

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

524A



FROM: TLMA – Transportation and Planning Department

SUBMITTAL DATE:

March 2, 2016

SUBJECT: Amendment No. 3 to Agreement 11-06-008 between the County of Riverside and POWER Engineers, Inc. for On-Call Environmental Services. All Districts; [\$1,650,000]; Various State and Local Funds 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 3 to increase the contract budget for the On-Call Environmental Services Agreement between the County of Riverside (County) and POWER Engineers, 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 County of Riverside Transportation Department (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	\$ 650,000	\$ 0	\$ 1,650,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Various by project- State Funds and Local Funds- 100%.
There are no General Funds used in this Agreement.

Budget Adjustment: No
For Fiscal Year: 2015/2016

C.E.O. RECOMMENDATION:

APPROVE

BY: *Tina Grande*
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington and Benoit
Nays: None
Absent: Tavaglione and Ashley
Date: May 3, 2016
xc: Transp.

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

Prev. Agn. Ref.: 7/26/11, Item 3-76; 7/1/2014, Item 3-58

District: All

Agenda Number:

3-26

FORM APPROVED COUNTY COUNSEL
BY: *GREGORY P. PRIAMOS*
DATE: 4/25/16

Departmental Concurrence

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

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Amendment No. 3 to Agreement 11-06-008 between the County of Riverside and POWER Engineers, Inc. for On-Call Environmental Services. All Districts; [\$1,650,000]; Various State and Local Funds 100%
DATE: March 2, 2016
PAGE: 2 of 3

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 small core Transportation Department staff, and make use of specialized expertise for certain environmental studies. Environmental Services are needed to provide access to additional expertise and personnel, enabling the Transportation Department to meet increasing state and federal regulatory compliance demands.

On July 26, 2011 (Agenda Item 3-76), the Board of Supervisors (Board) approved the On-Call Environmental Services Agreement with POWER Engineers, Inc. with an annual amount not-to-exceed \$250,000. The On-call Environmental Agreement is for a 3-year term with the option to extend the contract two (2) additional one (1) year terms following the close of the initial three (3) year term.

On July 1, 2014 (Agenda Item 3-58), the Board approved Amendment No. 1 which provided POWER Engineers, Inc. the first of two optional one-year extensions in the amount of \$250,000 for Fiscal Year 2014/2015 and authorized the Director of Transportation to approve future extensions as provided for in the agreement. On July 9, 2015, the Director of Transportation approved Amendment No. 2 which provided a second and final one-year extension for Fiscal Year 2015/2016.

The \$250,000 budget for Fiscal Year 2015/2016 for POWER Engineers, Inc. has been exhausted due to a much higher than anticipated environmental compliance workload. POWER Engineers, Inc. provided desert tortoise pre-construction survey services for the Ragsdale Road at Texas Wash Project; prepared a hydraulic study and assisted in obtaining agency approval for an offsite riparian restoration plan that is required as mitigation for impacts associated with State Route 79 Widening, Interstate 15/Clinton Keith Road Interchange, and Clinton Keith Road Extension projects; and technical studies support for the Salt Creek Trail Project. The budget must be increased to provide sufficient capacity to continue working on critical on-call work assignments for necessary environmental services. There is a need for environmental services for the preparation of the California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) environmental documents and regulatory agency permitting for Salt Creek Trail Project and for POWER Engineers, Inc. continued support of the off-site mitigation for Clinton Keith Road Extension, State Route 79 Widening, and Interstate 15/Clinton Keith Road Interchange projects. Implementation of this mitigation has been delayed due to extensive Regulatory Agency comments resulting in additional studies. Planting and restoration efforts are expected to be implemented in fall 2016. Amendment No. 3 will increase the contract budget amount an additional \$400,000 for a total \$650,000 for the remainder of Fiscal Year 2015/2016 which will allow for the environmental analysis to continue in an efficient and expedient manner.

Impact on Residents and Businesses

This amendment will provide increased access to specific environmental expertise in areas that will supplement Transportation Department staff resources, keeping Transportation projects moving.

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, Western Riverside Council of Governments (WRCOG), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District, developer contributions, and various State funds. No net County costs will be incurred as a result of this agreement.

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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 (First one-year extension)
Amendment No. 2	Fiscal Year 2015/2016	\$250,000 (Second one-year extension)
Amendment No. 3	Fiscal Year 2015/2016	<u>\$400,000 (First augment)</u>
	Total	\$1,650,000

Contract History and Price Reasonableness

The billing rates for environmental services from POWER Engineers, Inc. were increased with the approval of Amendment No.2. However, the billing rates of POWER Engineers, Inc. remain comparable to those of other consulting firms offering similar services.

ATTACHMENTS:

Amendment No. 3

AMENDMENT No. 3 TO AGREEMENT

for On-Call Environmental Services

between County of Riverside- Transportation Department

and POWER Engineers, Inc.

THIS AMENDMENT (hereinafter the "Amendment No. 3") to an Agreement is made and entered into as of this 3rd day of May, 2016, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and POWER Engineers, Inc. (hereinafter "CONSULTANT").

RECITALS

- A. COUNTY and CONSULTANT have entered into an Agreement entitled "On-Call Environmental Services between County of Riverside – Transportation Department and POWER Engineers, Inc." dated July 26, 2011, Agenda Item 3.76 (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 and on-call Environmental services provided to other COUNTY departments, the amount of compensation is required to be increased to provide sufficient funding capacity for efficient and timely environmental analysis. The parties therefore now desire to amend the compensation amount for the remainder of Fiscal Year 2015/2016.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows, effective as of this 3rd day of May, 2016:

- 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 \$650,000 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 "\$650,000"..

- 1 3. CONSULTANT agrees to bill at rates approved in the Amendment No. 2 to Agreement for On-Call
2 Environmental Services between County of Riverside- Transportation Department and POWER Engineers,
3 Inc., for the term of this agreement.
- 4 4. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions
5 of the Agreement shall remain in full force and effect between the parties hereto.

6
7 IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly executed
8 this day and year first written above.

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10 [REMAINDER OF PAGE LEFT BLANK]
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APPROVALS

COUNTY Approvals

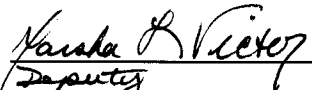
RECOMMENDED FOR APPROVAL:


Dated: 4/9/16

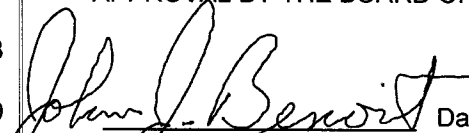
Juan C. Perez
Director of Transportation and Land Management

APPROVED AS TO FORM:

GREGORY P. PRIAMOS


Dated: 4/20/16
Deputy
County Counsel

APPROVAL BY THE BOARD OF SUPERVISORS


Dated: MAY 03 2016

JOHN J. BENOIT
PRINTED NAME
Chairman, Riverside County Board of Supervisors

ATTEST:


Dated: MAY 03 2016

KECIA HARPER-IHEM
Clerk of the Board (SEAL)

CONSULTANT Approvals

CONSULTANT:

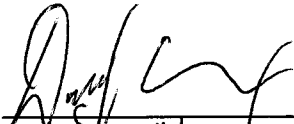
POWER Engineers, Inc.


Dated: 1/7/2016

Rob R. Reid
PRINTED NAME

Vice President
TITLE

CONSULTANT:


Dated: 1/8/16

David Marx
PRINTED NAME

Business Unit Director
TITLE