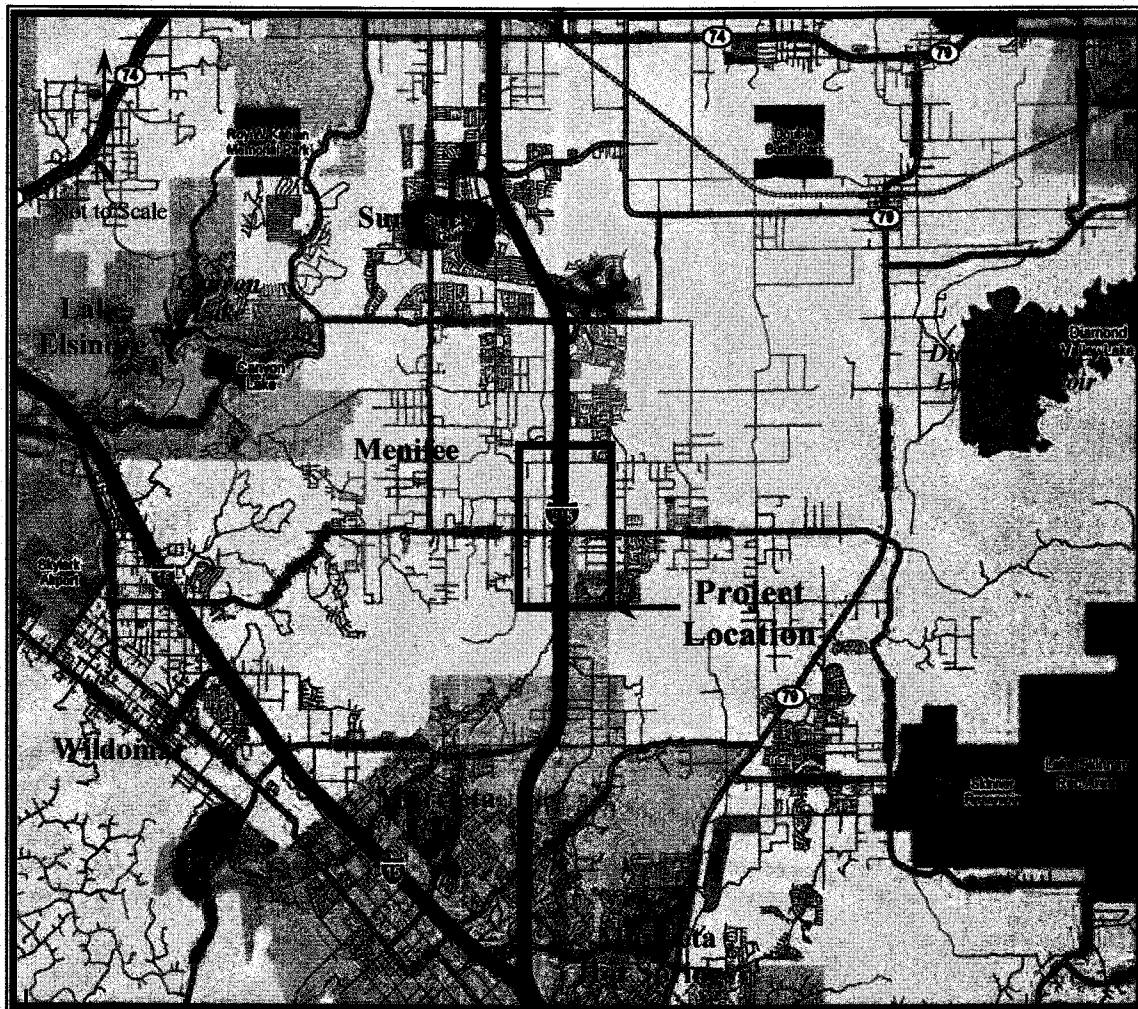
  
Scott Bruckner

1/1/2019

  
Gregory P. Priamos, Director County Counsel

12/20/2018

## ATTACHMENT A: Vicinity Map



In Riverside County in the Cities of Murrieta and Menifee  
on Interstate 215 from 0.75 miles south (PM 14.8) to 0.65 miles north (PM 16.2)  
of the Scott Road Overcrossing

## **Amendment Number One**

### **To the Cooperative Agreement Between the County of Riverside And The Eastern Municipal Water District**

#### **Construction of Eastern Municipal Water District Improvements Interstate 215 and Scott Road Menifee / Murrieta Area**

This Amendment No. One is made and entered into this 08 day of Jan., 201~~8~~<sup>9</sup>, by and between the Eastern Municipal Water District, a public agency, hereinafter, "District"), and the **County of Riverside**, a political subdivision of the State of California (hereinafter "County").

