

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



ITEM: 3.32
(ID # 17613)

MEETING DATE:

Tuesday, June 07, 2022

FROM : PURCHASING AND FLEET SERVICES:

SUBJECT: PURCHASING AND FLEET SERVICES: Ratify and Approve Amendment No. 1 to the Professional Service Agreement for Heavy Equipment Rental Services with Quinn Company to change the maximum payment amount from \$100,000 annually to an aggregate amount of \$3,250,000 for five years through February 28, 2026. All Districts. [Total Aggregate Cost: \$3,250,000; up to \$325,000 in additional compensation, 55% Funding from Waste Resources, 15% Funding from Transportation, 15% Funding from Flood Control and 15% Funding from EMD]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify and approve Amendment No. 1 to the Professional Service Agreement for Heavy Equipment Rental Services with Quinn Company to change the maximum payment amount from \$100,000 annually to an aggregate amount of \$3,250,000 for five years, through February 28, 2026 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 aggregate cost of the Agreement.

ACTION:

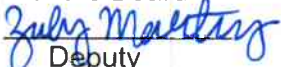

Sarah Franco, Director of Procurement & Fleet 5/10/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez 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 7, 2022
xc: Purchasing

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	\$650,000	\$650,000	\$3,250,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Departmental Funds - 55% Waste Resources, 15% Transportation, 15% Flood Control and 15% EMD			Budget Adjustment:	No
			For Fiscal Year:	21/22-25/26

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary (continued)

Waste Resources, the Transportation Land Management Agency and Flood Control combined operate a variety of equipment including but not limited to, pickup trucks, water trucks, dump trucks, graders, loaders, dozers, and other specialty type of equipment. During routine operations/maintenance, the departments occasionally find it necessary to rent equipment, or to replace a unit that is down for maintenance. Providing the ability to rent equipment only when necessary, eliminates the need to replace County-owned equipment and affords the ability to continue work without disrupting the daily operations of the department.

The Agreement provides the option to retain operators to run the rental equipment on an hourly rate based on the type of equipment rented. Having the ability to contract for equipment and operators will assist during the performance of routine maintenance and, also provide access to additional resources that may be needed during an emergency event.

In the event of a disaster, the County activates its Emergency Operations Center (EOC) and departments as follows: Waste Resources, Transportation and Land Management and Flood Control serve as a resource in assisting with clearing impassable roads, debris removal from roads that have been buried with sediment, trash, rocks, tree limbs, and repairs damaged roads and bridges. During an emergency, the County's Waste Management, Transportation Land Management Agency, and Flood Control coordinates with the EOC the use of heavy equipment for the restoration of roads, flood control facilities, and disposal of debris.

Impact on Residents and Businesses

This Countywide heavy equipment Agreement provides the County with the equipment and resources necessary to protect the safety of the public, especially during large scale emergency events

SUPPLEMENTAL:

Additional Fiscal Information

The Purchasing Department released a bid solicitation for Heavy Equipment Rental on November 17, 2020 and utilizing Purchasing Agent authority issued contracts to five vendors. These contracts were issued in the amount of \$100,000 per vendor.

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Based on the user department's (Waste Resources, Transportation and Land Management and Flood Control) projected usage, it's been determined the vendor Quinn will exceed their current annual contract amount and the contract should be set with an aggregate total cost amount for five years to allow the reallocation of funds across the user departments.

Following are the estimated costs per department based on prior year expenditures for equipment rental services, although it should be noted that individual department's use of the of the contract is not limited to these estimates.

