

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



LEO3B

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
July 31, 2012

SUBJECT: Eagle Canyon Dam
Project No. 6-0-0190
Professional Services Agreement, Amendment No. 4
District 4/District 4

RECOMMENDED MOTION:

- 1) Ratify and approve Amendment No. 4 to the Professional Services Agreement between the District and Genterra Consultants, Inc.(Consultant); and
- 2) Authorize the Chairman to execute Amendment No. 4 on behalf of the District.

BACKGROUND:

The Amendment is necessary due to unforeseeable circumstances that resulted in additional tasks and associated compensation in order to complete the design of the District's proposed Eagle Canyon Dam project.

County Counsel has approved the Amendment as to legal form and the Consultant has executed the Amendment documents.

FINANCIAL:

Sufficient funding is available in District's proposed Zone 6 budget for FY 2012-2013.

KEC:bj

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. District Cost:	\$108,041	In Current Year Budget:	Yes
	Current F.Y. County Cost:	N/A	Budget Adjustment:	No
	Annual Net District Cost:	N/A	For Fiscal Year:	FY 12-13

SOURCE OF FUNDS: Zone 6 Const./Maint./Misc./Professional Services 25160 947500 525440	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Michael R. Shetler

County Executive Office Signature

FISCAL PROCEDURES APPROVED
IVAN M. CHANG, FINANCE DIRECTOR
BY:
JEANINE J. REY

FORM APPROVED COUNTY COUNSEL
BY:
NEAL R. KIPNIS
DATE: 7/13/12

Departmental Concurrence

Policy

Consent

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

PROFESSIONAL SERVICES AGREEMENT**Eagle Canyon Dam and Debris Basin****Project No. 6-0-00190****Amendment No. 4**

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3 The RIVERSIDE COUNTY FLOOD CONTROL AND WATER
4 CONSERVATION DISTRICT, hereinafter referred to as DISTRICT, and GENTERRA
5 CONSULTANTS, INC., hereinafter referred to as GENTERRA, previously entered into that
6 certain Agreement, hereinafter referred to as AGREEMENT, dated April 19, 2005 to perform
7 professional and engineering services in support of DISTRICT'S Eagle Canyon Dam and
8 Debris Basin project, hereinafter referred to as PROJECT; and
9

10 On February 7, 2006 DISTRICT and GENTERRA mutually agreed to and
11 executed an Amendment No. 1, hereinafter referred to as AMENDMENT NO.1, to add
12 additional services to be performed by GENTERRA and to extend the time for performance for
13 GENTERRA; and
14

15 On July 3, 2007 DISTRICT and GENTERRA mutually agreed to and executed an
16 Amendment No. 2, hereinafter referred to as AMENDMENT NO. 2, to add additional services
17 to be performed by GENTERRA and to extend the time for performance for GENTERRA; and
18

19 On September 20, 2010 DISTRICT and GENTERRA mutually agreed to and
20 executed an Amendment No. 3, hereinafter referred to as AMENDMENT NO. 3, to add Task
21 "G", replacing "Opt. B-6" in its entirety, to be performed by GENTERRA and to extend the
22 time for performance for GENTERRA through June 30, 2011; and

23 Whereas, due to unanticipated design revisions, DISTRICT desires GENTERRA
24 to provide additional services as described in Exhibit "A", attached hereto and made a part
25 hereof, in support of DISTRICT'S PROJECT; and
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1 GENTERRA is willing to perform such additional services as requested by
2 DISTRICT and described in Exhibit "A", hereinafter called SCOPE OF WORK FOR ADDED
3 TASK H; and

4 DISTRICT and GENTERRA have agreed that, upon approval of this Amendment
5 No. 4 by DISTRICT'S Board of Supervisors, the amount of compensation paid for said SCOPE
6 OF WORK FOR ADDED TASK H shall not exceed one hundred eight thousand forty-one
7 dollars (\$108,041) and GENTERRA'S time for performance under AGREEMENT shall be
8 extended to June 30, 2013.

9
10 NOW, THEREFORE, DISTRICT and GENTERRA mutually agree to amend the
11 AGREEMENT as follows:

- 12 1. Section 3, Paragraph 3 is added to read:

13 GENTERRA shall diligently and responsibly perform the additional
14 services in accordance with Exhibit "A" to full completion in a timely
15 manner but that, in no case, shall the time for performance extend beyond
16 June 30, 2013, unless otherwise mutually agreed in writing.

