

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

616B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
August 16, 2011

**SUBJECT:** Santa Ana River; San Jacinto River and Chino Canyon Levees  
Project Nos. 1-0-00010, 4-0-00020 and 6-0-00070  
Professional Services Agreement  
Amendment No. 3

**RECOMMENDED MOTION:**

1. Ratify and approve Amendment No. 3 between the District and Tetra Tech, Inc. (Consultant);
2. Authorize the Chairman to execute Amendment No. 3 on behalf of the District; and
3. Authorize the General Manager-Chief Engineer to extend the agreement for fiscal year 2012-2013 (if needed).

**BACKGROUND**

On March 18, 2008 (agenda item 11.6) 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 Santa Ana River; San Jacinto River and Chino Canyon Levees.

(Continued page 2)

KEC:bjj

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

<b>FINANCIAL DATA</b>	F.Y. 11-12 District Cost:	\$75,462	In Current Year Budget:	Yes
	Current F.Y. County Cost:	N/A	Budget Adjustment:	No
	Annual Net District Cost:	N/A	For Fiscal Year:	11-12, 12-13

<b>SOURCE OF FUNDS:</b>			<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
25140 947460 525440	-Professional Services		<b>Requires 4/5 Vote</b>	<input type="checkbox"/>
25160 947500 525440	- Professional Services			
25110 947400 525440	- Professional Services			

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

APPROVE  
 BY: *Alex Gann*  
 Alex Gann

County Executive Office Signature

FISCAL PROCEDURES APPROVED  
 MAN M. CHANG, FINANCE DIRECTOR  
*Man M. Chang*

FORM APPROVED COUNTY COUNSEL  
 BY: *Neal R. Kipnis*  
 DATE: 8/22/11  
 Departmental Concurrence

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

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

**SUBJECT:** Santa Ana River; San Jacinto River and Chino Canyon Levee  
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**Page 2  
BACKGROUND**

On June 30, 2009 (agenda item 11.8), Amendment No. 1 was approved, extending the time for performance through June 30, 2010 due to delays associated with the data collection from other governmental agencies such as the Federal Emergency Management Agency (FEMA) and the Army Corps of Engineers (ACOE), and the evolving levee certification criteria.

On September 14, 2010 (agenda item 11.1), Amendment No. 2 was approved, extending the time for performance through June 30, 2011 to allow Consultant to address any comments and complete any additionally requested work as a result of FEMA and/or ACOE's review.

Levee Certification Reports have been submitted to the United States Department of Homeland Security-FEMA Region IX, and comments were received on January 20, 2011. FEMA's comments require additional documentation to be submitted upon clarification of a few outstanding policy interpretations from our FEMA Regional Engineer. Amendment No. 3 provides an extension of the Agreement through June 30, 2012 to allow Consultant to address FEMA's comments and complete additionally requested work accordingly.

County Counsel has reviewed and approved the Amendment as to form.

**FINANCIAL:**

Sufficient funds are included in District's budget for FY 2011-2012. Sufficient funding will be included in the District's proposed budget for fiscal year 2012-2013 to cover the remaining portion of the contract.

KEC:blj

PROFESSIONAL SERVICES AGREEMENT  
Santa Ana River; San Jacinto River and Chino Canyon Levees  
Project Nos. 1-0-00010, 4-0-00020 and 6-0-00070  
Amendment No. 3

The RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT" and TETRA TECH, INC., hereinafter called "CONSULTANT", previously entered into that certain Agreement, dated March 18, 2008, for the project described as the Santa Ana River Levee, the San Jacinto River Levee and the Chino Canyon Levee, hereinafter called "AGREEMENT"; and

On June 30, 2009 DISTRICT and CONSULTANT entered into Amendment No. 1 to extend the time for performance of AGREEMENT to June 30, 2010.

On September 14, 2010, DISTRICT and CONSULTANT entered into Amendment No. 2 to extend the time for performance of AGREEMENT to June 30, 2011.

Based upon FEMA's comments of the Levee Certification Reports prepared by CONSULTANT, DISTRICT desires to extend the time for performance of CONSULTANT AGREEMENT in order for CONSULTANT to address any comments contained in the review.

NOW, THEREFORE, AGREEMENT is hereby amended as follows, effective July 30, 2011:

Paragraph 3 of AGREEMENT is changed to read:

3. TIME FOR PERFORMANCE - CONSULTANT shall i) continue performance of services and shall diligently perform the tasks to full completion by June 30, 2012, or ii) prior to the termination date of this Agreement, by mutual written consent of DISTRICT and CONSULTANT, this Agreement, as determined necessary by DISTRICT, may be extended for an additional one-year term.

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Except to the extent specifically added to, modified or amended hereunder, all of the terms, covenants and conditions of said AGREEMENT dated March 18, 2008 remain in full force and effect between the parties hereto.

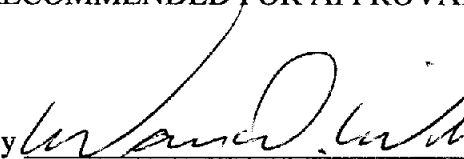
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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on

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(to be filled in by Clerk of the Board)

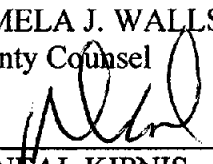
RECOMMENDED FOR APPROVAL: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By   
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  
By   
NEAL KIPNIS  
Deputy County Counsel

KECIA HARPER -IHEM  
Clerk of the Board  
By \_\_\_\_\_  
Deputy

(SEAL)

Professional Services Agreement – Tetra Tech, Inc.  
Amendment No. 3  
7/18/11  
KEC:blj

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**TETRA TECH, INC.**

By Patti Sexton  
Responsible Officer

Patti Sexton  
Printed Name

Director Environmental  
Title Engineering

Professional Services Agreement – Tetra Tech, Inc.  
Amendment No. 3  
7/18/11  
KEC:blj