

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

310 B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
June 30, 2009

**SUBJECT:** West Cathedral Canyon Channel  
Project No. 6-0-00011  
Professional Services Agreement – Amendment No. 2

**RECOMMENDED MOTION:**

1. Approve Amendment No. 2 to the Agreement between the District and HDR Engineering, Inc. (Consultant); and
2. Authorize the Chairman to execute Amendment No. 2 on behalf of the District;

**BACKGROUND:**

On October 16, 2007 the Board of Supervisors approved a Professional Services Agreement which set forth the terms and conditions by which Consultant would perform engineering analysis to determine levee criteria for West Cathedral Canyon Channel. On November 18, 2008, Amendment No. 1 was executed to provide an extension for the time of performance through June 30, 2009.

**Continued on Page 2**

KEC:bj

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	F.Y. 2009-2010 District Cost:	\$48,310.00	In 2009-2010 Budget:	Yes
	Current F.Y. County Cost:	N/A	Budget Adjustment:	No
	Annual Net District Cost:	N/A	For Fiscal Year:	FY 09-10

<b>SOURCE OF FUNDS:</b> 25160 947500 524820 - Engineering Services	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Alex Gann

**County Executive Office Signature**

FISCAL PROCEDURES APPROVED  
IVAN M. CHAND, FINANCE DIRECTOR  
BY:   
JEANINE REYHAWKINS

FORM APPROVED COUNTY COUNSEL  
BY:   
NEAL R. KIPNIS  
DATE

Dept't Recomm.:  Consent  Policy   
Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.:

District: 4<sup>th</sup>

Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

11.6

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**SUBJECT:** West Cathedral Canyon Channel  
Project No. 6-0-00011  
Professional Services Agreement – Amendment No. 2

**SUBMITTAL DATE:** June 30, 2009

**BACKGROUND (CONTINUED)**

The levee evaluation and certification process has been proceeding without any major difficulties thus far. However, the data collection from other governmental agencies such as the Federal Emergency Management Agency (FEMA) and the Army Corps of Engineers, and the evolving levee certification criteria has led to circumstances requiring extending the time of performance and providing additional compensation to the Consultant.

Additionally, four inlets not described in the original scope were discovered and require additional evaluation.

Amendment No. 2 provides an extension of the Agreement to June 30, 2010 to allow Consultant to complete the work. Additionally, Amendment No. 2 provides an addition of \$48,310 in compensation to the Consultant for additional geotechnical analysis and coordination with FEMA.

**FINANCIAL INFORMATION:**

Sufficient funds are included in District's Budget for FY 2009-2010.

County Counsel has approved the amendment as to form.

KEC:bjj



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standard rates as set forth on Attachment "B" attached hereto and made a part hereof. The total amount of compensation paid to CONSULTANT under this Agreement shall not exceed the sum of two hundred twenty thousand sixty-five dollars (\$220,065.00) unless a written amendment to this Agreement is executed by both parties prior to performance of additional services.

Except to the extent specifically added to, modified or amended hereunder, all of the terms, covenants and conditions of said AGREEMENT dated October 17, 2007 remain in full force and effect between the parties hereto.

//  
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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on

(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By Warren D. Williams  
WARREN D. WILLIAMS  
General Manager-Chief Engineer

By \_\_\_\_\_  
MARION ASHLEY, Chairman  
Riverside County Flood Control and  
Water Conservation District Board of  
Supervisors

APPROVED AS TO FORM:

ATTEST:

PAMELA J. WALLS  
County Counsel

KECIA HARPER-IHEM  
Clerk of the Board

By Neal Kipnis  
NEAL KIPNIS  
Deputy County Counsel

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

(SEAL)

Amendment No. 2: Professional Services Agreement – HDR Engineering, Inc.

KEC:blj

6/19/09

HDR ENGINEERING, INC.

