

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



**ITEM: 3.50
(ID # 25913)**

MEETING DATE:
Tuesday, October 01, 2024

FROM : TLMA-TRANSPORTATION

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Ratify and Execute Amendment No. 1 with Murphy & Evertz, LLP effective October 1, 2024 for Legal Counsel Services for the Market Street Bridge Replacement Project, Districts 1 and 2. [\$275,000 Amendment Cost, \$375,000 Total Agreement Cost – Federal Funds 88.5% and Local Funds 11.5%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify Amendment No. 1 to the Legal Services Agreement between the County of Riverside and Murphy & Evertz, LLP, for legal counsel services for the Market Street Bridge Replacement Project; and authorize the Chair of the Board to execute the same.


ACTION:Policy


Dennis Acuna, Director of Transportation 9/16/2024

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, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: October 1, 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	\$ 175,000	\$ 100,000	\$ 275,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Federal Highway Bridge Program (HBP) (88.53%), City of Jurupa Valley (10.44%) and City of Riverside (1.03%). There are no General Funds used in this project.			Budget Adjustment: No	
			For Fiscal Year: 24/25-27/28	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside, in cooperation with the cities of Riverside and Jurupa Valley proposes to replace the existing 2-lane Market Street Bridge over the Santa Ana River with a 4-lane bridge to include shoulders, a bicycle lane, and a multi-purpose path, protected by a traffic barrier. The project includes the necessary approach roadway work, restriping, and utility relocation.

The project will be funded in part with Federal Highway Bridge Program (HBP) (88.53%), City of Jurupa Valley funds (10.44%) and City of Riverside funds (1.03%). The project requires the partial acquisition of approximately 39 interests by 20 property owners.

By Minute Order 3.4 of December 8, 2020, the Board of Supervisors approved a pre-qualified list of Real Estate Service Firms in accordance with Board Policy H-7, which allows the County to hire Murphy and Evertz, Attorneys at Law, for legal counsel and services related to property acquisition up to \$100,000 per project per fiscal year.

On August 2, 2023, the Transportation Department entered into a Legal Services Agreement with Murphy & Evertz, Attorney at Law, for legal counsel and services related to the acquisition of property needed for the Market Street Bridge Project.

In order to meet the funding deadline and secure funds, the Transportation Department sought to expedite right-of-way acquisitions through eminent domain, which provides the Transportation Department with an Order of Possession to utilize the needed property. At the same time, final settlement negotiations with owners are still ongoing. Settlements with all property owners has yet to be achieved, and access to focused legal assistance provided by Murphy & Evertz is a necessity to complete the project.

Amendment No. 1 provides a time extension through June 30, 2028, and additional compensation in the amount of \$275,000, with an amended total contract amount not to exceed \$375,000. Right-of-way negotiations and acquisitions have been more complex than anticipated, and continued assistance from Murphy & Evertz is needed to supplement the work of the County Counsel's Office.

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

Original authorization:	\$100,000
<u>Authorized by Amendment No. 1:</u>	<u>\$275,000</u>
Total	\$375,000

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 acquisition activities for this important project.

Construction of the Market Street Bridge is expected to begin Summer of 2025. The work performed by Murphy and Evertz is anticipated to be completed prior to the commencement of construction.

SUPPLEMENTAL:

Additional Fiscal Information

The work performed by Murphy and Evertz will be funded by HBP, City of Jurupa Valley, and the City of Riverside funds. No net County costs will be expended.

Project No. C00528 – Market Street Bridge Replacement Project

Attachments:

Vicinity Map – Market Street Bridge Replacement Project
Amendment No.1



Jason Farin, Principal Management Analyst

9/26/2024



George Trindle, Chief ASST COUNTY COUNSEL

9/26/2024

AMENDMENT NO. 1

**Amendment to the Legal Services Agreement between
The County of Riverside and Murphy & Evertz, Attorneys at Law**

THIS FIRST AMENDMENT to the Legal Services Agreement is made and entered into as of the date written below, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and Murphy & Evertz, LLP (hereinafter "ATTORNEY"). The Parties hereto agree as follows:

RECITALS

- A. COUNTY and ATTORNEY have entered in an agreement entitled "LEGAL SERVICES AGREEMENT" (hereinafter the "Agreement") beginning September 1, 2023, through June 30, 2026. The Agreement provides the terms and conditions, statement of services and budget for the performance of legal services related to all aspects of the Market Street Bridge Project (hereinafter "PROJECT") and any condemnation and/or inverse condemnation actions associated with this PROJECT.
- B. Due to the complexity of eminent domain cases necessary to effectuate the PROJECT, the original amount of the Agreement is insufficient.

AGREEMENT

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

- 1. Section 6. Compensation. The total amount of compensation paid to ATTORNEY is increased from One Hundred Thousand Dollars (\$100,000) to Three Hundred and Seventy-Five Thousand Dollars (\$375,000) Total.
- 2. The term of the legal services agreement is hereby amended to extend the expiration of the Agreement from June 30, 2026, to June 30, 2028, or the completion of the last work assignment, whichever occurs first, unless terminated earlier.
- 3. Except to the extent specifically modified or amended hereunder, all the terms, covenants and conditions of the Agreement shall remain in full force and effect between the parties hereto.

4. This First Amendment shall be effective October 1, 2024. Regardless of the First Amendment's effective date, the additional funds provided by the First Amendment may be used to compensate ATTORNEY for work performed prior to October 1, 2024.


COUNTY OF RIVERSIDE, a Political
Subdivision of the State of California

By: 
Chairman, Board of Supervisors
CHUCK WASHINGTON

MURPHY & EVERTZ, LLP

By: 
Douglas J. Evertz, Partner

ATTEST:
KIMBERLY RECTOR
Clerk of the Board

By: 
Deputy

APPROVED AS TO FORM:
MINH C. TRAN
County Counsel

By: 
Bruce G. Fordon
Supervising Deputy County Counsel