

705



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

**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
January 6, 2009

**SUBJECT:** Hemet MDP Line D, Stage 5  
Contract Change Order No. 2 / Notice of Completion  
Project No. 4-0-00211-05

**RECOMMENDED MOTION:**

The Board approve the attached Contract Change Order No. 2 between the District and Bonadiman-McCain, Inc., providing for compensation for extra work required for completion of the Hemet MDP Line D, Stage 5 construction contract due to changed conditions and pavement section revisions due to existing street improvements.

Continued on Page 2.

**BACKGROUND:**  
See Pages 2 and 3.

**FINANCIAL:**  
See Page 3.

HO:mcv

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	\$293,260.23	In Current Year Budget:	Yes
	Current F.Y. County Cost:	\$0	Budget Adjustment:	No
	Annual Net District Cost:	\$0	For Fiscal Year:	08-09

<b>SOURCE OF FUNDS:</b>	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

BY:   
Alex Gann

County Executive Office Signature

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

Prev. Agn. Ref.: 10/16/07 (11.5)

District: 3<sup>rd</sup>

Agenda Number:

11.6

FORM APPROVED COUNTY COUNSEL  
BY:   
NEAL R. KIPNIS  
DATE: 1/6/09

FISCAL PROCEDURES APPROVED  
IVAN M. CHAND, FINANCE DIRECTOR  
BY:   
IVAN M. CHAND

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**Page 2**

**RECOMMENDED MOTION: (Continued)**

The Board accept the referenced project as constructed; authorize the Chairman to execute the attached Notice of Completion; and direct the Board to record the executed Notice of Completion with the Riverside County Clerk and Recorder's Office within 10 calendar days in accordance with Section 3093 of the Civil Code.

**BACKGROUND:**

The Board approved a contract with Bonadiman-McCain, Inc., in the amount of \$3,510,582.00 as Agenda Item Number 11.5 on October 16, 2007.

Board authorization of Contract Change Order No. 2 is necessary to authorize payment for extra work and costs associated with the change of existing field conditions. Hemet MDP Line D, Stage 5 is an extension of the Stage 4 facility which terminated just west of Winsor Court. The project consists of approximately 8,100 lineal feet of reinforced concrete pipe ranging in size from 96 inches to 18 inches in diameter. The mainline begins at Winsor Court, extends easterly along Stetson Avenue and terminates east of Meridian Street. Laterals along Columbia Street, Cornell Street, Dartmouth Street and Stanford Street tie into the mainline which provide additional flood protection.

The largest share of extra costs on this project are associated with roadway paving. Per cooperative agreement, the District partnered with the County Transportation Department to incorporate paving betterments (mainly consisting of a full width pavement overlay of Stetson Avenue). Throughout the course of construction the Contractor encountered existing asphalt pavement structural sections which were substandard. Addressing these deficiencies increased the pavement related quantities beyond the engineer's estimate. One area in particular was the paving along Cornell Street just south of Stetson Avenue. Though a majority of the pavement was deemed salvageable, the District felt some of the asphalt had to be removed for public safety reasons. Secondly, there was an approximate 700-foot section along Stetson Avenue where the pavement was too uneven to simply be overlaid, thus rendering the need for additional asphalt to meet tolerances. Also, cave-ins along the top of trench due to cohesionless soil (i.e., sandy material) justified the need for additional asphalt material beyond the theoretical trench edge paylines. Where additional pavement was required, aggregate base overages also accrued. In short, this drainage project cost more to build than originally estimated but the public gained a substantially improved Stetson Avenue. The District will be seeking reimbursement from the County for some of these asphalt concrete costs.

Continued on Page 3.

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

**SUBJECT:** Hemet MDP Line D, Stage 5  
Contract Change Order No. 2 / Notice of Completion  
Project No. 4-0-00211-05

**SUBMITTAL DATE:** January 6, 2009

**Page 3**

**BACKGROUND: (Continued)**

The Contractor was also directed to do extra work in accordance with Sections 2.07A, 2.08B and 7.03 of the General Provisions as well as Section 3 of the Special Provisions. Extra or additional work covered by this change order includes but is not limited to the following:

1. June 4 through June 10, 2008 the Contractor encountered a slurried 21-inch storm drain pipe which ran within the limits of the proposed 42-inch storm drain line. The storm drain could not be adjusted horizontally due to conflicts with adjacent utilities. The District ordered the Contractor to remove the slurry within the excavation paylines and dispose of accordingly. This item represents all additional compensation to the Contractor due to this changed condition and is addressed in Extra Work Report Numbers 1 through 6. The associated costs are \$12,347.36.
2. On November 5, 2008, the District ordered the Contractor to replace a substantial amount of 6-inch asphalt concrete berm which caved into the trench during the storm drain installation. This item is addressed in Extra Work Report No. 7. The associated costs are \$12,197.37.

