

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



ITEM: 3.25
(ID # 13412)

MEETING DATE:
Tuesday, October 27, 2020

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Approval of the Amendment to the Utility Agreement with Southern California Edison for the Relocation of Electrical Distribution and Transmission Facilities for the I-215 at Newport Road Interchange Project in the City of Menifee. District 5. [\$133,530 FY 20/21, \$352,245 Total Cost - Local Funds 100%] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and direct the Auditor-Controller to make the budget adjustments shown on Schedule "A";
2. Approve the Amendment to the Utility Agreement between the County of Riverside and Southern California Edison for the relocation of electrical distribution and transmission facilities for the I-215 at Newport Road Interchange Project in the City of Menifee; and
3. Authorize the Chairman of the Board to execute the Amendment to the Utility Agreement on behalf of the County.


ACTION:4/5 Vote Required, Policy


Patricia Romo, Director of Transportation 10/13/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Washington 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: October 27, 2020
xc: Transp., Auditor

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 133,530	\$ 0	\$ 352,245	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: TUMF 100%. No General Funds will be used on this project.			Budget Adjustment: Yes	
			For Fiscal Year: 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On December 17, 2013 (Item 3-53), the Board of Supervisors executed Utility Agreement No. 08-UT-22760 with Southern California Edison (SCE) for the relocation of electrical distribution and transmission facilities which were in conflict with the Interstate 215 (I-215) at Newport Road Interchange project. The Utility Agreement provides for the funding of the relocation work for which the County is responsible, pursuant to the requirements of the Freeway Master Contract between SCE and the State of California Department of Transportation (Caltrans), with which the County must comply. The relocation work was conducted by SCE crews and SCE contractors in accordance with plans prepared by SCE.

The compensation approved by the Board of Supervisors was based on estimates provided by SCE. The terms of the agreement require that SCE be compensated for actual costs regardless of the estimate. The original estimate of the County's cost was \$218,715.

The final cost for the relocation work exceeded the original estimate of cost due to various factors, including a low estimate of the work, unanticipated field work; including the installation of an additional wood pole within the project limits, and working during off-peak hours to perform electrical cutovers and minimize service interruptions to local residents and impact to businesses. The County's share of the cost increase is \$133,530.

SCE provided the attached final invoice dated July 7, 2020 (Exhibit "A") that summarizes the extra work performed. The Transportation Department concurs with the costs and billing as documented by SCE.

The Amendment to the Utility Agreement (Amendment) provides for the County to compensate SCE for the relocations, as full and final compensation, the amount of \$352,245. The Transportation Department recommends approval of the Amendment and payment to SCE of the County's share of the relocation costs incurred by SCE.

County Counsel has approved the Amendment as to legal form.

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

Project No: B5-0682

Environmental Impacts

Pursuant to the California Environmental Quality Act (CEQA), Caltrans District 8, as a lead agency, prepared an Initial Study and adopted a Mitigated Negative Declaration (MND) and made a National Environmental Policy Act (NEPA) Categorical Exclusion Determination for the I-215 at Newport Road Interchange Project on November 8, 2012. An Addendum to the MND was prepared and considered and a NEPA/CEQA Re-Validation Conclusion Form was approved on April 17, 2014 by Caltrans. The relocation of SCE facilities for the I-215 at Newport Road Interchange Project has been fully analyzed in the CE/MND and the subsequent Re-Validations. Therefore, based on the analysis in the CE/MND and Re-Validation, the approval of the Amendment is an action in furtherance of the interchange improvements project, and nothing further is required for CEQA compliance.

Impact on Residents and Businesses

The I-215 at Newport Road Interchange is open to traffic and has improved the efficiency of travel for the community and improved goods and services movement through the interchange.

Additional Fiscal Information

All work will be 100% funded by TUMF, local funds.

Contract History and Price Reasonableness

The increased costs represented in the Amendment have been reviewed by the County in consultation with SCE and determined to be an appropriate project cost.

Attachments

Vicinity Map
Amendment to Utility Agreement No. 08-UT-22760
Schedule A Budget Adjustment
Exhibit A – Newport Road SCE Invoice



Jason Farin, Principal Management Analyst 10/20/2020

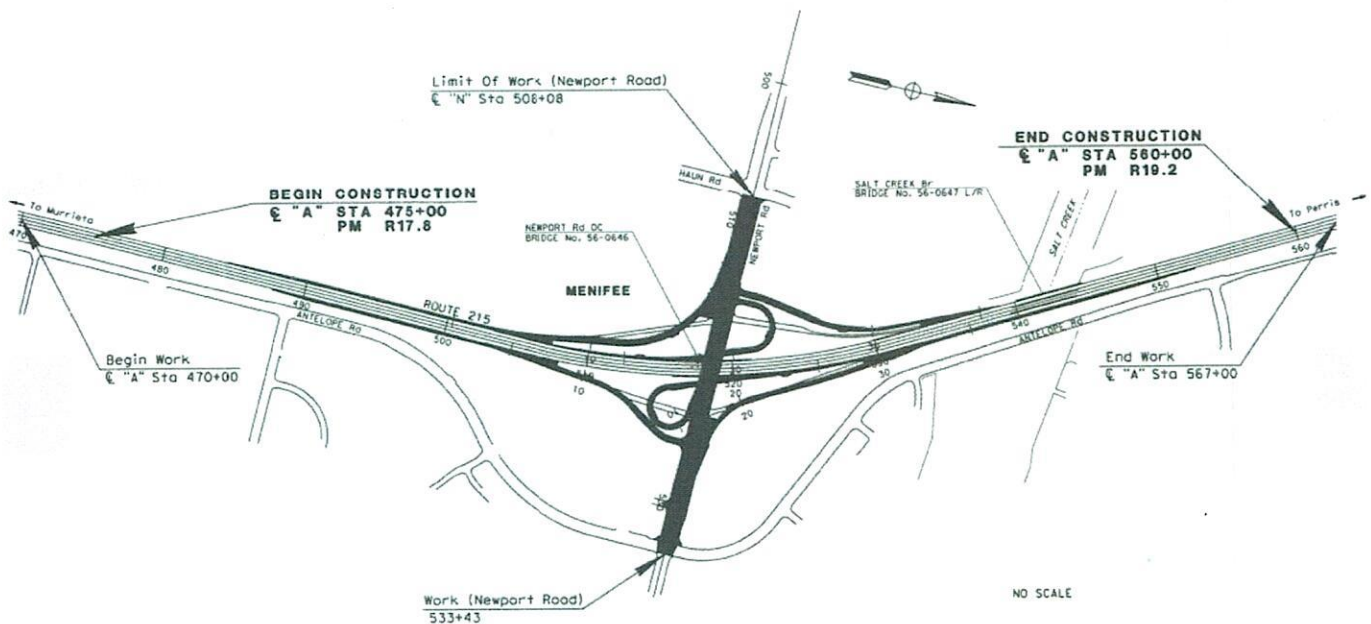
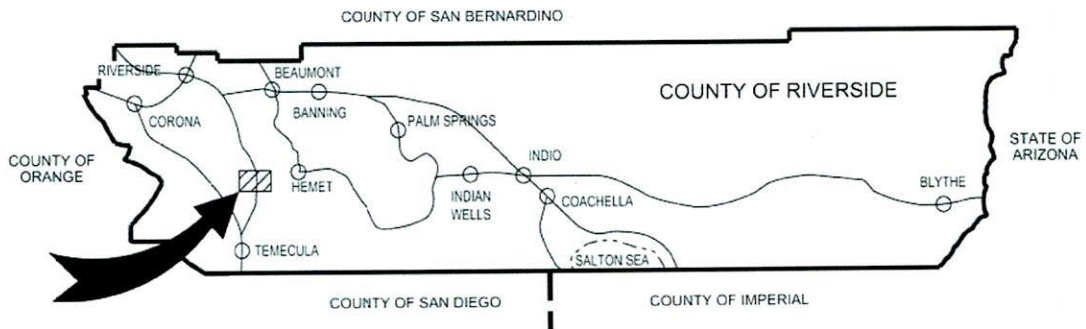


