

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

322A



FROM: TLMA - Transportation Department


SUBMITTAL DATE:
June 14, 2012

SUBJECT: Amendment No. 1 to the On-Call Engineering Services Agreement with Atkins North America, Inc. (dba, PBS&J, Inc.).

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached Amendment No. 1 to the On-Call Engineering Services Agreement with Atkins North America, Inc. (dba, PBS&J, Inc.)
2. Authorize the Chairman of the Board to execute the same.

BACKGROUND: The Transportation Department needs engineering support services to



 Juan C. Perez
 Director of Transportation and Land Management

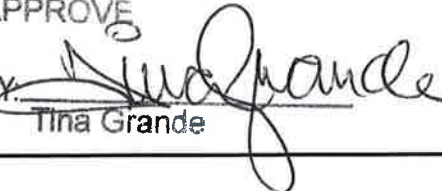
KN:kn
(Continued On Attached Page)

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, RBBB Fees, Developer Fees, Permit Fees and others (% Varies)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

There are no General Funds used in this project.

C.E.O. RECOMMENDATION:

APPROVE

 BY: Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
 BY:  MARSHA L. VICTOR
 DATE: 6/13/12

Departmental Concurrence

Dept's Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref. 12/22/2009, District: All, Agenda Number:
 Item 3.61

The Honorable Board of Supervisors

RE: Amendment No. 1 to the On-Call Engineering Services Agreement with Atkins North America, Inc. (dba, PBS&J, Inc.).

June 14, 2012

Page 2 of 2

deliver all the necessary road improvement projects identified and funded in the Transportation Improvement Program. The Board of Supervisors approved and executed an agreement between the County and PBS&J, Inc. (henceforth known as Atkins North America, Inc.) on December 22, 2009 to provide the Transportation Department with the needed services. Subsequent to execution of the original agreement, PBS&J, Inc. was merged with Atkins North America, Inc. and is now changing its firm's name to Atkins North America, Inc. The name change will have no impact on the provision of services under the agreement. This amendment exercises the option in the agreement to extend the terms of the contract for the first of the two optional one-year extensions. The billing rates for the contract amendment remain the same as the original executed contract.

Atkins North America, Inc. is currently assisting the Transportation Department with design support and technical services for the Mecca Roundabout project, the Market Street widening project and Project Management assistance for the ADA Transition Plan.

All associated contract costs will be funded using project funds. Thus, no net county costs will be incurred as a result of this contract amendment.

1st AMENDMENT TO AGREEMENT

for On-Call Engineering Services

between County of Riverside – Transportation Department

and Atkins North America, Inc. (formerly known as Post, Buckley, Schuh & Jernigan, Inc.

(dba, PBS&J, Inc.)

THIS AMENDMENT (hereinafter the "1st Amendment") to an Agreement is made and entered into as of this _____ day of _____, 2012, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and Atkins North America, Inc. (formerly known as Post, Buckley, Schuh & Jernigan Inc. (dba, PBS&J, Inc.) (hereinafter "ENGINEER").

RECITALS

- A. COUNTY and ENGINEER have entered in an Agreement entitled "On-Call General Engineering Services between County of Riverside – Transportation Department and PBS&J, Inc." that is dated December 22, 2009 (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 engineering services.
- B. Subsequent to execution of the original agreement, PBS&J, Inc. merged with Atkins, and is now changing its firm's legal name to Atkins North America as of April 1, 2011. The company's Federal Tax Identification Number (FEIN), corporate business address, bank accounts, company management, technical staff and financial personnel remains the same.
- C. The name change will have no impact on the provision of services under the Agreement and Atkins North America, Inc. will continue to perform all duties, responsibilities and obligations under the Agreement. Except as expressly amended hereby, all the remaining provisions of the Agreement shall remain in full force and effect.
- D. 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 assignment can be authorized until June 30, 2012 and that the authority to approve and execute work assignments can be modified through one-year supplemental extensions. The agreement allows for two separate one-year extensions.
- E. The ENGINEER is satisfactorily performing the duties under this agreement and the Transportation Department continues to need the services provided. The parties therefore now desire to implement the first

1 one-year extension of the authority to approve and execute work assignments.

2

3

AGREEMENT

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

5 1. All references to Post, Buckley, Schuh & Jernigan, Inc. (dba, PBS&J, Inc.) as appear in the original
6 Agreement shall hereinafter mean and refer to Atkins North America, Inc.

7 2. The authority to authorize work assignments under this contract is hereby extended from June 30, 2012 to
8 June 30, 2013 in accordance with Appendix B • Article BI of the original agreement.

9 3. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of
10 the Agreement shall remain in full force and effect between the parties hereto.

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

13

14

[REMAINDER OF PAGE LEFT BLANK]

15

16

17

18

19

20

21

22

23

24

25

26

27

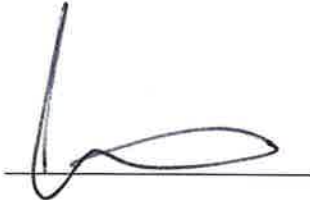
28

29

1 **APPROVALS**

2 **COUNTY** Approvals

3 RECOMMENDED FOR APPROVAL:

4  Dated: 6/12/12

7 JUAN C. PEREZ

8 Director of Transportation

10 APPROVED AS TO FORM:

13  Dated: 6/13/12
14 Deputy for
PAMELA J. WALLS

15 County Counsel

17 APPROVAL BY THE BOARD OF SUPERVISORS

20 _____ Dated: _____

21 PRINTED NAME

22 Chairman, Riverside County Board of Supervisors

24 ATTEST:

27 _____ Dated: _____

28 KECIA HARPER-IHEM

29 Clerk of the Board (SEAL)

ENGINEER Approvals

ENGINEER:

 Dated: 5-20-12

Carmen Kasner
PRINTED NAME

Sr Group Manager
TITLE

ENGINEER:

 Dated: 5/23/12

Jennifer M. Ditty
PRINTED NAME

Sr. Group Manager
TITLE