- 17
18 2. Section 6, Paragraph 4 is added to read:

19 GENTERRA'S compensation and payment shall be for actual services
20 provided in accordance with Exhibit "A" in an amount not to exceed one
21 hundred eight thousand forty-one dollars (\$108,041). All billings shall be
22 in accordance with GENTERRA'S SCOPE OF WORK FOR ADDED
23 TASK H as set forth in Exhibit A and "FEE SCHEDULE" attached hereto
24 as Exhibit "B" and made a part hereof. DISTRICT shall pay GENTERRA
25 for services satisfactorily performed and expenses incurred in accordance
26 with Exhibit "B".
27
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1 3. Except to the extent specifically added to, modified or amended herein, all
2 of the terms, covenants and conditions of said AGREEMENT dated April 19, 2005,
3 AMENDMENT NO. 1 dated February 7, 2006, AMENDMENT NO. 2 dated July 3, 2007, and
4 AMENDMENT NO. 3 dated September 20, 2010 shall remain in full force and effect between
5 the parties hereto.

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

_____.

(to be filled in by Clerk of the Board)

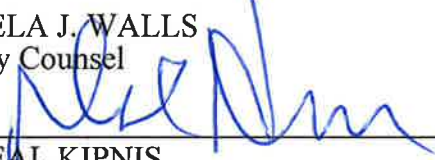
**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

RECOMMENDED FOR APPROVAL:

By 	By _____
WARREN D. WILLIAMS General Manager-Chief Engineer	MARION ASHLEY, Chairman Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By 

NEAL KIPNIS
Deputy County Counsel

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By _____
Deputy

(SEAL)

Professional Services Agreement – Genterra Consultants, Inc. - Amendment No. 4
KEC:blj
6/26/12

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GENTERRA CONSULTANTS, INC.

By 

JOSEPH J. KULIKOWSKI
President

Professional Services Agreement – Genterra Consultants, Inc. - Amendment No. 4
KEC:bj
6/26/12

EXHIBIT A

SCOPE OF WORK FOR ADDED TASK H

PROPOSED EAGLE CANYON DAM AND DEBRIS BASIN, NO. 1013-17

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

FEBRUARY 9, 2012

A. SCOPE OF WORK

The following subtasks are proposed for this Added Task H:

- Task H-1: Meetings with District for this Task
- Task H-2: Revisions to Plans & Specifications per District Comments (Includes adding up to a maximum of three sheets to the Plans)
- Task H-3: Value Engineering Study to Improve the Design and Constructability
- Task H-4: Preparation of Technical Memorandum with Responses to District Comments
- Task H-5: Preparation of Updated Quantities & Costs
- Task H-6: Project Management & Communications with District & DSOD for this Task
- Task H-7: Additional Directed Work

A description of each of these tasks is presented below:

Task H-1: Meetings with District for this Task

As part of this task, Joseph J. Kulikowski and Soma Balachandran of GENTERRA met with Kent Allen of the District on November 29, 2011 to discuss the District comments on the plans and specifications of the Proposed Eagle Canyon Dam and Debris Basin. We anticipate having one more meeting with the District to explain the revisions that were made as part of this added task and/or to go over any further comments that District may have on the revised plans and specifications.

Task H-2: Revisions to Plans & Specifications per District Comments (Includes Adding up to a Maximum of Three Sheets to the Plans)

In this task, GENTERRA has been making revisions to the Plans and Specifications per the District comments that were listed in the District letter dated October 26, 2011. These revisions will clarify items that were unclear in the previous version of the submittal and provide some missing information. Some of the revisions will improve the constructability. As part of these revisions, a global update to the entire set of plans is being performed so that all elevations, all stations, and all details are consistent with the revisions being asked by the District.

GENTERRA is also adding up to three sheets, Sheets 23 through 25, to the Plans to include additional details and sections:

On Sheet 23, we have relocated several details and sections previously shown on Sheet 12 (the outlet channel riprap protection Detail 4, the riprap protection Section J, and the leach field drain Section K), added a detail on the outlet channel riprap protection (Detail 5), and other miscellaneous details.

On Sheet 24, we have added five sections, Sections K, L, M, N, and O, for the depiction of the v-ditches, the intake structure, and the south canyon slope protection.

We have left Sheet 25 open for any relocation of details and sections.

Task H-3: Value Engineering Study to Improve the Design and Constructability

After reviewing the project plans and specifications it was noticed that a more in depth evaluation of the project bid items and the pay limits was required. It was also noted that additional details are required to provide clarity for the outlet pipe construction. It was also noted that some of the v-ditches could be eliminated.

In this task, GENTERRA has been in communications with pipe manufacturers to get required information to improve the design and constructability of the outlet pipe. Existing details have been modified and/or new details were added to provide clear idea about the outlet pipe design details.

Some Plan sheets were revised to remove some of the v-ditches and some plan sheets were revised to indicate the pay limits associated with project bid item. Specifications were improved by doing numerous corrections to specifications including measurement and payment sections, piping specifications, blasting specification, incorporating geotechnical information into specifications or plans, and other miscellaneous items recommended by the District.

Task H-4: Preparation of Technical Memorandum with Responses to District Comments

In this task, we will prepare a technical memorandum to the District with responses to District comments. This memorandum will be a good document to assist the District in understanding the revisions on the plans and specifications. This memorandum can also be used to provide an explanation to expedite the DSOD review process regarding our changes.

