

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



ITEM: 3.54
(ID # 24705)

MEETING DATE:
Tuesday, November 05, 2024

FROM : EXECUTIVE OFFICE

SUBJECT: EXECUTIVE OFFICE: Approve Allocation of First District Second Allocation and County Department Response Contingency American Rescue Plan Act (ARPA) Funds to the Eastern Municipal Water District for Costs Associated with the Mead Valley and Good Hope Area Connection Fees Project, and the Northern Wine Country Sewer – Rancho California Road Phase II Project, and Approve and Execute the First Amendment to the Infrastructure Project Funding Agreement Between the County of Riverside and Eastern Municipal Water District, through Fiscal Year 26/27. Districts 1 and 3. [\$2,890,000 Total Cost - 100% ARPA](4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Obligation of \$390,000 of First District Second Allocation ARPA Funds to the Eastern Municipal Water District for Costs Associated with the Mead Valley and Good Hope Area Connection Fees Project; and
2. Approve the Obligation of \$2,500,000 of County Department Response Contingency ARPA Funds to the Eastern Municipal Water District for Increased Costs Associated with the Northern Wine Country Sewer – Rancho California Road Phase II Project; and
3. Approve and Execute the First Amendment to the Infrastructure Project Funding Agreement Between the County of Riverside and the Eastern Municipal Water District for Delivery of Water and Sewer System Infrastructure Projects, for a Total Cost of \$2,890,000, through Fiscal Year 26/27; and
4. Authorize the Chair of the Board of Supervisors to Execute the First Amendment to Agreement on Behalf of the County.

ACTION:Policy

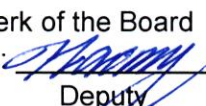

Juan C. Perez, Chief Operating Officer

11/1/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, 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: November 5, 2024
xc: E.O.

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 1,640,000	\$ 1,250,000	\$ 2,890,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% ARPA			Budget Adjustment: N/A	
			For Fiscal Year: 24/25 – 26/27	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On March 11, 2021, President Biden signed into law a \$1.9 trillion economic stimulus bill also known as the COVID-19 Stimulus Package or the American Rescue Plan Act (ARPA). The intent of the bill is to accelerate the United States recovery from the economic and health impacts of the COVID-19 pandemic. ARPA includes \$362 billion in Coronavirus State and Local Fiscal Recovery Funds (ARPA Fiscal Recovery Funds) for eligible state, local, territorial, and tribal governments.

Riverside County's share of the American Rescue Plan funding is estimated to be \$479 million, of which the first installment of \$239,937,299 was received on May 10, 2021, and the second installment in the same amount was received on June 6, 2022. The funds must be obligated by December 31, 2024, and expended by December 31, 2026.

On April 27, 2021, the Executive Office presented the Board of Supervisors with a preliminary ARPA funding allocation and on October 19, 2021, presented a revised funding allocation after the U.S. Treasury released the ARPA interim funding guidelines. The revised allocation included a new category for Child Care. The funding allocation obligates funds to 7 categories: Infrastructure, Housing & Homelessness, Economic Recovery, County Departments Response, Non-Profit Assistance, Child Care and Revenue Backfill.

On October 4, 2022, the Board of Supervisors approved the ARPA 2nd installment funding allocation which allocated \$33 million per district to be obligated towards infrastructure, housing and homelessness, workforce development, neighborhood revitalization, business revitalization, childcare facilities, and non-profits.

On August 2, 2022, (Agenda Item 3.6), at the recommendation of the County's 1st and 3rd Districts, the Board of Supervisors approved execution of an ARPA Infrastructure Project Funding Agreement with the Eastern Municipal Water District (EMWD) for delivery of five sewer and water system projects, including the Southern Wine Country Sewer Project at De Portola and Anza Road. The attached First Amendment to the ARPA Funding Agreement proposes to expand the original agreement to add the Mead Valley and Good Hope Area Connection Fees Project, which will connect and fund all fees associated with a total of 26 new connections within three EMWD sewer and water system project areas subject to previous agreements with the

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County. Total estimated cost for this additional project is \$390,000, to be funded by 1st District Second Allocation ARPA funds.

Overall, the County and EMWD are partnering on the delivery of 11 key water or sewer projects across three Supervisorial Districts. Given the rising costs of construction in the current bid market from when the preliminary budgets were established, as well as additional information that came out of the detailed design process identifying challenges in the field conditions of several projects, the projects in aggregate represent approximately \$123 million in total costs. EMWD is funding the large majority of the project costs, with the County contributing approximately \$33 million in aggregate, including the additional cost contributions recommended in this Board action.

The Northern Wine Country Sewer– Rancho California Road Phase II Project is one of the projects that has experienced a significant cost increase, from \$6,912,000 to \$12,751,000. The attached First Amendment to the ARPA Funding Agreement would formalize a revised cost share, with EMWD contributing \$3,339,000, and the County contributing \$2,500,000, of the total \$5,839,000 increase in Project construction costs. The proposed First Amendment also reflects an approximate five-month extension to Project completion due to delays associated with addressing increased estimated costs; however, the Project is still anticipated to be completed well in advance of ARPA deadlines for expenditure.

The proposed First Amendment to ARPA Funding Agreement also reflects the following adjustments, with no additional costs borne on the County:

Southern Wine Country Sewer Project at De Portola and Anza Road – Site conditions require an alternative alignment, and subsequent \$9.83 million Project cost increase and two-month project schedule extension. As set forth in the attached 1st Amendment, EMWD will provide funding for all cost increases, and the Project is anticipated to be completed well in advance of ARPA deadlines for expenditure.

Mead Valley Cajalco Corridor Sewer Project – As the Project no longer requires a lift station, sewer main will be extended an additional 11,400 feet down Cajalco Road from Carpinus Dr to Carroll Street in Mead Valley; this will require a 16-month Project schedule extension, and \$8.155 million in additional Project cost. As set forth in the attached 1st Amendment, EMWD will provide funding for all cost increases, and the Project is anticipated to be completed well in advance of ARPA deadlines for expenditure.

Mission Canyon II Booster Station Replacement Project – EMWD will add an additional 1,000 feet of new pipe and increase water pressure and capacity from 600 gallons per minute to 1,500 gallons per minute to address requirements for firefighting flows. \$8,736,320 in additional Project cost will be provided by EMWD, and the Project is still anticipated to complete construction by January 31, 2026.

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Good Hope Olive Area Water Improvements Project – Site conditions revealed the need to reduce the linear footage of water line installation; however, the number of remote meter connections eliminated (70) remains unchanged, as does the number of parcels that will receive improved water service reliability. The attached 1st Amendment includes a nine-month extension to Project schedule; however, the Project is still anticipated to be completed well in advance of ARPA deadlines for expenditure.

All other terms memorialized in the original ARPA Funding Agreement will remain intact. EMWD's Board of Directors is scheduled to execute the proposed First Amendment to ARPA Funding Agreement at their November 6 Board meeting.

Impact on Residents and Businesses

The water and sewer infrastructure projects funded by the original ARPA Funding Agreement and the attached proposed 1st Amendment to Agreement, will improve quality of life and promote economic recovery in unincorporated communities by improving water and sewer systems.

ATTACHMENTS:

- Attachment A – 1st Amendment to Infrastructure Project Funding Agreement Between the County of Riverside and the Eastern Municipal Water District


Heydee Koury, Sr Accountant - Auditor 4/12/2024


Scott Bruckner 4/19/2024


Stephanie Perini, Deputy Director of Admin. Services 10/31/2024


Aaron Gettis, Chief of Deputy County Counsel 4/16/2024

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147

Thank you

FIRST AMENDMENT TO FUNDING AGREEMENT BETWEEN
THE COUNTY OF RIVERSIDE AND THE EASTERN MUNICIPAL WATER DISTRICT FOR
AGENCY INFRASTRUCTURE PROJECTS

