

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



ITEM: 11.2
(ID # 12777)

MEETING DATE:
Tuesday, June 30, 2020

FROM: FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Approval of the First Amendment to the Consulting Services Agreement with Albert A. Webb Associates Between the Riverside County Flood Control and Water Conservation District and Albert A. Webb Associates for San Jacinto River, Stage 3, Project No. 4-0-00020-03, Fiscal Years 2020/2021-2022/2023, District 5. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the no-cost First Amendment to the Consulting Services Agreement with Albert A. Webb Associates ("Amendment") between the Riverside County Flood Control and Water Conservation District ("District") and Albert A. Webb Associates ("Consultant") for three years (Fiscal Years 2020/2021-2021/2023);
2. Authorize the Chairwoman of the Board to execute the same on behalf of the District;
3. Authorize the District's General Manager-Chief Engineer to negotiate, approve and execute any non-substantive amendments, subject to County Counsel approval; and
4. Direct the Clerk of the Board to return two (2) executed Amendments to the District.

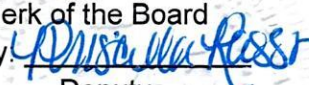
ACTION: Policy

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 6/11/2020

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: June 30, 2020
xc: Flood

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 25140-947460-525440 – Zone 4 Const/Maint/Misc Professional Services			Budget Adjustment: No	
			For Fiscal Year: 20/21-22/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On May 22, 2018, the Board of Supervisors approved a multi-year Consulting Services Agreement ("Agreement") between the District and the Consultant (Board Agenda Item No. 11.5). Pursuant to this Agreement, the Consultant was retained to provide engineering services and environmental services to develop the Master Drainage Plan for San Jacinto River, Stage 3, including the accompanying Environmental Impact Report.

This no-cost Amendment will extend the term of the Agreement by three years (Fiscal Year 2020/2021-2021/2023). The scope of services, approved not-to-exceed compensation amount and contract pricing will remain the same.

County Counsel has approved the Amendment as to legal form. The Consultant has executed the Amendment.

Prev. Agn. Ref.: MT#7010 11.5 of 05/22/2018

Impact on Residents and Businesses

The development and subsequent implementation of a comprehensive flood hazard mitigation plan for the lower San Jacinto River Valley will protect critical transportation facilities, advance implementation of the Western Riverside Multi-Species Habitat Conservation Plan and accommodate certain land development activity within the floodplain fringe.

Costs incurred under the Amendment will be funded by ad valorem property tax revenue and entails no new fees, taxes or bonded indebtedness.

Additional Fiscal Information

Sufficient funding is available in the District's Zone 4 budget for Fiscal Year 2020-2021 and will be included in the District's recommended budget(s) for future fiscal years, as appropriate and necessary. The approved not-to-exceed compensation amount and contract pricing are not affected by the Amendment.

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Contract History and Price Reasonableness

Pursuant to Board Policy H-7, on September 12, 2017, the District published a public notice for the Request for Proposals/Qualifications (RFP/Q) in The Press Enterprise and The Californian. The RFP/Q was also made available to the public on the District's internet site from September 12, 2017 to October 31, 2017. Albert A. Webb Associates was selected based on relevant experience, technical competence, past performance and their proposed work plan. The Consultant has maintained its contract pricing.

ATTACHMENTS:

1. Vicinity Map
2. First Amendment to the Consulting Services Agreement

RKM:blm
P8/231604



Jason Farin, Principal Management Analyst 6/23/2020



Gregory H. Priamos, Director County Counsel 6/15/2020

FIRST AMENDMENT TO THE CONSULTING SERVICES AGREEMENT
WITH ALBERT A. WEBB ASSOCIATES

San Jacinto River, Stage 3
Project No. 4-0-00020-03

This First Amendment to the Consulting Services Agreement with Albert A. Webb Associates ("FIRST AMENDMENT"), dated as of JUN 30 2020, is entered by and between the Riverside County Flood Control and Water Conservation District, a body politic ("DISTRICT"), and Albert A. Webb Associates, a California corporation ("CONSULTANT"). Sometimes hereinafter, DISTRICT and CONSULTANT may be referred to collectively as the "Parties". The Parties hereby agree as follows:

RECITALS

A. DISTRICT and CONSULTANT previously entered into that certain Services Agreement ("ORIGINAL AGREEMENT"), dated May 22, 2018 for the provision by CONSULTANT of engineering services and environmental services to develop a Master Drainage Plan for San Jacinto River, Stage 3, including the accompanying Environmental Impact Report.

