

## **AGREEMENT**

between

City of Highland, City of San Bernardino and County of San Bernardino

for

### **GRANT APPLICATION**

to the

Active Transportation Cycle 5 Grant Program

to fund development of the

### **HIGHLAND/SAN BERNARDINO BI-CITY BIKEWAY AND WALKWAY CONNECTOR**

This AGREEMENT is made by and between the City of Highland (HIGHLAND), the City of San Bernardino (SAN BERNARDINO) and the County of San Bernardino (COUNTY), sometimes individually referred to as a PARTY and, collectively referred to as the PARTIES.

Whereas, HIGHLAND, SAN BERNARDINO and COUNTY wish to work cooperatively in the preparation of a GRANT APPLICATION to secure funding from the Cycle 5 Active Transportation Program (ATP) for development and construction of a bikeway and walkway facilities project entitled HIGHLAND/SAN BERNARDINO BI-CITY BIKEWAY AND WALKWAY CONNECTOR (PROJECT); and

Whereas, the project description, scope and location are shown in Attachments "A" and "B";

Whereas, HIGHLAND will be the Lead Agency and SAN BERNARDINO and COUNTY will be Partnering Agencies in the PROJECT; and

Whereas, the PARTIES desire to implement this effort on a cost-shared basis in a manner deemed most efficient and effective to the PARTIES;

Whereas, the PROJECT includes bikeway and walkway components that are eligible for grant reimbursements and pavement rehabilitation that is not eligible for grant reimbursements; and

Whereas, a preliminary cost estimate indicates that development of the portion of the PROJECT that is eligible for grant reimbursements may cost \$12,849,031, the non-eligible portion which consists of pavement rehabilitation may cost \$4,503,774, for a total preliminary cost estimate of \$17,532,805; and

Whereas, assuming a 10% match to the grant eligible portion of PROJECT, the estimated local match cost would be approximately \$1,284,903, (\$461,107 HIGHLAND, \$705,979 SAN BERNARDINO, \$117,818 COUNTY); and

Whereas, the non-eligible portion of the PROJECT funded by 100% local funds for pavement rehabilitation in the motorized vehicular travel lanes, would be approximately \$4,503,774 (\$2,158,991 HIGHLAND, \$1,972,949 SAN BERNARDINO, \$371,834 COUNTY); and

Whereas, the total estimated development cost of the PROJECT to the PARTIES (grant eligible and non-eligible) would be \$5,788,678 (HIGHLAND \$2,620,098, SAN BERNARDINO \$2,678,928, and COUNTY \$489,652); and

Whereas, based on total estimated development costs (eligible and non-eligible), HIGHLAND's proportional share of the HIGHLAND/SAN BERNARDINO BI-CITY BIKEWAY AND WALKWAY CONNECTOR is 45%, SAN BERNARDINO's proportional share is 46%, and the COUNTY's proportional share is 9%; and

Now therefore, in consideration of the mutual covenants contained herein, the PARTIES agree as follows:

Section 1 – Purpose. The purpose of this agreement is to formalize a commitment by the PARTIES to financially support preparation of the ATP Cyle 5 Grant Application. This is a cost-sharing Agreement only, and does not commit any of the PARTIES to any work or resources beyond preparation of the grant application which is due June 15, 2020 and as outlined herein.

Section 2 – Administration. This Agreement will be administered by HIGHLAND, by designee of the City Manager. HIGHLAND will manage preparation of the Grant Application and provide progress reports to the other PARTIES. HIGHLAND will retain consultants to provide support data, organize stakeholders, lead public outreach efforts, prepare and submit final grant application documents as required by the grant program, be the single point of contact with the grant program administrator, and be responsible for obtaining and/or submitting all forms, reports, correspondence, etc., either from or to the grant program as may become necessary, and include SAN BERNARDINO and COUNTY in the PROJECT's development team meetings and related communications on the Grant Application.

Section 3 Funding – Each Party hereby commits to provide funding as set forth below:

- |                              |          |
|------------------------------|----------|
| (a) City of Highland         | \$22,500 |
| (b) City of San Bernardino   | \$23,000 |
| (c) County of San Bernardino | \$4,500  |

The PARTIES acknowledge that final Grant Application costs may ultimately exceed the current estimate of costs. Any additional administrative cost resulting from PROJECT scope of work changes shall not exceed 10% of the estimate herein, and be borne by each Party in proportion to where the work actually lies (based on jurisdiction).

