

THIRD EXTENSION AGREEMENT
FOR FY 2017/18
PROJECT NO. SD 2015-02

IRRIGATION PUMP MAINTENANCE

THIS THIRD EXTENSION AGREEMENT is made and entered into by and between the City of Moreno Valley (hereafter, "City"), the Moreno Valley Community Services District (hereafter, "District"), and Variable Speed Solutions, Inc. (hereafter, "Contractor").

RECITALS

WHEREAS, the City, District and Contractor entered into an independent contractor agreement, hereinafter referred to as "Agreement", dated June 23, 2014, for the maintenance of the irrigation pump systems associated with Project No. SD 2015-02 IRRIGATION PUMP MAINTENANCE for fiscal year (FY) 2014/15 at a total compensation amount of \$24,691.00 (\$7,220.00 for Base Work and \$17,471.00 for Additional Work); and,

WHEREAS, irrigation pump maintenance services were satisfactorily performed and District and Contractor entered into the First Extension Agreement, dated August 6, 2015, for FY 2015/16 at a total compensation amount of \$23,600.00 (\$6,840.00 for Base Work and \$16,760.00 for Additional Work); and,

WHEREAS, irrigation pump maintenance services were satisfactorily performed and District and Contractor entered into the Second Extension Agreement, dated March 8, 2016, for FY 2016/17 at a total compensation amount of \$26,440.00 (\$6,840.00 for Base Work and \$19,600.00 for Additional Work); and,

WHEREAS, irrigation pump maintenance services provided under the Agreement are being satisfactorily performed; and

WHEREAS, the District and Contractor wish to include the City as a party to the Third Extension Agreement.

SECTION 1. EXTENSION TO ORIGINAL AGREEMENT

1.1. Pursuant to the terms of the Agreement, the City, District, and Contractor wish to enter into a Third Extension Agreement for FY 2017/18 under the following terms:

1.2. The term shall commence on July 1, 2017 and shall terminate on June 30, 2018.

1.3. In accordance with Exhibit D, Section 1.B of the Agreement, this is the third of four possible extensions of the Agreement.

1.4. Irrigation pump maintenance locations to be maintained shall be those areas included within the maps attached hereto as Exhibit A – Third Extension.

1.5. Testing of Irrigation Pump locations (Base Work) shall be at those areas and frequencies detailed in Exhibit B – Third Extension attached hereto.

SECTION 2. COMPENSATION FOR THIRD EXTENSION AGREEMENT:

2.1. For the period of this Third Extension Agreement and except where additional compensation is specifically provided for in the Agreement, the City and District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Third Extension Agreement as more fully described in Sections 2.2 and 2.4 below, **THIRTY-FOUR THOUSAND, FOUR HUNDRED EIGHTY AND 00/100 DOLLARS (\$34,480.00)**

2.2. For “Base Work” and consistent with the payment terms (Exhibit C) of the Agreement, compensation shall be based on the number of documented tests performed per month at the Per Test Cost Per Pump rate listed in Exhibit B – Third Extension. Payments are remitted one month in arrears, on the last day of the month based on the number of tests performed at the testing frequency detailed in Exhibit B – Third Extension. The total contract amount for Base Work during the twelve (12) month extension period shall not exceed **SEVEN THOUSAND NINE HUNDRED EIGHTY AND 00/100 (\$7,980.00)**.

2.3. Notwithstanding, Exhibit E, Schedule II, Section A of the Agreement, the unit prices set forth for Additional Pump Maintenance will be as follows:

- a. Cost per booster pump testing service is **\$190.00 ea./per completed test**.

2.4. Notwithstanding Exhibit C, Section 2 of the Agreement, for the period of this Third Extension Agreement and except as specifically approved by subsequent action of the City Council, District Board or City Manager as directed by the City Council, District Board, the Director or their designated appointee may not authorize additional work pursuant to this Third Extension Agreement in excess of the cumulative total of **TWENTY-SIX THOUSAND FIVE HUNDRED AND 00/100 (\$26,500.00)** which is more fully described in Exhibit B – Third Extension.

