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

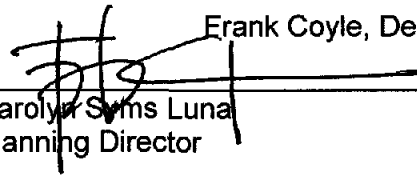
FROM: TLMA - Planning Department

SUBMITTAL DATE:
June 30, 2011

**SUBJECT: APPROVAL OF THE AMENDED AGREEMENT WITH ATKINS (FORMERLY
PBS&J) TO PROVIDE CLIMATE ACTION PLANNING SERVICES FOR RIVERSIDE COUNTY**

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve and direct the Chairman of the Board to sign and execute the amended Professional Services Agreement with Atkins (formerly PBS&J) for additional Climate Action Planning Services for Riverside County; and
- 2) Authorize the Purchasing Agent to sign Amendments that do not change the substantive terms of the agreement.


 Frank Coyle, Deputy Director for
 Carolyn Sims Luna
 Planning Director

Initials:
CSL:ar

Continued on Attached Page

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 60,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	11/12

SOURCE OF FUNDS: Department Budget to be reimbursed 100% by U.S. Department of Energy (DOE) Grant. Funding, which is expected FY 11/12.	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY 
 Tom Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
 BY: 
 DATE: 6/30/11
 NEAL R. KIPNIS

Departmental Concurrence

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

Prev. Agn. Ref. #3.66 on 5/18/10

District: ALL

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.42

The Honorable Board of Supervisors

RE: APPROVAL OF THE AMENDED AGREEMENT WITH ATKINS (FORMERLY PBS&J) TO PROVIDE CLIMATE ACTION PLANNING SERVICES FOR RIVERSIDE COUNTY

Page 2 of 2

BACKGROUND: The Board of Supervisors approved on May 18, 2010, Item#3.66, an agreement with PBS&J for Climate Action Planning Services in the amount of \$134,726.00.

In May of 2011, the Planning Department initiated discussions with the Contractor and County Purchasing based upon changing criteria at the State and Federal level in regards to the development of Green House Gas reduction measures, updated State policies, and stronger enforcement by the U.S. and Cal EPA. The scope of work is proposed to be amended to expand baseline data sets and their correlating reduction measures to achieve consistency with State and Federal implementation. This level of impact from this increased scrutiny within the regulatory environment was not anticipated at the time of the original contract.

Based upon this new information, the Planning Department proposes amendments to the scope of the Professional Services Agreement to transfer the responsibility of the drafting, with Planning Department oversight, of the Air Quality and Greenhouse Gas Elements of the County's General Plan Review Cycle project (GPA No. 960 and EIR 521). The Planning Department also recommends these changes to include allowing the Contractor to negotiate with the Attorney General's Office during the General Plan Update and EIR public review process to provide informal responses and suggested audits to the Attorney General's review of future planning documents that include sustainable development criteria.

To accomplish this amendment, the Planning Department recommends adding \$60,000 of FY 2011/2012 DOE grant funding to the existing contract and modifying the necessary items to the scope of work to allow the contractor to complete these sections. The department has already expended \$117,000 under the previous contract. The amendment will leave a total of 77,762 to be expended this fiscal year.

In April of 2011, PBS&J was purchased by Atkins. The principals, staff, and associated rates with respect to Climate Action Planning Services have not changed.

**COUNTY OF RIVERSIDE
AMENDMENT NO.1 TO THE AGREEMENT
WITH
ATKINS NORTH AMERICA, INC
(FORMERLY PBS&J)**

CONTRACTOR: Atkins North America, Inc (Formerly PBS&J)
Contract Term: May 18, 2010 through June 30, 2012
Effective Date of Amendment: July 1, 2011
Contract Amount: \$194,762.00
Contract ID: TLARC-92600-001-06/12

The Agreement between Riverside County, herein referred to as COUNTY and Atkins North America, Inc, (Formerly PBS&J), herein referred to as CONTRACTOR, is amended as follows:

1. On Page 3 of the Agreement, amend Section 3 the "Compensation":
The COUNTY agrees to pay CONTRACTOR for services performed not to exceed the amount of one hundred ninety-four thousand seven hundred sixty two dollars (\$194,762), including all expenses, based on the availability of fiscal funding.