THIS FIRST AMENDMENT to a Funding Agreement for Eastern Municipal Water District Agency
Infrastructure Projects effective August 2, 2022, by and between the County of Riverside, a political
subdivision of the State of California (hereinafter the "County"), and the Eastern Municipal Water District
(hereinafter "Subrecipient"), (collectively referred to as the "Parties"), amends the Agreement as follows:

RECITALS

WHEREAS, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law,
amending Section 9901 of Title VI of the Social Security Act which establishes the Coronavirus State and
Local Fiscal Recovery Funds (Fiscal Recovery Funds) to provide state, local and Tribal governments with
the resources needed to respond to the pandemic and its economic effects and to build a stronger, more
equitable economy during the recovery; and

WHEREAS, on February 8, 2022, Minute Order 3.3, the Board of Supervisors of the County of
Riverside approved allocation of American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal
Recovery Funds (Fiscal Recovery Funds) funds to support eligible infrastructure projects within Riverside
County; and

WHEREAS, on January 6, 2022, the U.S. Department of the Treasury (U.S. Treasury) adopted a
final rule implementing the Fiscal Recovery Funds which took effect on April 1, 2022 (Final Rule); and

WHEREAS, to respond to the negative effects of the pandemic, which in turn affect our community
as a whole, County has dedicated a portion of the allotted ARPA funds to local agencies for the delivery
and implementation of vital and eligible infrastructure projects; and

WHEREAS, County and Subrecipient entered into an agreement for the County to reimburse
Subrecipient for a total amount not to exceed \$15,621,200, for expenditures identified in Attachment A
related to the Mead Valley Cajalco Corridor Sewer Project, Mead Valley Cajalco Corridor Water System
Improvements Project, Good Hope Olive Area Water Improvements Project, Mission Canyon II Pump
Station Replacement Project, Southern Wine Country Sewer Project at De Portola and Anza Road, and

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1 Northern Wine Country Sewer – Rancho California Road Phase II Project (Infrastructure Projects)
2 (hereinafter “Agreement”); and

3 WHEREAS, the Parties desire to amend the Agreement to reflect an alternative alignment and
4 subsequently revised project scope and schedule for the Southern Wine Country Sewer Project at De Portola
5 and Anza Road, Mead Valley Cajalco Corridor Sewer Project, and Mission Canyon II Pump Station
6 Replacement Project; and

7 WHEREAS, construction cost estimates for the Northern Wine Country Sewer – Rancho California
8 Road Phase II Project came in significantly higher than anticipated, and County and Subrecipient now wish
9 to revise the Agreement to reflect updated Infrastructure Project cost shares; and

10 WHEREAS, to incorporate a separate and new Infrastructure Project defined as the Mead Valley
11 and Good Hope Area Connection Fees Project, the Parties desire to amend the Agreement to reflect that the
12 County may provide additional reimbursement to the Subrecipient for Infrastructure Projects; and

13 WHEREAS, to reflect the higher construction cost estimates for the Northern Wine Country Sewer
14 – Rancho California Road Phase II Project, and the separate and new Mead Valley and Good Hope Area
15 Connection Fees Project, the Parties desire to amend the agreement to reflect that the County may reimburse
16 the Subrecipient for Infrastructure Projects for a total amount not to exceed \$18,511,200.

17 NOW, THEREFORE, for good valuable consideration, the receipt and adequacy of which is hereby
18 acknowledged, providing that all other sections not amended remain in full force and effect, the Parties
19 agree to amend the Agreement as follows:

- 20 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.
21 2. Section 4.1 Funding. The Agreement is hereby amended to delete in its entirety Section 4.1, and
22 replace it with:

23 “County shall provide funding to Subrecipient in an amount not to exceed \$18,511,200 (“Award”), in
24 quarterly payments in accordance with progress pay estimates submittals, and in compliance with
25 ARPA Guidelines as set forth in **Attachment B**, attached hereto and by this reference incorporated
26 herein, for the completion of the Infrastructure Projects. In the event that there is a conflict in the
27 terms for payment in this Agreement and the terms in Attachments B and C, the terms in Attachments
28 B and C shall take precedence. Subrecipient shall provide other non-federal funding at least equal to

1 the amounts shown in **Attachment A**, attached hereto and by this reference incorporated herein, as a
2 match to the funds provided by the County for the Infrastructure Projects.”

