

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



ITEM: 3.36
(ID # 24442)

MEETING DATE:
Tuesday, April 02, 2024

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Ratify and Execute Amendment No. 5 with Murphy & Evertz, Attorneys at Law, effective March 31, 2023, for Legal Counsel and Services for the Cajalco Road Interim Safety Project and Limonite Ave Interchange Project. Districts 1 and 2. [\$0 Total Amendment Cost, \$915,000 Total Agreement Cost - State Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify Amendment No. 5 of the Legal Services Agreement between the County of Riverside and Murphy & Evertz, Attorneys at Law, for legal counsel and services for the Cajalco Road Interim Safety Project and the Limonite Avenue Interchange Project; and authorize the Chair of the Board to execute the same.

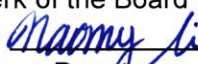
ACTION:Policy


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,
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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: Gas Tax (HUTA) 50% (Cajalco), Mira Loma Road & Bridge Benefit District 50% (Limonite)			Budget Adjustment: No	
			For Fiscal Year: 23/24 – 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside Transportation Department (Transportation Department) has constructed a center turn lane (two-way turn lane) along Cajalco Road from Brown Street to Day Street, in the Mead Valley area. The project improved safety and traffic operations by providing a continuous left turn pocket for turning movements on Cajalco Road and at the intersections of Cajalco Road with Brown Street, Clark Street, and Day Street. The project is funded in part with Federal Highway Safety Improvement Program funds and the project required the partial acquisition of 29 parcels.

The Transportation Department also constructed improvements to the interchange on Interstate 15 at Limonite Avenue in the City of Eastvale and Jurupa Valley. The improvements consist of a new 8-lane overcrossing and widening of the off ramps from 2 to 4 lanes. The improvements were constructed to accommodate current and future traffic demands. The project required the partial acquisition of 4 properties and temporary construction easements of 13 properties.

Construction is complete, but both projects require legal services and support associated with condemnation and/or inverse condemnation actions.

By Minute Order 3.55 of July 11, 2017, 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 Cajalco Road Interim Safety Project and the Limonite Interchange Project, authorizing a two-year contract with a total cost not to exceed \$100,000.

By Minute Order 3.63 of June 26, 2018, the Board of Supervisors approved Amendment No.1 for a time extension through April 30, 2020, and additional compensation in the amount of \$275,000, with an amended total contract amount not to exceed \$375,000, due to the complexity of right of way negotiations.

By Minute Order 3.25 of May 7, 2019, the Board of Supervisors approved Amendment No. 2 providing a time extension through December 31, 2020 and additional compensation in the amount of \$150,000, with an amended total contract amount not to exceed \$525,000.

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By Minute Order 3.61 of August 25, 2020, the Board of Supervisors approved Amendment No. 3 providing a time extension through December 31, 2021 and additional compensation in the amount of \$250,000, with an amended total contract amount not to exceed \$775,000.

On August 17, 2022, the Board of Supervisors approved Amendment No. 4 providing a time extension through March 31, 2023 and providing additional compensation in the amount of \$140,000, with an amended total contract amount not to exceed \$915,000.

The County acquired legal rights to the necessary land for the proposed improvements and to meet the construction schedules. However, settlement with all property owners has not been achieved, and access to focused legal assistance provided by Murphy & Evertz continues to be necessary to complete the right-of-way acquisition phases of the projects.

Amendment No. 5 provides a time extension through June 30, 2025 for the additional services anticipated to be required to complete the needed acquisitions. The negotiations and acquisitions have been more complex than hoped, and continued assistance from Murphy & Evertz is needed to supplement the work of the County Counsel's Office.

	<u>Amount</u>	<u>Termination date</u>
Original Contract	\$100,000	July 1, 2018
Amendment #1	\$275,000	April 30, 2020
Amendment #2	\$150,000	December 31, 2020
Amendment #3	\$250,000	December 31, 2021
Amendment #4	\$140,000	March 31, 2023
Amendment #5	\$0	June 30, 2025
Total Contract Amount	<hr/> \$915,000	

County Counsel has approved the Agreement as to form.

Impact on Residents and Businesses

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

SUPPLEMENTAL:

Additional Fiscal Information

This work will be funded by a combination of Gas Tax (HUTA) for the Cajalco Road Interim Safety Project, and Mira Loma Road and Bridge Benefit District funds for the Limonite Avenue Interchange Project. The total compensation to be paid to Murphy & Evertz shall remain unchanged from Amendment 4. No net county costs will be expended.

