

**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: November 17, 2015 - REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: Agreements with California High Speed Rail Authority

REQUEST(S):

That the Board of Supervisors:

1. Approve an amendment to Tulare County Agreement No. 26274 with the California High Speed Rail Authority extending the contract term by two years, amending the contract expiration date from December 31, 2015, to December 31, 2017;
2. Approve the Cooperative Agreement with the California High Speed Rail Authority which establishes contractual terms and conditions regarding the relocation of Tulare County facilities in relation to the California High Speed Rail Project;
3. Approve Utility Agreement #1 with the California High Speed Rail Authority which identifies a value of approximately \$12,641,900 in improvements to be performed by the California High Speed Rail Authority's contractor to Tulare County facilities related to the California High Speed Rail Project;
4. Approve Sub-Utility Agreements 1.01 through 1.09, which (1) provides up to \$157,250 in funding for design review by County staff of roadway improvements to be performed by the California High Speed Rail Authority's contractor to Tulare County facilities, and (2) details facility work described in Utility Agreement # 1, valued at approximately \$12,641,900, related to the California High Speed Rail Project; and
5. Authorize the Chairman to sign the Agreements after review and approval as to form by County Counsel.

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SUMMARY:

The Fresno-Bakersfield segment of the California High Speed Rail project is approximately 118 miles long, and includes an approximately 23 mile stretch that transects a southwestern portion of Tulare County. The alignment generally enters Tulare County from the north, at a point southeast of the City of Corcoran. The alignment then heads southeasterly toward the City of Wasco, exiting Tulare County west of Road 80.

Construction Package 2-3 (CP 2-3) represents the continuation of construction of the high-speed rail program to the south, starting from the southern end of Fresno, CA. CP 2-3 will extend in excess of 65 miles from East American Avenue in Fresno to one mile north of the Kern-Tulare County line, and will include approximately 36 grade separations, including several structures in Tulare County.

Three (3) overhead structures in Tulare County will take Avenues 56, 88, and Avenue 120 over the High Speed Rail lines. Additionally Avenues 144 and 136 will cross under an elevated section of the High Speed Rail line and an underpass structure will be constructed that will allow Avenue 24 to cross under the rail lines as well.

Additionally, Resource Management Agency (RMA) staff has identified approximately 12.5 miles of roadway improvements on County roads that are to be performed as a part of the High Speed Rail project.

This item requests approval of four separate agreements with the California High Speed Rail Authority (CHSRA), as described below:

(1) Amendment to Tulare County Agreement No. 26274

On September 17, 2013, the Board of Supervisors approved Tulare County Agreement No. 26274 with the CHSRA in the amount of \$151,400. Through this agreement, Tulare County is being reimbursed for costs associated with meetings with CHSRA staff and consultants, researching and providing documentation of existing County facilities to CHSRA staff and consultants, review of impacts to Tulare County roadway network by High Speed Rail project, and providing CHSRA staff and consultants with design criteria to be used for design of County facilities to be constructed as a part of the High Speed Rail project.

Tulare County Agreement No. 26274 is set to expire on December 31, 2015.

This amendment will extend the expiration date to December 31, 2017.

Approximately \$40,000 of the \$151,400 budget for this agreement has been expended to date.

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(2) Cooperative Agreement

The Cooperative Agreement provides the framework for the collaboration that will be required between Tulare County and the CHSRA in the relocation of County facilities (i.e. roads) to accommodate the High Speed Rail project.

The Cooperative Agreement outlines that the work to be completed for the relocation of existing facilities will be accomplished through two types of subsequent agreements, "Grade Separation Agreements" and "Utility Agreements."

"Grade Separation Agreements" will be executed for each of the overhead and undercrossing structures noted above, that will set forth, among other things, scope of work, schedule, cost, cost apportionment, billing, payment, documentation, documentation retention, accounting and coordination as it relates to each of the specific grade separations.

Separate "Utility Agreements" will be executed for the roadway improvements on the County's road system that will be required as a part of the High Speed Rail project. The "Utility Agreements" are subsequent agreements by which the CHSRA, or their contractor, provides Tulare County funds, and/or sets forth, among other things, the schedule, cost, cost apportionment, billing, payment, documentation, documentation retention, accounting and coordination as it relates to the roadway improvement work. Work to be completed under the Utility Agreements may be further detailed in "Sub-Utility Agreements" to each Utility Agreement.

In general, the relocation of County facilities (i.e. roads) lawfully maintained in what is to be High Speed Rail property, will be paid for by the CHSRA. The County could be liable for the cost of relocating facilities if the relocation constitutes a "Betterment" under the contract (an upgrade of the facility that is made solely for the benefit of and at the request of the County), or if the County requests a relocation of the facilities after the High Speed Rail construction is complete. RMA does not anticipate making any such requests at this time.

