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

FROM: TLMA - Transportation Department

SUBMITTAL DATE:
 May 22, 2013

SUBJECT: Supplement Number 5 to the Engineering Services Agreement for the Environmental Clearance and Design Engineering Services to Replace the Existing River Road Bridge over the Santa Ana River

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify the Supplement Number 5 to the Engineering Services Agreement between the County of Riverside and T.Y. Lin International; and
2. Authorize the Chairman of the Board to execute the same.

Juan C. Perez
 Director of Transportation and Land Management

(Continued On Attached Pages)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2013/2014

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

C.E.O. RECOMMENDATION:

APPROVE

BY:
 Tina Grande

County Executive Office Signature

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

500 700 11 5M 3:08

Prev. Agn. Ref. 12/1/2009 3.32 | District: 2/2 | Agenda Number:

3-66

The Honorable Board of Supervisors

RE: Supplement Number 5 to the Engineering Services Agreement for the Environmental Clearance and Design Engineering Services to Replace the Existing River Road Bridge over the Santa Ana River

May 22, 2013

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BACKGROUND: On February 24, 1998, the Board of Supervisors executed an agreement with T.Y. Lin International to provide environmental and design engineering services to replace the existing 612 foot long River Road Bridge. This project provided a state of the art replacement bridge of 1,200 feet in length and reconstructed 2,000 feet of approach roads including a multi-use recreational trail connecting to the regional trail system. Changes to the original agreement with T.Y. Lin International were necessary to address various scope changes due to comments received from the Public Scoping Meetings and feedback from resource agencies. Additionally, changes in the way that Caltrans and the Federal Highway Administration (FHWA) review environmental documents and revisions to the environmental document for stage construction required contract modifications as well. The construction of the new River Road Bridge was completed on August 17, 2011.

Supplement No. 5 will extend the Engineering Services Agreement between the County of Riverside (County) and T.Y. Lin International to provide final design engineering support for bidding and implementation of a 5-acre re-vegetation project in the flood plain and around the approach roadway embankments of the newly constructed River Road Bridge. Construction permits issued by the U.S. Army Corps of Engineers (USACE) and California Department of Fish and Game (CDFG) requires the County to re-vegetate impacted areas and remove non-native vegetation as part of the Environmental Mitigation.

There is no additional cost to the County for the extension of this agreement, as the work was anticipated and funding was included for the Environmental Mitigation.

Project No. A7-0298

SUPPLEMENT 5

**SUPPLEMENT TO ENGINEERING SERVICES AGREEMENT BETWEEN
THE COUNTY OF RIVERSIDE AND T.Y. LIN INTERNATIONAL
FOR RIVER ROAD BRIDGE DESIGN AND ENVIRONMENTAL SERVICES**

THIS SUPPLEMENT 5 (hereinafter the "Supplement") to an agreement is made and entered into as of this _____ day of _____, 2013, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and T.Y. Lin International (hereinafter "ENGINEER").

RECITALS

- A. COUNTY and ENGINEER have entered in an agreement entitled " Engineering Services Agreement – Design and Environmental Services for River Road Bridge between County of Riverside Transportation Department and T.Y. Lin International" that is dated February 24, 1998 (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 prepare an environmental document, the supporting technical studies, plans, specifications, and estimates to replace the existing River Road Bridge over the Santa Ana River. The COUNTY and the ENGINEER amended the original agreement on August 1, 2000, Supplement 1, on December 20, 2005, Supplement 2, on April 10, 2007, Supplement 3, and on December 1, 2009, Supplement 4, to modify the scope of work and to increase the budget for Phases I, II, and IV.
- B. The parties desire to supplement the current Agreement as amended last on December 1, 2009 to extend the expiration date of the agreement in order to provide design engineering support during the bidding and implementation of a 5 acre re-vegetation project in the flood plain and around the approach roadway embankments of the newly constructed River Road Bridge. The re-vegetation up on the completion of bridge construction is part of the environmental mitigation and construction permit requirements.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows effective December 31, 2011:

- 1. The existing Engineering Services Agreement as amended last on December 1, 2009 expired on December 31, 2011. Appendix B introductory paragraph is modified to reflect that the Agreement term shall be extended by two years effective December 31, 2011. All covenants set forth in the amended Agreement shall be completed by December 31, 2013 date unless extended by another supplemental agreement.

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2. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement as supplemented last on December 1, 2009 shall remain in full force and effect between the parties hereto.

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

APPROVALS

COUNTY Approvals

RECOMMENDED FOR APPROVAL:

 Dated: 5/29/13

JUAN C. PEREZ

Director of Transportation and Land Management

APPROVED AS TO FORM:

 Dated: 5/30/13

PAMELA J. WALLS

County Counsel

APPROVAL BY THE BOARD OF SUPERVISORS

_____ Dated: _____

PRINTED NAME
Chairman, Riverside County Board of Supervisors

ATTEST:

_____ Dated: _____

KECIA HARPER-IHEM

Clerk of the Board of Supervisors (SEAL)

ENGINEER Approvals

ENGINEER:

 Dated: 5/1/13

Clark Fernon

PRINTED NAME

Vice President

TITLE

ENGINEER:

_____ Dated: _____

PRINTED NAME

TITLE

CORPORATE AUTHORIZATION

F.R. Clark Fernon, Vice President of T.Y. Lin International (the "Corporation"), a California corporation, is a duly elected and appointed officer of the Corporation and holds full corporate authority to enter into any contracts and execute Bid Forms on behalf of the Corporation.

In witness whereof, I have caused this instrument to be executed and the corporate seal to be hereunto affixed in the City of San Francisco, U.S.A. on the 22nd day of January, 2013.

Corporate
Seal



T.Y. Lin International

By: 
Veronica Fennie
Assistant Secretary