

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



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
January 7, 2014

SUBJECT: Amendment No. 5 to Professional Services Agreement for East Cathedral Channel Levee, Arenas Canyon Levee and Palm Canyon Wash Project Nos. 6-0-00010 and 6-0-00040 District 4/District 4 [\$590,663]

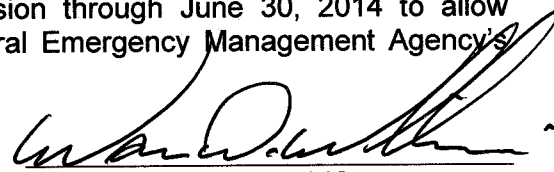
RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify and approve Amendment No. 5 between the District and Nolte Associates, Inc. (Consultant);
2. Authorize the Chairman to execute Amendment No. 5 on behalf of the District; and
3. Authorize the General Manager-Chief Engineer to extend the agreement for an additional year as necessary.

BACKGROUND:

Summary

This Amendment No. 5 is necessary to provide a time extension through June 30, 2014 to allow Consultant to complete the compliance documentation for Federal Emergency Management Agency's (FEMA) levee certification program.


WARREN D. WILLIAMS
 General Manager-Chief Engineer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 83,115	\$	\$ 590,663	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET DISTRICT COST	\$ 83,115	\$	\$ 590,663	\$	

SOURCE OF FUNDS: 525440 25160 947500 Zone 6 Professional Services
Budget Adjustment: No
For Fiscal Year: 2013-2014


C.E.O. RECOMMENDATION:

APPROVE

BY: Steven C. Horn, MPA

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FISCAL PROCEDURES APPROVED
 JEANINE J. REY, FINANCE DIRECTOR
 BY:  1/7/14
 JEANINE J. REY Departmental Concurrence
 FOR APPROVED COUNTY COUNSEL DATE
 BY: HEAL R. KPNIS
 A-30 Positions Added Change Order
 4/5 Vote

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

FORM 11: Amendment No. 5 to Professional Services Agreement for
East Cathedral Channel Levee, Arenas Canyon Levee and Palm Canyon Wash Project

Nos. 6-0-00010 and 6-0-00040

District 4/District 4 [\$590,663]

DATE: January 7, 2014

PAGE: Page 2 of 2

BACKGROUND:

Summary (continued)

As part of the levee certification process, certain necessary levee improvements were made in response to FEMA's review comments. Due to delays associated with these levee improvements, Consultant requires additional time to address FEMA's comments associated with levee accreditation requirements.

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

SUPPLEMENTAL:

Additional Fiscal Information

Sufficient funds are included in District's budget for FY 2013-2014 and will be included in the proposed budget for FY 2014-2015, as necessary.

Contract History and Price Reasonableness

On September 4, 2007 (Agenda No. 11.9) the Board of Supervisors approved the Professional Services Agreement between the District and Consultant, which set forth the terms and conditions by which Consultant would perform engineering analysis to determine levee criteria for Cathedral Channel Levee, Arenas Canyon Levee and Palm Canyon Wash.

On November 18, 2008 (Agenda No. 11.5) the Board of Supervisors approved Amendment No. 1 to extend the time for performance to June 30, 2009.

On June 30, 2009 (Agenda No. 11.7) the Board of Supervisors approved Amendment No. 2 to extend the time for performance to June 30, 2010.

On September 14, 2010 (Agenda No. 11.2) the Board of Supervisors approved Amendment No. 3 to extend the time for performance to June 30, 2011.

On December 20, 2011 (Agenda No. 11.1) the Board of Supervisors ratified and approved Amendment No. 4 to i) extend the time for performance to June 30, 2013, and ii) increase the contract amount by one hundred thirty-eight thousand six hundred eighty-nine dollars (\$138,689) for additional scope of services.

LMD:bj

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1. Provision 3, Paragraph 2 is revised to read:

"The term of this Agreement shall start on the date the Agreement is executed by DISTRICT'S Board of Supervisors, and end on June 30, 2014 with an option for one (1) additional one-year extension."

2. Except to the extent specifically added to, modified or amended hereunder, all of the terms, covenants and conditions of said AGREEMENT dated September 4, 2007 remain in full force and effect between the parties hereto.

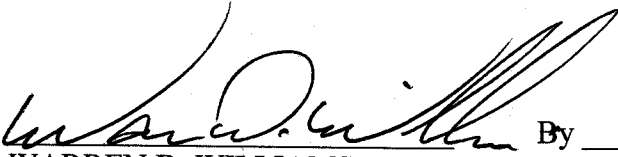
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IN WITNESS WHEREOF, the parties hereto have executed this Amendment on

(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By  WARREN D. WILLIAMS
General Manager-Chief Engineer

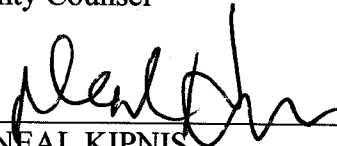
By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and
Water Conservation District Board of
Supervisors

APPROVED AS TO FORM:

ATTEST:

PAMELA J. WALLS
County Counsel

KECIA HARPER-IHEM
Clerk of the Board

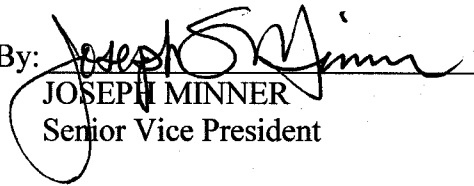
By  NEAL KIPNIS
Deputy County Counsel

By _____
Deputy

(SEAL)

AMENDMENT NO. 5 to
PROFESSIONAL SERVICES AGREEMENT
East Cathedral Channel Levee,
Arenas Canyon Levee and Palm Canyon Wash
Project Nos. 6-0-00010 and 6-0-00040
12/04/2013
TT/LMD/blj

NOLTE ASSOCIATES, INC.
a California corporation

By: 
JOSEPH MINNER
Senior Vice President

(ATTACH NOTARY WITH CAPACITY STATEMENT)

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AMENDMENT NO. 5 to
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Project Nos. 6-0-00010 and 6-0-00040
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