The project will also include a viaduct structure as the High Speed Rail alignment enters Tulare County that will carry the High Speed Rail lines over Avenue 144, Avenue 136, State Route 43, and the Tule River. As such, Avenue 144 and Avenue 136 will remain open at this location, and will not require a grade separation structure.

As a part of the High Speed Rail project, Avenue 128, Avenue 112 and Avenue 108 in Tulare County will be closed at the High Speed Rail alignment. The closure of these roads is covered by this Cooperative Agreement, and will not require future agreements.

There is no funding associated with the Cooperative Agreement.

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(3) Utility Agreement # 1

Utility Agreement # 1 is the first of the subsequent agreements to the Cooperative Agreement.

Utility Agreement # 1 provides terms and conditions for specific "Facility Work" to be completed as part of the High Speed Rail Project in Tulare County. The work outlined in Utility Agreement #1 involves improvements to specific County roadways (see Attachment B – Road Impacts Exhibit). In addition to describing the scope of the work to be completed and liability for the work, Utility Agreement #1 specifies the engineering standards to which the improvements are to be constructed.

The value of the work included in Utility Agreement #1, and detailed in Sub-Utility Agreements 1.01-1.09, is estimated at approximately \$12,641,900. The agreement identifies that the CHSRA will be responsible for 100% of the cost for this work. The scope of work in Utility Agreement #1 includes improvements to approximately 12.5 miles of roadway, and is summarized as follows:

Item	Road	From	To	Length (miles)	Upgrade	Timeline to Complete Construction	Estimated Improvement Cost
1	A136	R24	R27	0.43	Reconstruct	1 year	\$430,000
2	R24	A120	A136	2.01	Resurface	1 year	\$653,100
3	A120	R24	R32	1.00	Reconstruct	1 year	\$1,000,100
4	A120	R32	RRxn g	0.59	Reconstruct	1 year	\$590,000
5	A120	RRxn g	R36	0.02	Reconstruct	1 year	\$20,000
6	Frontage	A120	A112	1.25	Construct	2 years	\$1,250,100
7	R40	A100	A112	1.50	Resurface	1 year	\$487,400
8	R40	A96	A100	0.51	Resurface	1 year	\$165,700
9	R40	A88	A96	1.00	Reconstruct	1 year	\$812,600
10	A88	R40	R55	1.88	Construct and New Bridge	1 year for road 4 years for bridge	\$5,080,100
11	A88	R55	R56	0.04	Reconstruct	1 year	\$40,000
12	A24	R72	R80	1.00	Construct	1 year	\$812,500
13	A24	R80	R86	0.75	Reconstruct	1 year	\$609,400

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14	A24	R86	R88	0.25	Reconstruct	1 year	\$203,100
15	A24	R88	R89	0.30	Reconstruct	1 year	\$243,900
16	A56	OvrX ng	SR43	0.30	Reconstruct	1 year	\$243,900
			Total Miles:	12.53		Estimated Total Cost:	\$12,641,900

The CHSRA design-build contractor will be responsible for construction of the improvements noted in the table above. All of the improvements, with the exception of the frontage road (Item 6) and the new bridge (part of Item 10) will be constructed within one year of execution of "Utility Agreement #1."

(4) Sub-Utility Agreements 1.01-1.09

Sub-Utility Agreements 1.01 through 1.09 define the requirements and criteria to be used for the design and construction of the roadway improvements identified in Utility Agreement #1. Additionally, the Sub-Utility Agreements define the timeframe, or period of performance, by which each of the improvements are to be constructed.

Through "Sub-Utility Agreements 1.01," the County will be reimbursed up to \$157,250 to review design concepts and participate in design workshops with CHSRA and their contractor.

Subsequent "Utility Agreements" will be executed to reimburse the County for construction inspection.

FISCAL IMPACT/FINANCING:

There is no Net Cost to the County General Fund.

Costs for review and negotiation of the terms of these agreements will be fully reimbursed through provisions of the previously executed Master Agreement with the CHSRA (Tulare County Agreement No. 26274), for a not to exceed amount of \$151,400.

Costs for the review of design concepts and design workshops related to the roadway improvements identified in Utility Agreement #1 will be reimbursed through the provisions of Sub-Utility Agreement 1.01, at an amount not to exceed \$157,250.

The cost for the construction of the roadway improvements identified in Utility Agreement #1 is 100% the responsibility of the CHSRA, as identified in Section 3. Liability for Work of Utility Agreement #1.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Safety and security includes the goal of improving and maintaining the transportation infrastructure. The High Speed Rail Project will ultimately provide an alternative mode of transportation for the residents of California.

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ADMINISTRATIVE SIGN-OFF:

Reed Schenke, P.E. Date
Chief Engineer

Benjamin Ruiz Jr., S.E., P.E. Date
Assistant Director - Public Works, Interim

BR:rs

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment (s): Attachment A - Vicinity Map
Attachment B – Road Impacts Exhibit
Attachment C – Amendment to Tulare Co. Agreement No. 26274
Attachment D – Cooperative Agreement
Attachment E – Utility Agreement #1
Attachment F – Sub-Utility Agreements 1.01-1.09

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF AGREEMENTS)
WITH CALIFORNIA HIGH SPEED) Resolution No. _____
RAIL AUTHORITY) Agreement No. _____**

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD NOVEMBER 17, 2015, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

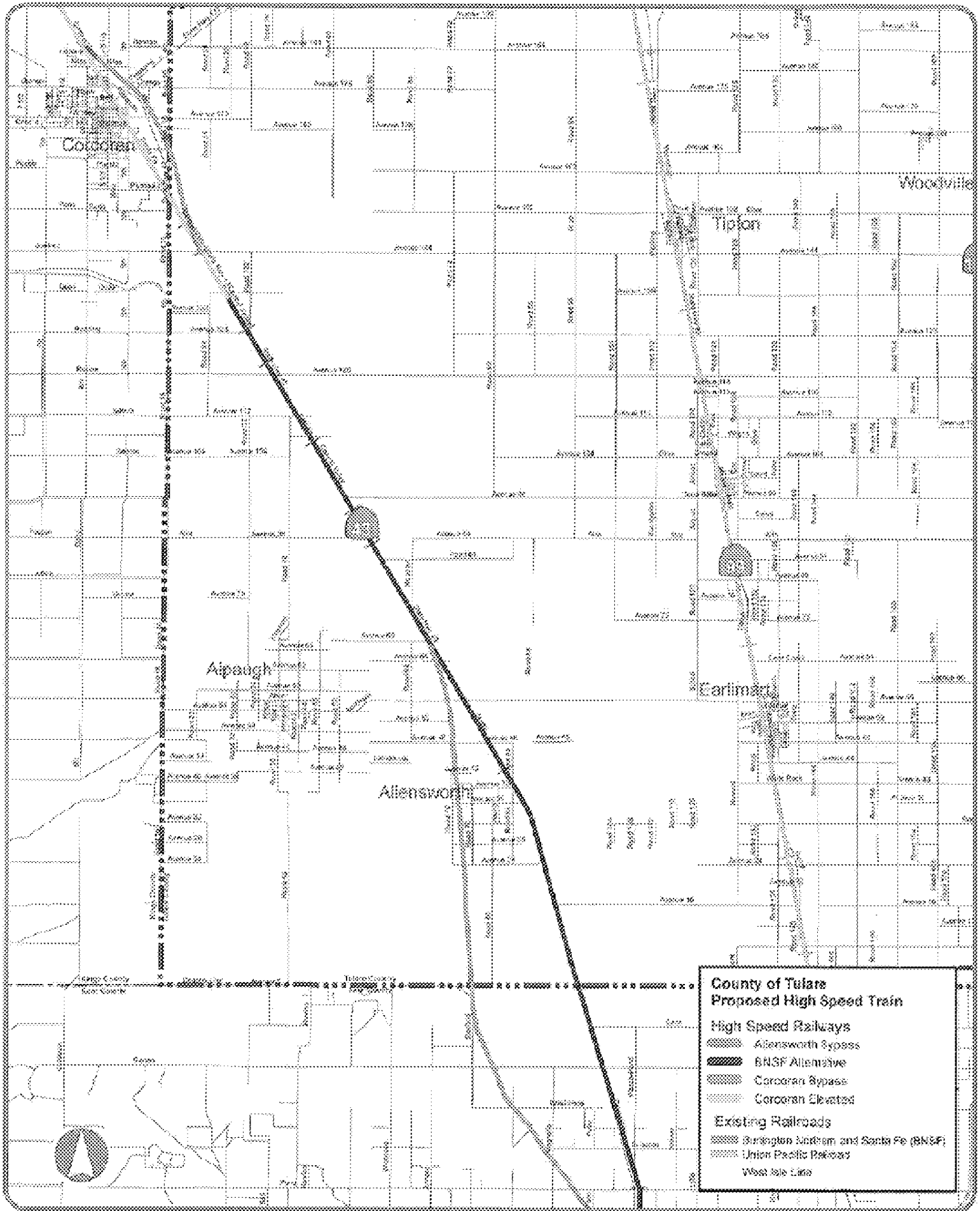
ATTEST: MICHAEL C. SPATA, INTERIM
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

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5. Authorized the Chairman to sign the Agreements after review and approval as to form by County Counsel.

Attachment A – Vicinity Map



Attachment B – Road Impacts Exhibit

