

**REIMBURSEMENT AGREEMENT FOR PAYMENT OF COSTS TO  
CONSTRUCT TELECOMMUNICATIONS CONDUITS  
BY AND BETWEEN COX COMMUNICATIONS, INC.  
AND THE CITY OF CHULA VISTA, CALIFORNIA  
(WILLOW STREET BRIDGE REPLACEMENT BETWEEN BONITA ROAD  
AND SWEETWATER ROAD)**

The CITY OF CHULA VISTA, hereinafter called "LOCAL AGENCY", proposes as part of its CIP No. STL-261 Willow Street Bridge Replacement Project ("Project") to replace the existing 2-lane bridge with a 4-lane bridge on Willow Street in the City of Chula Vista, County of San Diego, California.

COX COMMUNICATIONS, INC., hereinafter called "OWNER", owns and maintains existing telecommunications facilities within the limits of the Project ("Existing Facilities").

OWNER desires to replace Existing Facilities in the proposed replacement bridge to be constructed by the Project ("Proposed Facilities").

LOCAL AGENCY and OWNER (collectively "Parties") hereby mutually agree that:

**I. Work To Be Done**

LOCAL AGENCY shall construct the Proposed Facilities as shown on LOCAL AGENCY's contract plans and specifications for the Project and City of Chula Vista Drawing Nos. 12013-1 through 12013-124, which by this reference are made a part hereof. The extents of the Proposed Facilities are presented in Exhibit "A," one-quarter size "Phase II - Willow Street Bridge Replacement between Bonita Road and Valley Vista Road in the City of Chula Vista, California," Drawings 12013-61, 12013-91, and 12013-96 through 12013-97 attached hereto. OWNER hereby acknowledges review of LOCAL AGENCY's plans and specifications for the relocation work and agrees to the construction in the manner proposed.

Deviations from the plans and specifications described above that are initiated by either the LOCAL AGENCY or the OWNER shall be agreed upon by both parties hereto under a Revised Notice to OWNER or to LOCAL AGENCY ("Revised Notice"), respectively. Such Revised Notices, once approved by the recipient thereof and acknowledged by the sender, will constitute an approved revision of the plans and specifications described above and such revisions are hereby made a part hereof. No work under said deviation shall commence prior to receipt of the Revised Notice by the applicable recipient. Changes in the scope of the work will require an amendment to this Agreement in addition to the Revised Notice. OWNER shall have the right to inspect the work during construction. Upon completion of the construction work by LOCAL AGENCY and passing OWNER's inspection, OWNER agrees to accept ownership of and maintenance responsibility for the constructed facilities.

Upon completion of the construction work to be done by LOCAL AGENCY under this Agreement and its acceptance by the OWNER, the new facility shall become the property of OWNER. The LOCAL AGENCY shall provide as-built drawings (electronic and drawings on Mylar film) to the OWNER within ninety (90) calendar days from the date of acceptance of the facility by the OWNER.

## **II. Liability for Work**

The Proposed Facilities will be constructed at OWNER's expense.

## **III. Performance of Work**

OWNER shall have access to all phases of the construction work to be performed by LOCAL AGENCY for the purpose of inspection to ensure that the work is performed in accordance with the Project's plans and specifications and this Agreement. All questions and comments regarding the work being performed will be directed to LOCAL AGENCY's Resident Engineer for their evaluation and final disposition.

## **IV. Payment for Work**

OWNER has requested that the LOCAL AGENCY construct the Proposed Facilities to house telecommunications cables as replacement of the Existing Facilities. Construction of the Proposed Facilities constitute betterments that are not eligible for Federal Highway Bridge Program funding ("Betterments"), the associated costs of which will be reimbursed by OWNER to LOCAL AGENCY ("Betterment Cost").

The Estimated Betterment Cost is approximately \$21,480 according to the Betterment Cost Estimate (Exhibit "B" attached hereto). Prior to the bid opening for the Project and upon demand of the LOCAL AGENCY, OWNER shall deposit with the LOCAL AGENCY the Estimated Betterment Cost ("Deposit").

In the event that the Betterment Cost identified in the lowest responsible bid ("Bid") exceeds the Deposit, OWNER shall supplement the Deposit by paying the difference between the Deposit and the Bid amount for the Betterment Cost to the LOCAL AGENCY. The supplemental deposit shall be made prior to commencement of work.

If the Betterment Cost subsequently exceeds the Deposit, LOCAL AGENCY shall discuss with OWNER the reason for the increase in cost and obtain OWNER's consent prior to implementing or authorizing any change in the work. OWNER shall supplement the Deposit by the amount of the agreed-upon increase in Betterment Cost prior to LOCAL AGENCY performing the work.

The Deposit shall be drawn down in the following manner:

1. Following the receipt of an invoice from the Contractor, LOCAL AGENCY

- will determine the amount of the invoice that is associated with the Betterments (“OWNER’s Charges”).
2. The LOCAL AGENCY will then deduct the OWNER’s Charges less withholding from the Deposit.
  3. On a monthly basis, the LOCAL AGENCY will submit a summary of the OWNER’s Charges incurred.
  4. Withholding shall be paid in the manner identified in the construction contract and deducted from the Deposit at such time.

Following the completion and acceptance of the Betterments, the LOCAL AGENCY shall conduct an accounting of the actual charges associated with the Betterments (“Actual Betterments Cost”). The Actual Betterments Cost shall be based upon the actual quantities installed as determined by the LOCAL AGENCY’s engineer. In the event that the Actual Betterments Cost exceeds the amount of the Deposit, the LOCAL AGENCY shall invoice the OWNER for the difference, and the OWNER shall remit such amount to the LOCAL AGENCY within forty five (45) calendar days. If the Actual Betterments Cost is less than the Deposit, the LOCAL AGENCY remit the difference to the OWNER within forty five (45) calendar days.

#### **V. General Conditions**

“It is understood that said highway is a federal aid highway and accordingly, 23CFR, Chapter 1, Part 645 and 23 U.S.C., section 313 as applicable, is hereby incorporated into this agreement.”

“The Buy America requirements are further specified in the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), section 1518.”

“LOCAL AGENCY hereby certifies that all manufacturing processes for these steel and iron materials, including the application of coatings (unless granted a waiver pursuant to 23 CFR 635.410), have occurred in the United States.”

IN WITNESS WHEREOF, the below parties have executed this Agreement as of the date of the last party to sign.

**CITY OF CHULA VISTA**

By: \_\_\_\_\_  
Richard A. Hopkins  
Director of Public Works

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

**COX COMMUNICATIONS**

By: Blaine Zartner  
Blaine Zartner  
Director of Field Systems

Date: 12/7/2015

Approved as to form and legality:

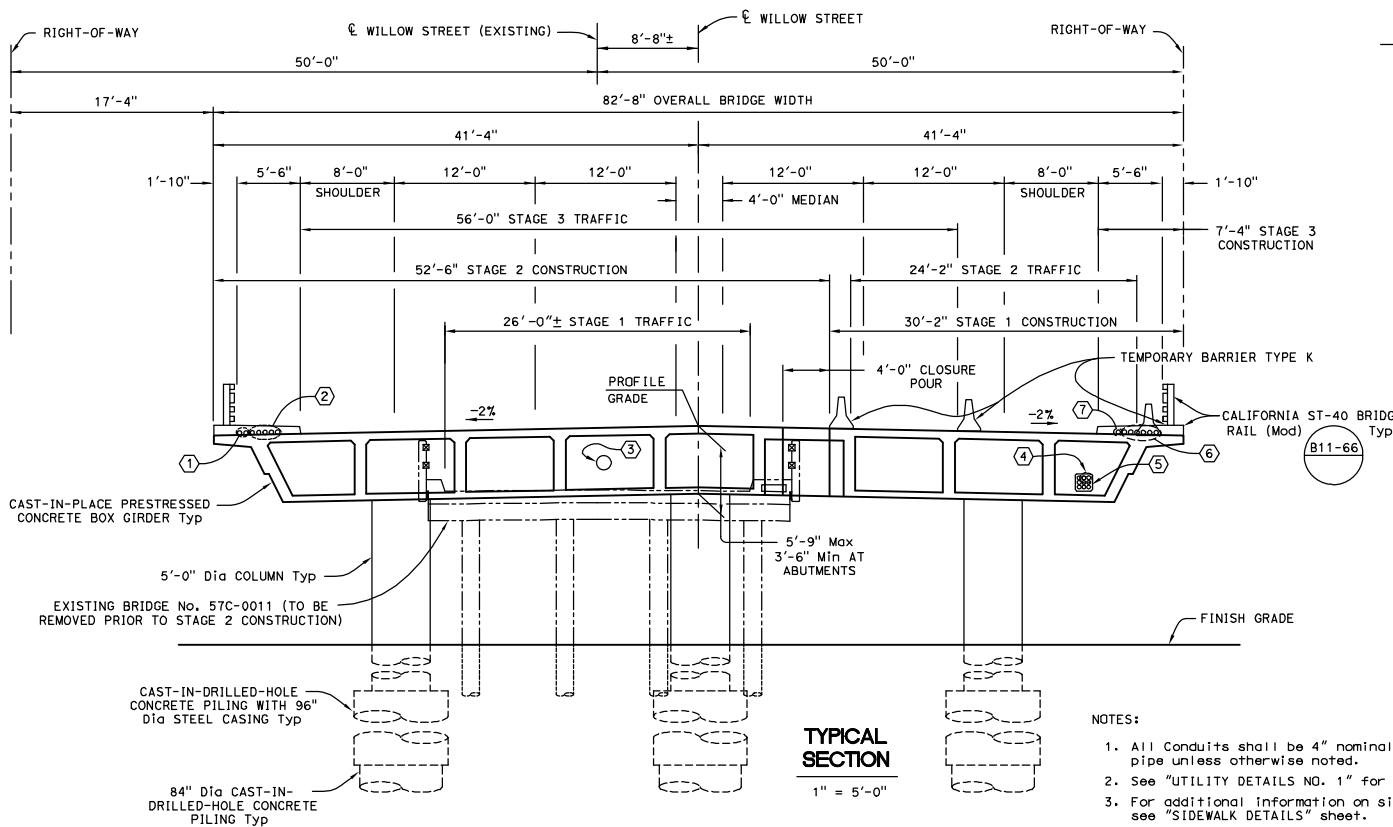
By: \_\_\_\_\_  
Glen R. Googins  
City Attorney

