

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



923A

FROM: TLMA - Transportation Department

SUBMITTAL DATE:
June 9, 2011

SUBJECT: Amendment No. 3 to the On-Call Environmental Services Agreement with ASM Affiliates, Inc.

RECOMMENDED MOTION: That the Board of Supervisors

1. Ratify the attached Amendment No. 3 to the On-Call Environmental Services Agreement with ASM Affiliates, Inc. and the County of Riverside and;
2. Authorize the Chairman of the Board to execute the same.

BACKGROUND: The Transportation Department needs environmental support services to deliver all the necessary road improvement projects identified and funded in the Transportation

Juan C. Perez
Director of Transportation

RW:fs
(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 250,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/2012
SOURCE OF FUNDS: Gas Tax, Measure A, TUMF Fees and RBBB Fees. There are no General Funds used in this project.				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY
Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
DATE 5/27/11
BY: MARSHA L. VICTOR

Policy ☒ Policy ☒
 Consent ☐ Consent ☐
 Dep't Recomm.: Per Exec. Ofc.:

Prev. Agn. Ref.

District:

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

The Honorable Board of Supervisors

RE: Amendment No. 3 to the On-Call Environmental Services Agreement with ASM Affiliates, Inc.

June 9, 2011

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Improvement Program. The Board of Supervisors approved and executed an agreement between the County and ASM Affiliates, Inc. on August 29, 2006 to provide the Transportation Department with the needed services. The agreement allowed for two separate one-year extensions to extend the term of the contract. Amendment No. 1 was executed on November 24, 2009 and extended the ability to authorize work assignments until June 30, 2010. Amendment No. 2 was executed August 31, 2010 and extended the ability to authorize work assignments until June 30, 2011.

This amendment will extend the contract expiration date from June 30, 2011 to December 31, 2012 to allow ASM Affiliates, Inc. to complete the services required by the terms of the agreement. All work performed during the extended contract period will be subject to the original contract terms and conditions and no additional budget authorization is requested. All associated contract costs will be funded using project funds. Thus, no net county costs will be incurred as a result of this contract amount.

Amendment No. 3 TO AGREEMENT

for On-Call Environmental Services

between County of Riverside – Transportation Department

and ASM Affiliates, Inc.

THIS AMENDMENT (hereinafter the "3rd Amendment") to an agreement is made and entered into as of this _____ day of _____, 2011, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and ASM Affiliates, Inc. (hereinafter "CONSULTANT").

RECITALS

- A. COUNTY and CONSULTANT have entered in an agreement entitled "On-Call Environmental Services between County of Riverside – Transportation Department and ASM Affiliates, Inc." that is dated August 29, 2006 (hereinafter the "Agreement"). The Agreement provides the terms and conditions, scope of work, schedule and budget for the performance of professional and technical services necessary to provide on-call environmental services.
- B. Appendix B • Article BI establishes the time period for allowing work assignments to be authorized under the original agreement. The terms and conditions specify that work assignments can be authorized for three years from the date of Board of Supervisors agreement approval (August 29, 2006) and that the authority to execute work assignments can be modified through one-year supplemental extensions. The agreement allows for two separate one-year extensions. Amendment No. 1 was executed on November 24, 2009 and extended the ability to authorize work assignments until June 30, 2010. Amendment No. 2 was executed August 31, 2010 and extended the ability to authorize work assignments until June 30, 2011.
- C. Under the terms of the agreement, the Transportation Department is authorized to negotiate and approve various work assignments with the stipulation that the environmental services fees shall not exceed \$250,000 annually. The parties desire to amend the Agreement to extend the expiration date to allow CONSULTANT to complete work assignments that were approved during the contract period but were not completed by the CONSULTANT prior to the contract termination date. All work performed during the extended contract period will be subject to the original authorizations provided by the Transportation Department prior to or on June 30, 2011 and no additional budget authorization is requested.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows,

effective June 30, 2011:


1. Appendix B • Article BI is amended by extending the contract termination date to December 31, 2012.
2. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement shall remain in full force and effect between the parties hereto.

IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly executed this day and year first written above.

APPROVALS

COUNTY Approvals

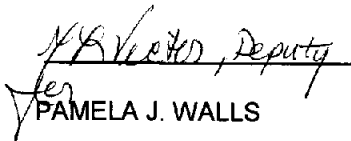
RECOMMENDED FOR APPROVAL:

 Dated: 5/26/11

JUAN PEREZ

Director of Transportation

APPROVED AS TO FORM:

 Dated: 5/27/11
PAMELA J. WALLS
County Counsel

APPROVAL BY THE BOARD OF SUPERVISORS

_____ Dated: _____

PRINTED NAME

Chairman, Riverside County Board of Supervisors

ATTEST:


_____ Dated: _____

KECIA HARPER-IHEM

Clerk of the Board (SEAL)

CONSULTANT Approvals

CONSULTANT: ASM Affiliates, Inc.

 Dated: 05/17/11

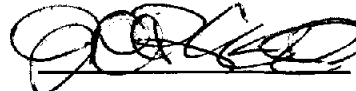
John R. Cook

PRINTED NAME

President

TITLE

CONSULTANT:

 Dated: 05/17/11

John R. Cook

PRINTED NAME

Secretary

TITLE