2. On page 17 of the Agreement ,amend Exhibit A the "Scope of Service":

The following replaces the original language in its entirety:

Task 1 Phase I 3.6:

The following target dates are revised to account for the actual start date of the project and revisions to the scope of work:

- a. Proposed timeline for Contractor's tasks, Phase I and Phase II (June 17, 2010)
- b. Assumptions statement for baseline data analysis parameters (July 22, 2010)
- c. Baseline data sets (July 22, 2010)
- d. Build out projections for GHGs and AQ (August, 26, 2010)
- e. Data set for GHG reductions for specified sectors (Sept. 2, 2010)
- f. Summary of suitable Implementation Measures for each sector (Sept. 16. 2010)

The following is in addition to the original language:

Task 2 Phase I 3.7:

In addition to the GHG emission inventories and Interim Implementation Measures (IMs) within the Technical Report on GHG and AQ Analysis, the CONTRACTOR shall provide quantification of the business as usual (BAU) inventories for year 2020, reduced 2020 GHG inventory resulting from the IMs, comparison of the reduced 2020 inventory with an AB 32 compliant reduction target, and CEQA impact determination. The CONTRACTOR shall provide the land use data used to predict 2020 BAU emissions consistent with the GPU Land Use Element. Finally,

the CONTRACTOR shall provide the IMs within a flexible menu of options format (Screening Tables) to be used in the implementation of the IMs. Approximately 280 hours of the CONTRACTOR's staff time is needed for this task.

The following replaces the original language in its entirety:

Task 2 Phase I 3.8:

Deliverables:

- a. Draft report (GHG and Air Quality) for County internal review (Sept. 30, 2010)
- b. Final Report (GHG and Air Quality) for County use in EIR 521 (Oct. 14, 2010)

The following is in addition to the original language:

Task 3 Phase I 3.10:

Phase I Assessment Protocol target dates:

- a. Draft Protocols for Project Evaluations for County internal review (Nov. 11, 2010)
- b. Final Protocols for Project Evaluations for County use (Nov 18, 2010)
- c. Final Report (GHG and Air Quality) for County use in EIR 521 (Oct. 14, 2010)

Phase II Task 2f 3.17:

The following is in addition to the original language:

The CONTRACTOR will negotiate with the Attorney General's office during the General Plan Update EIR public review process to provide informal responses and suggested audits to the Attorney General's office concerning their public comment letter on the General Plan Update EIR. An additional 8 hours for Michael Hendrix is needed for this task.

Phase II Task 2g 3.17:

The following is in addition to the original language:

The CONTRACTOR will provide screen check draft climate change and air quality sections to the General Plan Update EIR for peer review and edits by County staff. Based upon County edits/comments, The CONTRACTOR will provide revised drafts of the climate change and air quality sections for inclusion into the General Plan Update Draft EIR. An additional 200 hours of the CONTRACTOR's staff time is needed for this task.

3. The following replaces the original language in its entirety:

**EXHIBIT B
PAYMENT PROVISIONS**

Phase- I

<u>Position</u>	<u>Hourly Rate (All Inclusive)</u>	<u>Hours</u>	<u>Cost</u>
Project Manager	\$185.00 _____	138.75	\$25,669.00
AQ/GHG Analyst	\$100.00 _____	383	\$38,300.00
Administrator	\$76.00 _____	23	\$1,748.00
Support Staff	\$76.00 _____	254	\$19,304.00

Phase- I Complete cost including all staff, travel and expenses: \$85,021.00

Phase- II

<u>Position</u>	<u>Hourly Rate (All Inclusive)</u>	<u>Hours</u>	<u>Cost</u>
Project Manager	\$185.00 _____	128	\$23,860.00
AQ/GHG Analyst	\$100.00 _____	450	\$45,000.00
Administrator	\$76.00 _____	40	\$3,040.00
Support Staff	\$76.00 _____	500	\$38,000.00

Phase- II Complete cost including all staff, travel and expenses: \$109,741.00

Total Cost for Phase I and Phase II including all staff, travel and expenses: \$194,762.00

Note: (Costs shall include all staff, travel and expenses)

All projects based on the availability of fiscal funding

1. All other terms and conditions of the Agreement are to remain unchanged.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

County

Board of Supervisors

County Administration Center

4080 Lemon Street 4th Floor

Riverside, CA 92501

Contractor

Atkins North America, Inc

650 East Hospitality Lane, Suite 450

San Bernardino, CA 92408

By: _____

By: _____

Name: Honorable Bob Buster

Name: _____

Title: Chairman of the Board of Supervisors

Title: _____

Date: _____

Date: _____

FOR APPROVED COUNTY COUNSEL

BY: NEAL R. KIPNIS DATE 11/11/11

Approval as to Form: