

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

236B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
January 10, 2006

SUBJECT: San Jacinto MDP Line E, Stage 2
Contract Change Order No. 3
Project No. 4-0-0120-02

RECOMMENDED MOTION:

The Board approve the attached Contract Change Order No. 3 between the District and KEC Engineering, providing for compensation for extra work required for completion of the San Jacinto MDP Line E, Stage 2 construction contract due to changed conditions, major winter storms and associated flood damages.

BACKGROUND:

Continued on Page 2.

FINANCIAL:

Sufficient funds are available in the District's FY 2005-2006 Zone 4 budget for this contract increase of \$257,470.06 for this project.

DVA:mcv

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA

Current F.Y. District Cost:	\$257,470.06	In Current Year Budget:	Yes
Current F.Y. County Cost:	\$0	Budget Adjustment:	No
Annual Net District Cost:	\$0	For Fiscal Year:	2005-2006

SOURCE OF FUNDS:

25140 947460 527980 – Zone 4 Const/Maint/Misc-Contracts

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

- Dep't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 11.14, 07/29/03;
11.1, 06/22/04; 11.3, 11/03/04

District: 3rd

Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

11.10

FORM APPROVED
COUNTY COUNSEL

DEC 21 2005

Leanni Rey-Hawkins
Departmental Concurrence

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The Board approved the original contract with KEC Engineering as Agenda Item Number 11.14 on July 29, 2003 in an amount of \$2,716,315.46, Contract Change Order No. 1 as Agenda Item Number 11.1 on June 22, 2004 in an amount of \$96,656.20 and Contract Change Order No. 2 as Agenda Item Number 11.3 on November 30, 2004 in an amount of \$510,000.00 increasing the cost of the project to \$3,322,971.66. The Board also approved the Notice of Completion as Agenda Item Number 11.8 on July 12, 2005.

Board authorization of Contract Change Order No. 3 is necessary to authorize payment for extra work required as a result of changed construction conditions and additional work associated with Contract Change Order Nos. 1 and 2 caused by major winter storms. San Jacinto MDP Line E, Stage 2 is a major District facility consisting of approximately 11,600 feet of trapezoidal channel, of which 8,600 feet is unlined channel and 3,000 feet is concrete lined channel. The channel begins at the existing reinforced concrete box at State Street and ends at the San Jacinto Reservoir. Included in this project are three (3) reinforced concrete box crossings at 7th Street, Lyon Avenue and Cottonwood Avenue. Also included is an inlet into the San Jacinto Reservoir and an outlet for the San Jacinto Reservoir.

Contract Change Order Nos. 1 and 2 were required because the soil characteristics of the excavated earthen channel was found to be more erosive than originally anticipated and major flood waters from the unexpected and unusually intense winter storms of 2004 and 2005 in the area caused significant flood damage to the project (then under construction) and adjacent areas. During these events, the Contractor was required to take extraordinary measures to stop erosion, protect major utilities and clean up mud and debris. In performing the work associated with Contract Change Order Nos. 1 and 2 continuous rains caused extra work not anticipated at the time the change orders were authorized.

The Contractor was also required to perform extra work not associated with the storms. The Contractor was ordered to properly abandon a well site not included in the original contract and also remove a large amount of trash and debris not shown on the construction drawings.

The District and the Contractor recognized at the time of encountering these changed conditions that this would be extra work for the Contractor, and both the District and the Contractor kept time and materials records for this extra work. Based upon extensive meetings between District and Contractor staff to review these records, the parties agreed upon the payments stated in this Change Order as proper compensation for this extra work.

County Counsel has reviewed this matter, and the attached Change Order has been reviewed and approved as to legal form by County Counsel.

Change Order No. 3 in the amount of \$257,470.06 along with additional contract pay item overages in the amount of \$101,194.96 will increase the total construction cost of the project to \$3,681,636.68.