

815A



**SUBMITTAL TO THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**FROM:** Redevelopment Agency

**SUBMITTAL DATE:**  
October 14, 2009

**SUBJECT:** French Valley Airport Parking Lot Construction Project

**RECOMMENDED MOTION:** That the Board of Directors:

1. Accept the low bid and award the contract to ASR Constructors in the amount of \$466,411.00;
2. Authorize the Chairman to sign the contract documents on behalf of the Board;
3. Approve the project budget of \$592,411; and
4. Delegate Change Order authority to the Executive Director/RDA or designee in amounts that are in accordance with Board Policy B-11.

**BACKGROUND:** On July 14, 2009, the Board authorized the Clerk of the Board to advertise the notice inviting bids for the project. The project will construct a new airport terminal parking area consisting of 90 spaces with associated signage and lighting at the French Valley Airport.

(Continued)

*Robert Field*

Robert Field  
Executive Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 592,411	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	09/10

**COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA:** N/A

<b>SOURCE OF FUNDS:</b> Desert Communities Project Area Redevelopment Funds	<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

*Jennifer L. Sargent*

BY: Jennifer L. Sargent

**County Executive Office Signature**

Reviewed by  
CIP TEAM  
*Christopher Hans*  
Christopher Hans

FORM APPROVED COUNTY COUNSEL  
BY: *NEAL R. KIPNIS* DATE

Departmental Concurrence

Dep't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.: 4.4 7/14/09

District: 3<sup>rd</sup>

Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

4.1  
RDA-001a-F11.doc  
(REV 2/2003)

**BACKGROUND:** (Continued)

Completion of the project will result in more efficient and secure parking operations at the airport, which is consistent with the airport's Master Plan. The project documents have been reviewed and approved by the Aviation Division, Facilities Management, and County Counsel, and are consistent with current guidelines for parking lot construction and general aviation facilities. On August 24, 2009, six bids were submitted for the Parking lot construction project which consisted of a single base bid.

Following is a summary of the base bid award:

<u>Contractor</u>	<u>Base Bid</u>
ASR Constructors, Inc.	\$466,411.00
Bogh Engineering, Inc.	\$498,355.96
Southwest Construction Co. Inc.	\$544,289.89
IAC Engineering, Inc.	\$546,346.70
Road builders, Inc.	\$554,284.00
All American Asphalt	\$730,609.50

Recommendation

Staff recommends that the Board accept the bid of ASR Constructors, Inc, award the contract in the amount of \$466,411.00, and approve the project budget as described below. County Counsel has approved as to form.

Project Budget

Construction	\$466,411
Permits and Inspection	\$40,000
Utilities	\$40,000
Contingency	\$46,000
Total	\$592,411

AGREEMENT FORM

THIS AGREEMENT entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between ASR Constructors Inc., hereinafter called the "Contractor" and the Redevelopment Agency for the County of Riverside, hereinafter called the "Owner".

WITNESSETH

That the parties hereto have mutually covenanted and agreed as follows:

CONTRACT: The complete Contract includes all of the Contract Documents, to wit: The Notice Inviting Bids, the Instructions to Bidders, the Contractor's Proposal, the Payment and Performance Bonds, the Plans and Specifications plus any Addenda thereto, the General Conditions, Specific Conditions, and this Agreement. All contract documents are intended to cooperate and be complementary so that any work called for in one and not mentioned in the other, or vice versa, is to be executed the same as if mentioned in all contract documents.

STATEMENT OF WORK: The Contractor hereby agrees to furnish all tools, equipment, services, apparatus, facilities, transportation, labor, and materials for the construction of: Parking Lot Rehabilitation at French Valley Airport, in strict accordance with the plans and specifications dated, April, 2009, prepared by Mead & Hunt, Inc., hereinafter called the "Engineer", including Addenda thereto as listed in the Contractor's Proposal, all of which are made a part hereof.

TIME FOR COMPLETION: The work shall be commenced on a date to be specified in a written order of the Engineer and shall be completed within sixty (60) calendar days from and after said date. It is expressly agreed that except for extensions of time duly granted in the manner and for the reasons specified in the General Conditions, time shall be of the essence.

COMPENSATION TO BE PAID TO CONTRACTOR: The Owner agrees to pay and the Contractor agrees to accept in full consideration for the performance of the Contract, subject to additions and deductions as provided in the Contract Documents, the sum of \* Dollars (\$ 466,411.00 ).

