

#1
**RESOLUTION OF THE BOARD OF SUPERVISORS
AUTHORIZING REIMBURSEMENT AGREEMENT WITH
STATE OF CALIFORNIA COVERING A PORTION
OF CENTRAL EXPRESSWAY**

The Board of Supervisors of the County of Santa Clara, State of California, hereby authorize the Chairman of this Board to execute on behalf of the COUNTY OF SANTA CLARA that certain agreement between the State of California, Department of Public Works (Division of Highways) and the County of Santa Clara providing for the reimbursement to the County of Santa Clara from the State Grade Crossing Fund of one-half of the cost of construction of the Kifer Road Underpass after deducting therefrom the Southern Pacific Company's contribution.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on JAN 18 1965,
by the Following Vote:

AYES: Supervisors Levin Della Maggiore Spangler Mehrkens Sanchez
NOES: Supervisors None
ABSENT: Supervisors None

Sig Sanchez
Chairman, Board of Supervisors
0

ATTEST: JEAN PULLAN, Clerk
Board of Supervisors

Jean Pullan

APPROVED AS TO FORM:

SPENCER M. WILLIAMS, County Counsel
GERALD J. THOMPSON, Deputy County Counsel

Gerald J. Thompson

cc: Pub. Works.

GJT:j
12/24/64

Kifer Road

JAN 18 1965 (W)
ADOPT: ML YES: L D M S Sz
NO: _____ ABSTAINS: _____
ABSENT: _____

AGREEMENT

THIS AGREEMENT, made and entered into this
18 day of JAN 1965, by and between the
STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS,
DIVISION OF HIGHWAYS, hereinafter referred to as "State",
and the County of Santa Clara hereinafter
referred to as "County".

WITNESSETH:

WHEREAS, pursuant to the provisions of Section 189
of the Streets and Highways Code, the Public Utilities
Commission of the State of California established by
Decision No. 66484, issued on December 17, 1963, a
Priority List of Grade Separation Projects for the
Year of 1964; and

WHEREAS, said Priority List includes a project
proposed by County for elimination of an existing
crossing at grade of the track of the Southern Pacific
Company, hereinafter referred to as "Railroad" at Kifer
Road (Grade Crossing No. L-43.3), in the City of Santa
Clara;

and

WHEREAS, by Decision No. 67814, dated September 4,
1964, the Public Utilities Commission authorized the

cc: Pub. Wks - 2

construction of said project, consisting of a vehicular underpass at Kifer Road to be identified as crossing No. L-43.3-B and the abandonment and closure of Grade Crossing No. L-43.3,

and on September 1, 1964, County and Railroad

entered into an agreement for the construction of said project which agreement provides that Railroad will contribute the sum of \$9,560 plus 10% of the actual cost of the project between Engineer Stations 126+00 and 139+60 with the exception of portions of a frontage road to be constructed parallel to existing Kifer Road;

and

WHEREAS, County has certified to State that sufficient County funds are available to finance its share of the project cost, and that all other matters prerequisite to awarding a construction contract within a period of six months have been or will be taken care of within that time; and

WHEREAS, the California Highway Commission on October 28, 1964, allocated the sum of \$446,770, which sum represents half the estimated cost of said project after deducting Railroad's contribution, and will

be used to finance State's share of said cost, as required by Section 190 of the Streets and Highways Code;

NOW; THEREFORE, in consideration of the premises and mutual undertakings of the parties hereto, as hereinafter set forth, State and County agree as follows:

1. County, in cooperation with Railroad, will undertake said grade separation project, which project consists of acquisition and clearing of necessary rights of way, preliminary and construction engineering, work by railroad forces, and Western Union forces if any, and construction of said project.

2. As promptly as possible, and in any event within one year after the making of the allocation by the Highway Commission, County shall award a contract for construction of said project pursuant to the laws governing County in the advertising and award of public construction contracts, and in conformance with plans and specifications prepared by or on behalf of County.

3. Within 60 days after award of contract by County for construction of the project and all incidental work, and upon being furnished with a copy of the executed contract and the plans and specifications, and an itemized statement from County showing expenditures actually and necessarily made by County prior to award of contract for preliminary engineering and rights of way directly connected with the project, State will reimburse County for a portion

8-24-61
11-30-64

of said expenditures equal to the product obtained by multiplying said expenditures by the ratio of State's estimated share of the total project cost to such project cost.

