



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

**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
September 25, 2012

112B

**SUBJECT:** Hemet MDP Line C, Stage 4  
Project No. 4-0-00212-04  
Amendment No. 1 to Consulting Services Agreement  
District 3/District 3

**RECOMMENDED MOTION:**

1. Ratify Amendment No. 1 to the Consulting Services Agreement between the District and Albert A. Webb Associates (Consultant).
2. Authorize the Chairman to execute the Amendment documents on behalf of the District.
3. Authorize the District's General Manager-Chief Engineer to extend the Agreement for an additional fiscal year.

**BACKGROUND:**

Continued on page 2

KEC:bj

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

<b>FINANCIAL DATA</b>	<b>Current F.Y. District Cost:</b>	\$120,423	<b>In Current Year Budget:</b>	YES
	<b>Current F.Y. County Cost:</b>	N/A	<b>Budget Adjustment:</b>	NO
	<b>Net District Cost:</b>	\$220,423	<b>For Fiscal Year:</b>	12-13,13-14

<b>SOURCE OF FUNDS:</b> 524820 25140 947460 - Zone 4 Construction	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

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

APPROVE

BY:   
Michael R. Shetler

**County Executive Office Signature**

FISCAL PROCEDURES APPROVED  
JEANINE J. REY, FINANCE DIRECTOR  
BY:   
JEANINE J. REY  
8/29/2012

FORM APPROVED COUNTY COMMISSIONERIAL CONCURRENCE  
BY:   
MARSHA L. VICTOR  
DATE: 9/14/12

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD  
Per Exec. Ofc.:  
Consent  Policy   
Consent  Policy

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

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Project No. 4-0-00212-04  
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**Page 2**

**BACKGROUND:**

The Board approved a Consulting Services Agreement (Agreement) with Consultant on June 7, 2011. Circumstances resulted in project delays and the Agreement with Consultant lapsed.

This Amendment sets forth the terms and conditions by which Consultant will continue to provide professional consulting services in support of the District's Hemet MDP Line C, Stage 4 Project. This Amendment also provides for provision of optional tasks at the discretion of the District.

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

**FINANCIAL:**

Sufficient funding is available in the District's Zone 4 budget for FY 2012-2013 and will be included in the proposed budget for FY 2013-2014.

KEC:bjj

**AMENDMENT NO. 1**  
**CONSULTING SERVICES AGREEMENT**  
HEMET MDP LINE C, STAGE 4  
PROJECT NO. 4-0-00212-04

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The RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter referred to as DISTRICT, and ALBERT A. WEBB ASSOCIATES, hereinafter referred to as CONSULTANT, previously entered into that certain Agreement, hereinafter referred to as AGREEMENT, dated June 7, 2011 to perform professional and engineering services in support of DISTRICT'S Hemet MDP Line C, Stage 4 project (Project No. 4-0-00212-04), hereinafter referred to as PROJECT; and

WHEREAS, the Time for Performance of AGREEMENT expired on June 30, 2012; and

WHEREAS, DISTRICT wishes to complete the planning and design of PROJECT and CONSULTANT is willing to continue the performance of such services as provided herein.

NOW, THEREFORE, DISTRICT and CONSULTANT mutually agree to amend the AGREEMENT as follows:

1. Section 3 is amended to read:

3. TIME FOR PERFORMANCE

CONSULTANT agrees that it will diligently and responsibly pursue the performance of work and services in accordance with the Project Schedule attached hereto as Attachment "C" and made a part hereof.

CONSULTANT shall not commence performance of any work or services, for any reason whatsoever, until DISTRICT has provided CONSULTANT with a written Notice to Proceed authorizing CONSULTANT to initiate

1 work pursuant to this Agreement. The term of this Agreement shall start on  
2 the date the Agreement is executed by DISTRICT'S Board of Supervisors,  
3 and end on June 30, 2013 with an option for one (1) additional one-year  
4 extension. Prior to the termination date of this Agreement, this Agreement  
5 may be extended for an additional fiscal year by mutual written consent of  
6 DISTRICT and CONSULTANT. No payment will be made for any work  
7 or services performed prior to issuance of said Notice to Proceed.  
8

9 2. A new Section 28 is added to read:

10 28. DISCREPANCIES

11 In the event of any conflict between the terms of this Agreement and  
12 Attachment "A", Attachment "B" or Attachment "C", the terms of this  
13 Agreement shall govern. In the event of any conflict between Attachment  
14 "A" and Attachment "B" or Attachment "C", the following precedence shall  
15 apply: Attachment "A"; Attachment "C"; Attachment "B".  
16

17 3. Except to the extent specifically added to, modified or amended herein, all of the  
18 terms, covenants and conditions of said AGREEMENT dated June 7, 2011, shall remain  
19 in full force and effect between the parties hereto.

20 //

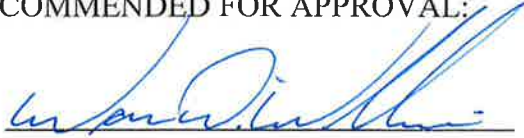
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IN WITNESS WHEREOF, the parties hereto have executed this Amendment on

(to be filled in by Clerk of the Board)

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

RECOMMENDED FOR APPROVAL:

By   
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:

PAMELA J. WALLS  
County Counsel

ATTEST:

KECIA HARPER-IHEM  
Clerk of the Board

By  2/11/12  
MARSHA L. VICTOR  
Principal Deputy County Counsel

By \_\_\_\_\_  
Deputy

(SEAL)

Hemet MDP-Line C, Stage 4  
Webb Consulting Services Agreement  
Amendment No. 1  
9/10/12  
TT:KEC:blj

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**ALBERT A. WEBB ASSOCIATES**

By   
SCOTT R. HILDEBRANDT  
Vice President

Hemet MDP-Line C, Stage 4  
Webb Consulting Services Agreement  
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9/10/12  
TT:KEC:blj