

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



**ITEM: 13.4
(ID # 26447)**

MEETING DATE:
Tuesday, December 03, 2024

FROM : Regional Parks and Open Space District

SUBJECT: REGIONAL PARKS AND OPEN SPACE DISTRICT: Approve the Second Amendment to Task Order #2 to the Consulting Services Agreement with Kimley-Horn and Associates, Inc. for the Kabian Memorial Park Improvements to increase the total Task Order amount by \$11,000 from \$254,070 to \$265,070; District 1 [Total Cost \$265,070; up to \$26,507 in additional compensation; 96% American Rescue Plan Act (ARPA) Fund 21735; 4% Park Acq & Dev, District Fund 33100]

RECOMMENDED MOTION: That the Board of Directors:

1. **Approve** the Second Amendment to Task Order #2 under the Riverside County Regional Park and Open-Space District's (District) Master Consulting Agreement with Kimley-Horn and Associates, Inc.;
2. **Authorize** the Chairman to execute two (2) copies of the Second Amendment to Task Order #2 on behalf of the District;
3. **Authorize** the Purchasing Agent to issue Purchase Orders to Kimley-Horn and Associates, Inc. for consulting services for the duration of the Task Order contract that do not exceed the total contract amount of \$265,070;
4. **Authorize** the District General Manager, or their Designee, based on the availability of fiscal funding and as approved as to form by County Counsel, to sign future amendments to Task Order #2 that do not exceed the sum total of ten percent (10%) of the total cost of Task Order; and
5. **Direct** the Clerk of the Board to return one (1) copy of the executed amended Task Order #2 to the Riverside County Regional Park and Open-Space District (District).

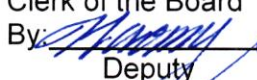
ACTION:Policy


Kyla R. Brown, General Manager 11/14/2024

MINUTES OF THE BOARD OF DIRECTORS

On motion of Director Gutierrez seconded by Director Spiegel 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: December 3, 2024
xc: Parks

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 265,070		\$ 265,070	
NET COUNTY COST				
SOURCE OF FUNDS: 96% ARP Act Coronavirus Relief Fund 21735; 4% Park, Acq & Dev, District Fund 33100			Budget Adjustment:	NO
			For Fiscal Year:	24/25

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On September 10, 2024, by Minute Order 13.2, the Board of Directors approved and amended the Park District's 2022 On-Call Professional Services Providers List, Fiscal Limits, and On-Call Professional Services Agreement Template. This action prequalified an additional 16 consultants, thus increasing the number of consultants who are able to provide services to Park District projects to 42. The amendment also increased the cumulative not-to-exceed amount from \$1,000,000 to \$1,500,000 per consultant in a 3-year term and decreased the previously approved "not-to-exceed" amount from \$500,000 per Task Order to \$200,000 in an effort to align with Government Code 22502.5. The initial amounts were approved by the Board of Directors on February 7, 2023, Minute Order 13.1.

In September 2023, the Park District requested proposals from consultants on this prequalified list to perform design, environmental services, and support with optional construction administration for the renovation of the developed park area. A total of four (4) proposals were received. After an internal evaluation, the Park District determined Kimley-Horn and Associates, Inc. as the successful consultant. Task Order #2 was issued for project management, administration, environmental services, and construction administration support, with a contract value of \$237,620.

On July 30, 2024, Task Order #2 was amended to include geotechnical engineering services, coordination, and project management, increasing the dollar amount of Task Order #2 by \$16,450 to a total of \$254,070. The Park District now seeks to amend Task Order #2 a second time to incorporate a Water Quality Management Plan (WQMP), which will increase the dollar amount of Task Order #2 by an additional \$11,000 bringing the total amount to \$265,070. As this revised total exceeds the previously established threshold for prequalified task orders, the Park District is seeking board approval to the second amendment to Task Order #2.

Impact on Residents and Businesses

The project will enhance the quality of life for Riverside County residents by maintaining access to clean and safe outdoor recreational activities.

Additional Fiscal Information

American Rescue Plan Act (ARPA) funds in the amount of \$1,300,000 were allocated to the Kabian Park Improvements Project on July 11, 2023, by Minute Order 3.1. Additionally, on

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August 27, 2024, via Minute Order 13.4, the Board of Supervisors approved an additional ARPA allocation of funds in the amount of \$731,383 from the First District's Second ARPA allocation to bridge the gap in the Kabian Park Improvements Project. The Second Amendment now proposed uses Park Acq & Dev, District Fund 33100 in the amount of \$11,000 and does not increase the ARPA allocation for this project. This project is partially funded by the American Rescue Plan Act (ARPA) and subject to all associated restrictions, including schedules.