- 3 3. Attachment A - Infrastructure Project Scope. Attachment A of the Agreement is hereby amended to
4 incorporate “Scope of Work,” “Project Budget,” and “Schedule” sections for a new project defined as
5 the “Mead Valley and Good Hope Area Connection Fees Project” as follows:

6 **Mead Valley and Good Hope Area Connection Fees Project**

7 **Scope of Work**

8 The Subrecipient will complete all planning, design and procurement necessary to construct the
9 Infrastructure Project. The Subrecipient will conduct all activities required to connect and fully fund
10 any fees associated with a total of twenty-six (26) new connections within the project areas defined
11 within the Project Budget section below. Prior to commencement of any construction activities,
12 Subrecipient will conduct site investigations to assess appropriate connection locations for each
13 project area. Subrecipient will submit a recommendation for connection locations for each project
14 area to the County for review, and construction of connections in each specified project area shall
15 commence only upon mutual agreement by the Parties.

16 **Project Budget**

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ITEM	DESCRIPTION	COUNTY OF RIVERSIDE ARPA PROJECT FUNDING AMOUNT (Not to Exceed)	SUBRECIPIENT NON-FEDERAL FUNDING AMOUNT	ESTIMATED PROJECT COST
1	Four (4) Connections in the Mead Valley Cajalco Corridor Water System Improvements Project Area located along Robinson Drive in Mead Valley	\$60,000	\$0	\$60,000
2	Nineteen (19) Connections in the Good Hope Olive Area Water Improvements Project Area located between Olive and Sharp Road and west of Theda Street in Mead Valley	\$285,000	\$0	\$285,000

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3	Three (3) Connections in the Mead Valley Cajalco Corridor Water System Improvements Phase 2 Project Area located along Oakwood Street, Carroll Street, Day St, and Pinewood St in the area south of Cajalco Road in Mead Valley	\$45,000	\$0	\$45,000
TOTAL:		\$390,000	\$0	\$390,000

Schedule

ITEM	DESCRIPTION OF SUBMITTAL	ESTIMATED DUE DATE
1	Investigation, Construction and Implementation: Four (4) Connections in the Mead Valley Cajalco Corridor Water System Improvements Project Area located along Robinson Drive in Mead Valley	May 1, 2025
2	Investigation, Construction and Implementation: Nineteen (19) Connections in the Good Hope Olive Area Water Improvements Project Area located between Olive and Sharp Road and west of Theda Street in Mead Valley	May 1, 2025
3	Investigation, Construction and Implementation: Three (3) Connections in the Mead Valley Cajalco Corridor Water System Improvements Phase 2 Project Area located along Oakwood Street, Carroll Street, Day St, and Pinewood St in the area south of Cajalco Road in Mead Valley	October 28, 2025

4. Attachment A - Infrastructure Project Scope. Attachment A of the Agreement is hereby amended to delete in its entirety the “Project Budget,” and “Schedule” sections of the “Northern Wine Country Sewer– Rancho California Road Phase II Project” provisions and replace them with:

Northern Wine Country Sewer – Rancho California Road Phase II Project

Project Budget

ITEM	DESCRIPTION	COUNTY OF RIVERSIDE ARPA PROJECT FUNDING AMOUNT (Not to Exceed)	SUBRECIPIENT NON-FEDERAL FUNDING AMOUNT	ESTIMATED PROJECT COST
1	Facilities Planning	\$0	\$172,800	\$172,800
2	Preliminary Design	\$0	\$432,000	\$432,000
3	Final Design	\$0	\$864,000	\$864,000
4	Spec Review, Bid/Award	\$0	\$172,800	\$172,800
5	Construction	\$7,511,200	\$5,239,800	\$12,751,000
6	Admin Closeout	\$0	\$86,400	\$86,400
TOTAL:		\$7,511,200	\$6,967,800	\$14,479,000

