

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS DATE: 6/15

Departmental Concurrence

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

331 A



FROM: TLMA – Transportation Department

SUBMITTAL DATE:
 May 21, 2015

SUBJECT: Amendment No. 2 to Agreement 11-08-021 with Applied Earthworks, Inc. for On-Call Environmental Services. All Districts; [\$500,000]; Various State Funds, Local Funds and Deposit Based Fee Revenue-100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached Amendment to increase the contract budget for the On-Call Environmental Services Agreement with Applied Earthworks, Inc.; and
2. Authorize the Chairman of the Board to execute the same;

BACKGROUND:

Summary

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.

Patricia Romo
 Patricia Romo
 Assistant Director of Transportation

Juan C. Perez
 Juan C. Perez
 Director of Transportation and Land Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (Per Exec. Office)
COST	\$ 0	\$ 500,000	\$ 500,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Varies by project-State Funds, Local Funds and DBF Fee Revenue-100%
 Budget Adjustment: No
 For Fiscal Year: 15/16

C.E.O. RECOMMENDATION:

APPROVE
 BY: Tina Grande
 Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 09/27/11, Item 3-32;
 07/01/14, Item 3-57

District: All

Agenda Number:

3-64

BACKGROUND:
Summary (continued)

The Transportation Department utilizes outside consulting firms to assist in the environmental phase of project delivery, often the critical path, to supplement the currently available minimal Transportation Department staff, and make use of specialized expertise for certain environmental studies.

On September 27, 2011, Agenda Item 3-32, the Board of Supervisors (Board) approved the On-Call Environmental Services Agreement with Applied Earthworks, Inc. Applied Earthworks, Inc. specializes in all phases of cultural and paleontological field investigations, site testing, and analysis and construction monitoring. This existing contract is for an annual not to exceed amount of \$250,000 annually for fiscal years 2011/2012 through 2014/2015. Amendment No. 2 exercises the option to extend the contract for one final year through June 20, 2016, and with a not to exceed budget of \$500,000.

Applied Earthworks is providing the necessary environmental services for ongoing large, complex projects such as the Jefferson Street/Interstate 10 Interchange Project. This Amendment No. 2 will allow for the environmental analysis of road improvements to continue in an efficient and expedient manner.

The Transportation Departments needs the continued environmental support services to deliver all of the necessary road improvement projects identified and funded in the Transportation Improvement Project (TIP).

Impact on Residents and Businesses

This amendment 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. Project funds include, but are not limited to, Measure A, gas tax, WRCOG TUMF, Road and Bridge Benefit District funds, developer contributions, and various state funds. Thus, no net Riverside County (County) costs will be incurred as a result of this contract agreement.

Original Contract Amount:

	Fiscal Year 2011/2012	\$ 250,000
	Fiscal Year 2012/2013	\$ 250,000
	Fiscal Year 2013/2014	\$ 250,000
Amendment No. 1	Fiscal Year 2014/2015	\$ 250,000
Amendment No. 2	Fiscal Year 2015/2016	<u>\$ 500,000</u>
	Total	\$1,500,000

Contract History and Price Reasonableness

The Board approved the original agreement on September 27, 2011, Agenda Item 3-32. On July 1, 2014, Agenda Item 3-57, the Board approved the first amendment to this agreement, extending the term of the agreement for the first of the two optional one-year extensions and authorizing the Director of Transportation and Land Management, or his designee, to approve future extensions.

The billing rates for environmental services from Applied Earthworks, Inc. remain unchanged from the billing rates included in their September 27, 2011, County-awarded agreement. The billing rates of Applied Earthworks, Inc. are comparable to those of other consulting firms offering similar services.

AMENDMENT No. 2 TO AGREEMENT

for On-Call Environmental Services

between County of Riverside- Transportation Department

and Applied Earthworks, Inc.

THIS AMENDMENT (hereinafter the "Amendment No. 2") to an Agreement is made and entered into as of this _____ day of _____, 2015, 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." dated September 27, 2011, Agenda Item 3.32 (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. Due to an increased amount of roadway activities requiring varying levels of environmental analysis, the amount of compensation is required to be increased to provide efficient and timely environmental analysis. The parties therefore now desire to amend the compensation amount for Fiscal Year 2015/2016.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows, effective as of this ____ day of _____, 2015:

- 1. Article VI – COMPENSATION subsection B.1. of the original Agreement is amended by deleting the sentence "The total amount of the Contract is not to exceed \$250,000 per year." and replacing with the following: "The total amount of the Contract is not to exceed \$500,000 per year."
- 2. Appendix C · Article CIV · Cost Proposal of the original Agreement is amended by deleting the Annual Budget Amount for July 1, 2015 to June 30, 2016 of "\$250,000" and replacing with "\$500,000".
- 3. CONSULTANT agrees to bill at rates approved in the October 28, 2011 Agreement, for the term of this agreement.

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

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

COUNTY Approvals

RECOMMENDED FOR APPROVAL:

 Dated: 6/2/15

Juan C. Perez
Director of Transportation and Land Management

APPROVED AS TO FORM:

GREGORY P. PRIAMOS

 Dated: 6/8/15
Deputy
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:

Applied Earthworks, Inc.

 Dated: 4/24/15

Vanessa Mirro
PRINTED NAME

Vice President
TITLE

CONSULTANT:

_____ Dated: _____

PRINTED NAME

TITLE