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

By: \_\_\_\_\_  
NAME  
TITLE

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

# EXHIBIT "A"



## BRIDGE QUANTITIES

BRIDGE REMOVAL F	XX	LS
STRUCTURE EXCAVATION (BRIDGE) F	XX	CY
STRUCTURE EXCAVATION (RETAINING WALL) F	XX	CY
STRUCTURE BACKFILL (BRIDGE) F	XX	CY
STRUCTURE BACKFILL (RETAINING WALL) F	XX	CY
42" PERMANENT STEEL CASING	XX	LF
96" PERMANENT STEEL CASING	XX	LF
30" CAST-IN-DRILLED-HOLE CONCRETE PILING	XX	LF
84" CAST-IN-DRILLED-HOLE CONCRETE PILING	XX	LF
PRESTRESSING CAST-IN-PLACE CONCRETE P	XX	LS
STRUCTURAL CONCRETE, BRIDGE F	XX	CY
STRUCTURAL CONCRETE, RETAINING WALL F	XX	CY
DRILL AND BOND DOWEL F	XX	LF
PSTE SPHERICAL BEARING P	XX	EA
JOINT SEAL ASSEMBLY (MR 4") F	XX	LF
BAR REINFORCING STEEL (BRIDGE) P-F	XX	LB
BAR REINFORCING STEEL (RETAINING WALL) P-F	XX	LB
MISCELLANEOUS METAL (BRIDGE) P-F	XX	LB
CALIFORNIA ST-40 BRIDGE RAIL F	XX	LF

### NOTES:

- All Conduits shall be 4" nominal diameter Schedule 40 PVC pipe unless otherwise noted.
- See "UTILITY DETAILS NO. 1" for more information.
- For additional information on sidewalk utility conduits, see "SIDEWALK DETAILS" sheet.

## BRIDGE UTILITIES

LOCATION	UTILITY	OWNER	UTILITY SIZE	END DIAPHRAGM (Width x Height)	BENT CAP (Width x Height)	LOCATION OF DETAILS
①	Fiber Optics	Cox Communications	4" Dia Conduits - total 2	—	—	Standard Plan sheets B11-66 and B11-67
②	Reserved for future use	City of Chula Vista	4" Dia Conduits - total 5	—	—	Standard Plan sheets B11-66 and B11-67
③	Gas	SDG&E	6 5/8" Dia Gas Line with 10 3/4" Casing	3'-0" x 1'-6"	15" Dia	See Drawing Nos. 12013-109 through 12013-113
④	Fiber Optics	Cox Communications	4" Dia Conduits - total 2	3'-4" x 1'-2"	1'-6" x 1'-6"	"UTILITY DETAILS NO. 2" sheet
⑤	Telecommunications	AT&T	4" Dia Conduits - total 7	3'-4" x 1'-2"	1'-6" x 1'-6"	"UTILITY DETAILS NO. 2" sheet
⑥	Telecommunications	AT&T	4" Dia Conduits - total 6	—	—	Standard Plan sheets B11-66 and B11-67
⑦	Reserved for City use	City of Chula Vista	4" Dia Conduits - total 1	—	—	Standard Plan sheets B11-66 and B11-67

<b>AS-BUILT</b>		<b>UTILITY NOTE</b>	
SIGNATURE _____	DATE _____	ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE PLOTTED FROM RECORD DATA AT THEIR APPROXIMATE LOCATIONS. UNDERGROUND FACILITIES MAY EXIST WHICH HAVE NOT BEEN REPORTED OR ARE NOT OF RECORD. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL PERTINENT UTILITIES IN THE FIELD PRIOR TO THE START OF CONSTRUCTION.	
Printed Name _____	P.E. No. _____		
My Registration Expires _____	Discipline _____		
CONSTRUCTION RECORD	REVISIONS	REVISIONS	
CONTRACTOR: _____	DATE: _____	DATE: _____	
INSPECTOR: _____	DATE: _____	DATE: _____	
DATE COMPLETED: _____	DATE: _____	DATE: _____	
NOTES			



