

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

813 B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
January 13, 2009

**SUBJECT:** Corona Drains Lines 1G, 1H and 1J  
Project Nos. 2-0-00223, 2-0-00224 and 2-0-00226  
Cooperative Agreement

**RECOMMENDED MOTION:**

Approve the Cooperative Agreement between the District and the City of Corona; and authorize the Chairman to execute the Agreement documents on behalf of the District.

**BACKGROUND:**

The Agreement sets forth the terms and conditions by which the District and City will mutually resolve uncompleted construction issues resulting from the default of the contractor originally awarded the District contract to construct the subject storm drains.

Continued on Page 2

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

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	\$141,275.00	In Current Year Budget:	Yes
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	2008-2009

<b>SOURCE OF FUNDS:</b> 25120 947420 527980 Zone 2 Const/Maint/Misc - Contracts	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Alex Gann

County Executive Office Signature

FORM APPROVED BY COUNTY COUNSEL  
DATE

BY:   
NEAL R. KIPNIS

FISCAL PROCEDURES APPROVED  
IVAN M. CHAND, FINANCE DIRECTOR

BY:   
JEANINE REV-HAWKINS

Dept's Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.: District: 2<sup>nd</sup> Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

11.2

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**Page 2**

**BACKGROUND contd.:**

On September 4, 2007, the Board approved a Cooperative Agreement between the District and the City of Corona setting forth the terms and conditions under which the subject storm drains would be constructed by the District. On October 16, 2007, the Board subsequently approved the low bid and awarding of the contract for construction of the storm drains to Harris Construction Engineering, Inc (Harris). On August 7, 2008, Harris signed a voluntary letter of default after completing approximately 80% of the work contained in the awarded contract.

The District will refund to the City a deposit made to the District for extra street improvement work that was included within the Harris contract. The City will include the uncompleted portion of street repairs associated with the construction of the storm drains into a separate paving contract between the City and a second contractor, with the District reimbursing the City for the costs of the street repairs according to the schedule included as part of this Agreement. The District will incorporate all other unfinished portions of the Harris contract into a future District construction contract.

County Counsel has approved the Agreement as to legal form and the City has executed the Agreement.

Harris' bonding company is anticipated to fund all street repair costs.

JPS:blj:rlp