1 **Schedule**

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ITEM	DESCRIPTION OF SUBMITTAL	ESTIMATED DUE DATE
1	Feasibility Report	October 8, 2022
2	Preliminary Design	March 7, 2023
3	Final Design	April 29, 2024
4	Spec Review, Bid/Award	May 22, 2024
5	Construction and Implementation	March 31, 2026
6	Admin Closeout	July 31, 2026

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- 7 5. Attachment A - Infrastructure Project Scope. Attachment A of the Agreement is hereby amended to
8 delete in its entirety the “Scope of Work”, “Project Budget” and “Schedule” sections of the “Southern
9 Wine Country Sewer Project at De Portola and Anza Road” provisions and replace them with:

10 **Scope of Work**

11 The Subrecipient will complete all planning, design and procurement necessary to construct the
12 Infrastructure Project. The Subrecipient will construct 13,500 feet of 15-inch gravity sanitary sewer
13 main, 6,000 feet of 12-inch gravity sanitary sewer main, and 3,400 feet of 10-inch gravity sanitary
14 sewer main, as well as the installation of laterals to property lines along De Portola Rd in southern
15 Wine Country.

16 **Project Budget**

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ITEM	DESCRIPTION	COUNTY OF RIVERSIDE ARPA PROJECT FUNDING AMOUNT (Not to Exceed)	SUBRECIPIENT NON-FEDERAL FUNDING AMOUNT	ESTIMATED PROJECT COST
1	Facilities Planning	\$0	\$206,000	\$206,000
2	Preliminary Design	\$0	\$515,000	\$515,000
3	Final Design	\$0	\$1,030,000	\$1,030,000
4	Spec Review, Bid/Award	\$0	\$206,000	\$206,000
5	Construction	\$4,120,000	\$13,952,000	\$18,072,000
6	Admin Closeout	\$0	\$103,000	\$103,000
TOTAL:		\$4,120,000	\$16,012,000	\$20,132,000

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25 **Schedule**

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ITEM	DESCRIPTION OF SUBMITTAL	ESTIMATED DUE DATE
1	Preliminary Design	November 30, 2022
2	Final Design	April 30, 2024
3	CEQA	May 01, 2024
4	Spec Review, Bid/Award	June 30, 2024
5	Construction and Implementation	December 31, 2025
6	Admin Closeout	March 30, 2026

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6. Attachment A - Infrastructure Project Scope. Attachment A of the Agreement is hereby amended to delete in its entirety the “Scope of Work”, “Project Budget” and “Schedule” sections of the “Mead Valley Cajalco Corridor Sewer Project” provisions and replace them with:

Scope of Work

The Subrecipient will complete all planning, design and procurement necessary to construct the Infrastructure Project. The Subrecipient will construct approximately 15,500 feet of sewer extending EMWD sewer service and allowing for septic conversions along Cajalco Road from Carpinus Dr to Carroll Street in Mead Valley.

Project Budget

ITEM	DESCRIPTION	COUNTY OF RIVERSIDE ARPA PROJECT FUNDING AMOUNT (Not to Exceed)	SUBRECIPIENT NON-FEDERAL FUNDING AMOUNT	ESTIMATED PROJECT COST
1	Facilities Planning	\$0	\$116,000	\$116,000
2	Preliminary Design	\$0	\$290,000	\$290,000
3	Final Design	\$0	\$580,000	\$580,000
4	Spec Review, Bid/Award	\$0	\$116,000	\$116,000
5	Construction	\$2,900,000	\$9,895,000	\$12,795,000
6	Admin Closeout	\$0	\$58,000	\$58,000
TOTAL:		\$2,900,000	\$11,055,000	\$13,955,000