Task H-5: Preparation of Updated Quantities & Costs

In this task, we will work up the quantities that were impacted by our revisions to the plans. We will also update the costs based on the information that we have recently obtained. The updated quantities and costs will be submitted to the District for review and comments.

Task H-6: Project Management, & Communications with District & DSOD for this Task

In this task, we will provide management and coordination of Tasks H-1 through H-5 and will conduct discussions and communications with the District and the DSOD.

Task H-7: Additional Directed Work

In this task, we will perform additional necessary tasks which are directed by the District.

B. PROJECT TEAM

GENTERRA will commit highly qualified, experienced and local team of professionals and support personnel to this Added Task H.

The proposed key project personnel are:

Principal-In-Charge/Project Manager: Joseph J. Kulikowski, PE, GE

Project Engineer: Soma Balachandran, PhD, PE, GE

Engineering Design and Review: Soma Balachandran, PhD, PE, GE, Shuyu Liu, PE and Jim Weldon, PE

Geologist: Kristina M. Mohos

Drafting: Kristina M. Mohos

Office Support: Kim L. Olsen

C. COST ESTIMATE

The estimated maximum cost for the scope of work associated with this Added Task H is \$108,041. The work will continue to be done in accordance with our 2004 Professional Fee Schedule. We will only bill for actual work performed, and will not exceed the estimated maximum cost without your authorization. A detailed breakdown of the estimated cost is presented in the attached Exhibit B, Fee Schedule.

D. PROJECT SCHEDULE

For your planning purposes and as requested, the project schedule for this Added Task H and estimated schedule for the District and DSOD review and approval of the revised plans and specifications is presented in the attached Exhibit C, Project Schedule.

COST ESTIMATE- GENTERRA CONSULTANTS, INC.		EXHIBIT B		FEE SCHEDULE										
Riverside County Flood Control and Water Conservation District		ESTIMATED HOURS		BILLING RATES ARE FROM 2004 FEE SCHEDULE										
Eagle Canyon Dam		Sr. Principal		Drafts- person										
Project No. 296-RCF Added Task H		Engr. SB		KMM										
JJK/SB 02/09/2012		JJK		\$75										
Task	Description	Proj Mgr.	Prncpal Engr.	Sr. Proj. Engr.	Sr. Staff. Geologist	Word Process. KLO	Travel	Repro. Misc.	Total	TOTAL				
	Initials/Name	JJK	SB	SL	KMM	\$65			Labor Cost	Expenses COST				
	Hourly Rate	\$180	\$180	\$140	\$110	\$65								
Added Task H														
H-1	Meetings with District for this Task	12.0	12.0	0.0	0.0	0.0			24.0	\$ 4,320	\$ 110	\$ -	\$ 110	\$ 4,430
H-2	Revisions to Plans & Specs per District Comments (Includes Adding Up to 3 Sheets)	16.0	90.0	180.0	10.0	250.0			546.0	\$ 64,130	\$ -	\$ 1,766	\$ 1,766	\$ 65,896
H-3	Value Engineering Study to Improve the Design and Constructability	4.0	20.0	12.0	0.0	60.0			96.0	\$ 10,500	\$ -	\$ -	\$ -	\$ 10,500
H-4	Preparation of Technical Memorandum with Responses to District Comments	2.0	12.0	8.0	0.0	8.0			32.0	\$ 4,370	\$ -	\$ -	\$ -	\$ 4,370
H-5	Preparation of Updated Quantities & Costs	2.0	10.0	16.0	0.0	8.0			36.0	\$ 5,130	\$ -	\$ 900	\$ 900	\$ 6,030
H-6	Project Management & Communications with District & DSOD for this Task	24.0	12.0	0.0	0.0	0.0			40.0	\$ 6,740	\$ 50	\$ 25	\$ 75	\$ 6,815
H-7	Additional Directed Work	8.0	12.0	24.0	5.0	30.0			82.5	\$ 9,988	\$ -	\$ 12	\$ 12	\$ 10,000
	Subtotal Hours	68.0	168.0	240.0	15.0	356.0			858.5					
	Subtotal Cost	\$ 12,240	\$ 30,240	\$ 33,600	\$ 1,650	\$ 26,700			\$ 105,178	\$ 160	\$ 2,703	\$ 2,863	\$ 2,863	\$ 108,041
									Estimated Total Cost for Added Task H					\$ 108,041
NOTE: Costs are for GENTERRA's Scope of Work presented in Exhibit A dated February 9, 2012.														
Personnel Initials and Names:														
JJK - Joseph J. Kulikowski, PE, GE														
SB - Soma Balachandran, PhD, PE, GE														
SL - Shuyu Liu, PE														
KMM - Kristina M. Mohos														
KLO - Kim L. Olsen														

