

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 14, 2022

FROM

BRENDON BIGGS, Director, Department of Public Works – Transportation

SUBJECT

Cooperative Agreement with the City of Chino for Pavement Rehabilitation on East End Avenue in the Chino Area

RECOMMENDATION(S)

1. Approve Cooperative **Agreement No. 22-439** between San Bernardino County and the City of Chino for Pavement Rehabilitation on East End Avenue in the Chino area, effective upon execution by both parties through December 31, 2026 or completion of Pavement Rehabilitation on East End Avenue in the Chino area, whichever occurs first, and wherein each agency will contribute \$2,112,000 and \$188,000 respectively.
2. Authorize the Director of the Department of Public Works to increase the San Bernardino County contribution amount up to 25 percent (from \$2,112,000 to \$2,640,000), should Pavement Rehabilitation on East End Avenue in the Chino area construction costs necessitate such an increase.
3. Direct the Director of the Department of Public Works to transmit copies of all documents in relation to this Cooperative Agreement to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Brendon Biggs, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The total estimated cost of the Pavement Rehabilitation on East End Avenue in the Chino area (Project) is \$2,300,000. The San Bernardino County (County) share of cost is \$2,112,000. The remaining cost of the Project is estimated to be \$188,000 and will be funded by the City of Chino (City). The Project's design phase will be funded with Discretionary General Funding allocated for the Department of Public Works (Department) annual Maintenance of Effort requirement. Construction will be funded with Senate Bill (SB 1) Road Maintenance and Rehabilitation Account (RMRA) revenues. Under the provisions of SB 1, in order to receive its allocation of RMRA funds, the County is required to expend from its general fund an amount at least equal to the annual average of its expenditures for road purposes financed from its general fund during the 2009–10, 2010–11, and 2011–12 fiscal years. The average annual expenditures for those years for the County was \$2,670,000. The County is required to spend this amount for road purposes annually as its required Maintenance of Effort. Sufficient appropriation is included

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in the 2021-22 Road Operations budget and will be included in future recommended budgets (6650002000 34H15174).

BACKGROUND INFORMATION

The Project involves pavement rehabilitation of approximately 1.95 miles of roadway along East End Avenue in the Chino area. There are three segments of East End Avenue: 1) Chino Avenue north to 0.01 miles south of Walnut Avenue; 2) 0.13 miles south of Philadelphia Street north to Phillips Boulevard; and 3) Phillips Boulevard north to 0.03 miles south of Grand Avenue. The County and the City share jurisdiction of the first two segments of East End Avenue and thus the Project is of mutual benefit to both agencies. Pavement rehabilitation will consist of milling the existing pavement followed by an asphalt overlay. On May 24, 2022 (Item No. 87), the Board of Supervisors (Board) authorized this Project as part of the 2022-23 SB 1 RMRA project list. This Project has been identified as a priority based on the current pavement condition, amount of truck traffic carried, daily traffic count, and other criteria established under the Department's Pavement Preservation Program.

In accordance with the terms of the Cooperative Agreement (Agreement), the County is the lead agency in the design, survey, California Environmental Quality Act review, construction, construction engineering, and inspection of the Project. If right-of-way activities are needed within either agency's jurisdiction both the City and County agree to acquire the right-of-way separately at its own respective cost. The City agrees to provide the County a no-cost permit for work in the City's right-of-way, and pay its share of the Project cost, up to \$235,000, which is the City's estimated share of \$188,000, plus 25 percent increase over the estimated amount, should actual Project costs necessitate such an increase. The City will provide a representative to discuss and/or resolve issues that may arise during the construction of the Project. The County's share of the Project cost shall not exceed \$2,640,000, which is 25 percent increase over County's estimated share of \$2,112,000. The County and City's shares of the Project cost shall not exceed the Agreement's stated amounts absent a written and approved amendment to the Agreement. The Project construction is anticipated to commence in Fall 2022. Unless the Agreement is terminated prior to the award of the construction contract, the Agreement terminates upon completion of the Project and payment by the City, or December 31, 2026, whichever occurs first. The City approved the Agreement on May 3, 2022.

The Project aligns with the County and the Chief Executive Officer's goals and objectives of ensuring development of a well-planned, balanced and sustainable County by preserving and improving the structural integrity of existing road surfaces. Further, execution of the Agreement and approval of Project allow the County to meet its goals and objectives by working cooperatively with the City.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on March 26, 2022; Finance (Carl Lofton, Administrative Analyst, 387-5404) on May 26, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on May 30, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Dawn Rowe Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 14, 2022



cc: PW/Trans- Chun w/agree
 Contractor- C/O PW/Trans w/agree
 File- w/agree
LA 06/28/2022