4. Thereafter, as the work progresses, upon being furnished with copies of the contractor's progress estimates, or other proof satisfactory to State as to amounts actually paid the contractor and necessarily expended directly for field supervision and inspection, State will promptly reimburse County, up to the total amount allocated for the project by the Highway Commission, for a portion of the amount of said payments to the contractor, and the amounts expended by County directly for field supervision and inspection, equal to the product obtained by multiplying said expenditures by the ratio of State's estimated share of the total project cost to such total project cost.

5. Within 60 days after completion of the work and acceptance thereof by County, a detailed statement of the actual direct cost of the project will be prepared by County and furnished to State whereupon a final accounting will be made based on the actual direct cost of the work to the County. State's share of said actual cost will be equal to one-half of the actual direct cost of the State participating portion of the project, after deducting therefrom the amount of the Railroad's contribution, whether in the form of cash, or railroad work, or a combination thereof. State will at

8-24-61
11-30-64

that time pay County the balance, if any, of State's share of said costs, not exceeding the total amount allocated for the project by the Highway Commission. If upon such accounting it develops that State previously paid more than its share of said actual cost, computed in said manner, County will refund to State the difference between State's share of said actual cost and the amount paid by State.

6. The total project limits and that portion for determination of State's participation are defined in Exhibit "A" attached hereto and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate the day and year first above written.

