

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



ITEM: 3.82
(ID # 25260)

MEETING DATE:
Tuesday, June 25, 2024

FROM : TLMA-TRANSPORTATION

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Approval of Amendment No. 5 to the On-Call Services Agreement for Traffic Engineering with Advantec Consulting Engineers, Inc., All Districts. [\$0 Total Amendment Cost - Local Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 5 to the On-Call Services Agreement for Traffic Engineering between the County of Riverside and Advantec Consulting Engineers, Inc. to extend the performance period by two (2) years from June 30, 2024 to June 30, 2026; and
2. Authorize the Chair of the Board to execute the same.

ACTION:Policy


Dennis Acuna, Director of Transportation 6/4/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Gutierrez 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: June 25, 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	\$ 0	\$ 0	\$ 0	\$ 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: 24/25 – 25/26	

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) and to meet the needs of the community.

By Minute Order dated August 27, 2019 (Agenda Item 3.42), the Board of Supervisors authorized an On-Call Services Agreement with Advantec Consulting Engineers, Inc. for Traffic Engineering Services. The Contract provided for a three (3) year term with two one (1) year extensions. The first one-year extension was executed on July 1, 2022, via Amendment No. 2, and the second one-year extension was executed on July 5, 2023, via Amendment No. 4. The approval authorization for Amendment No. 2 and Amendment No. 4 was delegated to the Director of Transportation when the original contract was executed. The Board approved Amendment No. 1 on March 10, 2020 (Agenda Item 3.43) to increase the annual budget allocation by \$250,000 for all fiscal years, from \$250,000 per fiscal year to \$500,000 per fiscal year, and the Board approved Amendment No. 3 on March 28, 2023 (Agenda Item 3.39) to increase the annual budget allocation by \$250,000 for FY 22/23 and FY 23/24, from \$500,000 per fiscal year to \$750,000 per fiscal year.

The On-Call Services Agreement indicates that all task orders are to be completed within two (2) years of the final authorized date (June 30, 2024) for approving task orders.

Amendment No. 5 includes extending the period of performance for two (2) years from June 30, 2024, to June 30, 2026, in order to complete outstanding task orders issued before June 30, 2024.

Advantec Consulting Engineers, Inc. is currently working on the Highway 74 and Mountain Avenue Traffic Signal Project, Pourroy Road Intersection Widening Project, and the Grand Avenue and Sangston Drive Traffic Signal Project. It is anticipated that they will need to work beyond June 30, 2024, to complete their current tasks.

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

Impact on Residents and Businesses

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

Additional Fiscal Information

The amendment to the On-Call Engineering Services Agreement will not have any fiscal impacts as it only extends the period of performance and does not increase the capacity of the contract.

There are no County General Funds used for this contract.

Contract History and Price Reasonableness

The Advantec 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. 5 to the On-Call Services Agreement for Traffic Engineering with Advantec Consulting Engineers, Inc.



Jason Farin, Principal Management Analyst 6/19/2024



Aaron Gettis, Chief of Deputy County Counsel 6/19/2024

AMENDMENT NO. 5 TO THE ON-CALL SERVICES AGREEMENT

FOR TRAFFIC ENGINEERING

BETWEEN

COUNTY OF RIVERSIDE • TRANSPORTATION DEPARTMENT

AND

ADVANTEC CONSULTING ENGINEERS, INC.

This Amendment No. 5 to the On-Call Services Agreement for Traffic Engineering (hereinafter referred to as "Amendment No. 5") is made and entered into this 25 day of JUNE, 2024, by and between the County of Riverside, a political subdivision of the State of California, (hereinafter referred to as "COUNTY") and Advantec Consulting Engineers, Inc., a California corporation, (hereinafter referred to as "CONSULTANT").

