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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:
June 30, 2015

SUBJECT: Approval of Amendment No. 6 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, 4th District; [\$67,198]; 3 Years, District Funds 100%

RECOMMENDED MOTION: That the Board of Supervisors:
1. Approve Amendment No. 6 between the District and NV5, Inc. (Consultant); and
2. Authorize the Chairman to execute Amendment No. 6 on behalf of the District.

BACKGROUND:

Summary

Amendment No. 6 is necessary to provide for an extension of time for performance through June 30, 2018 to allow Consultant to compile and submit the necessary documentation in accordance with the Federal Emergency Management Agency's (FEMA) levee certification program.

WARREN D. WILLIAMS
General Manager-Chief Engineer

MHW:LMD:blm
P8/170156

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 67,198	\$ 0	\$ 67,198	\$ N/A	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET DISTRICT COST	\$ 67,198	\$ 0	\$ 67,198	\$ N/A	
SOURCE OF FUNDS: 525440 25160 947500 Zone 6 Professional Services				Budget Adjustment: No	
				For Fiscal Year: 15/16 thru 17/18	

C.E.O. RECOMMENDATION:

APPROVE
BY:
Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE: 6/11/15

FISCAL PROCEDURES APPROVED
JEANINE J. REY, FINANCE DIRECTOR
BY: JEANINE J. REY
Departmental Concurrence

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

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

170156

FORM 11: Approval of Amendment No. 6 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; 3 Years, [\$67,198]; District Funds 100%

DATE: June 30, 2015

PAGE: Page 2 of 3

BACKGROUND:

Summary (continued)

As part of its levee certification process, the Federal Emergency Management Agency (FEMA) deemed certain structural improvements were necessary to meet its levee certification criteria. Due to delays associated with the design and construction of these required levee improvements, Consultant needs additional time to complete and submit the necessary compliance documentation to FEMA.

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

Impact on Residents and Businesses

The purpose of this project is to develop and provide FEMA with all engineering documentation necessary to establish that the District's existing Palm Canyon Wash levee system meets FEMA's levee accreditation criteria. Without this technical documentation, FEMA has the authority to de-certify the existing levee. If FEMA de-certifies the levee, certain areas that are adjacent to the levee and that are currently shown as being at low-risk for flooding will be re-mapped as Special Flood Hazard Areas (SFHA). Homes and businesses that are located within a SFHA are typically required to purchase flood insurance policies costing hundreds to thousands of dollars per year, depending on FEMA's determination of the property's level of flood risk.

This project is funded by existing ad-valorem tax revenue and entails no new fees, taxes or bonded indebtedness.

SUPPLEMENTAL:

Additional Fiscal Information

Sufficient funds are included in the District's budget for FY 2015-16 and will be included in its proposed budget for FY 2016-17 and FY 2017-18, 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, extending the time for performance to June 30, 2009.

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

On September 14, 2010 (Agenda No. 11.2) the Board of Supervisors approved Amendment No. 3, extending 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, extending the time for performance to June 30, 2013; increasing the contract amount by one hundred thirty-eight thousand six hundred eighty-nine dollars (\$138,689) for additional scope of services.

On January 7, 2014 (Agenda No. 11.1) the Board of Supervisors ratified and approved Amendment No. 5, extending the time for performance to June 30, 2014; with an option to extend the time for performance to June 30, 2015 by mutual consent.

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

170156

FORM 11: Approval of Amendment No. 6 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; 3 Years, [\$67,198]; District Funds 100%

DATE: June 30, 2015

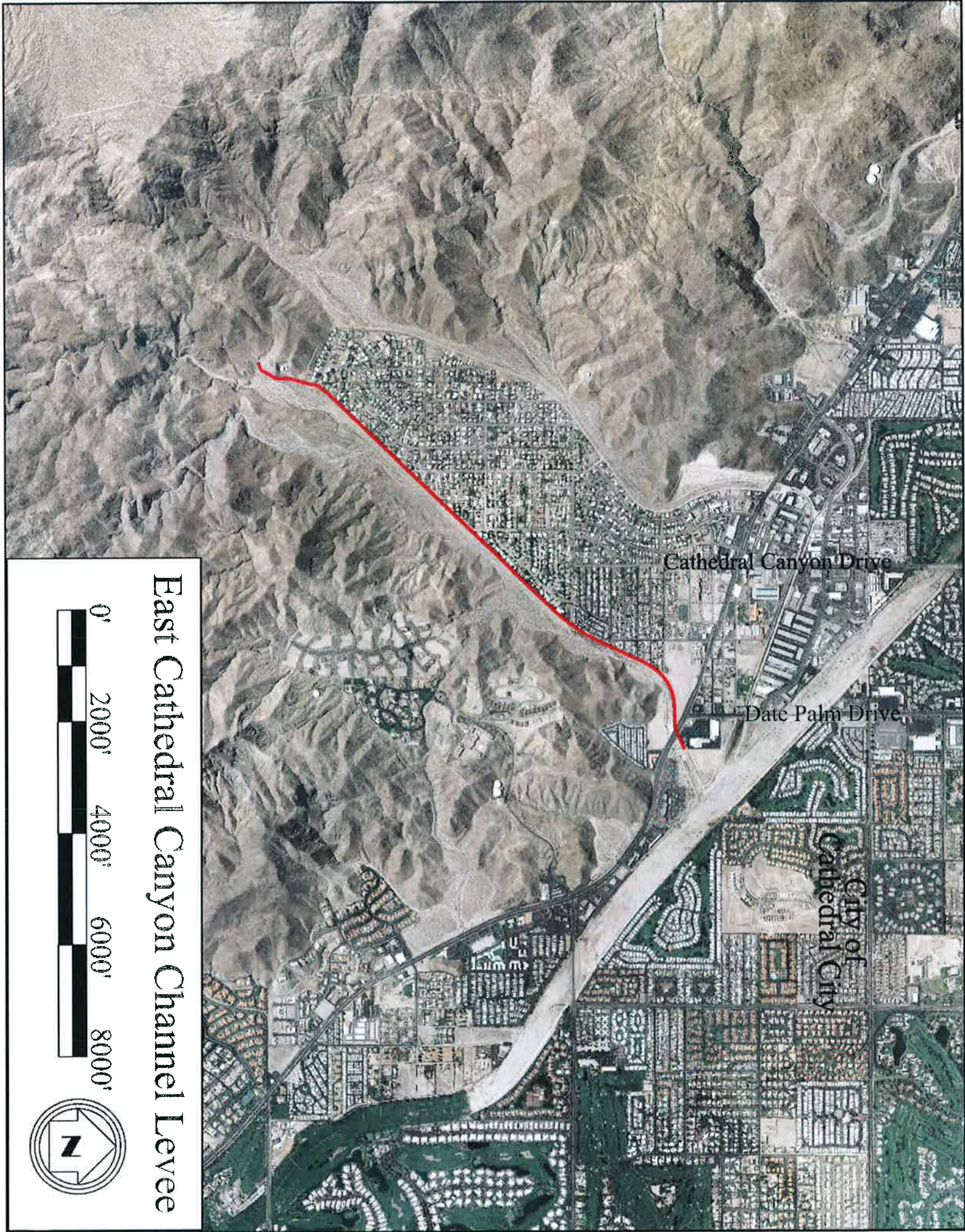
PAGE: Page 3 of 3

On August 22, 2014 Consultant's legal name changed from Nolte Associates, Inc. to NV5, Inc.

ATTACHMENTS:

1. Vicinity Maps (2)
2. Amendment No. 6

MHW:LMD:blm



Cathedral Canyon Drive

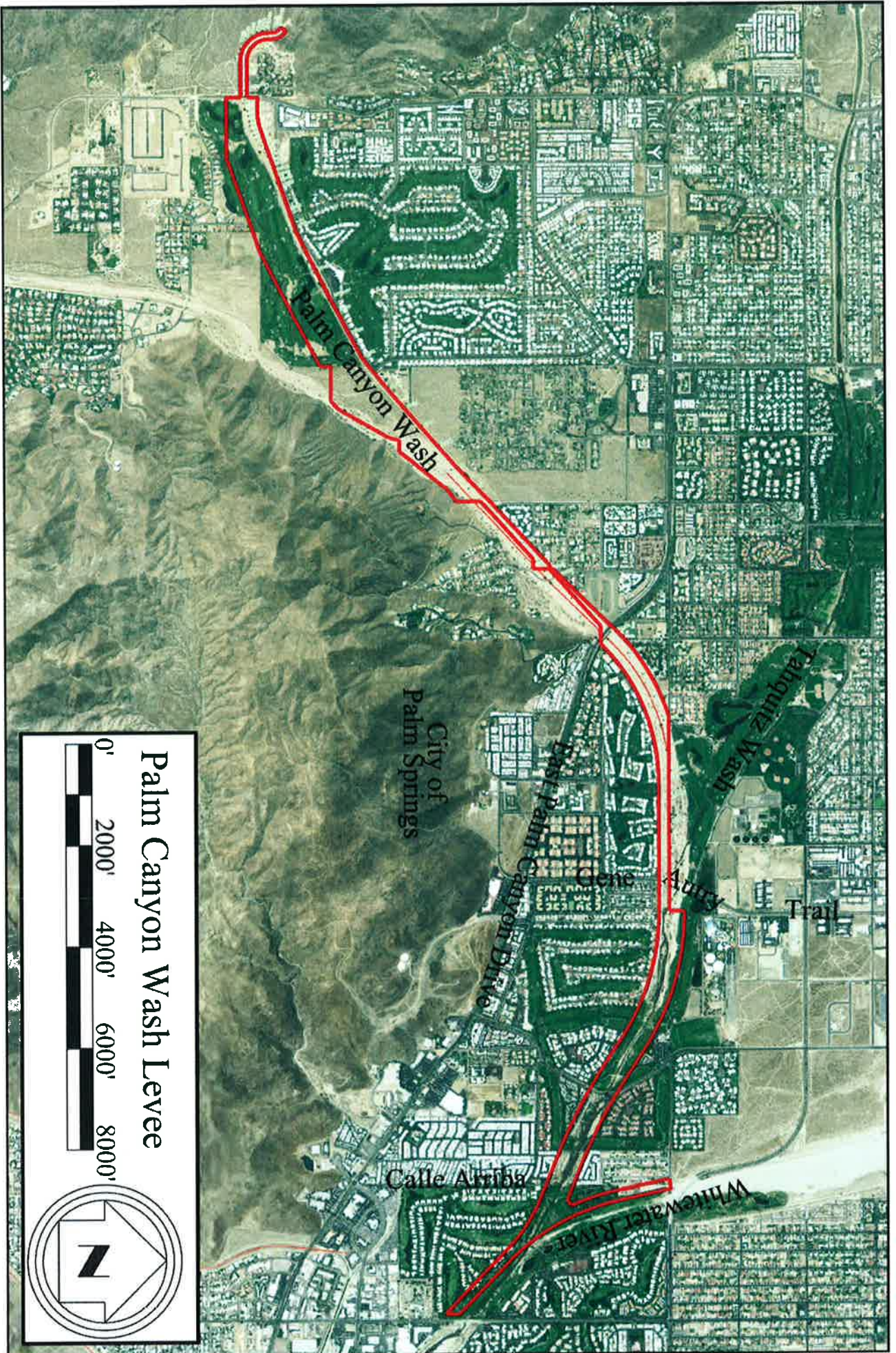
Date Palm Drive

City of
Cathedral City

East Cathedral Canyon Channel Levee

0' 2000' 4000' 6000' 8000'





1 and NV5, hereinafter called "CONSULTANT", agrees to assume all responsibilities or
2 obligations of NOLTE under AGREEMENT; and

3 As part of its levee certification process, the Federal Emergency Management Agency's
4 (FEMA) deemed certain structural improvements were necessary to meet its levee certification
5 criteria. Due to delays associated with the design and construction of these required levee
6 improvements, CONSULTANT requires additional time to complete and submit the necessary
7 compliance documentation to FEMA.
8

9 NOW, THEREFORE, the parties hereto mutually agree to amend AGREEMENT as
10 follows, effective June 30, 2015:

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

12 "The term of this Agreement shall start on the date the Agreement was first
13 executed by DISTRICT'S Board of Supervisors, and end on June 30, 2018."
14

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

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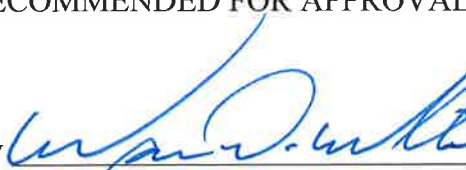
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1 IN WITNESS WHEREOF, the parties hereto have executed this Amendment on

2
3 (to be filled in by Clerk of the Board)

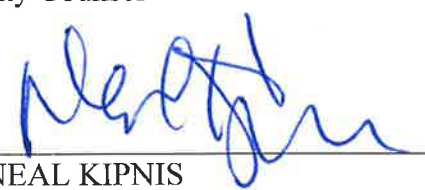
4
5 RECOMMENDED FOR APPROVAL: RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

6
7 By 
8 WARREN D. WILLIAMS
9 General Manager-Chief Engineer

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

14 APPROVED AS TO FORM:
15 GREGORY P. PRIAMOS
16 County Counsel

ATTEST:
17 KECIA HARPER-IHEM
18 Clerk of the Board

19 By 
20 NEAL KIPNIS
21 Deputy County Counsel

By _____
22 Deputy

23 (SEAL)

24 AMENDMENT NO. 6 to
25 PROFESSIONAL SERVICES AGREEMENT
26 East Cathedral Channel Levee,
27 Arenas Canyon Levee and Palm Canyon Wash
28 Project Nos. 6-0-00010 and 6-0-00040
6/1/2015
MHW:LMD:blm

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NV5, INC.
a California corporation

By: 
CARMEN KASNER
Regional Chief Executive

AMENDMENT NO. 6 to
PROFESSIONAL SERVICES AGREEMENT
East Cathedral Channel Levee,
Arenas Canyon Levee and Palm Canyon Wash
Project Nos. 6-0-00010 and 6-0-00040
6/1/2015
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