

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



ITEM: 3.92
(ID # 25257)

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 Roadway/Highway
Engineering with Psomas, 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 Roadway/Highway Engineering between the County of Riverside and Psomas, 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 3.40), the Board of Supervisors authorized an On-Call Services Agreement with Psomas for Roadway/Highway 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 June 16, 2022, via Amendment No. 2, and the second one-year extension was executed on June 29, 2023, via Amendment No. 3. The approval authorization for Amendment No. 2 and Amendment No. 3 was delegated to the Director of Transportation when the original contract was executed. The Board approved Amendment No. 1 on February 25, 2020 (Agenda Item 3.17) 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. 4 on January 30, 2024 (Agenda Item 3.28) to increase the annual budget allocation by \$250,000 for FY 23/24, from \$500,000 to \$750,000.

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 prior to June 30, 2024.

Psomas is currently working on the Magnolia Avenue Resurfacing Project as well as several Hydrology and Hydraulics Reports that will serve as a foundation for future culvert replacement projects. 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 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. 5 to the On-Call Services Agreement for Roadway/Highway Engineering with Psomas



Jason Farin, Principal Management Analyst 6/20/2024



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

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**AMENDMENT NO. 5 TO THE ON-CALL SERVICES AGREEMENT
FOR ROADWAY/HIGHWAY ENGINEERING**

BETWEEN

COUNTY OF RIVERSIDE • TRANSPORTATION DEPARTMENT

AND

PSOMAS

This Amendment No. 5 to the On-Call Services Agreement for Roadway/Highway 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 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 performance of 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 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 June 16, 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 June 29, 2023 via Amendment No. 3 to extend the period of performance for one (1) year from June 30, 2023 to June 30, 2024.
- F. The Agreement was again amended on January 30, 2024 (Agenda Item 3.28) via Amendment No. 4 to increase the annual budget allocation by \$250,000 for FY 23/24, from \$500,000 to \$750,000.

JUN 25 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

AGREEMENT

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

- 6 1. Article IV • Performance Period, Paragraph A, of the Agreement is hereby amended to extend the
7 performance period for two (2) years, from June 30, 2024 to June 30, 2026, so that the CONSULTANT can
8 complete Task Orders issued prior to June 30, 2024 as provided in the Agreement, as follows: "This contract
9 shall go into effect contingent upon approval by COUNTY, and CONSULTANT shall commence work after
10 notification to proceed by COUNTY's Contract Administrator. The contract shall end on June 30, 2026,
11 unless extended by contract amendment."
12
- 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
- 18 3. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions of
19 the Agreement shall remain in full force and effect between the parties hereto.
20
- 21 4. This Amendment No. 5 shall become effective upon signature of this Amendment No. 5 by both parties or
22 July 1, 2024, whichever should come first.
23
- 24 5. This Amendment No. 5 may be executed in any number of counterparts, each of which shall be an original,
25 but all of which together shall constitute one and the same instrument. Each party to this Amendment No.
26 5 agrees to the use of electronic signatures, such as digital signatures that meet the requirements of
27 the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17),
28 for executing this Amendment No. 5. The parties further agree that the electronic signatures of the
29 parties included in this Amendment No. 5 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

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.
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APPROVALS

COUNTY Approvals:

 Dated: 6/25/2024

Dennis Acuna
Director of Transportation

APPROVED AS TO FORM:

MINH C. TRAN, COUNTY COUNSEL

By Deputy

APPROVAL BY THE BOARD OF SUPERVISORS


PRINTED NAME
Chairman, Riverside County Board of Supervisors

ATTEST:

KIMBERLY A. RECTOR
Clerk of the Board (SEAL)

CONSULTANT Approvals

CONSULTANT:

 Dated: 6/18/24

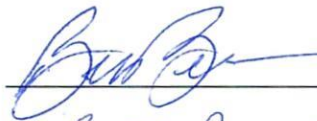
CHAD WILSON

PRINTED NAME

SECRETARY

TITLE

CONSULTANT:

 Dated: 6/18/24

Brett Barnett

PRINTED NAME

VICE PRESIDENT

TITLE

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APPROVALS

COUNTY Approvals:

_____ Dated: _____

Dennis Acuna
Director of Transportation

APPROVED AS TO FORM:

MINH C. TRAN, COUNTY COUNSEL

Minh C. Tran

By Deputy

APPROVAL BY THE BOARD OF SUPERVISORS

Chuck Washington

CHUCK WASHINGTON

PRINTED NAME

Chairman, Riverside County Board of Supervisors

ATTEST:

Kimberly A. ReCTOR, Deputy

KIMBERLY A. RECTOR

Clerk of the Board (SEAL)

CONSULTANT Approvals

CONSULTANT:

Chad Wilson Dated: 6/18/24

CHAD WILSON

PRINTED NAME

SECRETARY

TITLE

CONSULTANT:

Brett Barnett Dated: 6/18/24

BRETT BARNETT

PRINTED NAME

VICE PRESIDENT

TITLE

**UNANIMOUS WRITTEN CONSENT
OF THE
BOARD OF DIRECTORS OF PSOMAS,
a California corporation.**

May 21, 2024

THE UNDERSIGNED, being all of the members of the Board of Directors of Psomas, a California corporation (the "Corporation"), hereby adopt the following resolutions without a meeting as of the date set forth above, pursuant to Section 307(b) of the General Corporation Law of California:

RESOLVED that the following, being the Officers of the Corporation, be and hereby are authorized to execute any and all documents required to conduct the business of the Corporation, including, but not limited to contracts, leases and certifications;

IT IS FURTHER RESOLVED that any one signature of the Officers listed herein shall be sufficient to bind the Corporation;

STEVE MARGARONI	President and Chief Executive Officer
NICK TARDITTI	Chief Financial Officer, Treasurer, Assistant Secretary
CHAD WILSON	Vice President, Secretary
CRAIG AHRENS	Vice President
ALEJANDRO ANGEL	Vice President
SESSYLE ASATO	Vice President
BRETT BARNETT	Vice President
REGINA BEEM	Vice President
JAMES BITTNER	Vice President
DON BJELK	Vice President
MARC BLAIN	Vice President
MONIKA BOWDEN	Vice President
MICHAEL BOWEN	Vice President
SCOTT BRYANT	Vice President
JEFFREY CHESSE	Vice President
MARCIA CARRILLO	Vice President
MATTHEW D. CLARK	Vice President
SARAH CURRAN	Vice President
DAVID CURTIS	Vice President
CHRIS DAVENPORT	Vice President
NELSON DAVIS	Vice President
AMY DAY	Vice President
WILLIAM ESTEPA	Vice President
ROSE FISTROVIC	Vice President
PETER FITZPATRICK	Vice President
DAN FORGEY	Vice President
ADAM FOSTER	Vice President
BRIAN FRAGIAO	Vice President
JASON FRITZLER	Vice President
PAUL GERVACIO	Vice President
ELIZABETH GIBSON	Vice President
JEFF GILLIS	Vice President
DANNIE B. GREEN	Vice President
TIMOTHY G. HAYES	Vice President
GREGORY A. HELMER	Vice President
ALIA HOKUKI	Vice President
JIM HUNTER	Vice President
ROBERT J. IANNARINO	Vice President
JEREMY JOHNSON	Vice President

Unanimous Written Consent of the Board of Directors of Psomas
May 21, 2024
Page 2

ANN JOHNSTON	Vice President
DAVID LUZURIAGA	Vice President
RYAN LYNCH	Vice President
JENNIFER MARKS	Vice President
FRANK MARTIN	Vice President
NANDEZ MILLER	Vice President
CECILIA MOKLER	Vice President
NATHANIEL MOZER	Vice President
ARIEF NAFTALI	Vice President
ANDREW NICKERSON	Vice President
STEVE NORTON	Vice President
TRAVIS PERRY	Vice President
MARK PFEILER	Vice President
GERRIT POST	Vice President
DANIEL RAHE	Vice President
MICHAEL R. REDIG	Vice President
TERESITA REUTTER	Vice President, Assistant Treasurer
SCOTT ROCKE	Vice President
GINA ROWE	Vice President
MAIRA SALCEDO	Vice President
SEAN SAMSEL	Vice President
GARY SKREL	Vice President
SEAN SMITH	Vice President
THEO SMITH	Vice President
RICHARD M. SULLIVAN	Vice President
MICHAEL D. SWAN	Vice President
KEVIN T. THORNTON	Vice President
AARON TILLMANS	Vice President
REUBEN TOLENTINO	Vice President
MISHA TROYAN	Vice President
ALYSEN WEILAND	Vice President
KARISSA WITTHUHN	Vice President
BRIAN WRIGHT	Vice President
TERRENCE WRIGHT, JR.	Vice President
CAROLINE YONTEZ	Vice President

This Unanimous Written Consent shall be filed with the Minutes of the proceedings of the Board of Directors, and the actions taken hereby shall have the same force and effect as if taken at a meeting duly called and held.

[SIGNATURE ON NEXT PAGE]


Ryan E. McLean



Sessye Asato



Ann Johnston




Alejandro Angel



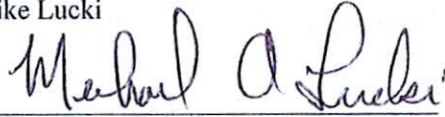
Alysen Weiland



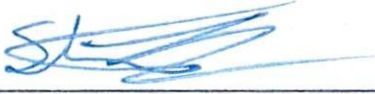
Richard Sullivan



Mike Lucki



Steve Margaroni



Reuben Tolentino