JAMES T. FROST R.C.E. 050865 DATE XX-XX-XX

**KLEINFELDER** PUBLIC WORKS ENGINEERING  
500 West C Street, Suite 1200 San Diego, CA 92101 Tel: (619) 831-6600

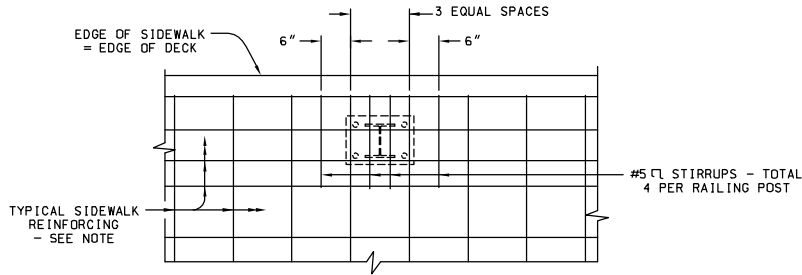
**W** William Wong Engineering  
1411 Broadway, San Francisco, CA 94103 Tel: (415) 774-8888



**NOTE:**  
The Contractor shall verify all controlling field dimensions before ordering or fabricating any material.

## 95% PLAN SUBMITTAL NOT FOR CONSTRUCTION

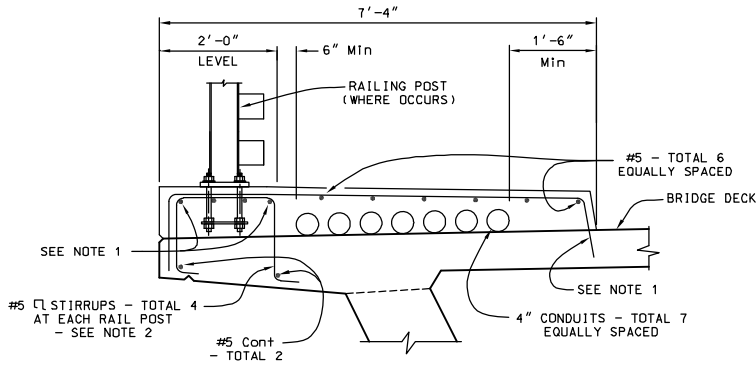
CITY OF CHULA VISTA PUBLIC WORKS-ENGINEERING	DRAWING NO. 12013-61
BRIDGE GENERAL PLAN (2 OF 2) FOR: WILLOW STREET BRIDGE REPLACEMENT BETWEEN BONITA ROAD AND VALLEY VISTA ROAD	DATE: 12/13/13
DESIGNED BY: JAMES T. FROST	CHECKED BY: _____
RESPONSIBLE CHARGE OF WORK: _____	DATE: _____
APPROVED BY: _____	DATE: _____
JOE LIS GOMEZ, P.E., P.L.S. - PRINCIPAL CIVIL ENGINEER	



NOTE: For information not shown, see 811-66

**SIDEWALK REINFORCING PLAN**

1" = 1'-0"

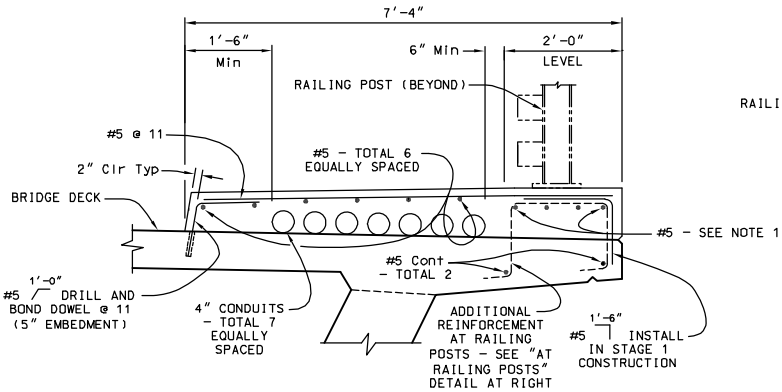


NOTES:

1. For information not shown, see 811-66
2. See "SIDEWALK REINFORCING PLAN" on this sheet for location

**TYPICAL SIDEWALK SECTION - STAGE 2**

1" = 1'-0"