SECTION 3. DEPARTMENT OF INDUSTRIAL RELATIONS:

3.1. Contractor and all approved subcontractors must provide proof of contractor registration with the California Department of Industrial Relations annually. Registration can be filed on the following website:

<https://efiling.dir.ca.gov/PWCR/ActionServlet?action=displayPWCRegistrationForm>

SECTION 4. ORIGINAL AGREEMENT:

4.1. Except as set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement

City of Moreno Valley and Moreno Valley
Community Services District

Contractor: Variable Speed Solutions, Inc.

By: _____
Title: City Manager and City Manager,
Acting in the capacity of District
Manager to the Moreno Valley
Community Services District

By: _____
Title: (President or Vice President)

Date: _____

Date: _____

Affix Corporate Seal Below

By: _____
Title: Corporate Secretary or Assistant
Secretary

Date: _____

INTERNAL USE ONLY

ATTEST:

City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney

Date

RECOMMENDED FOR APPROVAL:

Department Head

Date

EXHIBIT A – THIRD EXTENSION

Irrigation Pump Stations	
Area/Tract	Address/Location
D (Tract 31268)	28772 Cottonwood
D (Tract 31284)	28451 Cottonwood
D (Tract 31591)	12949 Morrison Street
D (Tract 32625)	13547 Redlands East
D (Tract 22889)	24518 Krameria
D (Tract 30967)	24615 Krameria
Zone 01 Towngate	22871 Centerpoint
Zone 01 Towngate	Towgate Blvd (S/W corner)
Zone 03 Moreno Valley Ranch - West	15302 Caballo Road
Zone 04 Moreno Valley Ranch - East	28976 Cactus
Zone 05 Stoneridge Ranch	13028 Nason
Zone 05 Stoneridge Ranch	12990 Nason
Zone 06 Mahogany Fields	26482 Cottonwood
Zone 06 Mahogany Fields	13540 Morrison
Zone 06 Mahogany Fields	13960 Morrison
Zone 09 Savannah	Fir/Eucalyptus/Morrison ²
M - Medians	29642 Eucalyptus Ave.
CFD 2014-01 - Median	Median 24 ²
WQB (Tract 31327)	13960 Morrison WQB
WQB (Tract 31269-1)	28943 Canterbury ¹
WQB (Tract 32625)	Redlands WQB East ²
¹ Pump not in use, no maintenance service currently required for this location. ² Pump facility has not yet been accepted by the City for maintenance. Contractor will be notified when service shall begin.	

EXHIBIT B – THIRD EXTENSION

FY 2017/18						
Zone	No. of Pumps	Testing Frequency	<u>Base Work</u>		Additional Work	Total
			Per Test Cost Per Pump	Total Testing Cost		
D	6	Bi-Annual	\$ 190.00	\$ 2,280.00	\$ 5,000.00	\$ 7,280.00
01	2	Bi-Annual	\$ 190.00	\$ 760.00	\$ 2,000.00	\$ 2,760.00
03	1	Bi-Annual	\$ 190.00	\$ 380.00	\$ 2,000.00	\$ 2,380.00
04	1	Bi-Annual	\$ 190.00	\$ 380.00	\$ 2,000.00	\$ 2,380.00
05	2	Bi-Annual	\$ 190.00	\$ 760.00	\$ 4,000.00	\$ 4,760.00
06	3	Bi-Annual	\$ 190.00	\$ 1,140.00	\$ 6,000.00	\$ 7,140.00
09 ¹	2	Bi-Annual	\$ 190.00	\$ 760.00	\$ 2,000.00	\$ 2,760.00
M	1	Bi-Annual	\$ 190.00	\$ 380.00	\$ 1,000.00	\$ 1,380.00
CFD 2014-01 ²	1	Bi-Annual	\$ 190.00	\$ 380.00	\$ 1,000.00	\$ 1,380.00
WQB	2	Bi-Annual	\$ 190.00	\$ 760.00	\$ 1,500.00	\$ 2,260.00
Totals	21			\$ 7,980.00	\$ 26,500.00	\$ 34,480.00
¹ Includes the addition of 2 pumps for Tract 27251; Contractor will be notified by City when the City assumes maintenance.						
² Includes the addition of 1 pump for Median 24; Contractor will be notified by City when the City assumes maintenance.						