#### **RECITALS**

- (A) County and District entered into a Cooperative Agreement, hereinafter referred to as "Agreement" on August 29, 2017 for the relocation of a 12 inch potable water pipeline, adjustment and reconstruction of manholes, adjustment of water valve caps, and abandonment of existing 8 inch pipeline (hereinafter "The Work" and "District Facilities") located within the County's project area, which specified the terms and conditions under which the District Facilities are to be financed, designed, administered and constructed.
- (B) County, as lead agency, advertized for public construction bids, which were received on April 25, 2018. The low responsive bid for the interchange improvement project hereinafter "Project", including the work of constructing District 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 "1" totaled \$85,290.00. The estimate of cost, pursuant to the bid summary for the construction of The Work, and as included in the Agreement, was \$50,500. Total anticipated costs have increased from \$63,125 to \$102,349.
- (C) District has approved the award of Alternate Bid Schedule "1", and County intends to include the work of constructing District 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.

JAN 08 2019 3,23

- (E) The County and District now desire to amend the Agreement by this Amendment to provide for the funding of The Work, as bid by Contractor.

NOW, THEREFORE, it is mutually agreed as follows:

1. Exhibit "A" and Exhibit "A-1", described and attached to the Agreement, is hereby replaced and superseded by the attached Exhibit "B" and Exhibit B-1", which includes costs for pipeline improvements as originally requested by District and as bid by Contractor.
2. 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.
3. 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.
4. 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.
5. 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  
**KEVIN JEFFRIES**

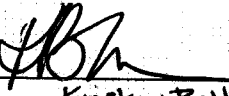
Dated JAN 08 2019

ATTEST:  
ATTEST:  
KECIA HARPER-HEM, Clerk

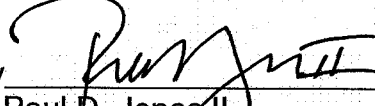
By   
DEPUTY

By \_\_\_\_\_

APPROVED AS TO FORM:

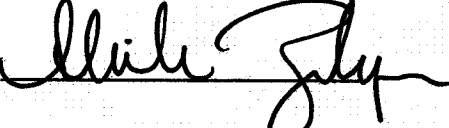
By  12/20/18  
Kristine Bell Valdez

**EASTERN MUNICIPAL  
WATER DISTRICT**

By   
Paul D. Jones II,  
General Manager

Dated 11.6.18

ATTEST: Sheila Zelaya,  
Board Secretary

By 

APPROVED AS TO FORM:

By 

**EXHIBIT "B"**  
**Amendment 1**  
**To the Cooperative Agreement**  
**Between the County of Riverside**  
**And The Eastern Municipal Water District**

**Construction of**  
**Eastern Municipal Water District Improvements**  
**Interstate 215 and Scott Road**  
**Menifee / Murrieta Area**

<u>Improvement</u>	<u>Estimated Cost</u>
Relocations, Adjustments and Reconstruction Of EMWD Facilities per Bid Prices Received	\$ 85,290
Subtotal	\$ 85,290
Construction Contingencies (10%)	8,529
Construction backfill materials testing & Survey (fixed) (5%)	4,265
Administrative Costs (fixed) (5%)	<u>4,265</u>
Total Estimated Cost:	\$ 102,349
Deposit amount (100%)	\$ 102,349

**EXHIBIT "B-1"**  
**Amendment 1**  
**To the Cooperative Agreement**  
**Between the County of Riverside**  
**And The Eastern Municipal Water District**

**Construction of**  
**Eastern Municipal Water District Improvements**  
**Interstate 215 and Scott Road**  
**Menifee / Murrieta Area**

**Bid Prices**

ALTERNATE BID SCHEDULE 1 - EASTERN MUNICIPAL WATER DISTRICT								
ITEM NO.	CONTRACT ITEM	UNITS	QUANTITY	UNIT PRICE	ENG ESTIMATE	BID UNIT PRICE	BID TOTALS	
	Furnish and install all necessary materials, labor, and equipment for the construction of the 12-inch CML&C water pipeline relocation per SK-1259, including but not limited to the installation of all necessary appurtenances, CTS, AV/AR, weld joints, dewatering of existing pipeline, all testing, connections, start-up as specified, removal and disposal of existing pipeline, and trench backfill per 226 EMWD standards, contract drawings, and specifications, complete and in place.	LS	1	25,000.00	25,000.00	53,000.00	53,000.00	
	Furnish and install all necessary materials, labor, and equipment to adjust existing manhole covers to 227 new grade per EMWD standards, contract drawings, and specifications, complete and in place.	EA	2	1,000.00	2,000.00	915	1,830.00	
	Furnish and install all necessary materials, labor, and equipment to reconstruct existing manholes 228 per EMWD standards, contract drawings, and specifications, complete and in place.	EA	2	3,800.00	7,600.00	4,730.00	9,460.00	
	Furnish and install all necessary materials, labor, and equipment to adjust existing water valve caps 229 to new grade per EMWD standards, contract drawings, and specifications, complete and in place.	EA	28	500	14,000.00	525	14,700.00	
	Furnish and install all necessary materials, labor, and equipment to abandon existing 8" water line, remove water valve and end plug with 12" of concrete per EMWD standards, contract drawings, and 230 specifications, complete and in place.	LS	1	1,900.00	1,900.00	6,300.00	6,300.00	
	ALTERNATE BID SCHEDULE 1 TOTAL				50,500.00		85,290.00	
	ITEMS 226 - 230							