

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

808A



**FROM:** TLMA – Transportation Department

**SUBMITTAL DATE:**  
May 8, 2014

**SUBJECT:** Extension No. 1 to Agreement 11-08-021 with Applied Earthworks, Inc. for On-Call Environmental Services, One-Year Extension. All Districts; [\$250,000]; Various Funds 100%

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the attached Amendment No. 1 (hereinafter referenced as "extension") to the On-Call Environmental Services Agreement with Applied Earthworks, Inc. 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.

*[Signature]*  
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	\$ 250,000	\$ 250,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: Various Transportation project funds. There are no General Funds used in this project.				Budget Adjustment: N/A	
				For Fiscal Year: 2014/2015	

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

APPROVE

BY:

*[Signature]*  
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

FORM APPROVED COUNTY COUNSEL  
DATE: 4/5/14  
BY: MARSHALL VICTOR  
Departmental Concurrence

☐ Positions Added  
☐ Change Order

☐ A-30  
☐ 4/5 Vote

Prev. Agn. Ref.: 9/27/11, Item 3-32

District: All/All

Agenda Number:

3-57

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11:** Extension No. 1 to Agreement 11-08-021 with Applied Earthworks, Inc. for On-Call Environmental Services, One-Year Extension. All Districts; [\$250,000]; Various Funds 100%

**DATE:** May 8, 2014

**PAGE:** Page 2 of 2

**BACKGROUND:**

**Summary**

The Transportation Department needs the continued environmental support services to deliver all of the necessary road improvement projects identified and funded in the Transportation Improvement Program (TIP). Environmental services are needed to provide access to expertise and additional personnel, enabling the Transportation Department to meet increasing state and federal regulatory compliance demands.

The Board of Supervisors approved and executed an agreement between the County of Riverside (County) and Applied Earthworks, Inc. on September 27, 2011 (Agenda Item 3-32), to provide the Transportation Department with the needed environmental services. The agreement allowed for two optional one-year extensions to extend the term of the contract.

This extension exercises the option in the agreement to extend the term of the contract for the first of the two optional one-year extensions. The Transportation Department needs the continued services of Applied Earthworks, Inc. for fiscal year 2014/2015.

The terms of the agreement also provide the County the option to terminate the agreement within 30 days without cause.

**Impact on Residents and Businesses**

This extension will afford the Transportation Department the ability to respond in a time efficient manner to public demands on our road system, as well as obtaining specific environmental expertise in areas that will supplement Transportation Department staff resources.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

All associated contract costs will be funded using project funds. Thus, no net county costs will be incurred as a result of this contract agreement.

**Contract History and Price Reasonableness**

The billing rates for environmental services from Applied Earthworks, Inc. remain unchanged from the billing rates included in their September 27, 2011, County-awarded contract. The billing rates for Applied Earthworks, Inc. are comparable to those of other consulting firms offering similar services. Applied Earthworks, Inc. has spent \$218,918.30 to date in FY 13/14 under this contract.

**AMENDMENT No. 1 TO AGREEMENT**

**for On-Call Environmental Services**

**between County of Riverside – Transportation Department**

**and Applied Earthworks, Inc.**

THIS AMENDMENT (hereinafter the "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 Applied Earthworks, Inc. (hereinafter "CONSULTANT").

**RECITALS**

- A. COUNTY and CONSULTANT have entered in an agreement entitled "On-Call Environmental Services between County of Riverside – Transportation Department and Applied Earthworks, Inc." that is dated September 27, 2011 (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 Environmental services.
- B. Appendix B • Article BI establishes the time period for allowing work assignments to be authorized under the original agreement. The terms and conditions specify that work assignment can be authorized for three years from the date of Board of Supervisors agreement approval (September 27, 2011) and that the authority to execute work assignments can be modified through one-year supplemental extensions. The agreement allows for two separate one-year extensions. The CONSULTANT is satisfactorily performing the duties under this 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 execute work assignments.

**AGREEMENT**

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows, effective July 1, 2014:

1. CONSULTANT agrees to bill at rates approved in the September 27, 2011 Agreement, for the term of this agreement.
2. 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 BI of the original agreement.

3. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement shall remain in full force and effect between the parties hereto.

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

APPROVALS

COUNTY Approvals

RECOMMENDED FOR APPROVAL:

Patricia Romo Dated: 6/2/14

JUAN C. PEREZ

Director of Transportation

**Patricia Romo**

**Assistant Director of Transportation**

APPROVED AS TO FORM:

Pamela J. Walls Dated: 6/5/14  
Deputy  
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 (SEAL)

CONSULTANT Approvals

CONSULTANT:

Susan K. Goldberg Dated: 3/27/14

SUSAN K. GOLDBERG  
PRINTED NAME

VICE PRESIDENT  
TITLE

CONSULTANT:

\_\_\_\_\_ Dated: \_\_\_\_\_

PRINTED NAME

TITLE