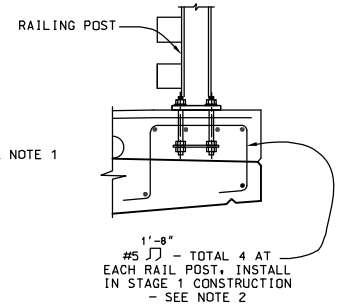
**BETWEEN RAILING POSTS**

NOTES:

1. For information not shown, see 811-66
2. See "SIDEWALK REINFORCING PLAN" on this sheet for location

**TYPICAL SIDEWALK SECTION - STAGES 1 AND 3**

1" = 1'-0"



**AT RAILING POSTS**

AS-BUILT		UTILITY NOTE	
SIGNATURE _____	DATE _____	ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE PLOTTED FROM RECORD DATA AT THEIR APPROXIMATE LOCATIONS. UNDERGROUND FACILITIES MAY EXIST WHICH HAVE NOT BEEN REPORTED OR ARE NOT OF RECORD. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL PERTINENT UTILITIES IN THE FIELD PRIOR TO THE START OF CONSTRUCTION.	
Printed Name _____	P.E. No. _____		
My Registration Expires _____	Discipline _____		
CONSTRUCTION RECORD	REFERENCES	REVISIONS	DATUM
CONTRACTOR: _____	DWG. FS 64-TOL, 65-04, 66-32L, 69-118, 69-1500, 73-1410, 76-2000, 78-1400 THRU 1410, 85 1299-2 AND SURVEY NOTES		VERTICAL DATUM: NVD 88 HORIZONTAL DATUM: CCS '83, ZONE 6, EPOCH 1991.30
INSPECTOR: _____			
DATE COMPLETED: _____			



XX-XX-XX  
DATE

JAMES T. FROST R.C.E. 050865

ANALYSIS AND DESIGN  
 600 West C Street, Suite 1200 San Diego, Ca. 92101  
 Tel: (619) 831-6600

Wing Engineering



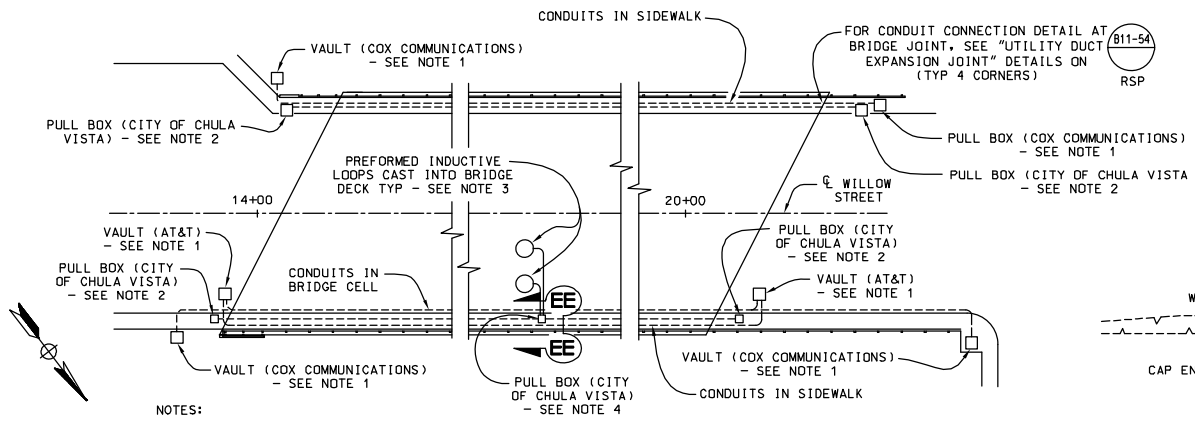
NOTE:

The Contractor shall verify all controlling field dimensions before ordering or fabricating any material.

**95% PLAN SUBMITTAL  
NOT FOR CONSTRUCTION**

CONSTRUCTION RECORD		REFERENCES		REVISIONS		DATUM		SCALE		DESIGNED BY:		DRAWN BY:		CHECKED BY:		APPROVED BY:		CITY OF CHULA VISTA PUBLIC WORKS-ENGINEERING		DRAWING NO.	
CONTRACTOR: _____	DWG. FS 64-TOL, 65-04, 66-32L, 69-118, 69-1500, 73-1410, 76-2000, 78-1400 THRU 1410, 85 1299-2 AND SURVEY NOTES																				
INSPECTOR: _____																					
DATE COMPLETED: _____																					

