

AMENDMENT NO. 2 TO AGREEMENT 1589

This Amendment No. 2 (AMENDMENT) to Agreement 1589 (AGREEMENT), effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

San Bernardino County, a political subdivision of the State of California, referred to hereinafter as COUNTY.

RECITALS

1. CALTRANS and COUNTY, collectively referred to as PARTIES, entered into AGREEMENT No. 08-1589 on July 23, 2014, defining the terms and conditions for widening the Cedar Avenue Overcrossing (BR#54-0035), and Union Pacific Railroad Bridge (BR#54C-103) on Interstate 10, as well as modifying on and off ramps and widening Cedar Avenue, referred to as PROJECT.
2. PARTIES entered into Amendment No. 1 to AGREEMENT on October 4, 2019, to increase Highway Infrastructure Program (HIP) funds in the amount of \$2,300,000.
3. The AGREEMENT stated CALTRANS would complete all PS&E tasks including the Office Engineer work.
4. PARTIES now seek to revise the Work Breakdown Structure (WBS) specifying that COUNTY will complete Office of Engineer work, including, but not limited to activities associated with assembling Contract Documents, Advertisement, and the Award of the contract.
5. PARTIES now seek to increase the funding amount not to exceed \$1,252,000 to complete the PS&E package.

IT IS THEREFORE MUTUALLY AGREED:

1. Article 19B is added to the AGREEMENT to read as follows:

19B COUNTY will be responsible for following PS&E activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)	AGREEMENT Funded Cost
Office of Engineer Work including but not limited to Advertise, Award and Administer (AAA) construction contract	No

2. A new section, and Articles 80-84 are added to the AGREEMENT to read as follows:

CALTRANS' Quality Management

80. CALTRANS, as the owner/operator of the State Highway System (SHS), will perform quality management work including Quality Management Assessment (QMA) and owner/operator approvals for the portions of WORK within the existing and proposed SHS right-of-way.

81. CALTRANS' Quality Management Assessment (QMA) efforts are to ensure that COUNTY's quality assurance results in WORK that is in accordance with the applicable standards and the PROJECT's quality management plan (QMP). QMA does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking WORK.

82. When CALTRANS performs QMA, it does so for its own benefit. No one can assign liability to CALTRANS due to its QMA.

83. CALTRANS, as the owner/operator of the State Highway System, will approve WORK products in accordance with CALTRANS policies and guidance and as indicated in this AGREEMENT.

84. COUNTY will provide WORK-related products and supporting documentation upon CALTRANS' request for the purpose of CALTRANS' quality management work.

3. A revised FUNDING SUMMARY No. 1589 A-2 is attached and made part of the AGREEMENT. Any reference to the FUNDING SUMMARY in the AGREEMENT is deemed to refer to the revised FUNDING SUMMARY No. 1589 A-2 attached herein.
4. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
5. This AMENDMENT is deemed to be included and made a part of the AGREEMENT.

CONTACT INFORMATION

The information provided below indicates the primary contact information for each PARTY to this AGREEMENT. PARTIES will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this AGREEMENT.

SAN BERNARDINO COUNTY

Project Manager: Sundaramoorthy (Sri) Srirajan, M.S., P.E.

Phone Number: 909-387-8066

E-mail: ssrirajan@DPW.SBCounty.gov

Billing Address: 825 East Third Street

San Bernardino, CA 92415

CALTRANS

Project Manager: Mahmuda Akhter

Phone Number: 909-806-3220

E-mail: Mahmuda.Akhter@dot.ca.gov

SIGNATURES

PARTIES are empowered by the law to enter into this AMENDMENT and have delegated to the undersigned the authority to execute this AMENDMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AMENDMENT.

This AMENDMENT may be executed and delivered in counterparts, and by each PARTY in a separate counterpart, each of which when so executed and delivered shall constitute an original and all of which taken together shall constitute one and the same instrument.

The PARTIES acknowledge that executed copies of this AMENDMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

SAN BERNARDINO COUNTY

By: _____
Michael D. Beauchamp
District Director

By: _____
Curt Hagman
Chairman, Board of Supervisor

VERIFICATION OF FUNDS &
AUTHORITY:

APPROVED AS TO FORM

By: _____
Corina Harriman
District Budget Manager

By: _____
Suzanne Bryant
Deputy County Counsel

Wells, Jacqueline@DOT

From: Salmos, Darwin S@DOT
Sent: Thursday, August 20, 2020 1:45 PM
To: Wells, Jacqueline@DOT
Cc: Villafuerte, Maria LUISA Y@DOT; Fekadu, Woinshet@DOT
Subject: 08-1589 A2 Accounting Signature
Attachments: FW: 08-1589 A2 Request Accounting Review draft 1; 08-1589 A2 [HQ APPR for signatures] 082020.docx; 08-1589 A2 Final revTemp. .docx

Hi Jacqueline,
08-1589 A2 is approved *for execution*. I would sign the coop and ODIA is accepting this email as a signature during the interim process.

Thanks,
Darwin Salmos
Accounts Receivable Section B Chief

From: Villafuerte, Maria LUISA Y@DOT <maria.villafuerte@dot.ca.gov>
Sent: Thursday, August 20, 2020 1:29 PM
To: Salmos, Darwin S@DOT <darwin.salmos@dot.ca.gov>
Cc: Fekadu, Woinshet@DOT <Woinshet.Fekadu@dot.ca.gov>
Subject: FW: 08-1589 A2 NEW "SIGNATURE" PROCESS request Final

Hi Darwin,

Please review for interim process and approval of coop. 1589 A2 Final.
See attached coop. review sheet.

Thank you.

From: Wells, Jacqueline@DOT <Jacqueline.Wells@dot.ca.gov>
Sent: Thursday, August 20, 2020 12:15 PM
To: Villafuerte, Maria LUISA Y@DOT <maria.villafuerte@dot.ca.gov>; Salmos, Darwin S@DOT <darwin.salmos@dot.ca.gov>
Cc: Philippon, Elizabeth@DOT <elizabeth.philippon@dot.ca.gov>
Subject: 08-1589 A2 NEW "SIGNATURE" PROCESS request

Hello,

I have attached Coop 08-1589 A2, as well as the HQ approvals, for your Execution Approval. If you are satisfied, reply stating that you approve the execution of Coop 08-1589 A2 via email in lieu of a wet signature.

I have reviewed this Coop to ensure it is the latest version and is complete. This Coop is officially released for signatures.

Please let me know if you have any questions.

FUNDING SUMMARY NO. 1589 A-2

<u>FUNDING TABLE</u>				
IMPLEMENTING AGENCY →			CALTRANS	Totals
Funding Source	Funding Partner	Fund Type	PS&E SUPPORT	
Federal	COUNTY	Surface Transportation Program Local (STPL) *	4,000,000	4,000,000
Federal	SBCTA	Highway Infrastructure Program (HIP)	2,300,000	2,300,000
Federal	SBCTA	Highway Infrastructure Program (HIP)	1,252,000	1,252,000
Totals			7,552,000	7,552,000

SPENDING SUMMARY			
IMPLEMENTING AGENCY →	CALTRANS		
Fund Type	PS&E SUPPORT		
	CALTRANS	COUNTY	Totals
Federal Funds			
STPL	4,000,000	\$0	4,000,000
HIP	2,300,000	\$0	2,300,000
HIP	1,252,000	\$0	1,252,000
Totals	7,552,000	\$0	7,552,000