By William Bennett  
Responsible Officer

William Bennett  
Printed Name

Senior Vice President  
Title

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Amendment No. 2: Professional Services Agreement – HDR Engineering, Inc.

KEC:blj

6/19/09



ATTACHMENT 'A'

June 17, 2009

Mr. David Garcia  
Flood Plain Management  
Riverside County Flood Control and  
Water Conservations District  
1995 Market Street  
Riverside, CA 92501

RE: Contract Amendment for West Cathedral Canyon Levee Certification  
Project No. 6-0-00011

Dear Mr. Garcia –

As you are aware, it recently came to our attention that four new drainage outlets were constructed through the east levee of the reach of West Cathedral Canyon Channel that we are evaluating for certification. We had previously completed the hydrology and hydraulic analyses (including interior drainage) and geotechnical analyses without knowledge of the additional levee penetrations. Additional analyses will now be needed to include the effects of the additional penetrations for the certification.

Addition analyses will be required for the following Tasks (per original scope):

- Task 1. Data Collection, Review and Management** - Additional site visit to confirm site conditions. Review of as-built drawings and reports pertaining to the construction of the additional outlets (to be provided by the District);
- Task 2. Levee Site Investigation** - Geotechnical analyses/report for four additional cross-sections;
- Task 6. Embankment and Foundation Stability** - Stability and seepage analysis for four additional cross-sections;
- Task 8. Interior Drainage** – Evaluate interior drainage issues associated with existing storm drain outlets (not included in original scope) and modify hydrology/hydraulic report;
- Task 12. Certification Package** - Modify certification package to reflect additional analyses;
- Project Management, Meetings, QA/QC & Admin** - Additional meetings (2) and coordination with District and FEMA

It is our expectation that the additional work can be completed for a not-to-exceed cost of \$48,310, bringing the total contract value to \$220,065.

Attached is an amended man-hour and fee rate sheet for the project, as well as the scope and fee proposal from Kleinfelder for the geotechnical work.

In order to submit a certification package by the August 8, 2009 deadline, we propose to submit the certification documents "as is" (i.e. without the additional analyses) and include a note to the effect that the additional analyses will be provided within sixty to ninety days.

Please contact Mark Seits (858/712-8312) if you have any questions or concerns regarding this project.

Sincerely,

HDR Engineering, Inc.

A handwritten signature in black ink, appearing to read "Mark Seits for". The signature is written in a cursive, flowing style.

Richard R. Coles  
Vice President



43174 Business Park Drive, Suite 103  
Temecula, CA  
92590

p) 951.506.1488  
f) 951.506.1491  
kleinfelder.com

June 9, 2009  
Project No. 89707

Mr. Mark Seits, PE, CFM  
HDR Engineering, Inc.  
8690 Balboa Avenue, Suite 200  
San Diego, California 92123-1502

via email  
Mark.Seits@hdrinc.com

**Subject: Change Order No. 1  
Request for Additional Fee for West Cathedral Canyon Levee  
Riverside County Flood Control and  
Water Conservation District  
Cathedral City, Riverside County, California**

Dear Mr. Seits

We have prepared this *Change Order No. 1, Request for Additional Fee for West Cathedral Canyon Levee* to summarize additional out of scope fees that will be required to update our previously submitted geotechnical investigation to reflect current site improvements that were installed subsequent to our study. Our original scope of services is provided in our proposal entitled *Proposal to Conduct Geotechnical Engineering Investigation, Riverside County Flood Control and Water Conservation District, West Cathedral Canyon Levee, Cathedral City, California*, dated April 3, 2007.

Kleinfelder West, Inc. (Kleinfelder) is committed to providing quality service to its clients, commensurate with their wants, needs, and desired level of risk. If a portion of this proposal does not meet the needs of the Client, or if those needs have changed, Kleinfelder will consider appropriate modifications, subject to the standards of care to which we adhere as professionals. Modifications such as changes in scope, methodology, scheduling and contract terms may result in changes to the risks assumed by the Client, as well as adjustment to our fees.