RECITALS

- A. COUNTY and CONSULTANT have entered into an agreement entitled "On-Call Services Agreement for Traffic Engineering between County of Riverside • Transportation Department and Advantec Consulting Engineers, Inc." that is dated August 27, 2019, Agenda Item 3.42, (hereinafter referred to as "Agreement").
- B. The Agreement provides the terms and conditions, scope of services, schedule and budget for the performance of professional and technical services necessary to provide on-call traffic engineering services.
- C. The Agreement was first amended on March 10, 2020 (Agenda Item 3.43) via Amendment No. 1 to increase the annual budget allocation by \$250,000 for all fiscal years, from \$250,000 per fiscal year to \$500,000 per fiscal year.
- D. The Agreement was again amended on July 1, 2022 via Amendment No. 2 to extend the period of performance for one (1) year from June 30, 2022 to June 30, 2023.
- E. The Agreement was again amended on March 28, 2023 (Agenda Item 3.39) via Amendment No. 3 to increase the annual budget allocation by \$250,000 for FY22/23 and FY 23/24, from \$500,000 per fiscal year to \$750,000 per fiscal year.
- F. The Agreement was further amended on July 5, 2023 via Amendment No. 4 to extend the period of performance for one (1) year from June 30, 2023 to June 30, 2024.

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1 G. The parties desire to amend the Agreement to extend the period of performance so that the CONSULTANT
2 can complete Task Orders issued prior to June 30, 2024 as provided in the Agreement and correct the date
3 all Task Order services authorized in the Agreement shall be completed by.
4

5 **AGREEMENT**

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

- 7 1. Article IV • Performance Period, Paragraph A, of the Agreement is hereby amended to extend the
8 performance period for two (2) years, from June 30, 2024 to June 30, 2026, so that the CONSULTANT can
9 complete Task Orders issued prior to June 30, 2024 as provided in the Agreement, as follows: "This contract
10 shall go into effect contingent upon approval by COUNTY, and CONSULTANT shall commence work after
11 notification to proceed by COUNTY's Contract Administrator. The contract shall end on June 30, 2026,
12 unless extended by contract amendment."
13 2. The last sentence of the first paragraph of Attachment B • Schedule of Services, Article BI • Introduction of
14 the Agreement is hereby amended to correct the date all Task Order services authorized in the Agreement
15 shall be completed by, as follows: "All Task Order services authorized in this Contract shall therefore be
16 completed no later than June 30, 2026."
17 3. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of
18 the Agreement shall remain in full force and effect between the parties hereto.
19 4. This Amendment No. 5 shall become effective upon signature of this Amendment No. 5 by both parties or
20 July 1, 2024, whichever should come first.
21 5. This Amendment No. 5 may be executed in any number of counterparts, each of which shall be an original,
22 but all of which together shall constitute one and the same instrument. Each party to this Amendment No.
23 5 agrees to the use of electronic signatures, such as digital signatures that meet the requirements of
24 the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17),
25 for executing this Amendment No. 5. The parties further agree that the electronic signatures of the
26 parties included in this Amendment No. 5 are intended to authenticate this writing and to have the same force
27 and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process
28 attached to or logically associated with an electronic record and executed or adopted by a person with the
29 intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA

1 authorizes use of an electronic signature for transactions and contracts among parties in California, including
2 a government agency. Digital signature means an electronic identifier, created by computer, intended by the
3 party using it to have the same force and effect as the use of a manual signature, and shall be reasonably
4 relied upon by the parties. For purposes of this section, a digital signature is a type of "electronic signature" as
5 defined in subdivision (i) of Section 1633.2 of the Civil Code

6 IN WITNESS HEREOF, the parties hereto have caused this Amendment No. 5 to the Agreement to be duly
7 executed this day and year first written above.

8 **APPROVALS**

9 **COUNTY Approvals:**

10
11  Dated: 6/25/2024

12
13 Dennis Acuna
14 Director of Transportation

15 APPROVED AS TO FORM:

16 MINH C. TRAN, COUNTY COUNSEL

17 _____
18 By Deputy

19
20 APPROVAL BY THE BOARD OF SUPERVISORS

21 _____
22
23 PRINTED NAME
24 Chairman, Riverside County Board of Supervisors

25 ATTEST:

26 _____
27 KIMBERLY A. RECTOR
28 Clerk of the Board (SEAL)
29

CONSULTANT Approvals

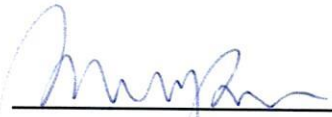
CONSULTANT:

 Dated: 06/18/2024

PRINTED NAME

Corporate Secretary
TITLE

CONSULTANT:

 Dated: 6/18/24

PRINTED NAME

Chairman
TITLE

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IN WITNESS HEREOF, the parties hereto have caused this Amendment No. 5 to the Agreement to be duly executed this day and year first written above.

