

FORM APPROVED COUNTY COUNSEL 7/12/16
 BY: GREGORY P. PRIAMOS DATE

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

933



FROM: TLMA – Transportation Department

SUBMITTAL DATE:
 June 13, 2016

SUBJECT: Approval of Amendment No. 2 in the amount of \$75,000 to Agreement 13-11-009 for a One Year Extension between the County of Riverside and CValdo Corporation for On-Call Water Quality Management Plan Review Services. All Districts; [\$600,000 – Total Cost]; Deposit Based Fees 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 2 in the amount of \$75,000 to Agreement 13-11-009 for a One Year Extension between the County of Riverside (County) and CValdo Corporation (CValdo) for On-Call Water Quality Management Plan (WQMP) Review Services; and
2. Authorize the Chairman of the Board to execute the same.

BACKGROUND:

Summary

Continued WQMP Review Services are needed to provide access to expertise and additional personnel, enabling the County of Riverside Transportation Department (Transportation Department) to efficiently manage peak work flows and supplement our core staff.

Patricia Romo
 Director of Transportation

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (Per Exec. Office)
COST	\$ 75,000	\$ 0	\$ 600,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: Deposit Based Fees (100%). There are no General Funds used in this project.				Budget Adjustment: No	
				For Fiscal Year: 2016/17	

C.E.O. RECOMMENDATION:

APPROVE

BY:
 Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 1/07/14, Item 3-44;
 03/10/15, Item 3-41

District: All

Agenda Number:

3-57

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

FORM 11: Approval of Amendment No. 2 in the amount of \$75,000 to Agreement 13-11-009 for a One Year Extension between the County of Riverside and CValdo Corporation for On-Call Water Quality Management Plan Review Services. All Districts; [\$600,000 – Total Cost]; Deposit Based Fees 100%

DATE: June 13, 2016

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

The Board of Supervisors approved and executed an agreement between the County and CValdo on January 7, 2014 (Agenda Item 3-44), to provide WQMP Review Services. Article BI in Appendix B of the agreement allows for two separate one-year extensions to extend the term of the contract. The attached amendment exercises the option to extend the term of the contract for the first of the two optional one-year extensions. The continued services of CValdo are needed to provide on-going WQMP Review Services for fiscal year 2016-2017. The continued specific services to be provided include, but are not limited to, plan check review of WQMP's and other WQMP and water quality protection assistance related to development activities.

Impact on Residents and Businesses

CValdo's services are needed to provide access to expertise and additional personnel needed to review WQMP's in an expedient manner and provide certainty for the processing of the steady increase of development project submittals.

Contract History and Price Reasonableness

The Board of Supervisors approved the original agreement on January 7, 2014, Agenda Item 3-44. On March 10, 2015 (Agenda Item 3-41), the Board of Supervisors approved Amendment No.1 to the original agreement. Amendment No. 1 increased the original contract amount from \$75,000 annually to \$225,000 for Fiscal Years 14/15 and 15/16 due to the increase in WQMP review activity.

Amendment No. 2 will extend the term of the contract for the first of the two optional one-year extensions. Due to the institution of efficiency changes to the WQMP plan check process, the Transportation Department has been able to reduce the time spent on WQMP reviews; therefore, the budget for Amendment No. 2 will remain at the original approved amount of \$75,000 for Fiscal Year 16/17.

The Transportation Department has contracted with CValdo under this agreement since 2014. The billing rates for professional services from CValdo remain unchanged from the billing rates included in the underlying 2014 agreement. The billing rates were developed by negotiations between CValdo and the Transportation Department staff using the County's Purchasing Department policies and guidelines.

SUPPLEMENTAL:

Additional Fiscal Information

All associated contract costs will be funded using Deposit Based Fees. Thus, no net County costs will be incurred as a result of the contract extension.

Original Contract Amount:	Fiscal Year 2013/2014	\$75,000
	Fiscal Year 2014/2015	\$75,000
	Fiscal Year 2015/2016	\$75,000
Amendment No. 1 - Increase by:	Fiscal Year 2014/2015	\$150,000
	Fiscal Year 2015/2016	\$150,000
Amendment No. 2 - Original Contract Amount:	<u>Fiscal Year 2016/2017</u>	<u>\$75,000</u>
	Total	\$600,000

ATTACHMENTS:

Amendment

AMENDMENT NO. 2 TO AGREEMENT

for Engineering On-call Services

between County of Riverside – Transportation Department

and CValdo Corporation

THIS AMENDMENT (hereinafter the "2nd Amendment") to an agreement is made and entered into as of this _____ day of _____, 2016, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and CValdo Corporation (hereinafter "ENGINEER").

RECITALS

- A. COUNTY and ENGINEER have entered in an agreement entitled "Engineering Services Agreement for On-Call Water Quality Management Plan Check Services between County of Riverside – Transportation Department and CValdo Corporation that was approved by the Board of Supervisors on January 7, 2014 (M.O. 3.44) (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, 2016 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, 2016 to June 30, 2017 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 CV • 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.

