

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

947



FROM: Successor Agency to the Redevelopment Agency

SUBMITTAL DATE:

May 23, 2012

SUBJECT: Mesa Verde-Blythe Airport Water System Improvements

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Chairman of the Board to execute the attached fourth amendment to the Engineering Services Agreement between Albert A. Webb Associates and the County of Riverside in the amount of \$119,704; and
2. Direct the Successor Agency to submit this item for approval at the next Oversight Board meeting.

BACKGROUND: (Commences on Page 2):

Robert Field

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 119,704	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

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No			
SOURCE OF FUNDS: Redevelopment Funds	City of Blythe-Desert Communities Project Area	Positions To Be Deleted Per A-30	<input type="checkbox"/>
		Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer J. Sargent*
Jennifer J. Sargent

County Executive Office Signature

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: *Samuel Wong* 5/21/12
 SAMUEL WONG
 Departmental Consultant
 DATE
 FORM APPROVED COUNTY COUNSEL
 BY: *Marsha L. Victor* 5/1/12
 MARSHA L. VICTOR

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

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

4.4

Prev. Agn. Ref.: 4.1 of 7/03/06, 4.4 of 7/15/08, 4.2 of 2/03/09

District: 4/4

Agenda Number:

BACKGROUND:

On February 26, 2002, the Board of Supervisors adopted Resolution 2002-77 (Item 3.5), which approves an inter-jurisdictional agreement among the County of Riverside, the City of Blythe, and the Blythe Redevelopment Agency. The City Council of the City of Blythe adopted a redevelopment plan for Redevelopment Project No. 1 in 1984, and subsequently added territory to the Project Area on several occasions. Redevelopment Project No. 1 included territory throughout the City of Blythe and some property in the unincorporated area of the County.

The Community Redevelopment Law provides that the County Redevelopment Agency and the Blythe Redevelopment Agency may jointly exercise the powers granted under the Community Redevelopment Law. In addition, the Board of Supervisors and the City Council of Blythe may each designate one (1) redevelopment agency to act as the agency for both the County and the City. Pursuant to its resolution No. 2002-52, adopted on January 29, 2002, the Board of Supervisors designated the Blythe Redevelopment Agency to act as the agency for the County of Riverside in connection with the proposed amendment and Added Territory.

On September 27, 2005, the Board of Directors approved and executed an agreement with Albert A. Webb Associates to provide professional services, including design, engineering, construction documents, inspection, and construction management for the Mesa Verde-Blythe Airport Water System Improvements Project.

On July 3, 2007, the Board of Directors approved a first Amendment to the Agreement (Item 4.1) to include alterations in design, the incorporation of new facilities, legal descriptions and time of performance. On July 15, 2008, a second amendment to the Agreement (Item 4.4) was approved for additional bidding, design and construction services associated with the required water treatment facilities for a new well. The Third Amendment to the agreement was approved on February 3, 2009, (Item 4.2) for surveying, soils and material testing, geotechnical studies, pipeline design and construction management needed for the relocation of the evaporation ponds required for the water treatment system.

On October 5, 2010, the Board of Directors approved the construction contract with Speiss Construction Company, Inc., for the construction of the Mesa Verde-Blythe Airport Water System Improvements Project. The Fourth Amendment to the Agreement with Webb and Associates in the amount of \$119,704 will provide for added construction engineering services, including construction management, responses to Requests for Information, preparation/submittals of Monitoring Plan and Engineer's Report as required under condition of the new permit number and final inspections.

The Board's action allows the City of Blythe to disburse the funds for the referenced Amendment through the RDA approved program as the Agency and the City of Blythe have joint RDA funds. The funds for this amendment are shown on the City of Blythe's Initial Recognized Obligation Schedule.

Agency Counsel has reviewed the attached agreement and approved it as to form, and staff recommends that the Board of Supervisors approve the recommended motions.

Attachments:

Fourth Amendment to the Agreement with Albert A. Webb Associates

1 **FOURTH AMENDMENT TO THE ENGINEERING SERVICES AGREEMENT**
2 **BY AND BETWEEN THE COUNTY OF RIVERSIDE**
3 **AS SUCCESSOR AGENCY AND ALBERT A. WEBB ASSOCIATES**
4 **FOR MESA VERDE WATER SYSTEM IMPROVEMENTS PROJECTS**

5 **THIS FOURTH AMENDMENT** to the Engineering Services Agreement is made
6 and entered into by and between the County of Riverside, a political subdivision of the
7 State of California acting in its capacity as Successor Agency to the Redevelopment
8 Agency for the County of Riverside (hereinafter "AGENCY"), and Albert A. Webb
9 Associates (hereinafter "ENGINEER").