SAN BERNARDINO AND COUTY will pay its proportional share of actual time-and-material of administrative costs within 30 days of invoice receipt, even if grant funding is denied.

Section 3 – Termination. Except as set forth above, this Agreement may be terminated or modified only by unanimous written consent of each Party signed hereto.

Section 4 – Term of Agreement. This Agreement is effective upon execution of the Agreement by the PARTIES through December 31, 2020.

In Witness Whereof, the PARTIES have signed this Agreement as of the day and year written below.

**City of Highland**

\_\_\_\_\_  
Joseph Hughes, City Manager

\_\_\_\_\_  
Date

**City of San Bernardino**

\_\_\_\_\_  
John Valdivia, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tom Ledoux, City Manager  
County of San Bernardino

\_\_\_\_\_  
Gerry Newcombe, Director of Public Works

\_\_\_\_\_  
Date

**County of San Bernardino**

By: \_\_\_\_\_  
Curt Hagman, Chairman

Date: \_\_\_\_\_

**SIGNED AND CERTIFIED THAT A COPY OF  
THIS DOCUMENT HAS BEEN DELIVERED TO  
THE CHAIRMAN OF THE BOARD**

Lynna Monell  
Clerk of the Board of Supervisors  
of the County of San Bernardino

By \_\_\_\_\_  
Deputy

## ATTACHMENT "A"

### PROJECT DESCRIPTION

**GRANT APPLICATION** preparation to the ATP for grant funding to develop the HIGHLAND/SAN BERNARDINO BI-CITY BIKEWAY AND WALKWAY CONNECTOR, including meetings, public outreach, data collection, communications, consultations, mapping, exhibits, cost estimating, data analysis, grant writing, submittals, program coordination, and any and all efforts directly related to the HIGHLAND/SAN BERNARDINO BI-CITY BIKEWAY AND WALKWAY CONNECTOR GRANT APPLICATION(S).

The HIGHLAND/SAN BERNARDINO BI-CITY BIKEWAY AND WALKWAY CONNECTOR is intended to close the gaps between the non-motorized transportation networks in the cities of Highland and San Bernardino (see attached Vicinity Map), and will include bikeway and/or sidewalk improvements along the following alignments in the Cities of Highland and San Bernardino and the County of San Bernardino.

1. Northpark Blvd (University Drive to Electric Avenue)
2. Electric Avenue (Northpark Blvd to Mountain View Avenue)
3. Mountain View Avenue (Electric Avenue to Parkdale Drive)
4. Parkdale Drive (Mountain View Avenue to Valencia Avenue)
5. Valencia Avenue (Parkdale Drive to 21st Street)
6. 21st Street (Valencia Avenue to Perris Hill Park Road)
7. Perris Hill Park Road (21st Street to Pacific Street)
8. Pacific Street (Perris Hill Park Road to Del Rosa Drive)
9. Pacific Street (Del Rosa Drive to Boulder Avenue)
10. Del Rosa Drive (3rd Street to Pacific Street)
11. Palm Avenue (Base Line to Piedmont Drive)

### PROJECT SCOPE

The PROJECT involves preparation of a GRANT APPLICATION to the ATP for grant funding to develop the HIGHLAND/SAN BERNARDINO BI-CITY BIKEWAY AND WALKWAY CONNECTOR, including:

Meetings, public outreach, data collection, communications, consultations, mapping, exhibits, cost estimating, data analysis, grant writing, submittals, program coordination, and any and all efforts directly related to the HIGHLAND/SAN BERNARDINO BI-CITY BIKEWAY AND WALKWAY CONNECTOR GRANT APPLICATION).

#### AGENCY SHARES BASED ON TOTAL PROJECT COST

AGENCY	Eligible Project Cost	Non-Eligible Pavement Rehab	TOTAL COST	Total Project Share %
<b>COSB</b>	\$ 705,979	\$ 1,972,949	\$ 2,678,928	46.28%
<b>SBCo</b>	\$ 117,818	\$ 371,834	\$ 489,652	8.46%
<b>COH</b>	\$ 461,107	\$ 2,158,991	\$ 2,620,098	45.26%
<b>ATP</b>	\$ 11,564,128	\$ -	\$ 11,564,128	
<b>TOTALS:</b>	<b>\$ 12,849,031</b>	<b>\$ 4,503,774</b>	<b>\$ 17,352,805</b>	

- Existing/Funded Bikeway  
 Proposed Bikeway/Walkway