

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



ITEM: 3.57
(ID # 17876)

MEETING DATE:

Tuesday, December 14, 2021

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Approval of Amendment No. 3 to the Professional Service Agreement with AECOM Technical Services, Inc. for Air Quality Review and Analysis Services; All Districts. [\$160,000 Total Annual Cost; up to \$16,000 in Additional Compensation - Deposit Based Fee Revenue 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 3 to the Professional Service Agreement with AECOM Technical Services, Inc. for Air Quality Review and Analysis Services to increase the annual maximum payment amount by \$61,000 from \$99,000 to \$160,000 through June 30, 2022, and authorize the Chair of the Board to sign the amendment on behalf of the County; and
2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to: (a) sign amendments that make modifications to the scope of services that stay within the intent of the agreement; and (b) sign amendments to the compensation provisions that do not exceed the sum total of ten percent (10%) of the total annual cost of the agreement.

ACTION: Policy

Charissa Leach, TLMA Director

12/7/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Spiegel 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: December 14, 2021
xc: Planning

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	\$ 160,000	\$ 0	\$ 160,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Deposit Based Fee Revenue 100%			Budget Adjustment: No	
			For Fiscal Year: 21/22	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The TLMA Planning Department receives hundreds of development applications annually and, on an as-needed, project-by-project basis, requires specialized and expert assistance for review of Air Quality documents submitted in conjunction with projects that require environmental review pursuant to the California Environmental Quality Act (CEQA). In general, such reviews are needed for cases in which air quality and greenhouse gas (GHG) generation is specifically identified as an important issue. The purpose of the independent review process is to determine whether the information submitted on behalf of a proposed development has identified and addressed the associated potential air quality and GHG impacts. Specific considerations that are relevant to such determinations include evaluation of the following elements of the air quality documentation for each project:

- Specialized and expert assistance for review and analysis of all potential air quality impacts in context of current regulations and guidelines, including but not limited to, the CEQA, the South Coast Air Quality Management District (SCAQMD), and/or the Mojave Desert Air Quality Management District, Riverside County General Plan (Air Quality Element), Riverside County Climate Action Plan, the Federal Clean Air Act, and the California Clean Air Act.
- On an as-needed, project-by-project basis, the specialized technical staff may be required to conduct a thorough third-party review and analysis of the EIR Air Quality Section and/or Air Quality Technical Report, and/or greenhouse gas (GHG) analyses including but not limited to determining whether the document submitted on behalf of a proposed land use project adequately meets the regulatory requirements.

The request before the Board is for the approval of the Amendment No. 3 to increase the annual amount by \$61,000 from \$99,000 to \$160,000 through June 30, 2022; this request is due to the increase in proposed projects that require the specialized and technical review for Air Quality related issues. Services provided under this agreement will be performed on an on-call basis to the Riverside County Planning Department more specifically described in work assignments initiated at the request of the County Planning Department.

Impact on Residents and Businesses

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There is no negative impact on the citizens or businesses in the County of Riverside.

Additional Fiscal Information

The Air Quality Review and Analysis Services will be funded 100% by Deposit Based Fee reimbursement. No dollar amount of work is guaranteed. The current fiscal year has an estimated cost of \$160,000.

Contract History and Price Reasonableness

On August 12, 2016 Purchasing and Fleet Services released a Request for Proposal (RFP) #TLARC-486, on behalf of TLMA-Planning for On-Call Air Quality Review/Analysis Services. The RFP notification was posted on PublicPurchase.com and forty-one (41) potential bidders accessed the RFP. The RFP closed on September 9, 2016, with two bid proposals submitted in response to the RFP. These proposals were evaluated based on their scope of work, experience and the cost proposed to provide services by an evaluation team. Based on this analysis and an overall summation of the proposals submitted, it was determined and recommended by the evaluation team to select and award a contract to AECOM Technical Services, Inc. and a contract to RECON as responsive/responsible bidders.


On December 13, 2016, the Purchasing Agent executed the agreement with AECOM Technical Services, Inc. for an amount not to exceed \$70,000 annually through June 30, 2021. On December 30, 2019, the Purchasing Agent executed Amendment No. 1 to increase the annual maximum payment amount by \$29,000, from \$70,000 annually to \$99,000 annually, and to delete and replace the contract number. On June 2, 2021, the Purchasing Agent executed Amendment No. 2 to update the geographical area for the CPI, increase the hourly rates and extend the period of performance for one (1) additional year commencing on July 1, 2021 and continuing in effect through June 30, 2022.

This Amendment No. 3 to increase the annual amount by \$61,000 from \$99,000 to \$160,000 through June 30, 2022 before the Board requires Board approval.