10 **RECITALS**

11 **WHEREAS**, AGENCY is the successor in interest to the Redevelopment Agency
12 for the County of Riverside pursuant to the provisions of Section 34173 of the California
13 Health and Safety Code, acting in its capacity as Successor Agency;

14 **WHEREAS**, the Redevelopment Agency for the County of Riverside (Former
15 RDA) was a redevelopment agency duly created, established and authorized to transact
16 business and exercise its powers, all under and pursuant to the provisions of the
17 Community Redevelopment Law, which is part 1 of Division 24 of the California Health
18 and Safety Code (commencing with Section 33000 et seq.);

19 **WHEREAS**, the Former RDA was terminated as of February 1, 2012 pursuant to
20 34172;

21 **WHEREAS**, the County of Riverside and the Former RDA adopted by Ordinance
22 No. 638, on December 23, 1966, a redevelopment plan for an area within the County
23 identified as the Desert Communities Project Area (DCPA), Blythe Airport Sub-Area
24 (hereinafter the "PROJECT AREA");

25 **WHEREAS**, the DCPA Redevelopment Plan (hereinafter "PLAN") was adopted in
26 order to eliminate blight and revitalize the substandard physical and economic
27 conditions that exist within the PROJECT AREA;

28 **WHEREAS**, pursuant to Sections 34177-34181 of the Health and Safety Code,
the AGENCY is authorized to make and execute contracts and other instruments

1 necessary or convenient in compliance with the Enforceable Obligation Payment
2 Schedule (EOPS) as superseded by the Recognized Obligation Payment Schedule
3 (ROPS) as adopted by the AGENCY and the Oversight Board;

4 **WHEREAS**, the proposed services are necessary in performance of an
5 obligation of the Former RDA pursuant to the EOPS or as later superseded by the
6 ROPS;

7 **WHEREAS**, the Former RDA and ENGINEER entered into the original
8 Agreement for Engineering services to provide professional services, including design,
9 engineering, construction documents, inspection, and construction management for the
10 Mesa Verde-Blythe Airport Water System Improvements;

11 **WHEREAS**, Sections 4 and 5 of the Engineering Services Agreement
12 established procedures for amendments for additional services;

13 **WHEREAS**, AGENCY and ENGINEER desire to amend the original scope of
14 services for added construction engineering services, including construction inspections
15 as well as responses to Request for Information, preparation/submittals of Monitoring
16 Plan and Engineer's Report as required under condition of the new permit for the Mesa
17 Verde Water System Improvements as described in Attachment 4;

18 **NOW, THEREFORE**, in consideration of the mutual covenants, conditions and
19 provisions contained herein and providing that all other sections not amended remain
20 intact, the parties hereto agree to amend for the fourth time, the Original Agreement as
21 follows:

22 **1. Section 1. PURPOSE** is amended to add the following phrase at the end
23 of the paragraph:

24 "and as amended in Attachment 4 to Amendment No. 4, attached hereto and
25 incorporated herein by this reference."

26 **2. Section 2. ENGINEER'S COMPENSATION AND METHOD OF**
27 **PAYMENT** is amended to read as follows:

28 "The ENGINEER'S compensation shall be an amount not to exceed One Million
Eight Hundred Sixty-Two Thousand Four Hundred Thirty-Eight Dollars

1 (\$1,862,438.00) for all design, engineering and construction management
2 services provided in Exhibit A and B, and Attachments 1, 2, 3, and 4. The
3 ENGINEER shall invoice the AGENCY on a monthly basis utilizing a format
4 acceptable to the AGENCY. Each invoice shall include a status report which
5 identifies the approximate percentage of work completed in each engineering
6 component of the Project.”

7 **3. Section 3. TIME FOR PERFORMANCE** is amended to read as follows:

8 “The ENGINEER agrees that it will diligently and responsibly pursue the
9 performance of the services required of it pursuant to this Agreement, and may
10 be amended, and will complete the specified services no later than December
11 31, 2012.”

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IN WITNESS HEREOF, the parties hereto have caused their duly authorized representatives to execute this Fourth Amendment on

(To be filled in by Clerk of the Board)

**COUNTY OF RIVERSIDE
As Successor Agency**

Albert A. Webb Associates

John Tavaglione , CHAIRMAN
Board of Supervisors



Fred Hans Hanson
Vice President

ATTEST:
Clerk of the Board

By _____
Deputy

APPROVED AS TO FORM:
Pamela J. Walls
County Counsel

By *Nousha K. Victor* 5/1/12
Deputy

1
2 **ATTACHMENT 4**

3 **SCOPE OF SERVICES FOR AMENDMENT NO. 4**

4 **ENGINEERING SERVICES FOR MESA VERDE WATER SYSTEM IMPROVEMENTS**

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6 The Mesa Verde Water System Improvements currently under construction requires additional
7 construction engineering services to close-out the project, including final inspections. Services
8 to be provided by ENGINEER Albert A. Webb Associates include:

- 9 1. Construction Management to December 31, 2012
10 2. Responses to Contractor Requests for Information (RFIs)
11 3. Construction Inspection
12 4. Inspection Supervision and Coordination
13 5. Additional coordination with the County and Southern California Edison for
14 Easement
15 6. Preparation/submittal of Monitoring Plan to California Department of Public
16 Health for arsenic and fluoride as required under condition "N" of the new permit
17 7. Preparation/submittal of Engineer's Report to California Department of Public
18 Health as required under Condition "O" of the new permit
19 8. Additional Reimbursable Expenses

20
21 **Total not to exceed for above services: \$119,704.00**