B. ORIGINAL AGREEMENT together with FIRST AMENDMENT are collectively referred to herein as the "Agreement".

C. The Parties now desire to amend the Agreement to extend the term period.

NOW THEREFORE, for good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the Parties agree as follows:

1. TIME FOR PERFORMANCE. Section 4 of the Agreement is hereby deleted in its entirety and replaced by the following:

4. TIME FOR PERFORMANCE – CONSULTANT agrees that it will diligently and responsibly pursue the performance of work and services. The term of this Agreement shall commence on the date it is executed by DISTRICT's Board of Supervisors and shall

end on June 30, 2023 unless extended by the General Manager-
Chief Engineer.

2. CAPITALIZED TERMS. FIRST AMENDMENT TO PREVAIL.

Unless defined herein or the context requires otherwise, all capitalized terms herein shall have the meaning defined in the Agreement, as heretofore amended. The provisions of this FIRST AMENDMENT shall prevail over any inconsistency or conflicting provisions of the Agreement as heretofore amended and shall supplement the remaining provisions thereof.

3. MISCELLANEOUS. Except as amended or modified herein, all the terms of the Agreement shall remain in full force and effect and shall apply with the same force and effect. Subject to the provisions of the Agreement as to assignment, the agreements, conditions and provisions herein contained shall apply to and bind the heirs, executors, administrators, successors and assigns of the Parties hereto. If any provisions of this FIRST AMENDMENT or the Agreement shall be determined to be illegal or unenforceable, such determination shall not affect any other provision of the Agreement and all such other provisions shall remain in full force and effect. The language in all parts of the Agreement shall be construed according to its normal and usual meaning and not strictly for or against either DISTRICT or CONSULTANT.

4. EFFECTIVE DATE. This FIRST AMENDMENT to Agreement shall not be binding or consummated until it is fully executed by the Parties.

5. COUNTERPARTS. This FIRST AMENDMENT may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument.

[Signature Provisions on Following Page]

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IN WITNESS WHEREOF, the Parties hereto have executed this FIRST AMENDMENT on June 30, 2020.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By J. Uhley
JASON E. UHLEY
General Manager-Chief Engineer

By Karen S. Spiegel
KAREN SPIEGEL, Chairwoman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM:

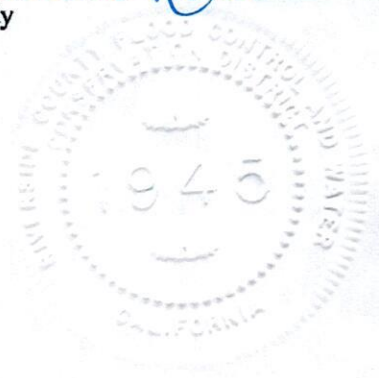
ATTEST:

GREGORY P. PRIAMOS
County Counsel

KECIA HARPER
Clerk of the Board

By Synthia M. Gunzel
SYNTHIA M. GUNZEL
Deputy County Counsel

By Priscilla Raso
Deputy



First Amendment to the Consulting Services Agreement with Albert A. Webb Associates
San Jacinto River, Stage 3
Project No. 4-0-00020-03
06/04/2020
RKM:blm

ALBERT A. WEBB ASSOCIATES



Signature of Responsible Officer

SCOTT R. HILDEBRANDT

Printed Name

SENIOR VICE PRESIDENT

Title

First Amendment to the Consulting Services Agreement with Albert A. Webb Associates
San Jacinto River, Stage 3
Project No. 4-0-00020-03
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RKM:blm