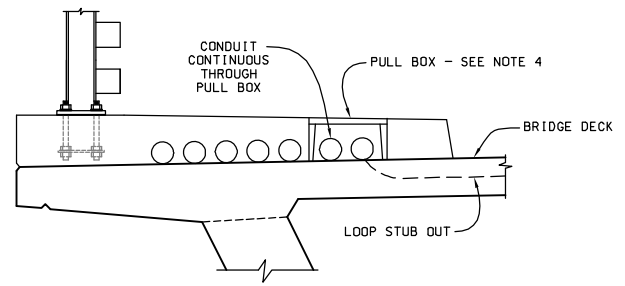
CITY OF CHULA VISTA PUBLIC WORKS-ENGINEERING		DRAWING NO.	
SIDEWALK DETAILS FOR: <b>WILLOW STREET BRIDGE REPLACEMENT BETWEEN BONITA ROAD AND VALLEY VISTA ROAD</b>		<b>12013-91</b>	
JESUS GOMEZ, P.E., P.L.S. - PRINCIPAL CIVIL ENGINEER		CIP # STL-261	



- NOTES:
- See "Utility Plans" by others for location of utility-owned pull boxes and other information.
  - See "Traffic Signal Plans" on Sheets 37 and 38 for sizes and locations of City-owned pull boxes.
  - See "Traffic Signal Plans" on Sheet 38 for information on traffic detection loops on bridge.
  - See "Traffic Signal Plans" on Sheet 38 for size and location of pull box on bridge. Also see ES-88 and Detail A on ES-90.

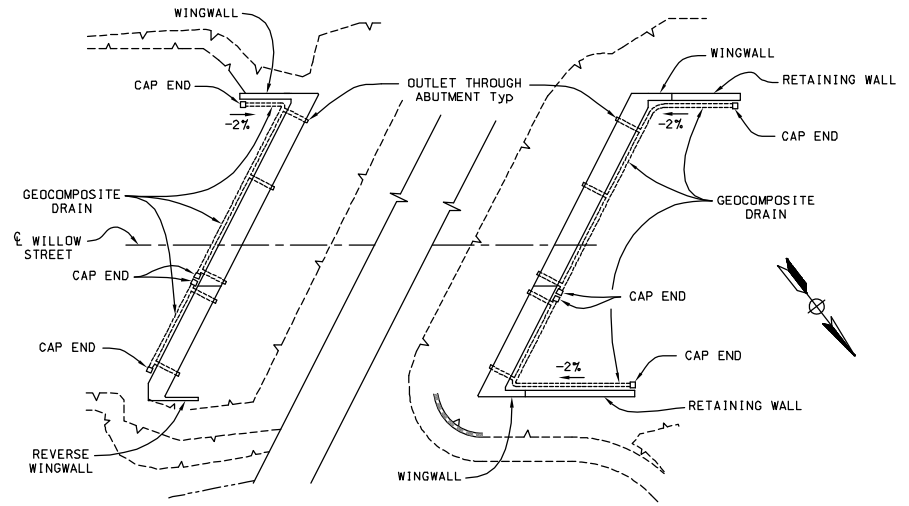
**DRY UTILITY PLAN**

NOT TO SCALE



**SECTION EE-EE**

1" = 1'-0"



**ABUTMENT 1**

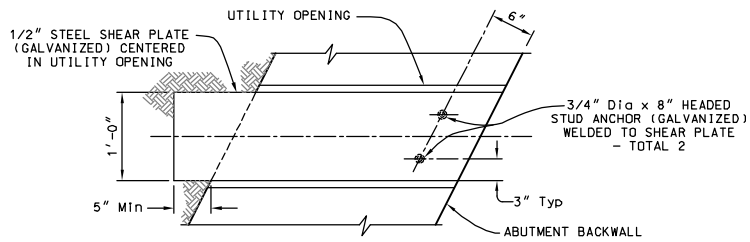
**ABUTMENT 6**

NOTE: Locate high point of drain pipes midway between outlet locations and at the end of retaining walls.