Schedule

ITEM	DESCRIPTION OF SUBMITTAL	ESTIMATED DUE DATE
1	Feasibility Report	November 27, 2022
2	Preliminary Design	April 9, 2023
3	Final Design	May 31, 2024
4	CEQA	July 31, 2024
5	Spec Review, Bid/Award	July 31, 2024
6	Construction and Implementation	April 30, 2026
7	Admin Closeout	May 31, 2026

7. Attachment A - Infrastructure Project Scope. Attachment A of the Agreement is hereby amended to delete in its entirety the “Scope of Work”, “Project Budget” and “Schedule” sections of the “Mission Canyon II Booster Station Replacement Project” provisions and replace them with:

1 **Scope of Work**

2 The Subrecipient will complete all planning, design and procurement necessary to construct the
3 Project. The Subrecipient will construct a new water pump station and install 4,200 feet of new pipe
4 that will improve water pressure and capacity from 1,500 gallons per minute for the unincorporated
5 Hemet area east of Diamond Valley Lake.

6 **Project Budget**

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SITEM	DESCRIPTION	COUNTY OF RIVERSIDE ARPA PROJECT FUNDING AMOUNT (Not to Exceed)	SUBRECIPIENT NON-FEDERAL FUNDING AMOUNT	ESTIMATED PROJECT COST
1	Facilities Planning	\$0	\$72,00	\$72,00
2	Preliminary Design	\$0	\$180,000	\$180,000
3	Final Design	\$0	\$360,000	\$360,000
4	Spec Review, Bid/Award	\$0	\$72,000	\$72,000
5	Construction	\$1,440,000	\$10,176,320	\$11,616,320
6	Admin Closeout	\$0	\$36,000	\$36,000
TOTAL:		\$1,440,000	\$10,896,320	\$12,336,320

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15 **Schedule**

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ITEM	DESCRIPTION OF SUBMITTAL	ESTIMATED DUE DATE
1	Feasibility Report	October 5, 2022
2	Preliminary Design	February 28, 2023
3	Final Design	May 31, 2024
4	CEQA	July 31, 2024
5	Spec Review, Bid/Award	October 31, 2024
6	Construction and Implementation	January 31, 2026
7	Admin Closeout	May 1, 2026

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- 22 8. Attachment A - Infrastructure Project Scope. Attachment A of the Agreement is hereby amended to
23 delete in its entirety the “Scope of Work”, and “Schedule” sections of the “Good Hope Olive Area
24 Water Improvements” provisions and replace them with:

25 **Scope of Work**

26 The Subrecipient will complete all planning, design and procurement necessary to construct the
27 Project. The Subrecipient will construct approximately 6,400 feet of new pipe to improve water
28 service reliability and eliminate approximately 70 remote meter connections to properties between
Olive and Sharp Road and west of Theda Street in Mead Valley.

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Schedule

ITEM	DESCRIPTION OF SUBMITTAL	ESTIMATED DUE DATE
1	Preliminary Design	February 28, 2023
2	Final Design	May 31, 2024
3	CEQA	July 31, 2024
4	Spec Review, Bid/Award	October 31, 2024
5	Construction and Implementation	October 31, 2025
6	Admin Closeout	February 28, 2026

9. Entire Understanding. The Agreement and this First Amendment contain the entire understanding and agreement of the Parties. There are no oral or written representations, understandings or ancillary covenants, undertakings, or agreements that are not contained or expressed referred to within this First Amendment and Agreement.

[REMAINDER OF PAGE LEFT BLANK]

1 IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly
2 executed on 11/05/2024.

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4 COUNTY:
5 COUNTY OF RIVERSIDE, a political subdivision
6 of the State of California

SUBRECIPIENT:
EASTERN MUNICIPAL
WATER DISTRICT

7 By: 
8 CHUCK WASHINGTON
9 Chair, Board of Supervisors

By: _____
General Manager


10 ATTEST:
11 Clerk of the Board
12 Kimberly Rector

ATTEST:

13 By: 
14 Deputy

(Seal)

15
16 APPROVED AS TO FORM
17 County Counsel

18 By: 
19 Kristine Bell-Valdez
20 Deputy County Counsel