

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



ITEM: 3.34
(ID # 24439)

MEETING DATE:
Tuesday, April 02, 2024

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Ratify and Execute Amendment No. 1 with Murphy & Evertz, Attorneys at Law, effective January 1, 2023, for Legal Counsel and Services for the Jurupa Road Grade Separation Project. District 2. [\$0 Total Amendment Cost, \$300,000 Total Agreement Cost- State Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify Amendment No. 1 of the Legal Services Agreement between the County of Riverside and Murphy & Evertz, Attorneys at Law, for legal counsel and services for the Jurupa Road Grade Separation Project; and authorize the Chair of the Board to execute the same.

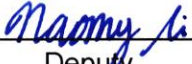
ACTION:Policy


Patricia Romo, Director of Transportation 3/14/2024

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: April 2, 2024
xc: Trans.

Kimberly A. Rector
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	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: SB-132 (100%) There are no General Funds used in this project.			Budget Adjustment: No For Fiscal Year: 23/24-26/27	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Riverside County Transportation Department in cooperation with the City of Jurupa Valley, and the Riverside County Transportation Commission (RCTC) are constructing a new grade separation to replace the existing Union Pacific Railroad (UPRR) at-grade crossing located on Jurupa Road in the City of Jurupa Valley, just east of Van Buren Boulevard. Jurupa Road is a four-lane Arterial Highway that provides access to commercial, industrial, and residential land uses in the City of Jurupa Valley.

This project will grade separate Jurupa Road and the UPRR mainline tracks with an underpass. This project will improve vehicular traffic circulation and safety and will provide uninterrupted and efficient access for motorists, residents, businesses, pedestrians, and emergency vehicles in the area. Additionally, the project will enhance the operational characteristics (i.e., speed, efficiency, and reliability) of freight and passenger trains throughout Riverside County by eliminating conflicts between railroad operations and vehicular traffic.

By Minute Order 3.14 of October 24, 2017, the Board of Supervisors approved an agreement with the City of Jurupa Valley and the Riverside County Transportation Commission that defines how the project is to be administered, financed, coordinated, engineered, and constructed.

By Minute Order 3.32 of April 21, 2020, the Board of Supervisors approved a Legal Services Agreement between the County of Riverside and Murphy & Evertz, Attorneys at Law, for legal counsel and services related to the acquisition of property needed for the Jurupa Road Grade Separation Project, authorizing a three-year contract with a total cost not to exceed \$300,000.

Because coordination with UPRR to obtain an executed Construction and Maintenance Agreement for the project has taken two years longer than originally anticipated, the County will need to extend various temporary construction easements needed to complete the project. Retaining the expert legal services from Murphy & Evertz will be necessary to assist with these complex settlement negotiations.

Amendment No. 1 provides a time extension through December 31, 2026, with no additional funding being requested.

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

Original authorization	\$300,000
<u>Authorized by Amendment No. 1</u>	<u>\$0</u>
Total	\$300,000

Impact on Residents and Businesses

The expertise and support of Murphy & Evertz will facilitate the completion of remaining land acquisitions for this important project.

SUPPLEMENTAL:

Additional Fiscal Information

In April 2017, the Governor and State Legislators dedicated \$427 million to improve five major transportation projects in Riverside County. The Jurupa Road Grade Separation project was allocated \$108.4 million for the design and construction of a new roadway and structure to grade separate Jurupa Road from the UPRR railroad tracks. Without this approved funding, the project would not have been built for many years.

The total compensation to be paid to Murphy & Evertz shall remain unchanged from the original contract amount. No net county costs will be expended.

Project No. C8-0060 Jurupa Rd Grade Separation Project

Attachments:

Vicinity Map – Jurupa Rd
Amendment No. 1



Jason Farin, Principal Management Analyst

3/28/2024



George Trindle, CHIEF ASST COUNTY COUNSEL

3/21/2024

1 **AMENDMENT NO. 1**

2 **TO THE LEGAL SERVICES AGREEMENT BETWEEN**

3 **THE COUNTY OF RIVERSIDE AND MURPHY & EVERTZ, ATTORNEYS AT LAW**

4 THIS FIRST AMENDMENT to the Legal Services Agreement is made and entered into as of this 02 day of
5 April, 2024, by and between the County of Riverside, a political subdivision of the State of California
6 (hereinafter the "COUNTY"), and Murphy & Evertz, Attorneys at Law (hereinafter "ATTORNEYS").

7 **RECITALS**

- 8 A. COUNTY and ATTORNEYS have entered in an agreement entitled "LEGAL SERVICES AGREEMENT"
- 9 dated April 21, 2020, (hereinafter the "Agreement"). The Agreement provides the terms and conditions,
- 10 statement of services and budget for the performance of legal services related to all aspects of the Jurupa
- 11 Road Grade Separation Project (hereinafter "PROJECT") and any condemnation and/or inverse
- 12 condemnation actions associated with this PROJECT.
- 13 B. The Agreement expired on December 31, 2022.
- 14 C. Despite the expiration of the Agreement, the parties have continued to perform their respective obligations
- 15 under the Agreement, and desire to reinstate, amend, and extend the expiration of the Agreement to allow
- 16 the parties to continue to perform as set forth in the Agreement.

17 **AGREEMENT**

18 NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows:

- 19 1. The term of the legal services agreement is hereby reinstated and amended to extend the expiration of the
- 20 Agreement to December 31, 2026, or the completion of the last work assignment, whichever occurs first,
- 21 unless terminated earlier.
- 22 2. Section 6. Compensation. The hourly rates set forth shall be deleted and replaced with the following hourly
- 23 rates for services rendered:

<u>Attorney</u>	<u>Hourly Rates</u>
Senior Partner	\$445.00
Junior Partner	\$410.00
All Associates	\$410.00
Paralegals	\$210.00

- 28 3. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions
- 29

1 of the Agreement shall remain in full force and effect between the parties hereto.


2 4. This First Amendment shall be effective January 1, 2023.

3
4 IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly executed
5 this day and year first written above.

6
7
8
9
10 [SIGNATURE PAGE FOLLOWS]
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

1 COUNTY Approval

2 RECOMMENDED FOR APPROVAL:


3  Dated: 3-14-2024

4 Patricia Romo


5 Director of Transportation

6 APPROVED AS TO FORM:

7 County Counsel

8  Dated: 3/21/24
9 By Deputy ~~CHIEF ASSISTANT~~ COUNTY COUNSEL

10 APPROVAL BY THE BOARD OF SUPERVISORS

11  Dated: 4/02/2024
12 **CHUCK WASHINGTON**
13 PRINTED NAME

14 Chair, Riverside County Board of Supervisors

15 ATTEST:

16  Dated: 4/02/2024
17 Deputy

18 KIMBERLY RECTOR

19 Clerk of the Board (SEAL)

20 ATTORNEYS Approvals

21 ATTORNEYS:

22  Dated: 3/12/2024

23 Douglas J. Evertz

24 PRINTED NAME

25 Partner

26 TITLE

27 ATTORNEYS: [if needed]

28 _____ Dated: _____

29 PRINTED NAME

TITLE

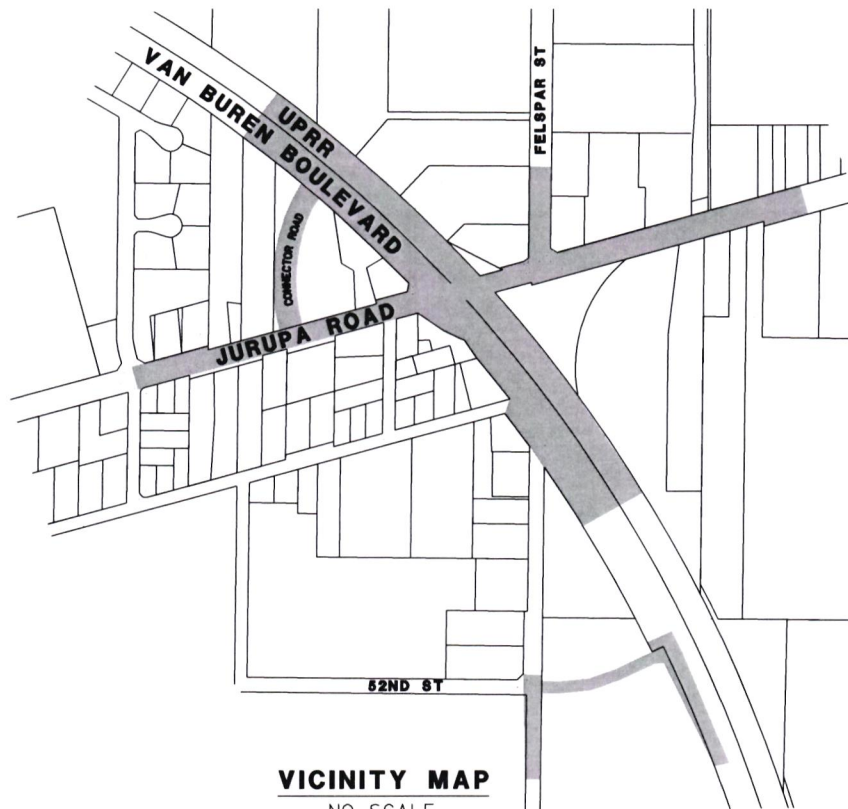
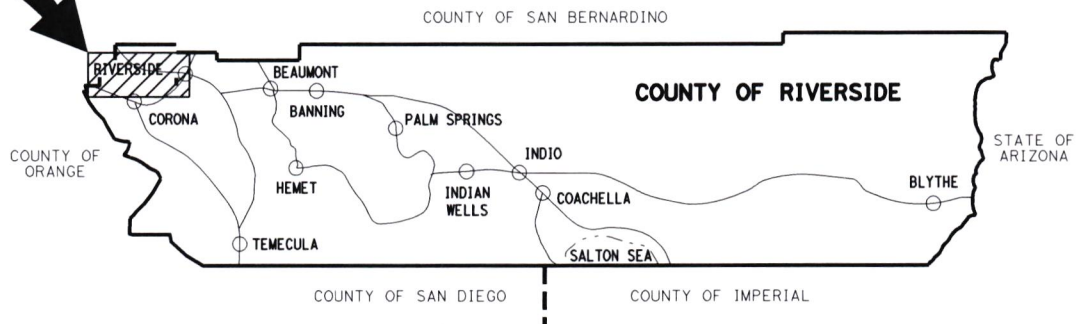
COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

JURUPA ROAD

UPRR GRADE SEPARATION PROJECT

CITY OF JURUPA VALLEY

PROJECT
SITE



VICINITY MAP
NO SCALE