## BACKGROUND

Our report summarizing our geotechnical study for the West Cathedral Canyon Levee is entitled *Geotechnical Evaluation Report, West Cathedral Canyon Levee, Riverside County Flood Control and Water Conservation District, Cathedral City, Riverside County, California*, dated March 20, 2009. Subsequent to our study, the adjacent development received a surface drainage improvement system that included new storm drain inlets, curb and gutters, and street paving, designed to improve drainage within

the development. The new system also included additional storm drain collection locations that penetrate the levee embankment and outlet into the waterside area of the levee. The additional penetrations should now be considered in the geotechnical analysis and included in the geotechnical evaluation report.

## **PROPOSED ADDITIONAL SCOPE**

We have been requested to update the above referenced report to include the effects of the new drainage system. Our scope of services will include the following tasks:

1. Perform a site reconnaissance. We will conduct a site visit to observe the newly-added drainage outlets (levee penetrations) to note potential impacts to our analyses from a geotechnical engineering standpoint.
2. Review as-built drawings and reports pertaining to the construction of the levee penetrations. Reports for review should include the soils reports documenting the placement of fill soils and slurry backfill within and around the structures. If reports are not available for review at the time we perform our additional analyses, we will proceed with the assumption that the penetrations were constructed and the materials were tested in conformance with the design documents. Should these documents not be provided or available at any time, our analyses would not be valid or acceptable; we would then propose additional subsurface investigation studies to assist in our evaluation.
3. Develop cross-sections depicting the slope configuration at each of the new levee penetrations, and two other locations where newly-developed water surface elevations (WSE) are identified (four additional cross-sections). We will extrapolate the general soil conditions encountered in the previously excavated borings near the cross-sections.
4. Perform seepage and slope stability analyses on critical cross-sections identified based on the newly-developed WSEs, as well as on the two additional cross-sections due to levee penetrations. We have assumed that the water surface elevations at these locations will be provided prior to the beginning of our analyses.
5. Modify plates within the report to reflect the locations of the new outlets and additional cross-sections.
6. Modify the text in the report to include the description of the new penetrations and the results of our analyses.

## **FEE**

We propose to perform our additional services for the levee for an estimated fee of \$33,550. The costs presented are estimates only and may be more or less than that shown for specific task items.



We have attempted to be realistic in our billing and servicing of this project in relation to the proposed project in an effort to remain within agreed upon budgets. If there is any anticipated future work beyond that presented in our proposal, or this Change Order, please contact us and we will make any necessary revisions due to more accurate schedule or changes in scope of work, which are different from that which we assumed.

**SCHEDULE**

We expect to be able to begin our additional analysis within approximately three to four weeks following receipt of your written notice to proceed. The time required to complete our analyses and revise our report is anticipated to be approximately four weeks from the time our analyses begins.

**AUTHORIZATION**


If the contents of this Change Order are acceptable to you, please sign the attached Change Order No. 1 authorizing the additional scope and increase in fee for West Cathedral Canyon Levee to our previously agreed upon contract executed by and between Kleinfelder and HDR Engineering. This Change Order, when signed by both parties, shall be made part of the Contract Agreement executed by both parties.

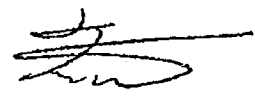
If there is a need for any change in the scope of services or schedule described in the proposal, please call us immediately. Changes may require revision of the proposed fee, which will be communicated to you upon assessment of the requested changes' effect on the fee.

**CLOSURE**

We thank you for the opportunity to provide Kleinfelder's professional geotechnical engineering services on this project. Please feel free to call the undersigned should you have any questions.