Project No. A3-0393 Limonite Ave Interchange Project

Project No. C6-0060 Cajalco Rd Interim Safety Project

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ATTACHMENTS

Vicinity Map – Limonite Interchange Project
Vicinity Map – Cajalco Road Interim Safety Project
Amendment No. 5



Jason Farin, Principal Management Analyst

3/28/2024



George Trindle, Chief ASST COUNTY COUNSEL

3/21/2024

1 **AMENDMENT No. 5**

2 **Amendment to Agreement Between**

3 **The County of Riverside and Murphy & Evertz, Attorneys at Law**

4 THIS AMENDMENT to a Legal Services Agreement is made and entered into as of this 02 day of April,
5 2024, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the
6 "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 that is dated July 11, 2017 (hereinafter the "Agreement"). The Agreement provides the terms and
10 conditions, statement of services and budget for the performance of legal services related to all aspects of
11 the Cajalco Road Interim Safety Project and the Limonite Interchange Project (hereinafter "PROJECTS")
12 and any condemnation and/or inverse condemnation actions associated with these projects.
- 13 B. COUNTY and ATTORNEYS entered into Amendment No. 1 of the contract on June 26, 2018, providing a
14 time extension through April 30, 2020 and additional compensation in the amount of \$275,000.
- 15 C. COUNTY and ATTORNEYS entered into Amendment No. 2 of the contract on May 7, 2019, providing a
16 time extension through December 31, 2020 and additional compensation in the amount of \$375,000 to the
17 amount of \$525,000.
- 18 D. COUNTY and ATTORNEYS entered into Amendment No. 3 of the contract on August 25, 2020, providing
19 a time extension through December 31, 2021 and additional compensation in the amount of \$525,000 to
20 the amount of \$775,000.
- 21 E. COUNTY and ATTORNEYS entered into Amendment No. 4 of the contract extending the term through
22 March 31, 2023, and providing additional compensation from \$775,000 to \$915,000.
- 23 F. Despite the expiration of the Agreement, the parties have continued to perform their respective obligations
24 under the Agreement, and desire to reinstate, amend, and extend the expiration of the Agreement to allow
25 the parties to continue to perform as agreed.
- 26 G.

27 **AGREEMENT**

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

- 2 1. The term of the legal services agreement is extended to June 30, 2025, or the completion of the last work
3 assignment, whichever occurs first, unless terminated earlier.
- 4 2. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions
5 of the Agreement and Amendments, 1, 2, 3, and 4 shall remain in full force and effect between the parties
6 hereto.

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

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10 [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
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1 **ARTICLE VIII • APPROVALS**

2 **COUNTY** Approvals

3 RECOMMENDED FOR APPROVAL:

4  Dated: 02/16/2024

5 Patricia Romo
6 PRINTED NAME

7 Director of Transportation

8
9 APPROVED AS TO FORM:

10 County Counsel

11
12  Dated: 12/04/2023

13 By: Supervising Deputy County Counsel

14 Bruce G. Fordon

15
16
17 APPROVAL BY THE BOARD OF SUPERVISORS

18
19  Dated: 4/02/2024

20 CHUCK WASHINGTON
21 Printed Name

22 Chair, Riverside County Board of Supervisors

23
24 ATTEST:

25  Dated: 4/02/2024

26 KIMBERLY RECTOR

27 Clerk of the Board (SEAL)

28
29 *Legal Services Agreement – Amendment 5*

ATTORNEYS Approvals

ATTORNEYS:

 Dated: 12/4/2023

Douglas J. Evertz
PRINTED NAME

Partner
TITLE

ATTORNEYS: [if needed]

