

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

n28



FROM: TLMA – Transportation Department

SUBMITTAL DATE:

May 27, 2014

SUBJECT: Extension of Agreement 11-08-010 for One Year with URS Corporation for On-Call Engineering Services. All Districts; [\$75,000]; Various Funds 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the First Amendment to extend the On-Call Engineering Services Agreement with URS Corporation and the County of Riverside; and
2. Authorize the Chairman of the Board to execute the same; and
3. Authorize the Director of Transportation, or his designee, to approve extensions as provided for in the agreement.

BACKGROUND:

Summary

Continued National Pollutant Discharge Elimination System (NPDES) services are needed to provide access to expertise and additional personnel, enabling the Transportation Department to meet increasing state and federal regulatory compliance demands.

Patricia Romo

Juan C. Perez, Director of Transportation and Land Management

Assistant Director of Transportation

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (Per Exec. Office)
COST	\$ 0	\$ 75,000	\$ 75,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Capital Improvement Project Funding: 100%
There are no General Funds used in this project.

Budget Adjustment: No
For Fiscal Year: 2014/2015

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
BY: MARGHA L. VICTOR
DATE: 6/2/14

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 10/18/11, Item 3-35 | **District:** All/All | **Agenda Number:**

3-57

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

FORM 11: Extension of Agreement 11-08-010 for One Year with URS Corporation for On-Call Engineering Services. All Districts; [\$75,000]; Various Funds 100%

DATE: May 27, 2014

PAGE: 2 of 3

BACKGROUND:

Summary (continued)

The Board of Supervisors approved and executed an agreement between the County of Riverside (County) and URS Corporation on October 18, 2011 (Agenda Item 3-35), to provide NPDES engineering services. The agreement allowed for two separate one-year extensions to extend the term of the contract.

The attached agreement exercises the option to extend the term of the contract for the first of the two optional one-year extensions. The continued services of URS Corporation are needed to provide for on-going NPDES compliance services for fiscal year 2014-2015.

The compliance requirements for all of the NPDES stormwater permits have increased over the years, and continue to increase. Additionally, the compliance requirements have become more detailed in prescribing exactly what actions need to be taken, the frequency of those actions, the training that must be provided to personnel, the recordkeeping, the reporting, and the level of public education and outreach.

Currently, County staff is beginning to implement the requirements for the first year of the 2013 Whitewater River Region NPDES municipal stormwater permit. Within six months, the renewal process will begin for the next five-year iteration of the Santa Ana River Region NPDES municipal stormwater permit. The Santa Ana Regional Water Quality Control Board has stated they intend to impose a combined "Regional" NPDES municipal stormwater permit for Riverside County and San Bernardino County. The San Diego Regional Water Quality Control Board has stated they intend to impose the 2013 "Regional" NPDES municipal stormwater permit for the coastal San Diego County and South Orange County municipalities as the co-permittees in the Santa Margarita River Region of Riverside County.

On April 1, 2014, the State Water Resources Control Board adopted a new NPDES General Permit for Stormwater Discharges Associated with Industrial Activities, which must be implemented by July 1, 2015. During the next year, the Transportation Department of the Transportation and Land Management Agency, with support from URS Corporation, will consider how the new permit may impact Transportation Department facilities such as borrow sites, will identify the compliance alternatives for each facility, and then seek management approval for the recommended course of action.

The services provided will be performed on an on-call basis through specific work assignments. URS Corporation will provide technical support, as outlined in the original 2011 agreement. Work assignments for fiscal year 2014-2015 could include:

- Review of and assistance with annual reporting information related to the requirements of the three MS4 permits, the Construction General Permit, the Industrial General Permit, Waste Discharge Requirements, or other information requested by the Regional Boards
- Assistance with Facility Annual Inspections and Report of Findings
- Development of a focused in-house NPDES Training Module for Transportation Department Construction and/or Engineering Divisions

Impact on Residents and Businesses

There are two fundamental ways that the NPDES compliance support services benefit the residents and businesses within the County:

- 1) The purpose of compliance with the federal Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) stormwater permits is to ensure that our natural water resources are of adequate quality to support beneficial uses, such as municipal and industrial water supply, numerous forms of water recreation, and plant and wildlife habitat.
- 2) There are significant avoided costs given compliance with the Clean Water Act and the NPDES stormwater permits. If the United States Environmental Protection Agency (USEPA), the State Water Resources Control Board, or any one of the three Regional Water Quality Control Boards determine that the County is not in compliance with its NPDES municipal stormwater permits, the NPDES construction activity stormwater permit, or the NPDES industrial stormwater permit, the administrative civil penalties and the resources devoted to minimizing the penalties can be in the hundreds of thousands, and in some cases, millions of dollars.

Contract History and Price Reasonableness

The Transportation Department has contracted with URS Corporation to provide NPDES and other water quality regulatory support services under this agreement since December 2011. URS provided comparable NPDES and water quality regulatory support under a similar agreement from 2008 through June 2011. The billing rates for professional services from URS Corporation remain unchanged from the billing rates included in the underlying 2011 agreement. The billing rates for URS Corporation are comparable, if not lower, than other consulting firms offering similar services.

SUPPLEMENTAL:
Additional Fiscal Information

All associated contract costs will be funded using capital improvement project funds. Thus, no net County costs will be incurred as a result of the contract extension.

AMENDMENT No. 1 to AGREEMENT

for Engineering On-call Services

between County of Riverside – Transportation Department

and URS Corporation

THIS AMENDMENT (hereinafter the "1st Amendment") to an agreement is made and entered into as of this _____ day of _____, 2014, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and URS Corporation (hereinafter "ENGINEER").

RECITALS

- A. COUNTY and ENGINEER have entered in an agreement entitled "Engineering On-call Services Agreement for National Pollutant Discharge Elimination System (NPDES) Consulting Services between County of Riverside – Transportation Department and URS Corporation" that was approved by the Board of Supervisors on December 6, 2011 (M.O. 3.35) (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. Appendix B • Article B1 establishes the time period for allowing work assignments to be authorized under the original Agreement. The terms and conditions specify that work assignments can be authorized until June 30, 2014 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.
- C. The ENGINEER is satisfactorily performing the duties under the Agreement and the Transportation Department continues to need the services provided. The parties therefore now desire to implement the first one-year extension of the authority to approve and execute work assignments.

AGREEMENT

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

- 1. The authority to authorize work assignments under this contract is hereby extended from July 1, 2014 to June 30, 2015 in accordance with Appendix B • Article B1 of the original Agreement.
- 2. The contract maximum as set forth in Article VI • COMPENSATION subsection B.1 and Appendix C Article CIV • COST PROPOSAL are hereby modified and shall reflect that the compensation for the first one year extension period will not exceed \$75,000.00 annually upon execution of this Amendment.
- 3. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of

1 the Agreement shall remain in full force and effect between the parties hereto.

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

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1 APPROVALS

2 COUNTY Approvals

3 RECOMMENDED FOR APPROVAL:

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5 Patricia Romo Dated: 5-17-14

7 JUAN C. PEREZ

8 Director Transportation & Land Management Agency
9 **Assistant Director of Transportation**

10 APPROVED AS TO FORM:

11
12
13 Nausha S. Victor Dated: 5/21/14
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:

Richard A. Hart Dated: 3/31/14

Richard A. Hart, P.E.

PRINTED NAME

Vice President

TITLE

ENGINEER:

Attest:

Kristin L. Jones Dated: 3-31-14

KRISTIN L. JONES

PRINTED NAME

SECRETARY

TITLE