Gregory L. Priamos, Director County Counsel 10/16/2020

COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

Interstate 215 at Newport Road
Interchange Improvements
in the City of Menifee

Project No. B5-0682
Federal Aid No. STPLN- 5956(234)



VICINITY MAP

TOWNSHIP 5S RANGE 3W SECTION 34.35
and
TOWNSHIP 6S RANGE 3W SECTION 2 3
COUNTY ROAD BOOK PAGE No. 69, 71, 113, 117

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
AMENDMENT TO UTILITY AGREEMENT
 (Form #)

EXHIBIT
 13-EX-24 (REV 1/2014)
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<u>District</u> 08	<u>County</u> Riverside	<u>Route</u> 215	<u>Post Mile</u> R17.4/R19.3	<u>Project ID No.</u> 0800000301
Federal Aid No.:			N/A	
Owner's File:			653734	
FEDERAL PARTICIPATION:			On the Project	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			On the Utilities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

AMENDMENT TO UTILITY AGREEMENT NO. 08-UT-22760

The County of Riverside hereinafter called "AGENCY", proposes to construct improvements in the City of Menifee area of Riverside County. The planned improvements are to widen Newport Road between Haun Road and Antelope Road from four through lanes to six through lanes and to reconstruct the existing diamond interchange into a modified partial cloverleaf configuration, hereinafter referred to as the "Project", as a cooperative project between the County of Riverside and the State of California Department of Transportation, hereinafter referred to as "STATE". AGENCY is the lead agency for the Project and is acting as an agent of the "STATE" with respect to the Project, under the terms of a cooperative agreement between STATE and AGENCY, with oversight provided to AGENCY by STATE.

SOUTHERN CALIFORNIA EDISON COMPANY (SCE)
300 N. Pepper Avenue, Building B
Rialto, CA 92376

Hereinafter called "OWNER," owns and maintains electrical transmission and distribution facilities (collectively, the "Facilities") that are in conflict within the limits of the Project area that require relocation, protection and/or adjustment in order to accommodate AGENCY's Project, it is hereby mutually agreed that:

WHEREAS, the County of Riverside Transportation Department, , and SCE, , have entered into that certain Utility Agreement No.08-UT-22760, dated December 17, 2013 ("Agreement"), which Agreement sets forth the terms and conditions pursuant to which OWNER agrees to perform the herein described work with its own forces or to cause the herein described work to be performed by the OWNER's contractor, employed by written contract on a continuing basis to perform work of this type, and to provide and furnish all necessary labor, materials, tools, and equipment required therefore, and to prosecute said work diligently to completion to accommodate AGENCY's construction on Route 215/Newport Road Interchange Improvements, Project No. 0800000301/B5-0682; and

WHEREAS, in the performance of said work, increased costs, over and above those estimated at the time of the execution of said Agreement, were incurred due to unforeseen additional work, including the installation of an additional wood pole within the project's limit, and extended hours by OWNER's crews in order to accommodate electrical cutovers and minimize service interruptions to local residents and impact to businesses; and

WHEREAS, it has been determined that, since the AGENCY's share of that final cost overrun shown in said Agreement has increased by 61% from its original estimate set forth in said Agreement and has exceeded the maximum allowable limit of 25%, the said Agreement shall be amended to show the increase in the cost of the work to the AGENCY; and,

WHEREAS, the estimated cost to the AGENCY for the work that was performed by OWNER under said Agreement was \$218,715.00 and by reason of the increased cost referred to above, the AGENCY shall compensate the OWNER an additional \$133,530.19 as a final payment by amending this agreement.