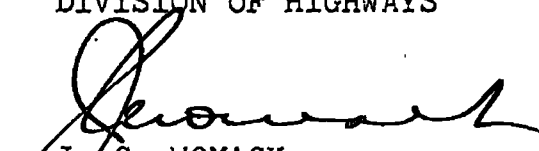
APPROVAL RECOMMENDED


District Engineer

APPROVED AS TO FORM


Attorney, Department of
Public Works

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

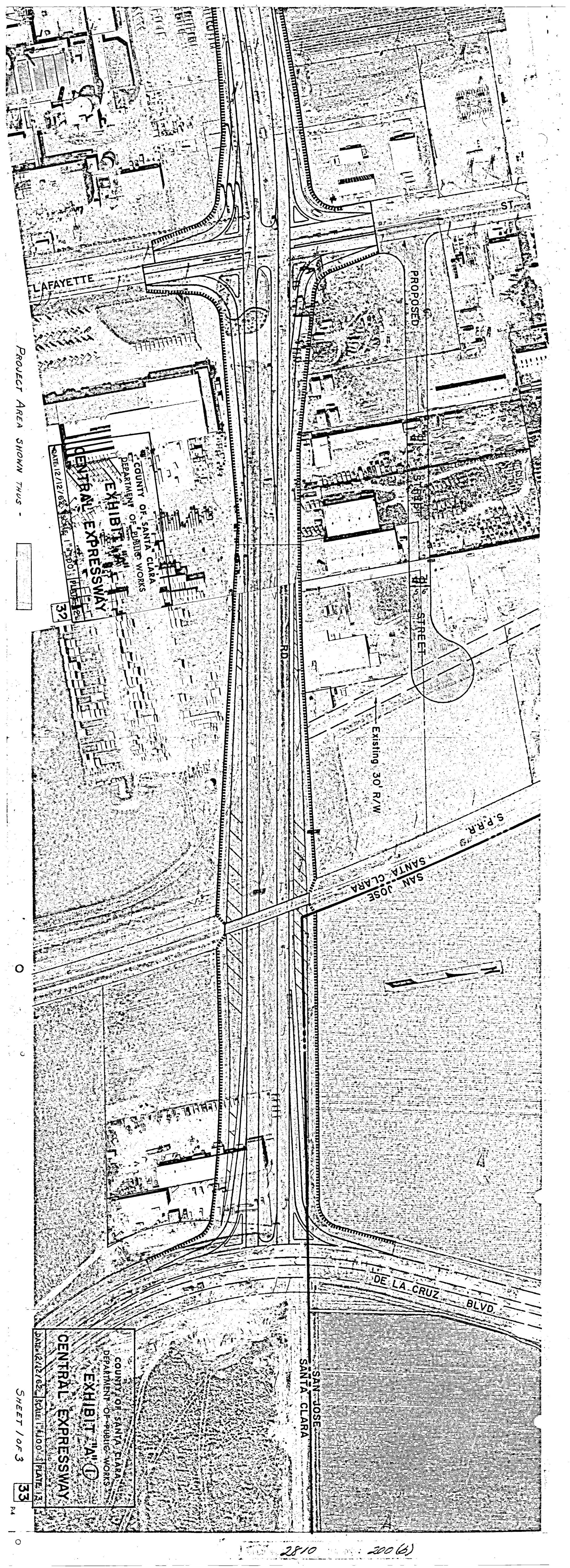

J. C. WOMACK
State Highway Engineer

COUNTY OF SANTA CLARA

By 
Chairman, Board of Supervisors

JAN 18 1965

RECEIVED
DEPT. OF PUBLIC WORKS
DEC 10 1934
COUNTY



PROJECT AREA SHOWN THUS -



0

0

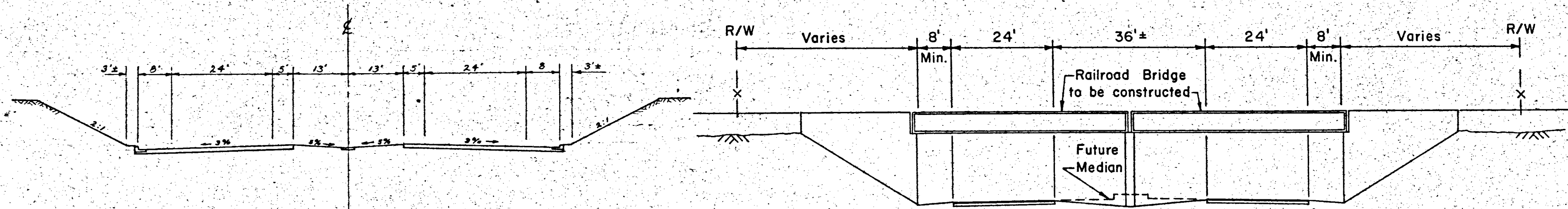
SHEET 1 OF 3

33

P.4

2810

200 (6)



TYPICAL SECTION

**SECTION AT RAILROAD UNDERPASS
(WEST OF DE LA CRUZ BOULEVARD)**

COUNTY OF SANTA CLARA
DEPARTMENT OF PUBLIC WORKS

EXHIBIT "A" ②

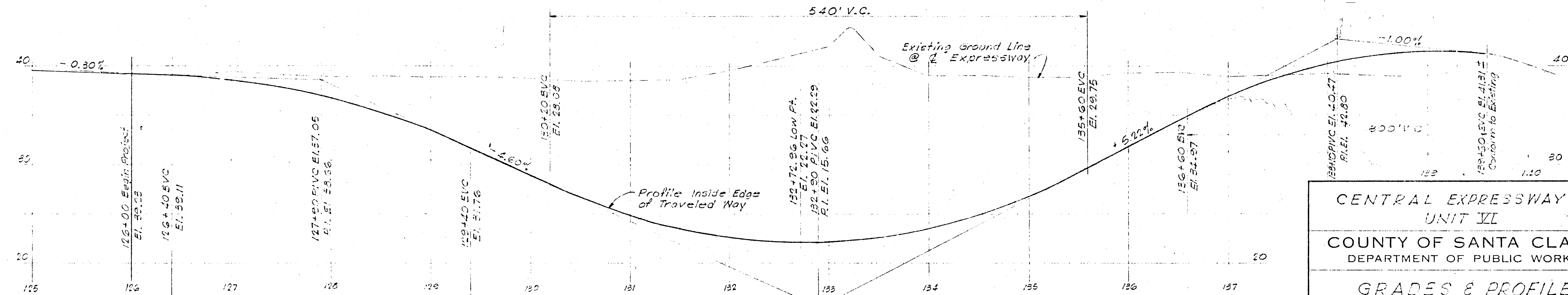
CENTRAL EXPRESSWAY

DATE: 12/12/62 SCALE: None PLATE: 2

SHEET 2 OF 3

19000
2810
2008

PLAN
Scale: 1"=50'



PROFILE
Scale: 1"=50' Hor.
1"=5' Vert

GEORGE S. NOLTH
CONSULTING CIVIL ENGINEERS, INC.
PALO ALTO • SUNNYVALE • SAN RAFAEL • WALNUT CREEK

| | |
|--|---|
| CENTRAL EXPRESSWAY UNIT VI | |
| COUNTY OF SANTA CLARA DEPARTMENT OF PUBLIC WORKS | |
| GRADES & PROFILE | |
| SUBMITTED BY: <i>George S. Nolth</i> SUBMITTED DATE: 12-20-66 | EXHIBIT "A" ③ APPROVED BY: <i>[Signature]</i> APPROVED DATE: 12-20-66 |
| DESIGNED: <i>Merced</i> DRAWN: <i>Culp</i> CHECKED: <i>Hankins</i> | SHEET 6 OF 56 SHEETS FILE NO. |

#7
January 19, 1965

Mr. Alan S. Hart, District Engineer
Department of Public Works
Division of Highways - District IV
P. O. Box 3366, Rincon Annex
San Francisco, California 94119

Subject: Freeway Agreement - Central Expressway, Unit VI

Dear Mr. Hart:

Enclosed you will find the original and two copies of a Freeway Agreement between the County of Santa Clara and the State of California covering a portion of Central Expressway at Kifer Road - Unit VI, underpass.