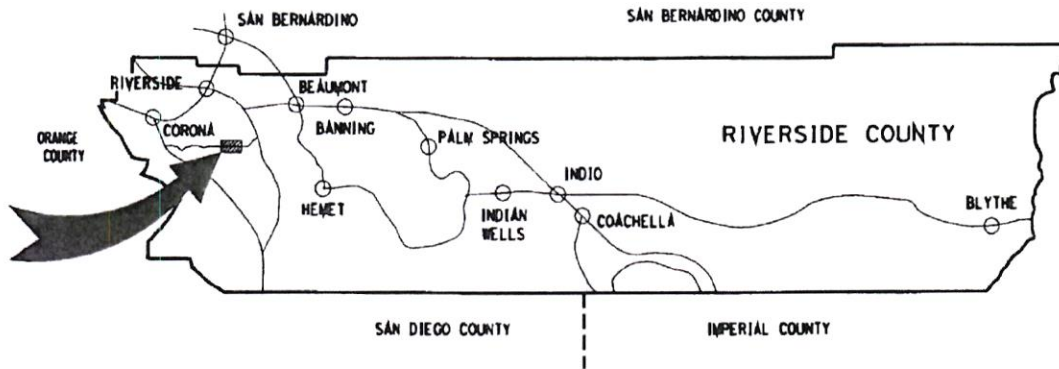
_____ Dated: _____

_____ PRINTED NAME

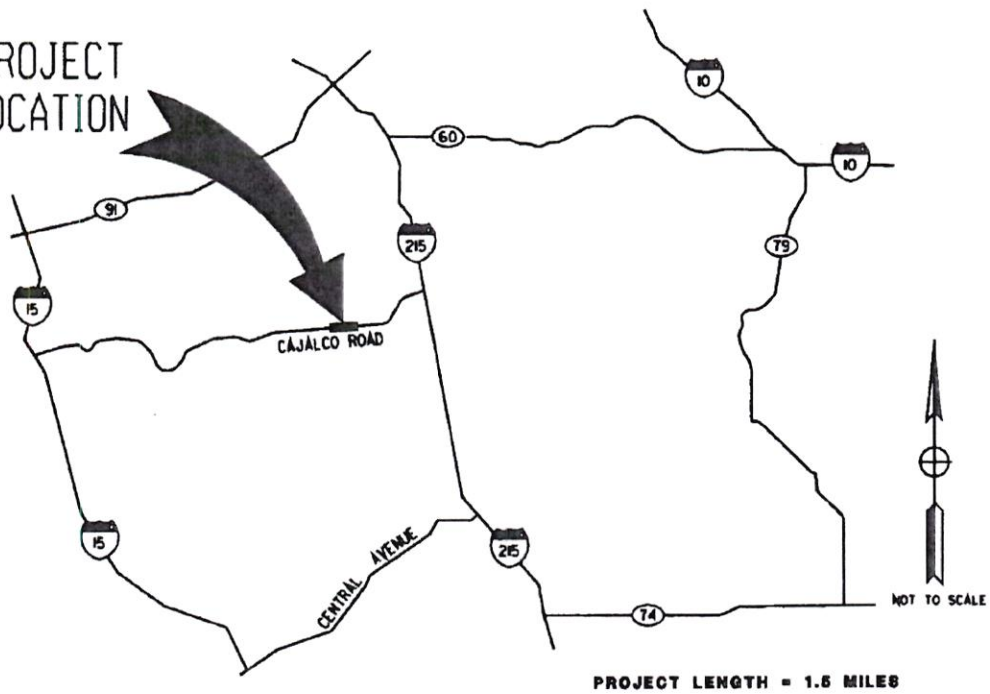
_____ TITLE

COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

CAJALCO ROAD
INTERIM SAFETY PROJECT
BROWN STREET TO DAY STREET
MEAD VALLEY AREA
PROJECT NO. C6-0060



PROJECT
LOCATION



VICINITY MAP

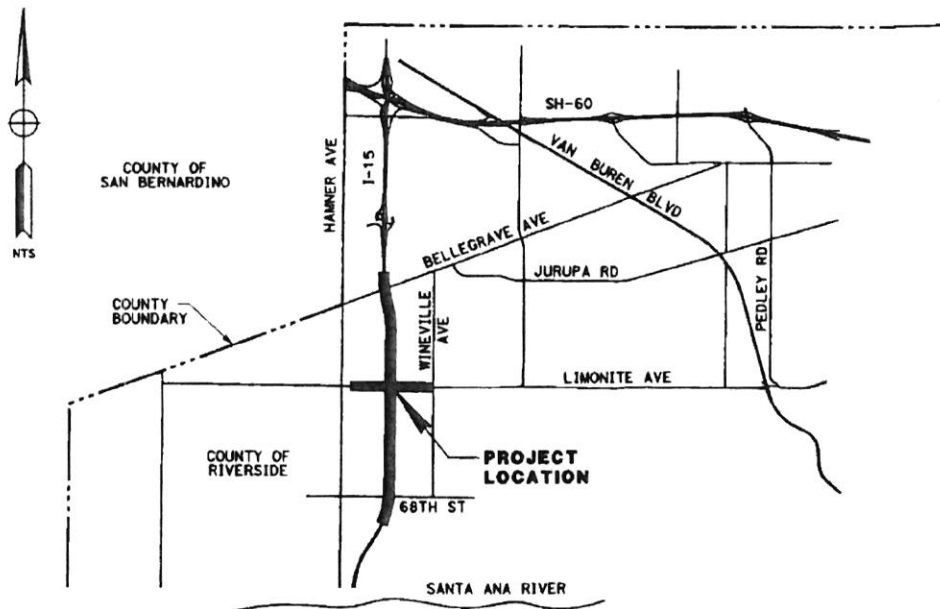
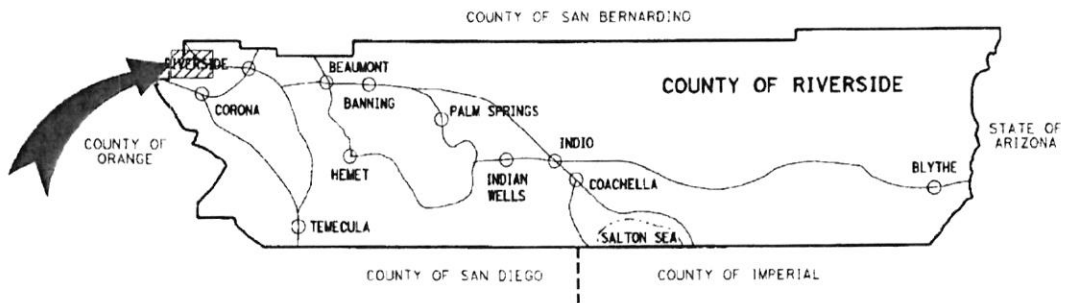
COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

LIMONITE AVE AT INTERSTATE 15

INTERCHANGE IMPROVEMENTS

IN THE CITY OF EASTVALE AND THE CITY OF JURUPA VALLEY

PROJECT No. A3-0393



VICINITY MAP

TOWNSHIP 28 RANGE 8W SECTION 19/30
COUNTY ROAD BOOK PAGE No. 14E