4
5 [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

APPROVALS

COUNTY Approvals

RECOMMENDED FOR APPROVAL:

 Dated: 7/7/16

PATRICIA ROMO
Director of Transportation

APPROVED AS TO FORM:

 Dated: 7/11/16
Deputy

MARSHA VICTOR
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)

ENGINEER Approvals

ENGINEER:

 Dated: 6/14/16

Michael D Cairns
PRINTED NAME
President
TITLE

ENGINEER:

_____ Dated: _____

PRINTED NAME

TITLE

APPENDIX B • ARTICLE BI • INTRODUCTION

The Engineer shall perform the covenants set forth in Appendix A, Scope of Services in accordance with the performance requirements of Article V of this agreement and with the following Schedule of Services. All Covenants set forth in this agreement shall be completed by June 30, 2016, unless extended by supplemental agreement.

Contract expiration time frames for issuance of work authorizations:

Agreement	Contract Execution Date to June 30, 2016	
Supplement 1	July 1, 2016 to June 30, 2017	(Requires Board Authorization)
Supplement 2	July 1, 2017 to June 30, 2018	(Requires Board Authorization)

1 Satisfactory performance and completion of the Services under this Agreement shall be compensated based
2 upon actual costs. COUNTY will reimburse ENGINEER for actual costs (including labor costs, overhead, and
3 other direct costs) incurred by ENGINEER in performance of the work.

4 **APPENDIX C • ARTICLE CI • ELEMENTS OF COMPENSATION**

5 **A. SALARY RATES**

6 All services rendered under Scope of Services Appendix "A", shall be paid at the hourly rate scheduled in
7 Exhibit C-1. Salary rates shall be in effect for three years following the effective date of the Agreement.
8 Thereafter, ENGINEER may request adjustments to individual rates on an annual basis. ENGINEER shall
9 notify COUNTY in writing requesting a change in the rates included herein. All adjustments to rates shall be
10 subject to approval by the County Director of Transportation and Land Management Agency, or his designee.
11 No overtime or extra work shall be performed unless prior authorization is obtained from COUNTY.

12 **ARTICLE CIII • INVOICING**

13 ENGINEER shall submit invoices in accordance with the Engineering Services Agreement ARTICLE VI •
14 COMPENSATION and with the following requirements.

- 15 1. Charges shall be billed in accordance with the terms and rates included herein, unless otherwise
16 agreed in writing by the County Contract Administrator.
- 17 2. The charges for each individual assigned under this Agreement by project shall be listed separately.
- 18 3. Charges of \$500.00 or more for any one item of Additional Direct Costs shall be accompanied by
19 substantiating documentation such as invoices, telephone logs, etc.

20 **ARTICLE CIV • PAYMENT**

21 Progress payments shall be made in accordance with the Engineering Services, Agreement ARTICLE VI •
22 COMPENSATIONS.

23 **ARTICLE CV • COST PROPOSAL**

24 The following cost proposal reflects the negotiated targeted contract amount. The cost proposal will serve as a
25 guideline and reference document during the execution of this contract. ENGINEER shall be compensated in
26 accordance with the rates provided. The total amount of the contract is not to exceed \$75,000 per Fiscal Year for
27 3 years. Reimbursement is to be made at actual cost. Billing shall not exceed the rates provided in the attached
28 Fee Proposal Worksheets below (Exhibit C-1). Services will be requested on an "as needed" basis for fiscal
29 years 2013-2014, 2014-2015 and 2015-2016. ENGINEER will provide services for an amount not to exceed

On-Call Water Quality Management Plan Check Services

1 \$75,000 annually with no minimum amount and invoicing only for services performed. The total amount is not to
2 exceed \$225,000 for the three year term. This Agreement may be cancelled by County without cause with 30
3 days written notice and may be extended by no more than two one year extensions (Board authorization
4 required).

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

EXHIBIT C-1
 COST PROPOSAL SHEET – HOURLY BILLING RATE SCHEDULE
 FOR
 P-WQMP and F-WQMP Reviews

CValdo Corporation

Billing Title	Staff Name	Hourly Rate	Percentage of Time Serving Contract*
Project Manager	Mike Cairns, PE	\$155	25%
Senior Engineer	Ken Horsley, PE	\$144	35%
Senior Engineer	Lombardo Detrinidad, PE	\$144	35%
Project Engineer	Joel Valdovinos, PE**	\$128	20%
Project Engineer	Mariel Paras Cairns, PE**	\$128	20%
Project Engineer	Rick Paras, PE**	\$128	20%
Junior Engineer	Josh Bayona, EIT**	\$98	20%
Administrative	Antonia Foster	\$58	20%

* Percentages given are based upon availability. Actual percentages will vary based upon workload.

** Staff members are support staff intended to accommodate spikes in workload.

Task	Fee	Unit
Program Implementation Assistance	Per above hourly rate schedule	\$/hour