

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



ITEM: 3.5
(ID # 19946)

MEETING DATE:

Tuesday, October 04, 2022

FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Approve Amendment No. 3 to the Professional Services Agreement with Willdan Financial Services for Consulting Services for Development Impact Fee (DIF) Nexus Study 2020-2030 for the time period of October 1, 2022 through June 30, 2023; All Districts. [\$14,660 Total Cost; up to \$10,000 in additional compensation - Development Impact Fee Admin Fund 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 3 for the extension of Professional Service Agreement with Willdan Financial Services for Consulting Services for Development Impact Fee (DIF) Nexus Study 2020-2030 for the time period of October 1, 2022 through June 30, 2023 for \$14,660; 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 as to form by County Counsel to: a) sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement; and b) sign amendments to the compensation provisions that do not exceed 10% annually.

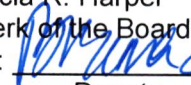
ACTION:Policy


Rania Odenbaugh, Director of Constituent Services 9/30/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Jeffries 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: October 4, 2022
xc: EO

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	\$ 14,660	\$ 0	\$ 14,660	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: DIF Admin Fund 100%			Budget Adjustment: No	
			For Fiscal Year: 22/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Government Code Section 31000 et. seq. authorizes the County to contract services with a contractor who is trained and experienced, and who is competent to perform the services required.

In order to assist in developing an analysis of the need for public facilities and capital improvements to support projected future development within Riverside County through 2030, the Riverside County Executive Office submitted a request in 2019 to the Riverside County Purchasing department to solicit proposals for consultant services for a Development Impact Fee Nexus Study for 2020-2030.

The 2020-2030 DIF Nexus Study is an update of the development impact fees (DIF) calculated for and documented in the County of Riverside Development Impact Fee Study Update, November 25, 2014 (2010-2020 DIF Study) prepared by Willdan Financial Services.

Impact on Residents and Businesses

Each geographical area of the county will benefit from the public infrastructure projects proposed within the DIF Capital Improvement Plan. The DIF Capital Improvement Plan consists of only those critical projects needed to offset the impacts of future development. The Nexus Study will ensure that new development will not be unfairly burdened with the cost of facilities associated with serving the existing population.

Additional Fiscal Information

The cost for the period of performance, October 01, 2022, through June 30, 2023, is \$14,660. This item does not require a budget adjustment.

Contract History and Price Reasonableness

On July 23, 2019, the Riverside County Purchasing and Fleet Services Department on behalf of the Executive Office released Request for Proposal (RFP), EOARC-054, soliciting proposals for Consulting Services for the Development Impact Fee (DIF) Nexus Study for 2020-2030. The RFP was sent to thirty-one (31) potential bidders, was advertised on the Purchasing website, and closed on August 16, 2019. Two (2) bid responses were submitted in response to the RFP.

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Cost ranged from \$118,080 to \$270,710 annually. The proposals were reviewed by an evaluation team made up of personnel from the Executive Office, Riverside County Fire, Transportation and Land Management Agency, and Riverside County Parks. Each bid response was evaluated based on the criteria set forth in the RFP: overall response to the RFP requirements; bidder's experience and ability; overall cost to the County; references with demonstrated success with similar work to the Scope of Service; financial status; clarifications, exceptions or deviations, and credentials, resumes, licenses, or certifications.

Based on the overall summation of the proposals submitted, the evaluation team recommended Willdan Financial Services as most responsive and responsible bidder.

On October 1, 2019 (Item 3.23), the Board of Supervisors approved the professional service agreement with Willdan Financial Services for Consulting Services for a Development Impact Fee (DIF) Nexus Study 2020-2030 for one year with the option to renew for up to two additional one-year periods. The Purchasing Department exercised both options to renew the agreement for one year each as approved by the Board of Supervisors by issuing Amendment No. 1, effective October 1, 2020 – September 30, 2021, and Amendment No. 2, effective October 1, 2021 through September 30, 2022

ATTACHMENTS:

ATTACHMENT A. Amendment No. 3 to the Professional Services Agreement for Consultant Services for Development Impact Fee (DIF) Nexus Study for 2020-2030 between County of Riverside and Willdan Financial Services


Suzanna Hickley, Assistant Director of Purchasing and Fleet Service 9/23/2022


Kristine Bell-Valdez, Supervising Deputy County Counsel 9/27/2022

COUNTY OF RIVERSIDE
AMENDMENT NO. 3 TO THE AGREEMENT
WITH
WILLDAN FINANCIAL SERVICES

Original Contract Term:	10/01/2019 through 09/30/2020
Contract Term Extended To:	06/30/2023
Effective Date of Amendment:	10/01/2022
Original Annual Maximum Contract Amount:	\$118,080
Amended Annual Maximum Contract Amount:	\$14,660
Contract ID:	EOARC-91846-004-06/22

This Amendment No. 3 (the "Amendment No. 3") to the Professional Service Agreement for Consulting Services: Development Impact Fee (DIF) Nexus Study 2020-2030 is entered into by and between the County of Riverside (the "COUNTY") and Willdan Financial Services, a California corporation ("CONTRACTOR"), effective October 01, 2022.

WHEREAS, COUNTY and CONTRACTOR entered into that certain Professional Service Agreement for Consulting Services: Development Impact Fee (DIF) Nexus Study 2020-2030 with CONTRACTOR, effective October 01, 2019 (the "Agreement"); and

WHEREAS, that certain Amendment No. 1 to the Agreement dated October 1, 2020 by and between the COUNTY AND CONTRACTOR whereby the Parties extended the Period of Performance to September 30, 2021; and

WHEREAS, that certain Amendment No. 2 to the Agreement dated October 1, 2021 by and between the COUNTY AND CONTRACTOR whereby the Parties extended the Period of Performance to September 30, 2022; and

WHEREAS, COUNTY and CONTRACTOR now desire to amend the Agreement to extend the period of performance and set the maximum payment amount for the period of October 1, 2022 through June 30, 2023.

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

1. **Recitals.** The above recitals are true and correct and are incorporated herein by reference.
2. **Period of Performance.** The first sentence of Subsection 2.1 of Section 2. Period of Performance of the Agreement is hereby amended to extend the period of performance for nine (9) months commencing on October 1, 2022 and continuing in effect through June 30, 2023, as follows:

"This Agreement shall be effective upon signature of this Agreement by both parties and continues in effect through June 30, 2023, unless terminated earlier."

3. **Compensation.** The second sentence of Subsection 3.1 of Section 3. Compensation is hereby amended to set the maximum payment amount at \$14,660 for the period of October 1, 2022 through June 30, 2023, as follows:

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“Maximum payments by COUNTY to CONTRACTOR shall not exceed (i) \$118,080 annually, including all expenses, for the period of October 1, 2019 through September 30, 2022, and (ii) \$14,660, including all expenses, for the period of October 1, 2022 through June 30, 2023.”

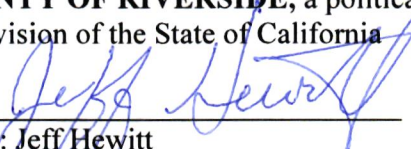
4. **Miscellaneous.** All other terms and conditions of the Agreement not modified herein shall remain unchanged.
5. **Effective Date.** This Amendment No. 3 shall be effective October 01, 2022.
6. **Electronic Signatures.** This Amendment No.3 may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each party of 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]

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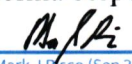
IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment No. 3.

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

By: 
Name: Jeff Hewitt
Title: Chair of the Board of Supervisors

Dated: 10/4/22

WILDAN FINANCIAL SERVICES,
a California corporation

By: 
By: Mark J Risco (Sep 22, 2022 14:57 PDT)
Name: Mark J. Risco
Title: President/CEO

Dated: Sep 22, 2022

ATTEST:
Kecia R. Harper
Clerk of the Board

By: 
Deputy

APPROVED AS TO FORM:
County Counsel

By: Katherine Wilkins
September 27, 2022
Katherine Wilkins
Deputy County Counsel