\* FOUR HUNDRED SIXTYSIX THOUSAND FOUR HUNDRED ELEVEN ONLY

Pursuant to Labor Code Section 1861, the Contractor gives the following certifications: I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Workmen's Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

IN WITNESS WHEREOF, the parties hereto on the day and year first above written have executed this agreement in 4 counterparts.

Type of Contractor's organization

CORPORATION

If other than individual or corporation, list names of all members who have authority to bind firm.

N.A.

IF OTHER THAN CORPORATION, EXECUTE HERE

Attest:

Firm Name N.A.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Contractor's License No. \_\_\_\_\_

IF CORPORATION, FILL OUT FOLLOWING AND EXECUTE

Name of President of Corporation ALAN REZOV

Name of Secretary of Corporation PATTI BARRY

Corporation is organized under the laws of the state of CALIFORNIA

AFFIX  
SEAL

Firm Name ASR CONSTRUCTORS, INC.

Signature \_\_\_\_\_

Title of Office PRESIDENT

Address 5230 WILSON ST., RIVERSIDE

Contractor's License No. 615395

Attest:

\_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Owner

\_\_\_\_\_  
Seal

\_\_\_\_\_  
Chairman, Board of Directors

FORM APPROVED COUNTY COUNSEL

BY: Neal R. Kipnis DATE \_\_\_\_\_

EXECUTED IN FOUR ORIGINALS

BOND NO. 8216-88-49

PREMIUM INCLUDED IN THE PERFORMANCE BOND

**PAYMENT BOND**

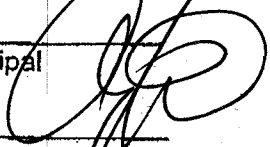
(Public Work - Civil code Section 3247 et seq.)

**PROJECT: FRENCH VALLEY AIRPORT PARKING LOT REHABILITATION  
PROJECT NO. 0604-37**

The makers of this bond are ASR CONSTRUCTORS INC., as Principal and Original Contractor, and FEDERAL INSURANCE COMPANY, a corporation, authorized to issue Surety Bonds in California, as Surety, and this bond is issued in conjunction with that certain public works contract dated \_\_\_\_\_, between Principal and REDEVELOPMENT, a public entity, as Owner, for \$466,411.00 \*\*, the total amount payable. **THE AMOUNT OF THIS BOND IS 100% OF SAID SUM.** Said contract is for public work generally consisting of road improvements and rough grading. **\*AGENCY OF RIVERSIDE COUNTY  
\*\*FOUR HUNDRED SIXTY SIX THOUSAND FOUR HUNDRED ELEVEN AND NO/100**

The beneficiaries of this Bond are as is stated in 3248 of the Civil Code and the requirements and conditions of this Bond are as is set forth in Sections 3248, 3249, 4250 and 3252 of said Code. Without notice, Surety consents to extension of time or performance, change in requirements, amount of compensation, or repayment under said contract.

DATED: OCTOBER 1, 2009

ASR CONSTRUCTORS INC.  
Original Contractor - Principal  
By Alan KROG 

FEDERAL INSURANCE COMPANY  
Surety.

By Colette Chisholm  
Its Attorney in Fact **COLETTE CHISHOLM**

Title President  
(If corporation, affix seal)

**ACKNOWLEDGMENT ATTACHED AS PRESCRIBED BY  
CA CIVIL CODE SS1188-1190**

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ )

**SURETYS ACKNOWLEDGMENT**

On \_\_\_\_\_, before me personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the within instrument as attorney in fact of \_\_\_\_\_, a corporation, and acknowledged that he subscribed the name of said corporation thereto, and his own as its attorney in fact.

\_\_\_\_\_  
Notary Public (Seal)

Approved as to form:

Agency Counsel

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

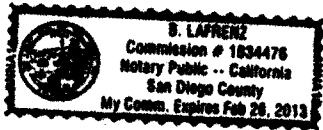
State of California

County of San Diego

On October 1, 2009 before me, B. Lafrenz, Notary Public

personally appeared Colette Chisholm

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature B. Lafrenz

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name:

- Individual
- Corporate Officer - Title(s):
- Partner -  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other:

Signer Is Representing: Surety Company

\_\_\_\_\_  
\_\_\_\_\_



Chubb  
Surety

POWER  
OF  
ATTORNEY

Federal Insurance Company  
Vigilant Insurance Company  
Pacific Indemnity Company

