

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

2391



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE: March 31, 2003

SUBJECT: Route 79 South (Phase II), Contract Change Order No. 15, Temecula area

RECOMMENDED MOTION:

That the Board authorize the Transportation Department to issue Contract Change Order No. 15 for additional compensation to the contractor for materials, equipment and labor performed necessary for the completion of the work contemplated under the Route 79 South (Phase II) highway project and the resolution of all outstanding claims between the County and the Contractor.

BACKGROUND:

By Minute Order 3.22 of May 11, 1999, the Board entered into an agreement with Riverside Construction Company for the Route 79 South (Phase II), Project No. A1-5009NB for a contract amount of \$7,884,760.25. On July 26, 2001, the contractor filed a claim with the County in the amount of \$450,033.52 requesting compensation for various items of work and issues that were encountered during the course of construction of the project. During the review of the claim, it was found that \$110,667.64 was previously paid under various contract items. Contract Change Order 14 (\$21,848.41) compensated the contractor for a portion of the claim which was reimbursed by Rancho Water District for work performed on their behalf. After extensive review of contract documents, daily reports, etc. and several meetings with the contractor and their subcontractors, the Transportation Department and Riverside Construction reached an agreement on the items to be compensated for in the amount of \$63,149.36 as additional compensation. This final change order will resolve all outstanding claims.

Contract Change Order No. 15 (\$63,149.36) and all prior approved change orders amount to 15.17% (\$1,195,935.65) of the original contract. This exceeds the total change order amount (\$788,476.03) that can be authorized by the Director of Transportation, and requires Board approval in accordance with Resolution No. 93-047. The Notice of Completion for this project was approved July 17, 2001, Agenda Item 3.36

(Continued on page 2) ...

George A. Johnson
George A. Johnson
Director of Transportation

**REQUIRES
4/5 VOTE**

HS:js

Attachment: Change Order No. 15

FINANCIAL DATA:

CURRENT YEAR COST: \$ 63,149.36
NET COUNTY COST: \$ 0.00

ANNUAL COST: \$ N/A
IN CURRENT BUDGET: Yes/ X No/
BUDGET ADJUSTMENT 02/03: Yes/ No/ X

SOURCE OF FUNDS: AD 159

C.E.O. RECOMMENDATION:

APPROVE

James G. Siefert
County Executive Officer Signature

AD 159
Aminda King

Policy
 Policy

Consent
 Consent

Department Recommendation:

Per Executive Office:

Prev. Agn. ref.

Dist. 1/3

AGENDA NO.

3.36

Avoidability of Change Order:

This change order is classified as avoidable as all items could have been addressed in the contract plans and specifications or in prior change orders. There are 5 items that make up this change order;

1. Southern California Edison dictated the location of the service points for the traffic signals that were different than what was originally proposed in the plans. It was found that the contractor was due compensation for the additional conduit necessary.
2. During the bidding process it was necessary to add one additional wall to the project. The design of the wall did not include a notation to provide a fractured rib texture to the wall. In order to keep the wall design consistent with the other walls built for the project, it was necessary to add this treatment. The contractor is therefore due compensation for this work.
3. During the construction of the double RCB, the County proposed a design revision to change the style of wingwalls of the upstream end of the box. The contractor stopped work on that area of the box while providing the County with a price for the revision and awaiting the County's decision. The County eventually did not change the wingwalls and directed the contractor to construct the walls as per plan. This was at a much later time and required the contractor to remobilize to that area to resume this work. This portion of the change order compensates the contractor for the remobilization costs and inefficiencies associated with the out of sequence work.
4. A soundwall was deemed necessary to be added to the construction project well after the project was under construction. The contractor had already prepared the Highway 79 roadbed to accommodate the traffic switch for the completion of the southerly side of the highway. With the addition of the soundwall construction and associated k-rail for protection of the soundwall work zone, more paving, grading and striping was required to accommodate the traffic switch and some of the striping that was placed had to be removed. Although the contractor was compensated for the actual quantities of items for this work, the contractor sustained some additional costs of traffic control and inefficiencies for this out of sequence reworking of the area. The amount for this portion was a negotiated settlement.
5. The contract required the design and construction of several temporary signals for the project on the State Highway. Caltrans informed the County that they would not perform the plan check for the contractor's design. The County and its Consultant did not have the expertise on staff to perform the required structural design check for the cable supports and temporary signal poles. Therefore, a separate consultant was brought on board to check the contractor's design submittal. The contractor submitted a design by a Registered Civil Engineer. The County's consultant performing the plan check required higher factors of safety than normally used in the industry. This resulted in heavier cables, connectors, additional cable stays and slurry backfill of the temporary poles. The difference in this work could not be broken out from what would have been required using normal safety factors. Therefore, the amount for this portion of the change order was a negotiated settlement.