

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

616B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
August 16, 2011

SUBJECT: Santa Ana River; San Jacinto River and Chino Canyon Levees
Project Nos. 1-0-00010, 4-0-00020 and 6-0-00070
Professional Services Agreement
Amendment No. 3

RECOMMENDED MOTION:

1. Ratify and approve Amendment No. 3 between the District and Tetra Tech, Inc. (Consultant);
2. Authorize the Chairman to execute Amendment No. 3 on behalf of the District; and
3. Authorize the General Manager-Chief Engineer to extend the agreement for fiscal year 2012-2013 (if needed).

BACKGROUND

On March 18, 2008 (agenda item 11.6) the Board of Supervisors approved a Professional Services Agreement which set forth the terms and conditions by which Consultant would perform engineering analysis to determine levee criteria for Santa Ana River; San Jacinto River and Chino Canyon Levees.

(Continued page 2)

Warren D. Williams
WARREN D. WILLIAMS
General Manager-Chief Engineer

KEC:blj

FINANCIAL DATA	F.Y. 11-12 District Cost:	\$75,462	In Current Year Budget:	Yes
	Current F.Y. County Cost:	N/A	Budget Adjustment:	No
	Annual Net District Cost:	N/A	For Fiscal Year:	11-12, 12-13

SOURCE OF FUNDS:		Positions To Be Deleted Per A-30	<input type="checkbox"/>
25140 947460 525440	-Professional Services		
25160 947500 525440	- Professional Services		
25110 947400 525440	- Professional Services	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
Alex Gann
BY: Alex Gann

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: August 16, 2011
xc: Flood

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

FISCAL PROCEDURES APPROVED
MAN M. CHANG, FINANCE DIRECTOR
BY: *Man M. Chang*
MAN M. CHANG

FORM APPROVED COUNTY COUNSEL
BY: *Neal R. Kipnis*
NEAL R. KIPNIS
DATE: 8/22/11
Departmental Concurrence

Dept't Recomm.:	<input type="checkbox"/>	Consent	<input type="checkbox"/>	Policy	<input type="checkbox"/>
Per Exec. Ofc.:	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Policy	<input checked="" type="checkbox"/>

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

SUBJECT: Santa Ana River; San Jacinto River and Chino Canyon Levee
Project Nos. 1-0-00010, 4-0-00020 and 6-0-00070
Professional Services Agreement
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SUBMITTAL DATE: August 16, 2011

Page 2

BACKGROUND

On June 30, 2009 (agenda item 11.8), Amendment No. 1 was approved, extending the time for performance through June 30, 2010 due to delays associated with the data collection from other governmental agencies such as the Federal Emergency Management Agency (FEMA) and the Army Corps of Engineers (ACOE), and the evolving levee certification criteria.

On September 14, 2010 (agenda item 11.1), Amendment No. 2 was approved, extending the time for performance through June 30, 2011 to allow Consultant to address any comments and complete any additionally requested work as a result of FEMA and/or ACOE's review.

Levee Certification Reports have been submitted to the United States Department of Homeland Security-FEMA Region IX, and comments were received on January 20, 2011. FEMA's comments require additional documentation to be submitted upon clarification of a few outstanding policy interpretations from our FEMA Regional Engineer. Amendment No. 3 provides an extension of the Agreement through June 30, 2012 to allow Consultant to address FEMA's comments and complete additionally requested work accordingly.

County Counsel has reviewed and approved the Amendment as to form.

FINANCIAL:

Sufficient funds are included in District's budget for FY 2011-2012. Sufficient funding will be included in the District's proposed budget for fiscal year 2012-2013 to cover the remaining portion of the contract.

KEC:blj

1 PROFESSIONAL SERVICES AGREEMENT
2 Santa Ana River; San Jacinto River and Chino Canyon Levees
3 Project Nos. 1-0-00010, 4-0-00020 and 6-0-00070
4 Amendment No. 3

5 The RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION
6 DISTRICT, hereinafter called "DISTRICT" and TETRA TECH, INC., hereinafter called
7 "CONSULTANT", previously entered into that certain Agreement, dated March 18, 2008, for
8 the project described as the Santa Ana River Levee, the San Jacinto River Levee and the Chino
9 Canyon Levee, hereinafter called "AGREEMENT"; and

10 On June 30, 2009 DISTRICT and CONSULTANT entered into Amendment No. 1 to
11 extend the time for performance of AGREEMENT to June 30, 2010.

12 On September 14, 2010, DISTRICT and CONSULTANT entered into Amendment No.
13 2 to extend the time for performance of AGREEMENT to June 30, 2011.

14 Based upon FEMA's comments of the Levee Certification Reports prepared by
15 CONSULTANT, DISTRICT desires to extend the time for performance of CONSULTANT
16 AGREEMENT in order for CONSULTANT to address any comments contained in the review.

17 NOW, THEREFORE, AGREEMENT is hereby amended as follows, effective July 30,
18 2011:

19 Paragraph 3 of AGREEMENT is changed to read:

20 3. TIME FOR PERFORMANCE - CONSULTANT shall i) continue performance
21 of services and shall diligently perform the tasks to full completion by June 30,
22 2012, or ii) prior to the termination date of this Agreement, by mutual written
23 consent of DISTRICT and CONSULTANT, this Agreement, as determined
24 necessary by DISTRICT, may be extended for an additional one-year term.
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Except to the extent specifically added to, modified or amended hereunder, all of the terms, covenants and conditions of said AGREEMENT dated March 18, 2008 remain in full force and effect between the parties hereto.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on

AUG 16 2011

(to be filled in by Clerk of the Board)

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

By Warren D. Williams
WARREN D. WILLIAMS
General Manager-Chief Engineer

By Marion Ashley
MARION ASHLEY, Chairman
Riverside County Flood Control and
Water Conservation District Board of
Supervisors

APPROVED AS TO FORM:

ATTEST:

PAMELA J. WALLS
County Counsel
By Pamela J. Walls
NEAL KIPNIS
Deputy County Counsel

KECIA HARPER -IHEM
Clerk of the Board
By Kecia Harper
Deputy

(SEAL)

Professional Services Agreement – Tetra Tech, Inc.
Amendment No. 3
7/18/11
KEC:blj

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TETRA TECH, INC.

By Patti Sexton
Responsible Officer

Patti Sexton
Printed Name

Director Environmental
Title Engineering

Professional Services Agreement – Tetra Tech, Inc.
Amendment No. 3
7/18/11
KEC:blj