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AMENDMENT TO UTILITY AGREEMENT

(Form #)

EXHIBIT

13-EX-24 (REV 1/2014)

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1. The estimated cost to the AGENCY of \$218,715 as set forth in said Agreement is hereby amended to read \$352,245.19 as full and final compensation to the OWNER
2. All other terms and conditions of said Agreement remain unchanged.
3. This Agreement may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each party of this Agreement agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Agreement. The parties further agree that the electronic signatures of the parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

ATTACHMENTS:

EXHIBIT A: Utility Agreement No. 08-UT-22760 (Dated December 17, 2013)

EXHIBIT B: SCE Invoice No. 7501082435r (Dated July 7, 2020)

AMENDMENT TO UTILITY AGREEMENT

(Form #)

EXHIBIT

13-EX-24 (REV 1/2014)

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IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Utility Agreement No. 08-UT-22760 as of the day and year above written.

COUNTY OF RIVERSIDE:

By  10/14/2020
Date

Name _____

Title _____

SOUTHERN CALIFORNIA EDISON COMPANY:

By  8/17/2020
Date

Name Carolyn Hensley

Title Sr. Project Manager

APPROVAL RECOMMENDED:

By  OCT 27 2020
Date
Name V. MANUEL PEREZ

Title CHAIRMAN, BOARD OF SUPERVISORS

By _____
Date
Name _____
Title _____

FORM APPROVED COUNTY COUNSEL

BY  10/13/2020
KRISTINE BELL-VALDEZ DATE

ATTEST:

KECIA R. HARPER, Clerk

By 
DEPUTY



An EDISON INTERNATIONAL Company

INVOICE

EXHIBIT "A"

Utility Agreement No. 08-UT-22760
Dated: December 17, 2013

TO: County of Riverside
3525 14th Street
100 South Main Street
Riverside, California 92501

Final billing

INVOICE NO:	7501082435r
INVOICE DATE:	July 7, 2020
CONTACT:	Billing Help Desk
TELEPHONE	(866) 353-3437
CUSTOMER NO:	10155044

DESCRIPTION					Amount
DISTRICT	COUNTY	ROUTE	P.M.	E.A.	AUTHORIZED
08	Riverside	215	R17.4/R19.3		\$ 1,389,588.00

Project #B5-0682 Relocation of facilities for Caltrans freeway interchange improvement plan

R/W File No. 65734

SCE Work Order No.	TD669775	Final billing @ 16.3%	Total Cost	\$ 156,650.43
First day worked:	2/1/2013		Less Previously Paid	\$ (218,715.00)
Last day worked:	1/31/2018			

SCE Work Order No.	TD721476	Final billing @ 8.8%	Total Cost	\$ 111,626.96
First day worked:	8/1/2013		Less Previously Paid	\$ -
Last day worked:	10/31/2015			

SCE Work Order No.	TD721476	Final billing @ 8.8%	Total Cost	\$ 59,868.63
First day worked:	8/1/2013		Less Previously Paid	\$ -
Last day worked:	10/31/2015			

SCE Work Order No.	TD298638	Final billing @ 100%	Total Cost	\$ 24,099.17
First day worked:	8/1/2013		Less Previously Paid	\$ -
Last day worked:	10/31/2015			

Amount Due	\$ 133,530.19
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The undersigned, on behalf of the Southern California Edison Company, hereby certifies that the above billing is prepared in accordance with Agreement No. 08-UT-22760 with the State of California covering this job, and that payment therefore has not been received.

SARAH EWELL
MANAGER, NON-ENERGY BILLING

COMPLETION DATE: 1/31/2018

THIS IS A FINAL BILLING UNDER THE SERVICE ORDER AND A FINAL BILLING UNDER THE CONTRACT.

Make checks payable to: SOUTHERN CALIFORNIA EDISON
Mail to: P.O. BOX 800, ROSEMEAD, CA 91771-0001
PLEASE INCLUDE INVOICE NUMBER 7501082435r ON THE CHECK

Schedule "A"

BUDGET ADJUSTMENT

Transportation Land Management Agency (TLMA)

Transportation Department

Increase appropriations:

31600-3130500000-537280	Interfnd Exp – Miscellaneous	\$133,530
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Anticipated use of Assigned fund Balance:

31600-3130500000-350200	AFB For Const/Capital Projects	\$133,530
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