APPROVALS

COUNTY Approvals:

_____ Dated: _____

Dennis Acuna
Director of Transportation

APPROVED AS TO FORM:

MINH C. TRAN, COUNTY COUNSEL

By Deputy

APPROVAL BY THE BOARD OF SUPERVISORS

CHUCK WASHINGTON

PRINTED NAME
Chairman, Riverside County Board of Supervisors

ATTEST:

_____ , Deputy

KIMBERLY A. RECTOR

Clerk of the Board (SEAL)

CONSULTANT Approvals

CONSULTANT:

_____ Dated: 06/18/2024

Pauline L. W. _____
PRINTED NAME

Corporate Secretary
TITLE

CONSULTANT:

_____ Dated: 6/18/2024

Lee Lee _____
PRINTED NAME

Chairman
TITLE

ACTION TAKEN BY WRITTEN CONSENT
IN LIEU OF THE ANNUAL MEETING OF
SHAREHOLDERS & DIRECTORS
ADVANTEC CONSULTING ENGINEERS INC.
A CALIFORNIA CORPORATION

We, the undersigned, being the SHAREHOLDERS, of **ADVANTEC CONSULTING ENGINEERS INC.**, (the "Corporation"), held the meeting at 1200 Roosevelt, Irvine, CA 92620, on the 1st July 2022 at 11:00 in the morning of said day. We hereby consent to the adoption of the following recitals and resolutions by written consent pursuant to Section 307(b) of the California Corporation Code and the Bylaws of the Corporation.

ATTENDANCE OF SHAREHOLDERS

LEO K LEE
CARLOS ORTIZ

PAULINE YIP

ELECTION OF TEMPORARY CHAIRMAN AND SECRETARY

The meeting was called to order by Mr. LEO LEE. On motion and by unanimous vote, Mr. LEO LEE was selected as Temporary Chairman and Temporary Secretary.

APPOINTMENT OF CHAIRMAN, CHIEF EXECUTIVE OFFICER AND SECRETARY

Upon motion duly made, seconded, and unanimously carried, it was,

RESOLVED, that the Shareholders hereby ratify, approve, and confirm the following actions effective 1ST JULY 2022:

LEO LEE is appointed as the CHAIRMAN and resigned Chief Executive Officer. Leo Lee demonstrates the legal authority of the signature to bind any project related documents of the Corporation and any financial documents of the Corporation.

CARLOS A ORTIZ is appointed as the CHIEF EXECUTIVE OFFICER and resigned Chief Operating Officer. Carlos A Ortiz demonstrates the legal authority of the signature to bind any project related documents of the Corporation.

PAULINE YIP is appointed as the CORPORATE SECRETARY and BOARD MEMBER. She demonstrates the legal authority of the signature to bind any project related documents of the Corporation.

RATIFICATION OF GENERAL CORPORATE TRANSACTIONS

WHEREAS, the members of the Board of Directors have reviewed those certain actions taken by the officers on behalf of the Corporation during the past fiscal year; and

WHEREAS, it has been deemed advisable and in the best interest of the Corporation for the Board to ratify said transaction and to approve those certain actions taken by the officers, on behalf of the Corporation.

RESOLVED, that the acts of the officers, taken on behalf of the Corporation during the past fiscal year, are and they hereby are ratified, approved and confirmed.

RESOLVED FURTHER, that the officers of the Corporation be and they hereby are authorized and directed to take such actions as may be appropriate or necessary to carry out the above resolutions and the transactions ratified above.

The above-described action was taken without a meeting pursuant to the written consent to the Board of Directors of the Corporation as evidenced by the signatures appearing below, and such consent is executed pursuant to the powers given to the Board of Directors in the Bylaws of the Corporation, effective on 1st July 2022.



Leo Lee, Chairman



Pauline Yip, Secretary