**DRAINAGE PLAN**

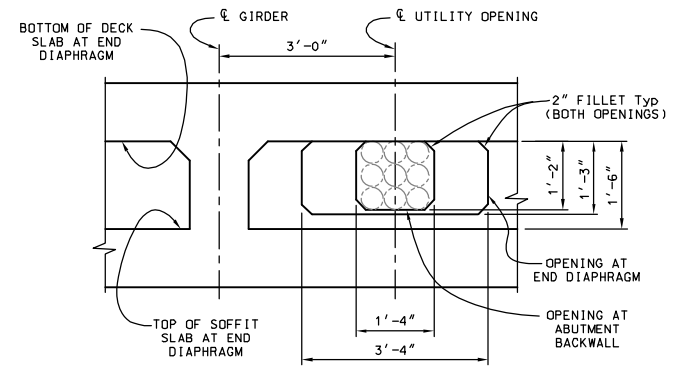
NOT TO SCALE

<b>AS-BUILT</b> SIGNATURE _____ DATE _____ P.E. No. _____ My Registration Expires _____ Discipline _____		<b>UTILITY NOTE</b> ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE PLOTTED FROM RECORD DATA AT THEIR APPROXIMATE LOCATIONS. UNDERGROUND FACILITIES MAY EXIST WHICH HAVE NOT BEEN REPORTED OR ARE NOT OF RECORD. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL PERTINENT UTILITIES IN THE FIELD PRIOR TO THE START OF CONSTRUCTION.		CITY OF CHULA VISTA PUBLIC WORKS - ENGINEERING 276 FOURTH AVENUE CHULA VISTA, CA 91910 (619) 596-2521		JAMES T. FROST R.C.E. 050865 DATE XX-XX-XX <b>KLEINFELDER</b> <small>ANALYSIS AND DESIGN ENGINEERS</small> 600 West C Street, Suite 1200 San Diego, Ca. 92101 Tel: (619) 831-6600				NOTE: The Contractor shall verify all controlling field dimensions before ordering or fabricating any material.		<b>95% PLAN SUBMITTAL</b> <b>NOT FOR CONSTRUCTION</b>											
<b>CONSTRUCTION RECORD</b> CONTRACTOR: _____ INSPECTOR: _____ DATE COMPLETED: _____ NOTES:		<b>REFERENCES</b> DWG: FS 64-104L, 65-04L, 66-37L, 69-118L, 69-1500L, 73-1410L, 76-2000L, 78-1400 THRU 1410L, RS 1299-2 AND SURVEY		<b>REVISIONS</b> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>App'd</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		No.	Date	App'd	DATE					<b>DATUM</b> VERTICAL DATUM: NVD 88 HORIZONTAL DATUM: GCS 83, ZONE 6, EPOCH 1983.30		<b>SCALE</b> HORIZONTAL: AS NOTED VERTICAL: AS NOTED		<b>DESIGNED BY:</b> JAMES T. FROST <b>DRAWN BY:</b> T. BRITTON <b>RESPONSIBLE CHARGE OF WORK:</b> JAMES T. FROST DATE: _____ R.C.E. No.: 050865		<b>CHECKED BY:</b> _____ DATE: _____ <b>APPROVED BY:</b> _____ DATE: _____ <small>USE LUIS GOMEZ, P.E., P.L.S. - PRINCIPAL CIVIL ENGINEER</small>		<b>CITY OF CHULA VISTA PUBLIC WORKS-ENGINEERING</b> UTILITY DETAILS NO. 1 FOR <b>WILLOW STREET BRIDGE REPLACEMENT</b> BETWEEN BONITA ROAD AND VALLEY VISTA ROAD DRAWING NO. 12013-96 <small>CFP # STL-261</small>	
No.	Date	App'd	DATE																				



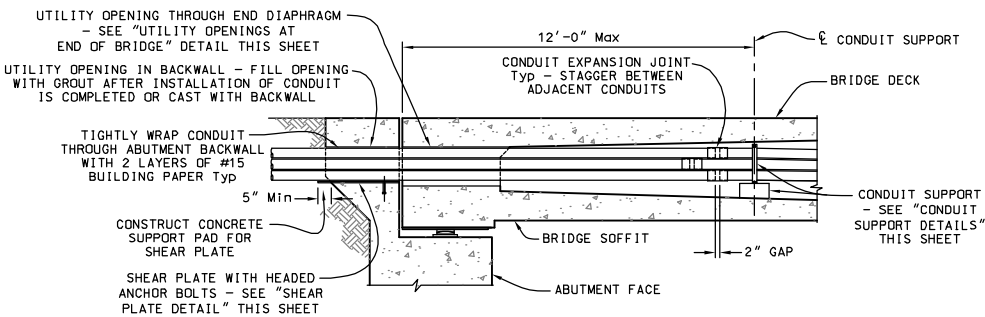
**SHEAR PLATE DETAIL**

1 1/2" = 1'-0"



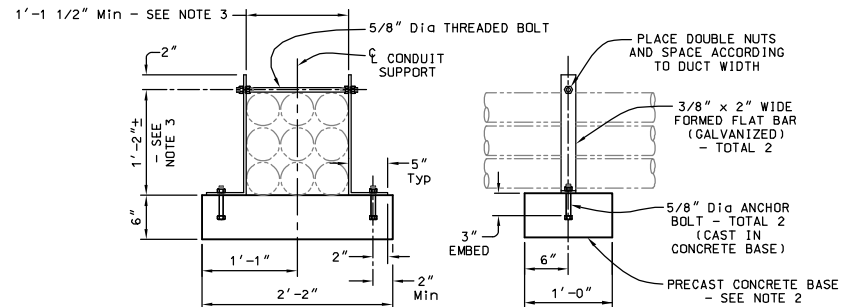
**UTILITY OPENINGS AT END OF BRIDGE**

1" = 1'-0"