The Board of Supervisors at its regularly scheduled meeting on January 18, 1965 adopted a resolution authorizing its Chairman to execute this agreement on behalf of the County. We are also enclosing four (4) certified copies of this resolution for your use.

After execution on behalf of the State of California, we would appreciate your returning a fully executed copy of this agreement to this office.

Very truly yours,

BOARD OF SUPERVISORS

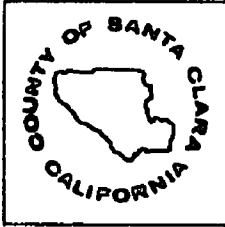
Mrs. Jean Pullan
Clerk of the Board

JP:DMR:je
cc: Public Works Dept.
w/Agreement & Resolution

county of santa clara

S.D. 3

#1



TRANSMITTAL MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

DATE: January 4, 1965

FOR: BOARD OF SUPERVISORS AGENDA OF January 18, 1965

FROM: STEFFANI, Design, Public Works

TITLE: Reimbursement agreement between County of Santa Clara and State of California (Central Expressway, Unit VI)

DESCRIPTION:

Attached are duplicate counterparts and one extra copy of a proposed agreement between the State and the County to provide for the reimbursement to the County from the State Grade Crossing Fund of one-half of the cost of construction of the Kifer Road Underpass on Central Expressway, Unit VI, after deducting therefrom the Southern Pacific Company's contribution.

If approved, the executed counterparts, together with four certified copies of the resolution adopted by the Board, should be forwarded to:

Mr. Alan S. Hart, District Engineer
Department of Public Works
Division of Highways - District IV
P. O. Box 3366 - Rincon Annex
San Francisco, California 94119

A fully executed counterpart will then be returned to the County.

ECS:RGH:ee

Attachment

AGENDA DATA

DATE: _____

ITEM NO: _____

BOARD ACTION _____

APPROVED:

James T. Pott

JAMES T. POTT, COUNTY ENGINEER

DEPARTMENT OF PUBLIC WORKS

DIVISION OF HIGHWAYS

P.O. BOX 3366 RINCON ANNEX, SAN FRANCISCO 94119

CENTRAL DIVISION VI



December 8, 1964

Cont + Agmt

Mr. James T. Pott
Director of Public Works
County of Santa Clara
20 West Hedding Street
San Jose, California

04-SC1-Co.Rd.
100.012
\$5 Million Grade Crossing
Fund
Kifer Road Underpass

Dear Mr. Pott:

Attached are duplicate counterparts and one extra copy of a proposed Agreement between the State and the County of Santa Clara to provide for the reimbursement to the County from the \$5 Million Grade Crossing Fund for construction on the Kifer Road Underpass. The allocation in the amount of \$446,770 represents half the estimated cost of the underpass after deducting Railroad's contribution.

If the proposed Agreement is satisfactory to the County, please have the appropriate County Officials execute the duplicate counterparts and return them to this office for execution by the State.

The extra copy is for the County files pending return of a fully executed counterpart.

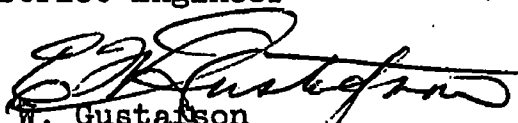
Also, please furnish 4 certified copies of a Resolution adopted by the Board of Supervisors approving the Agreement and authorizing its execution on behalf of the County.

It will be appreciated if the County will prepare and attach Exhibit "A" to the Agreement. The Exhibit should show the total project limits and that portion for determination of State's participation. It should include a plan, profile, section of roadway (showing number of lanes), number of tracks and any other information pertinent to the project. It is suggested that the drawing be 8½" x 11" or multiples thereof.

The County's cooperation in this matter will be appreciated by the Department.

Very truly yours,

Alan S. Hart
District Engineer

By 
E. W. Gustafson
Assistant City and County
Cooperative Projects Engineer

Attachs.