

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



ITEM: 3.28
(ID # 23836)

MEETING DATE:
Tuesday, January 30, 2024

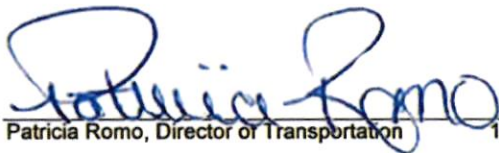
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/ TRANSPORTATION DEPARTMENT: Amendment No. 4 to the On-Call Services Agreement for Roadway/Highway Engineering with PSOMAS, All Districts [\$250,000 - Total Amendment Cost] 100% Local Funds

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 4 to the On-Call Services Agreement for Roadway/Highway Engineering between the County of Riverside Transportation Department and PSOMAS to increase the maximum annual contract amount for FY 23/24 by \$250,000, from \$500,000 to \$750,000; and,
2. Authorize the Chairman of the Board to execute the same.

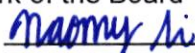
ACTION:Policy


Patricia Romo, Director of Transportation 1/2/2024

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 Gutierrez
Nays: None
Absent: None
Date: January 30, 2024
xc: Trans.

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 250,000	\$ 0	\$250,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Transportation Funds (100%). There are no General Funds used for this project.			Budget Adjustment: No	
			For Fiscal Year: 23/24	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Transportation Department requires outside engineering and support services to deliver many of the road improvement projects identified and funded in the Transportation Improvement Program (TIP).

By Minute Order dated August 27, 2019 (Agenda Item 3-40), the Board of Supervisors authorized an On-Call Services Agreement for Roadway/Highway Engineering with PSOMAS. The agreement provided for a three (3) year contract term with the option to extend the contract with two, one (1) year time extensions, with a maximum annual capacity of \$250,000. Due to an increase in project workload, the annual maximum capacity was increased to \$500,000 via Amendment No. 1, approved February 25, 2020 (Agenda Item 3.-17). The increased annual capacity approved by Amendment No. 1 covered the initial three year agreement term as well as the two, one-year time extension options, if exercised by the Director of Transportation. The first one-year time extension was executed by the Director of Transportation on June 16, 2022 via Amendment No. 2, and the second one-year time extension was executed by the Director of Transportation on June 29, 2023 via Amendment No. 3.

Due to the increased workload, the maximum annual contract amount of \$500,000 for this On-Call Services Agreement has been encumbered for FY 2023/2024.

In an effort to avoid delays in the delivery of SB-1 funded TIP projects as well as other locally funded projects, the Transportation Department is requesting to increase the maximum annual contract amount of the On-Call Services Agreement with PSOMAS from \$500,000 to \$750,000 for FY 23/24 via this Amendment No. 4.

PSOMAS is currently working on multiple TIP Projects such as Magnolia Avenue Resurfacing, Esperanza Avenue Hydrology and Hydraulic Study and the Preliminary Engineering for the County's Annual Culvert Rehab Program. They have been producing good quality work within time schedule and budget, and staff would like their design team to further assist on the final PS&E design of the Annual Culvert Rehab Program project. In order to deliver these projects in a timely manner, additional funds in excess of the original \$500,000 are needed for the current fiscal year.

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STATE OF CALIFORNIA**

Impact on Residents and Businesses

TIP projects enhance safety and improve overall driving conditions to the motoring public by improving and updating these roadways.

Additional Fiscal Information

The amendment to the On-Call Services Agreement will increase the allocation for FY 2023/2024 to \$750,000 to allow additional flexibility of Department's contract capacity.

Contract Value after		
1 st Amendment	\$500,000	FY 2019/2020
	\$500,000	FY 2020/2021
	\$500,000	FY 2021/2022
	\$500,000	FY 2022/2023 (Time Extension 1 via Amendment #2)
	<u>\$500,000</u>	FY 2023/2024 (Time Extension 2 via Amendment #3)
Total Authorized Amount	\$2,500,000 (Prior to Amendment No. 4)	

This Amendment	\$500,000	FY 2019/2020
	\$500,000	FY 2020/2021
	\$500,000	FY 2021/2022
	\$500,000	FY 2022/2023 (Time Extension 1 via Amendment #2)
	<u>\$750,000</u>	FY 2023/2024 (Time Extension 2 via Amendment #3)
Total Authorized Amount	\$2,750,000	

There are no County General Funds used for this contract.

Contract History and Price Reasonableness

The PSOMAS staff billing rates have been carefully re-examined, and staff found their rates are within the range of acceptable industry practice for engineering services. The rates already agreed upon at the time of execution of the original agreement remains unchanged.

ATTACHMENTS:

Amendment No. 4 to the On-Call Services Agreement for Roadway/Highway Engineering between County of Riverside Transportation Department and PSOMAS


Douglas Ordonez Jr. 1/24/2024


Aaron Gettis, Deputy County Counsel 1/23/2024

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**AMENDMENT NO. 4 TO THE ON-CALL SERVICES AGREEMENT
FOR ROADWAY/HIGHWAY ENGINEERING**

BETWEEN

COUNTY OF RIVERSIDE • TRANSPORTATION DEPARTMENT

AND

PSOMAS

This Amendment No. 4 to the On-Call Services Agreement for Roadway/Highway Engineering (hereinafter referred to as "Amendment No. 4") is made and entered into this 30 day of January, 2024, by and between COUNTY OF RIVERSIDE, a political subdivision of the State of California, (hereinafter referred to as "COUNTY") and PSOMAS, a California corporation, (hereinafter referred to as "CONSULTANT").