**TYPICAL UTILITY OPENING AND CONDUIT SUPPORT AT END OF BRIDGE**

1/2" = 1'-0"

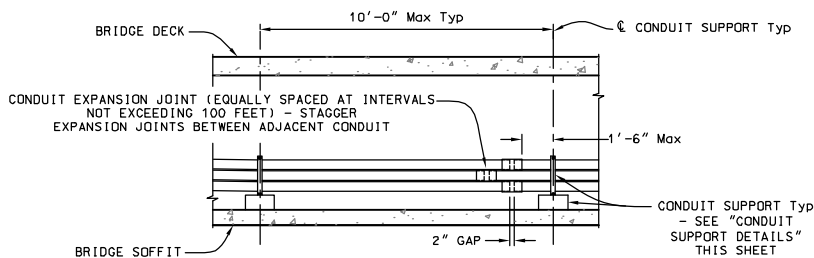


NOTES:

1. All hardware used shall be double dipped galvanized.
2. Precast concrete base shall be securely fastened to the bridge soffit slab with a two component epoxy adhesive. The contact surface of the bridge soffit will slope when approaching abutments and bents. Keep conduit support hardware plumb at abutments and bents. The contact surfaces shall be cleaned prior to the application of epoxy adhesive.
3. Support opening dimensions may be increased near conduit expansion joints.

**CONDUIT SUPPORT DETAILS**

1 1/2" = 1'-0"



**TYPICAL CONDUIT SUPPORT DETAIL**

1/2" = 1'-0"

AS-BUILT		UTILITY NOTE	
SIGNATURE _____	DATE _____	ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE PLOTTED FROM RECORD DATA AT THEIR APPROXIMATE LOCATIONS. UNDERGROUND FACILITIES MAY EXIST WHICH HAVE NOT BEEN REPORTED OR ARE NOT OF RECORD. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL PERTINENT UTILITIES IN THE FIELD PRIOR TO THE START OF CONSTRUCTION.	
Printed Name _____	P.E. No. _____		
My Registration Expires _____	Discipline _____		
CONSTRUCTION RECORD	REFERENCES	REVISIONS	DATUM
CONTRACTOR:	ONS: FS 64-104L, 65-04L, 66-32L, 69-118L, 69-1500L, 73-1410L, 76-2000L, 78-1400 THRU 1410L, RS 1299-2 AND SURVEY NOTES		VERTICAL DATUM: NVD 88 HORIZONTAL DATUM: CGCS 83, ZONE 6, EPOCH 1991.33



JAMES T. FROST R.C.E. 050865 DATE XX-XX-XX

**KLEINFELDER** PUBLIC WORKS - ENGINEERING  
276 FOURTH AVENUE CHULA VISTA, CA 91910 (619) 5962051

500 West C Street, Suite 1200 San Diego, Ca. 92101 (619) 831-6600



NOTE:

The Contractor shall verify all controlling field dimensions before ordering or fabricating any material.

**95% PLAN SUBMITTAL NOT FOR CONSTRUCTION**

CITY OF CHULA VISTA PUBLIC WORKS-ENGINEERING		DRAWING NO.	
UTILITY DETAILS NO. 2 FOR	WILLOW STREET BRIDGE REPLACEMENT	12013-97	CP # STL-261
BETWEEN BONITA ROAD AND VALLEY VISTA ROAD			



# EXHIBIT "B"

**City of Chula Vista**  
PUBLIC WORKS-ENGINEERING  
**BETTERMENT COST AS BID**

**Project Title:**

WILLOW STREET BRIDGE REPLACEMENT PROJECT  
Cox Comm. 2 Conduits in Bridge Cell, 2 Conduits in Bridge Sidewalk

**Project Number:**

STL-261

**DATE:**

December 20, 2016

**PREPARED BY:**

PAO/Kleinfelder

**CHECKED BY:**

G. Tscherch

No.	Description	Quantity	Unit	Unit Price	Amount
1	4" Conduit (PVC) in Bridge Cell	1,264	CY	\$5.00	\$6,320
2	Pipe Support for Conduits in Bridge Cell <sup>a</sup>	62	EA	\$57.78	\$3,582
3	4" Dia. Openings in Bridge Sidewalk (PVC)	1,264	LF	\$4.00	\$5,056
				<b>SUBTOTAL</b>	<b>\$14,958</b>
				5% CONTINGENCY	
				\$14,958.36	\$748
				<b>TOTAL:</b>	<b>\$ 15,706</b>

**Notes:**

- a. Cox Communications reserved 2 of the 9 conduits to be installed in the bridge cell that share the pipe supports. The unit price identified for pipe supports on this estimate represents 2/9 of the \$260.00 apparent low bid unit price for one pipe support.
- b. One conduit length is estimated to be 632 LF.