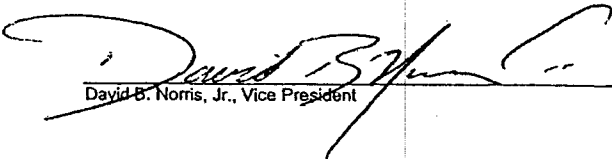
Attn: Surety Department  
15 Mountain View Road  
Warren, NJ 07059

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Colette Chisholm, Larry D. Cogdill, Brooke Lafrenz, Jeanette Seidl and Michael W. Thomas of San Diego, California-----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 8<sup>th</sup> day of February, 2008

  
Kenneth C. Wendel, Assistant Secretary

  
David B. Norris, Jr., Vice President

STATE OF NEW JERSEY  
County of Somerset


ss.

On this 8<sup>th</sup> day of February, 2008 before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



STEPHEN B. BRADT  
Notary Public, State of New Jersey  
No. 2321097  
Commission Expires Oct. 25, 2009

  
Notary Public

CERTIFICATION

Extract from the By-Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By-Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this October 1, 2009



  
Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com

EXECUTED IN FOUR ORIGINALS

BOND NO. 8216-88-49

PREMIUM: \$6,996.00

PERFORMANCE BOND

The makers of this bond, ASR CONSTRUCTORS INC., as Principal, and FEDERAL INSURANCE COMPANY, as Surety, are held and firmly bound unto REDEVELOPMENT AGENCY OF \*\*, hereinafter called the Owner, in the sum of \$466,411.00, FOUR HUNDRED SIXTY SIX THOUSAND\* dollars for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. **\*\*RIVERSIDE COUNTY**  
**\*FOUR HUNDRED ELEVEN AND NO/100**

The condition of this obligation is such, that whereas the principal entered into a certain contract, hereto attached, with the Owner, dated \_\_\_\_\_, 20\_\_\_\_, for the construction of FRENCH VALLEY AIRPORT PARKING LOT REHABILITATION in accordance with plans and specifications, dated \_\_\_\_\_, 20\_\_\_\_, **PROJECT NO. 0604-37**

Now, therefore, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions and agreements of said contract during the original term of said contract and any extension thereof that may be granted by the Owner, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, then this obligation to be void, otherwise to remain in full force and virtue. Without notice, Surety consents to extension of time for performance, change in requirements, change in compensation or prepayment under said contract.

DATED:

OCTOBER 1, 2009

ASR CONSTRUCTORS INC.

PRINCIPAL

FEDERAL INSURANCE COMPANY

SURETY

By

Title

By

COLETTE CHISHOLM  
Its Attorney In Fact **COLETTE CHISHOLM**

PROSIDENT  
(If corporation, affix seal)

(NOTE: This bond must be executed by both parties, with corporate seals affixed. All signatures must be acknowledged. Attach acknowledgments.)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

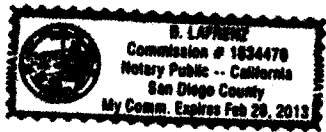
State of California

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On October 1, 2009 before me, B. Lafrenz, Notary Public

personally appeared Colette Chisholm

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature B. Lafrenz

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**OPTIONAL**

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Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name:

- Individual
- Corporate Officer - Title(s):
- Partner -  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other:

Signer Is Representing: Surety Company

\_\_\_\_\_

\_\_\_\_\_



Chubb  
Surety

POWER  
OF  
ATTORNEY

Federal Insurance Company  
Vigilant Insurance Company  
Pacific Indemnity Company

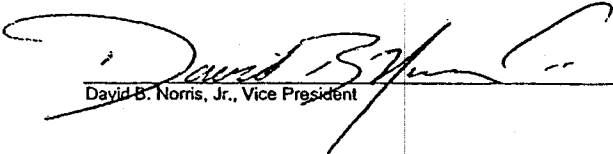
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15 Mountain View Road  
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In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 8<sup>th</sup> day of February, 2008

  
Kenneth C. Wendel, Assistant Secretary

  
David B. Norris, Jr., Vice President

STATE OF NEW JERSEY  
County of Somerset


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On this 8<sup>th</sup> day of February, 2008 before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By-Laws and in deponent's presence.

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Given under my hand and seals of said Companies at Warren, NJ this October 1, 2009



  
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