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



ITEM 3.67 (ID # 7165)

MEETING DATE:

Tuesday, June 26, 2018

FROM: TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:

Approve Amendment No. 3 to the Agreement for Engineering Services for Highway Geotechnical Engineering and Material Evaluation and Testing Services with Kleinfelder West, Inc. for Fiscal Year 18-19, All Districts; [\$130,000 FY

18/19, \$1,800,000 Total Costs]; Local Funds 100%

RECOMMENDED MOTION: That the Board of Supervisors:

- Approve and Execute Amendment No. 3 to the Agreement for On-Call Geotechnical Engineering and Material Testing Services with Kleinfelder West, Inc for an amount not to exceed of \$130,000 During Fiscal Year 18-19; and
- 2. Authorize the Director of Transportation, or their designee, to approve no-cost time extensions to complete on-going tasks.

ACTION: Policy

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes:

Jeffries, Tavaglione, Washington and Perez

Nays:

None

Absent: Date:

Ashley June 26, 2018

XC:

Transp

3.67

Kecia Harper-Ihem

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

FINANCIAL DATA	Curr	ent Fiscal Year:	Ne	xt Fiscal Year:		Total Cost:	Or	ngoing Cost	
COST	\$	230,000	\$	130,000	\$	1,800,000	\$		0
NET COUNTY COST	\$	0	\$	0	\$	0	\$		0
SOURCE OF FUNDS: Capital Funds and Deposit Based Fees (100%) There are no General Funds used on this project.									
÷						For Fiscal Y	ear:	18/19	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Transportation Department requires outside geotechnical engineering and material testing services to deliver many road improvement projects identified and funded in the Transportation Improvement Program (TIP) and through the Developer Improvement process.

By Minute Order dated August 20, 2013 (Item No. 3-97), the Board of Supervisors approved and executed an On-Call Engineering Services Agreement with Kleinfelder West, Inc. The Contract provided for a three (3) year contract with two one (1) year extension with a maximum annual capacity of \$360,000, and a resulting total maximum contract capacity of \$1,800,000 over five years. Under authority of the Director of Transportation, Amendment No. 1 was executed on June 16, 2016 and extended the ability to authorize work assignments until June 30, 2017. Amendment No. 2 was executed June 19, 2017 and extended the ability to authorize work assignments until June 30, 2018.

On April 28, 2017, Senate Bill 1 (SB1) was signed into law to improve the state's aging transportation infrastructure, particularly to roads and bridges. Because of this, the County is now able to improve the condition of roads needing resurfacing or reconstruction and has included them in the County Transportation Improvement Program (TIP).

In an effort to avoid delays in the delivery of SB1 funded TIP projects and to meet the demands of the development community, it is necessary to extend the contract terms. Amendment No. 3 proposes to extend the contract expiration date from June 30, 2018 to June 30, 2019, while utilizing the contract's unused capacity; therefore, the maximum contract amount would not be increased. This will allow Kleinfelder West, Inc. to complete the services required by the term of the agreement. All work performed during the extended contract period will be subject to the original contract term and conditions and no additional budget adjustment is requested.

The Transportation Department has a long term need for On-Call Engineering Services and will be presenting new contracts to the Board sometime in early 2019. The new on-call contracts will include State requirements in order to maximize flexibility for use on State funded projects.

Impact on Residents and Businesses

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

On-call contracts provide the flexibility needed to engage consultants to provide additional geotechnical engineering and material testing services necessary to deliver critical TIP projects and meet the demands of the development community.

Additional Fiscal Information

All associated contract cost will be funded using Deposit Based Fees or Local Funds. No General Funds will be used for this agreement.

Contract History and Price Reasonableness

The Transportation Department has contracted with Kleinfelder West, Inc. under this agreement since 2013 and the billing rates remain as approved in Amendment No. 2. The billing rates are within the range of acceptable industry practice for engineering services.

ATTACHMENTS:

Amendment 3 On-Call Agreement with Kleinfelder

Scott Bruckner 6/15/2018 Gregory Priagros, Director County Counsel 6/8/2018

AMENDMENT NO. 3 TO AGREEMENT BETWEEN

THE COUNTY OF RIVERSIDE KLEINFELDER WEST, INC.

FOR ON-CALL GEOTECHNICAL ENGINEERING & MATERIAL TESTING SERVICES

THIS AMENDMENT No. 3 (hereinafter the "Amendment") to an agreement is made and entered into as of this **200** day of **100**, 2018, by and between the County of Riverside, a political subdivision of the State of California (hereinafter the "COUNTY"), and Kleinfelder West, Inc. (hereinafter "ENGINEER").

RECITALS

- A. COUNTY and ENGINEER have entered into an agreement entitled Engineering Services Agreement for Highway Geotechnical Engineering and Material Evaluation and Testing Services between County of Riverside Transportation Department and Kleinfelder West, Inc., (hereinafter the "Agreement") on August 20, 2013 (Board Agenda Item 3-97). The Agreement provides the terms and conditions, scope of work, schedule, budget, and salary rates for the performance of professional and technical services necessary to provide On-call Geotechnical Engineering and Highway Materials Testing Services.
- B. Article V establishes the time period for the issuance of work assignments under the original agreement. The terms and conditions specify that work assignments can be authorized for three years from the date of Board of Supervisors agreement approval (August 20, 2013) and that the authority to execute work assignments can be modified through one-year supplemental extensions. The agreement allows for two separate one-year extensions. Amendment No. 1 was executed on June 16, 2016 and extended the ability to authorize work assignments until June 30, 2017. Amendment No. 2 was executed June 19, 2017 and extended the ability to authorize work assignments until June 30, 2018.
- C. Under the terms of the agreement, the Transportation Department is authorized to negotiate and approve various work assignments with the stipulation that the geotechnical engineering and material testing fees shall not exceed \$360,000 annually. The parties desire to amend the Agreement to extend the expiration date to allow ENGINEER to complete work assignments that were approved during the contract period but were not completed by the ENGINEER prior to the contract termination date. All work performed during the extended contract period will be subject to the original authorizations provided by the Transportation Department prior to or on June 30, 2018 and no additional budget authorization is requested.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows, effective June 30, 2018:

- 1. Article V is amended by extending the contract termination date to June 30, 2019.
- 2. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of the Agreement shall remain in full force and effect between the parties hereto.
- IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly executed this day and year first written above.

1	APPROVALS		
2	COUNTY Approvals	CONSULTANT Approvals	
3	RECOMMENDED FOR APPROVAL:	CONSULTANT:	
4			
5		Jamela Me	
6	Dated: 6/6/2018	Jaman Se vice	Dated: <u>5/21/18</u>
7	PATRICIA ROMO	PAMELA D. MASSA	
8	Director of Transportation	VICE PRESIDENT	
9		TITLE	
10	APPROVED AS TO FORM:	CONSULTANT:	
11	GREGORY P. PRIAMOS, COUNTY COUNSEL		
12	Vna		
13	By Deputy Kistme BellVallez		Dated:
14	By Deputy Kistme BellVallez	PRINTED NAME	
15		PRINTEU NAME	
16	APPROVAL BY THE BOARD OF SUPERVISORS	TITLE	
17			
18	Mush Wated: JUN 26 2018		
19	husk Word Bated: JUN 26 2018		
20	Chuck Washington		
21	Chairman, Riverside County Board of Supervisors		
22			
23	ATTEST:		
24			
25	Value		
26	MULL Substituted: JUN 26 2018		
27	KECIA HARPER-IHEM		
28	Clerk of the Board		

29