ATTACHMENTS:

ATTACHMENT A. Amendment No. 3 to the Professional Service Agreement for Air Quality Review and Analysis Services between County of Riverside and AECOM Technical Services, Inc.

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Suzanna Hensley, Assistant Director of Purchasing and Fleet Service

12/8/2021



Jason Farin, Principal Management Analyst

12/8/2021



Gregory V. Priamos, Director County Counsel

12/7/2021

AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICE AGREEMENT
FOR AIR QUALITY REVIEW AND ANALYSIS SERVICES BETWEEN COUNTY OF
RIVERSIDE AND AECOM TECHNICAL SERVICES, INC.

Original Period of Performance:	December 13, 2016 through June 30, 2021
Period of Performance Extended To:	June 30, 2022
Effective Date of Amendment No. 3:	January 1, 2022
Original Annual Maximum Payment Amount:	\$70,000
Amended Annual Maximum Payment Amount:	\$160,000
Contract ID:	TLARC-92615-00005-6/19

This AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICE AGREEMENT FOR AIR QUALITY REVIEW AND ANALYSIS SERVICES BETWEEN COUNTY OF RIVERSIDE AND AECOM TECHNICAL SERVICES, INC. (herein referred to as "Amendment No. 3") is made and entered into by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California, (herein referred to as "COUNTY") and AECOM TECHNICAL SERVICES, INC., a California corporation, (herein referred to as "CONTRACTOR"), sometimes collectively referred to as the "Parties."

RECITALS

WHEREAS, COUNTY and CONTRACTOR entered into that certain Professional Service Agreement for Air Quality Review and Analysis Services, executed December 13, 2016, (herein referred to as "Agreement"); and

WHEREAS, COUNTY and CONTRACTOR entered into that certain Amendment No. 1 to the Agreement, executed December 30, 2019, to increase the annual maximum payment amount by \$29,000, from \$70,000 annually to \$99,000 annually, and to delete contract number TLARC-92615-00005-6/21 and replace it with contract number TLARC-92615-00005-6/19; and

WHEREAS, COUNTY and CONTRACTOR entered into that certain Amendment No. 2 to the Agreement, executed June 2, 2021, to update the geographic area for the CPI, replacing the Consumer Price Index – All Consumers, All Items – Greater Los Angeles, Riverside and Orange County areas with the Consumer Price Index – All Items – Riverside-San Bernardino-Ontario CA, increase the hourly rates and extend the period of performance for one (1) additional year commencing on July 1, 2021 and continuing in effect through June 30, 2022; and

WHEREAS, COUNTY and CONTRACTOR now desire to amend the Agreement to increase the annual maximum payment amount by \$61,000, from \$99,000 annually to \$160,000 annually;

NOW THEREFORE, the Parties agree as follows:

1. **Recitals.** The above recitals are true and correct and are incorporated herein by reference.
2. **Compensation.** The second sentence of Subsection 3.1 of Section 3. Compensation is hereby amended to increase the annual maximum payment amount by \$61,000, from \$99,000 annually to \$160,000 annually, as follows:

DEC 14 2021 3:57

AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICE AGREEMENT
FOR AIR QUALITY REVIEW AND ANALYSIS SERVICES BETWEEN COUNTY OF
RIVERSIDE AND AECOM TECHNICAL SERVICES, INC.

"Maximum payments by COUNTY to CONTRACTOR shall not exceed \$160,000 (One Hundred Sixty Thousand Dollars) annually including all expenses."

3. **Miscellaneous.** All other terms and conditions of the Agreement not modified herein shall remain unchanged and in full force and effect.
4. **Effective Date.** This Amendment No. 3 shall become effective January 1, 2022.
5. **Counterparts.** This Amendment No. 3 may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one and the same instrument.
6. **Electronic Signatures.** Each Party to this Amendment No. 3 agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Amendment No. 3. The Parties further agree that the electronic signatures of the Parties included in this Amendment No. 3 are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the Parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

[Signature Page Follows]

AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICE AGREEMENT
FOR AIR QUALITY REVIEW AND ANALYSIS SERVICES BETWEEN COUNTY OF
RIVERSIDE AND AECOM TECHNICAL SERVICES, INC.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment No. 3.

COUNTY OF RIVERSIDE, a political
subdivision of the State of California

AECOM TECHNICAL SERVICES,
INC., a California corporation

By: Karen S. Spiegel
Karen Spiegel, Chair
Board of Supervisors

By: Teri Fenner
Teri Fenner
Vice President

Dated: DEC 14 2021

Dated: November 23, 2021

ATTEST:
Kecia R. Harper
Clerk of the Board

By: [Signature]
Deputy

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

By: [Signature]
Danielle Maland
Deputy County Counsel