ATTACHMENTS:

- Second Amended Task Order #2
- Exhibit A 1


Douglas Ordóñez Jr. 11/24/2024


Aaron Gettis, Chief of Deputy County Counsel 11/18/2024

Second Amendment to TASK ORDER #2 for the Consulting Services Agreement

CONSULTANT: **KIMLEY-HORN AND ASSOCIATES, INC.**

PROJECT NAME: **KABIAN MEMORIAL PARK IMPROVEMENTS**

This Second Amendment to Task Order #2 is issued pursuant to the Consulting Services Agreement between the RIVERSIDE COUNTY PARKS AND OPEN-SPACE DISTRICT (“DISTRICT”) and KIMLEY-HORN AND ASSOICATES, INC. (“CONSULTANT”) entered into on December 13, 2023, is hereby amended below.

RECITALS

WHEREAS, the parties entered into a Certain On-Call Consulting Services Agreement (“Agreement”) on December 13, 2023, and entered into First Amendment to Task Order #2 pursuant to that Agreement effective July 30, 2024 for \$254,070; and

WHEREAS, the parties now desire to amend the First Amendment to Task Order #2 to include the additional services proposed in Scope of Work, attached hereto as Exhibit A 1 for an additional cost that would bring the total Task Order # 2 to \$265,070.

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

1. The above recitals are true and correct and incorporated herein by reference.
2. Task Order #2 is amended to delete “a fee amount of \$254,070” and replace with “a fee amount of \$265,070...”
3. Attachment A, Scope of Services to Task Order #2 is amended to add Exhibit A 1, attached hereto and hereby incorporated herein, at the end of Exhibit A to include the Water Quality Management Plan (WQMP), determined necessary to successful completion of the original project scope and goals.
4. Second Amendment to Prevail. The provisions of this Second Amendment shall prevail over any inconsistency or conflicting provisions of the Agreement and shall supplement the remaining provisions thereof.

5. Effective Date. The "Effective Date" of this Second Amendment shall be December 3, 2024.
6. Entire Understanding. The Second Amendment and the Agreement set forth contain the entire understanding and agreement of the Parties hereto. There are no oral or written representations, understandings, or ancillary covenants, undertakings or agreements, which are not contained or expressly referred to within this Second Amendment and the Agreement.
7. Further Assurances. The Parties agree to execute such other documents and to take such as may be reasonably necessary to further the purposes of this Second Amendment.
8. Agreement in Full Force and Effect. Except as otherwise expressly modified herein, all other terms and conditions of the Agreement remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Second Amendment.


**RIVERSIDE COUNTY PARKS AND
OPEN SPACE DISTRICT**

KIMLEY-HORN AND ASSOCIATES, INC.

By: 
 KEVIN JEFFRIES
 CHAIR, BOARD OF DIRECTORS

ATTEST:
KIMBERLY A. RECTOR, Clerk

By: 
 Recommended: **DEPUTY**

By: 
 JACOB GLAZE, P.E.
 (CA 87934)
 SENIOR ASSOCIATE

By: 
 KYLA BROWN
 GENERAL MANAGER

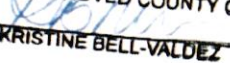
FORM APPROVED COUNTY COUNSEL
 BY: 
 KRISTINE BELL-VALDEZ DATE

Exhibit A 1

INDIVIDUAL PROJECT ORDER NUMBER 2

Describing a specific agreement between **Kimley-Horn and Associates, Inc.** (the Consultant), and **Riverside County Regional Park and Open Space District** (District or Client) in accordance with the terms of the Master Agreement Dated December 13, 2023 (Agreement), which is incorporated herein by reference.

Identification of Project:

Kabian Memorial Park Improvements

Specific scope of basic Services:

Task 1 – WQMP (Water Quality Management Plan)

This scope of includes the followings:

- Per Riverside County requirements, given that our disturbance area is over 5,000 SF impervious, the proposed site is required to meet WQMP requirements. Riverside LID Handbook guidelines consider decomposed granite as partially impervious, thus triggering the WQMP. Kimley-Horn will prepare a final WQMP Report to meet the city design review and final permit approval requirements. We anticipate up to 2 rounds of plan check comments during city review.

Additional Services if required:

Any services not specifically provided for in the above scope will be billed as additional services and performed at our current hourly rates.

Schedule:

We will provide our services as expeditiously as practicable with the goal of meeting a mutually agreed upon schedule.

Terms of compensation: Kimley-Horn will perform the services in the Scope of Service for the Fee below. Individual task amounts are for information only.

Task	LUMP SUM
Task 1 –WQMP (Water Quality Management Plan) Report	\$ 11,000
Total	\$ 11,000

ACCEPTED:

**Riverside County Regional Park and
Open Space District**

KIMLEY-HORN AND ASSOCIATES, INC.

Signature: _____

By: _____

TITLE: _____

DATE: _____



Signature: _____

By: Barsin Betgovargez, PE

Shareholder

TITLE: _____

81751

P.E. No. _____

10/24/24

DATE _____