Respectfully submitted,  
**KLEINFELDER WEST, INC.**

  
Keith P. Askew, PE  
Senior Program Manager

  
Stephen Tien, PhD, PE  
Project Engineer

Distribution: (2) Addressee  
Via email, Yunjing Zhang, Vicky.Zhang@hdrinc.com

Harris County Flood Control and Water Conservation District - FEMA Levee Certification for West Cathedral Canyon East Levee - Amendment No. 1	Section Manager	Senior Project Manager	Senior Engineer	Senior Project Engineer	Project Engineer	Staff Engineer	Junior Engineer	Environmental Project Manager	Project Scientist/Planner	CADD Technician	GIS Manager	GIS Operator	Project Coordinator	Document Production Specialist	Total Hours	Summary
	\$ 250	\$ 225	\$ 200	\$ 175	\$ 125	\$ 100	\$ 90	\$ 175	\$ 125	\$ 80	\$ 220	\$ 175	\$ 100	\$ 90		
<b>Tasks</b>																
Task 1 - Data Collection, Review and Management																
West Cathedral Canyon (C-3)	0	4	0	16	6	26	24	0	0	0	0	0	0	6	82	\$9,750
Task 2 - Levee Site Investigation																
West Cathedral Canyon (C-3)	0	14	48	220	100			0	0	16	0	0	0	34	432	\$68,090
Task 3 - Freeboard																
West Cathedral Canyon (C-3)	0	0	0	12	16	0	48	0	0	0	0	0	0	0	76	\$9,420
Task 4 - Closures																
West Cathedral Canyon (C-3)	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	\$350
Task 5 - Embankment Protection																
West Cathedral Canyon (C-3)	0	0	0	6	0	0	8	0	0	0	0	0	0	0	14	\$1,770
Task 6 - Embankment and Foundation Stability																
West Cathedral Canyon (C-3)	0	0	0	70	4	0	6	0	0	0	0	0	0	0	80	\$13,290
Task 7 - Settlement																
West Cathedral Canyon (C-3)	0	0	0	24	0	0	0	0	0	0	0	0	0	0	24	\$4,200
Task 8 - Interior Drainage																
West Cathedral Canyon (C-3)	0	0	0	8	16	20	0	0	0	0	0	0	0	0	44	\$5,400
Task 9 - Operation Plans																
West Cathedral Canyon (C-3)	0	0	0	18	0	0	0	0	0	0	0	0	0	4	22	\$3,510
Task 10 - Maintenance Plans																
West Cathedral Canyon (C-3)	0	0	0	13	0	0	0	0	0	0	0	0	0	4	17	\$2,635
Task 11 - As-Builts																
West Cathedral Canyon (C-3)	0	0	0	8	24	0	0	0	0	24	0	0	0	0	56	\$6,320
Task 12 - Certification Package																
West Cathedral Canyon (C-3)	0	10	0	60	20	0	20	0	0	0	0	0	0	16	126	\$18,490
Task 13 - Deficiency Report																
West Cathedral Canyon (C-3)	0	8	0	16	0	0	0	0	0	0	0	0	0	4	28	\$4,960
Task 14 - GIS Data																
West Cathedral Canyon (C-3)	0	0	0	0	0	0	0	0	0	4	4	24	0	2	34	\$5,580
Project Management, Meetings, QA/QC & Admin																
West Cathedral Canyon (C-3)	16	52	0	30	10	0	0	0	0	0	0	0	30	24	162	\$27,360
<b>Total Hours</b>	<b>16</b>	<b>88</b>	<b>48</b>	<b>503</b>	<b>196</b>	<b>46</b>	<b>106</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>4</b>	<b>24</b>	<b>30</b>	<b>94</b>	<b>1,199</b>	<b>\$180,125</b>
Subtotal Labor																
Geotech Lab																
West Cathedral Canyon (C-3)																\$20,600
Geotech Drill Rig (Outside Services)																
West Cathedral Canyon (C-3)																\$12,880
Travel																
Printing																
Subtotal ODC's																
<b>TOTAL COSTS</b>																<b>\$39,940</b>
																<b>\$220,065</b>

ATTACHMENT 'B'