In summary, previously approved Contract Change Order No. 1 in the amount of \$18,143.09 plus Contract Change Order No. 2 (above) in the amount of \$24,544.73 along with the contract pay item adjustments in the amount of \$268,715.50 (some of which will be reimbursed by TLMA), will increase the total construction cost of the project to \$3,821,985.32. This final amount is 8.9% over the original awarded contract amount.

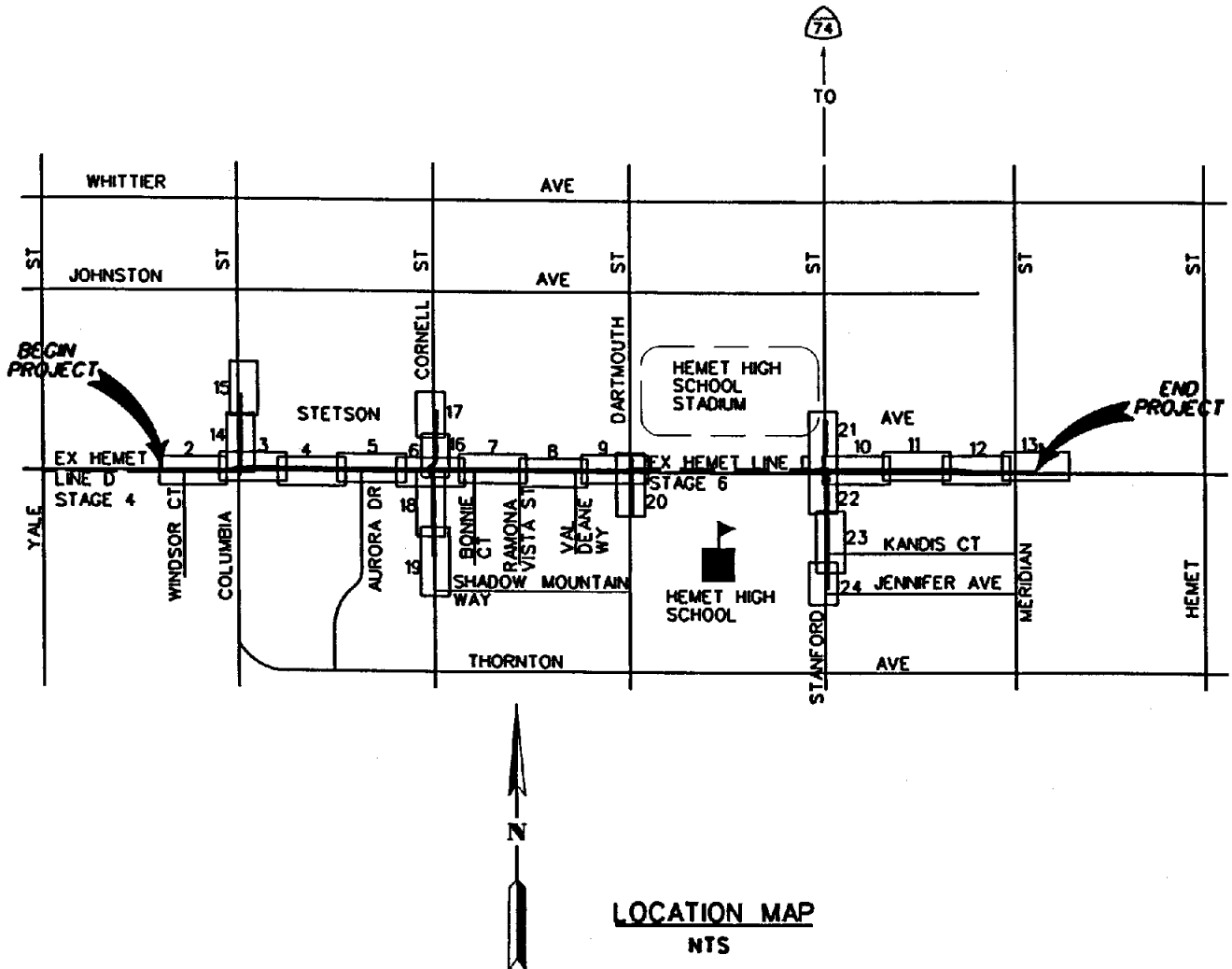
The District and the Contractor agree that the retention funds still held by the District shall be properly paid to the Contractor approximately 45 days following recordation of the notice of completion (assuming no stop notices are filed).

County Counsel has reviewed this matter and the attached change order has been reviewed and approved as to legal form by County Counsel.

**FINANCIAL:**

Sufficient funds are available in the District's FY 2008-2009 Zone 4 budget for this contract increase of \$293,260.23 for this project.

# HEMET MDP LINE D STAGE 5 PROJECT NO. 4-0-0211



Hemet MDP Line D, Stage 5 consists of constructing approximately 3100 lineal feet of RCP ranging in size from 96" to 72" from Windsor Court to Dartmouth Street and 1300 lineal feet of 48" to 42" RCP from Stanford Street to Meridian Street. Also included in this project are approximately 2400 lineal feet of laterals ranging in size from 42" to 24" on Columbia Street, Cornell Street and Stanford Street.

