

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



ITEM: 3.26
(ID # 26679)

MEETING DATE:
Tuesday, February 04, 2025

FROM : TLMA-TRANSPORTATION

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION.
Execute Amendment No. 2 with Murphy & Evertz, Attorneys at Law, for Legal Counsel and Services for the Gilman Springs Road Safety Improvement Project. District 5. [\$150,00 Total Amendment Cost, \$500,000 Total Agreement Cost - Local Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Execute Amendment No. 2 of the Legal Services Agreement between the County of Riverside and Murphy & Evertz, Attorneys at Law, for legal counsel and services for the Gilman Springs Road Safety Improvement Project; and authorize the Chair of the Board to execute the same.

ACTION:Policy


Dennis Acuna, Director of Transportation 12/24/2024

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Medina, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: February 4, 2025
xc: Transp.

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	\$ 100,000	\$ 50,000	\$ 150,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Gas Tax (HUTA) (100%).			Budget Adjustment: No	
			For Fiscal Year: 23/24-26/27	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside Transportation Department is currently completing widening improvements along Gilman Springs Road from approximately 1.7 miles south of Alessandro Boulevard to approximately 1 mile south of Bridge Street and covers approximately 4.3 miles. The project is needed to improve traffic safety and operations by providing a single twelve-foot lane in each direction with approximately five-foot paved shoulders with rumble strips to help alert drivers who may stray from the travel lanes, additional five-foot graded dirt shoulders, a four-foot-wide double yellow striped center median with reflective delineators and rumble strips, and a passing lane for the north/west direction of travel for approximately 1.3 miles in length.

The project will be funded in part with Federal Highway Safety Improvement Program funds and requires the partial acquisition of approximately 48 parcels owned by 16 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 June 1, 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 Gilman Springs Rd Safety Improvement Project.

To meet the funding deadline and secure Federal Highway Safety Improvement Program funds, the Transportation Department sought to expedite right-of-way acquisitions through eminent domain, which provided the Transportation Department with an Order of Possession to utilize the property needed for the construction of the project. 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 necessary to complete the project.

Amendment No. 1 was approved by the Board of Supervisors on April 2, 2024, and provided additional compensation in the amount of \$250,000. Right-of-way negotiations and acquisitions

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have been more complex than hoped, and continued assistance from Murphy & Evertz is needed to supplement the work of the County Counsel's Office. A second Amendment, Amendment No. 2, will allow for additional compensation in the amount of \$150,000, with the total contract amount not to exceed \$500,000; the extension date remains unchanged and is through December 31, 2026.

Original authorization:	\$100,000
Authorized by Amendment No. 1:	\$250,000
Authorized by Amendment No. 2	\$150,000
Total	\$500,000

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 of this important project.

Construction of the Gilman Springs Rd Safety Improvement Project commenced in early fall of 2024.

SUPPLEMENTAL:

Additional Fiscal Information

The work performed by Murphy and Evertz will be funded by Gas Tax (HUTA). No net County costs will be expended.

Project No. C2-0161 – Gilman Springs Rd Safety Improvement Project

Attachments:

Vicinity Map – Gilman Springs Improvement Project
Amendment No. 2



Jason Farin, Principal Policy Analyst 1/30/2025

AMENDMENT No. 2

Amendment to the Legal Services Agreement between

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

THIS SECOND AMENDMENT to the Legal Services Agreement is made and entered into as of this

4th day of February, 2025, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and Murphy & Evertz, Attorneys at Law (hereinafter "ATTORNEYS").

RECITALS

- A. COUNTY and ATTORNEYS have entered in an agreement entitled "LEGAL SERVICES AGREEMENT" (hereinafter the "Agreement") with a June 1, 2023, effective date. The Agreement provides the terms and conditions, statement of services and budget for the performance of legal services related to all aspects of the Gilman Springs Road Improvement Project (hereinafter "PROJECT") and any condemnation and/or inverse condemnation actions associated with this PROJECT. The agreement was set to expire on June 30, 2025.
- B. An Amendment to the Agreement, Amendment No. 1, was approved by the Board of Supervisors which increased the capacity in the amount of \$250,000. The Amendment became effective on December 31, 2023, and extended the Agreement expiration to December 31, 2026.
- C. Due to the continued number of eminent domain cases necessary to effectuate the PROJECT, the original amount of the Agreement is insufficient, and a second Amendment is necessary.

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 Three Hundred Fifty Thousand Dollars to Five Hundred Thousand Dollars.
2. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement shall remain in full force and effect between the parties hereto.
3. This First Amendment became effective December 1, 2023, and the additional funds provided by the First

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1 Amendment were used to compensate ATTORNEY . The Second Amendment will become effective when
2 the Amendment is fully executed and the additional funds provided by the Second Amendment may be used to
3 compensate ATTORNEY for work performed before the fully executed Amendment.
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5 IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly executed
6 this day and year first written above.
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8 [SIGNATURE PAGE FOLLOWS]
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COUNTY Approval**RECOMMENDED FOR APPROVAL:**

_____ Dated: _____

Dennis Acuna, PE, TE

Director of Transportation

APPROVED AS TO FORM:

County Counsel

B. G. Fordon Dated: 1-14-25

By Deputy Bruce G. Fordon

APPROVAL BY THE BOARD OF SUPERVISORS

V. Manuel Perez Dated: 2/04/2025
V. MANUEL PEREZ

PRINTED NAME

Chair, Riverside County Board of Supervisors

ATTEST:

Kimberly Rector Dated: 2/04/2025
KIMBERLY RECTOR
Clerk of the Board (SEAL)

ATTORNEYS**Approvals****ATTORNEYS:**

Douglas J. Evertz Dated: 12-18-24
Douglas J. Evertz

Partner

_____ Dated: _____

PRINTED NAME

TITLE

ATTORNEYS: [if needed]

_____ Dated: _____

PRINTED NAME

TITLE



Figure 1.1-2
Project Location
Gilman Springs Shoulder and Median Widening Project