RECITALS

- A. COUNTY and CONSULTANT have entered into an agreement entitled "On-Call Services Agreement for Roadway/Highway Engineering between County of Riverside • Transportation Department and Psomas" that is dated August 27, 2019, Agenda Item 3.40, (hereinafter referred to as "Agreement").
- B. The Agreement provides the terms and conditions, scope of services, schedule, and budget for the professional and technical services necessary to provide on-call roadway/highway engineering services.
- C. The Agreement was first amended on February 25, 2020, Agenda Item 3.17, via Amendment No. 1 to increase the annual contract amount by \$250,000, from \$250,000 per fiscal year to \$500,000 per fiscal year, for the remaining performance period.
- D. The Agreement was again amended on June 16, 2022 via Amendment No. 2 authorizing Task Orders to be issued up to June 30, 2023.
- E. The Agreement was further amended on June 29, 2023 via Amendment No. 3 authorizing Task Orders to be issued up to June 30, 2024.
- F. The CONSULTANT is satisfactorily performing the duties under the Agreement and the Transportation Department continues to need the services provided. In an effort to deliver various locally funded roadway improvement projects identified in the Transportation Improvement Program (TIP), additional budget capacity is needed.

1 G. The parties desire to amend the Agreement to modify the annual budget allocations for FY 23/24.

AGREEMENT

3 NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows:

- 4 1. Article V • Allowable Costs and Payments, Paragraph N, of the Agreement is hereby amended to
5 increase the total amount payable by COUNTY for all Task Orders issued pursuant to the Agreement
6 by \$250,000, from \$2,500,000 to \$2,750,000 as follows: "The total amount payable by COUNTY for all
7 Task Orders resulting from this contract shall not exceed \$2,750,000."
8
9 2. Attachment C • Compensation Plan, Article CV • Cost Proposal of the Agreement is hereby
10 amended to increase the total annual amount for FY 23/24 by \$250,000, from \$500,000 to \$750,000,
11 as follows: "The total annual amount of services to be performed under this contract shall not exceed
12 the following unless approved in writing by the COUNTY.

Annual Budget Amount

<u>Year</u>	<u>Amount</u>
Contract Execution Date to June 30, 2020	\$500,000
July 1, 2020 to June 30, 2021	\$500,000
July 1, 2021 to June 30, 2022	\$500,000
July 1, 2022 to June 30, 2023	\$500,000
July 1, 2023 to June 30, 2024	\$750,000"

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19 3. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and
20 conditions of the Agreement shall remain in full force and effect between the parties hereto.
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22 4. This Amendment No. 4 shall become effective upon signature of this Amendment No. 4 by both parties.
23
24 5. This Amendment No. 4 may be executed in any number of counterparts, each of which shall be an
25 original, but all of which together shall constitute one and the same instrument. Each party to this
26 Amendment No. 4 agrees to the use of electronic signatures, such as digital signatures that meet the
27 requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§
28 1633.1 to 1633.17), for executing this Amendment No. 4. The parties further agree that the electronic
29 signatures of the parties included in this Amendment No. 4 are intended to authenticate this writing and
to have the same force and effect as manual signatures. Electronic signature means an electronic

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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

IN WITNESS HEREOF, the parties hereto have caused this Amendment No. 4 to the Agreement to be duly executed this day and year first written above.

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SIGNATURE PAGE FOLLOWS

1 **APPROVALS**

2 **COUNTY** Approvals

3 RECOMMENDED FOR APPROVAL:

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7 Patricia Romo

8 Interim Director of Transportation

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10 APPROVED AS TO FORM:

11 MINH C. TRAN, COUNTY COUNSEL

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14 By Deputy

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16 APPROVAL BY THE BOARD OF SUPERVISORS

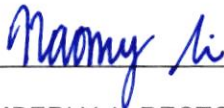
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20 **CHUCK WASHINGTON**

21 PRINTED NAME

22 Chairman, Riverside County Board of Supervisors

23 ATTEST:

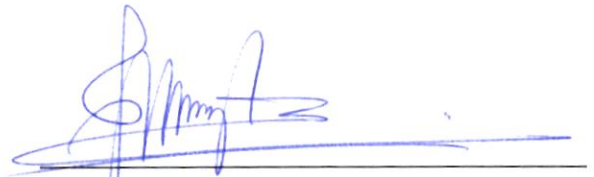
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27 KIMBERLY A. RECTOR, Deputy

28 Clerk of the Board (SEAL)

CONSULTANT Approvals

CONSULTANT:



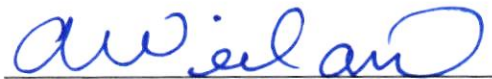
Arief Naftali

PRINTED NAME

Vice President/ Contract Manager

TITLE

CONSULTANT:



Alysén Weiland

PRINTED NAME

Vice President/ Principal-In-Charge

TITLE