After installation of the storm drains, Stetson Avenue will be overlaid with 0.1' asphalt concrete.

To be recorded with County Recorder within 10 days after completion. No recording fee.

Recording requested by:  
Nancy Romero, Clerk of the Board  
Riverside County Clerk of the Board  
Stop No. 1010  
Post Office Box 1147, Riverside, CA 92502-1147  
  
When recorded return to:  
CLERK OF THE BOARD  
Stop No. 1010  
Post Office Box 1147, Riverside, CA 92502-1147

**NOTICE OF COMPLETION**  
(Civil Code § 3093 – Public Works)

Notice is hereby given by the undersigned owner, a public entity of the State of California, that a public work of improvement has been completed, as follows:

Project title or description of work: **Hemet MDP Line D, Stage 5**  
**Project No. 4-0-00211-05**

Date of completion: **Date this document is recorded**

Nature of owner: **Public Agency; County of Riverside**

Interest or estate of owner: **Street Right-of-Way**

Address of owner: **1995 Market Street, Riverside, CA 92501**

Name of contractor: **Bonadiman-McCain, Inc.**

Street address or legal description of site: **Approximately 3,100 lineal feet of RCP ranging in size from 96" to 72" from Windsor Court to Dartmouth Street and 1,300 lineal feet of 48" to 42" RCP from Stanford Street to Meridian Street. Also included in this project are approximately 2,400 lineal feet of laterals ranging in size from 42" to 24" on Columbia Street, Cornell Street and Stanford Street.**

Dated: \_\_\_\_\_

Owner: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
(Name of public entity)

By: \_\_\_\_\_

Title: Chairman, Board of Supervisors

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE )

I am the Chairman of the governing board of the Riverside County Flood Control and Water Conservation District the public entity which executed the foregoing notice and on whose behalf I make this verification; I have read said notice, know its contents, and the same is true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Riverside, California on \_\_\_\_\_ (Date)

FORM APPROVED COUNTY COUNSEL  
BY: NEAL R. KIPNIS DATE

RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Project: Hemet MDP Line D, Stage 5  
Project No. 4-0-0211-05

Sheet 1 of 2 sheets

CONTRACT CHANGE ORDER NO. 2

To Bonadiman-McCain, Inc. Contractor  
You are hereby directed to make the herein described changes from the plans and specifications or to do the following described work not included in the plans and specifications.

NOTE: THIS CHANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED BY THE GENERAL MANAGER-CHIEF ENGINEER OR THE BOARD OF SUPERVISORS OF THE DISTRICT.

Description of work to be done, estimate of quantities, and prices to be paid. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time. Change requested by District

The change order is necessary to authorize payment for extra work and costs associated with the change of existing field conditions. Hemet MDP Line D, Stage 5 is an extension of the Stage 4 facility which terminated just west of Winsor Court. The project consists of approximately 8,100 lineal feet of reinforced concrete pipe ranging in size from 96 inches to 18 inches in diameter. The mainline begins at Winsor Court, extends easterly along Stetson Avenue and terminates east of Meridian Street. Laterals along Columbia Street, Cornell Street, Dartmouth Street and Stanford Street tie into the mainline which provide additional flood protection.

The largest share of extra costs on this project are associated with roadway paving. Per a cooperative agreement, the District partnered with the Riverside County Transportation Department to incorporate paving betterments (mainly consisting of a full width pavement overlay of Stetson Avenue). Throughout the course of construction the Contractor encountered existing asphalt pavement structural sections which were substandard. Addressing these deficiencies increased the pavement related quantities beyond the engineer's estimate. One area in particular was the paving along Cornell Street just south of Stetson Avenue. Though a majority of the pavement was deemed salvageable, the District felt some of the asphalt had to be removed for public safety reasons. Secondly, there was an approximate 700-foot section along Stetson Avenue where the pavement was too uneven to simply be overlaid, thus rendering the need for additional asphalt to meet tolerances. Also, cave-ins along the top of trench due to cohesionless soil (i.e., sandy material) justified the need for additional asphalt material beyond the theoretical trench edge paylines. Where additional pavement was required, aggregate base overages also accrued. In short, this drainage project cost more to build than originally estimated but the public gained a substantially improved Stetson Avenue. The District will be seeking reimbursement from the County for some of these asphalt concrete costs.

Estimated Cost: Decrease \$ \_\_\_\_\_ or Increase \$ \_\_\_\_\_

By reason of this order the time of completion will be adjusted as follows:

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

We, the undersigned Contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices shown above.

Accepted: Date \_\_\_\_\_ Contractor \_\_\_\_\_

By: \_\_\_\_\_ Title \_\_\_\_\_

If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to the proceeding with the ordered work and filing a written protest within the time therein specified.