	Waste	Flood	TLMA	EMD	Estimated Cost
FY 21/22	\$350,000	\$100,000	\$100,000	\$100,000	\$650,000
FY 22/23	\$350,000	\$100,000	\$100,000	\$100,000	\$650,000
FY 23/24	\$350,000	\$100,000	\$100,000	\$100,000	\$650,000
FY 24/25	\$350,000	\$100,000	\$100,000	\$100,000	\$650,000
FY 25/26	\$350,000	\$100,000	\$100,000	\$100,000	\$650,000
Sub-Total	\$1,750,000	\$500,000	\$500,000	\$500,000	\$3,250,000
Sub-totals per departments					Grand Total

Contract History and Price Reasonableness

On November 17, 2020, the Purchasing Department on behalf of Waste Resources released Request for Quote (RFQ) WMARC-401-A. The RFQ was advertised publicly, and notification viewed by 10 vendors, with a total of 10 bidders submitting bid responses. The bid responses were reviewed. Each bid response was evaluated based on the criteria set forth in the RFQ requirements, discount(s) offered, rental rates per piece of equipment and overall cost to the County.

After a thorough review of each response the County determined United Rentals North America Inc, Porter Rentals LLC, Quinn Company, Ahern Rentals Inc., and Municipal Maintenance Equipment, to be the most responsive and responsible bidders based on their rental rates.

On March 12, 2021, utilizing the Purchasing Agent's Authority, Purchasing issued a multi-award to the six vendors (United Rentals North America Inc, Porter Rentals LLC, Quinn Company, Ahern Rentals Inc., Municipal Maintenance Equipment and Burros Backhoe Service Inc.) deemed the most responsive and responsible bidders and entered into a Professional Service Agreement with each vendor for Heavy Equipment Rental Services for \$100,000 annually for five years through February 28, 2026.

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This Amendment No. 1 before the Board for approval covers an increase in the vendor Quinn's contract amount from \$100,000 annually to an aggregate amount of \$3,250,000 for the five-year contract through February 28, 2026.

Attachments:

ATTACHMENT A: Amendment No. 1



Sarah Franco, Director of Procurement & Fleet 5/10/2022

AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT
FOR HEAVY EQUIPMENT RENTAL SERVICES BETWEEN COUNTY OF RIVERSIDE
AND QUINN COMPANY

Original Period of Performance:	March 12, 2021 through February 28, 2026
Effective Date of Amendment No.1:	March 12, 2021
Original Maximum Payment Amount:	\$100,000 annually
Amended Maximum Payment Amount:	\$3,250,000 aggregate
Contract ID:	RIVCO-97524-003-02/26

This AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT FOR HEAVY EQUIPMENT RENTAL SERVICES BETWEEN COUNTY OF RIVERSIDE AND QUINN COMPANY (herein referred to as "Amendment No. 1") 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 QUINN COMPANY, 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 Heavy Equipment Rental Services, executed March 12, 2021, (herein referred to as "Agreement"); and

WHEREAS, the Parties now desire to amend the Agreement to change the maximum payment amount from an annual amount to an aggregate amount;

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 change the maximum payment amount from \$100,000 annually to an aggregate amount of \$3,250,000, as follows:
"Maximum payments by COUNTY to CONTRACTOR shall not exceed three million two hundred fifty thousand dollars (\$3,250,000) in aggregate for the period of performance, 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. 1 shall become effective March 12, 2021.
- 5. Counterparts.** This Amendment No. 1 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. 1 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. 1. The Parties further agree that the electronic signatures of the Parties included in this Amendment No. 1 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

AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT
FOR HEAVY EQUIPMENT RENTAL SERVICES BETWEEN COUNTY OF RIVERSIDE
AND QUINN COMPANY

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.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment No. 1.

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

QUINN COMPANY, a California
corporation

By: 
JEFF HEWITT, Chair
Board of Supervisors

By: 
Michelle Locke
Chief Financial Officer

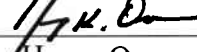
Dated: JUN 07 2022

Dated: 11/3/21

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

QUINN COMPANY, a California
corporation

By: 
Danielle Maland
Deputy County Counsel

By: 
Henry Quan
President

Dated: 11/15/21

Dated: 11-5-2021

ATTEST:
KECIA R. HARPER, Clerk
By 
DEPUTY

BA DELIA

KECIV HAVBER' OPIK
ALTEZ