# FORM (PPROVED COUNTY COUNSEL BY: NEAL R. KIPNE)

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

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General Manager-Chief Engineer

**SUBMITTAL DATE:** February 9, 2010

SUBJECT:

Calimesa - Avenue L Storm Drain, Stage 1

Contract Change Order No. 2 Project No. 5-0-00165-01

#### RECOMMENDED MOTION:

The Board approve the attached Contract Change Order No. 2 between the District and Louie Giannini dba L.G. Engineering providing compensation for extra work required for the construction of Calimesa – Avenue L Storm Drain, Stage 1 due to changed conditions and unknown utilities.

#### **BACKGROUND:**

See Page 2.

#### FINANCIAL:

Sufficient funds are available in the District's FY 2009-2010 Zone 5-budget for this contract increase of \$90,458.71 for this project.

#### WARREN D. WILLIAMS

General Manager-Chief Engineer

FINANCIAL DATA Current F.Y. District Cost:

\$90,458.71

In Current Year Budget:
Budget Adjustment:

Yes No

Current F.Y. County Cost: Annual Net District Cost:

\$ \$

For Fiscal Year:

2009-2010

**SOURCE OF FUNDS:** 

25150 947480 527980 Zone 5 Const/Maint/Misc-Contracts

Positions To Be Deleted Per A-30

M

Requires 4/5 Vote

C.E.O. RECOMMENDATION:

APPROVE

BY: Clly

County Executive Office Signature

Policy

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Consent Consent

Policy

Per Exec. Ofc.:

Prev. Agn. Ref.: 6/16/09 (11.4)

District: 5<sup>th</sup>

Agenda Number:

11.7

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

SUBJECT: Calimesa – Avenue L Storm Drain, Stage 1

Contract Change Order No. 2

Project No. 5-0-00165-01 **SUBMITTAL DATE**: February 9, 2010

Page 2

The Board approved a contract with Louie Giannini dba L.G. Engineering in the amount of \$2,520,340.87 as Agenda Item 11.4 on June 16, 2009.

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 and utilities which were not consistent with plans. The project is located within the city limits of Calimesa. The project is bounded by County Line Road to the north, Avenue L to the south, 4<sup>th</sup> Street to the east and the I-10 Freeway to the west. The project involves the construction and subsequent operation and maintenance of approximately 5,000 lineal feet of underground storm drain designed to collect and convey tributary flow just upstream of an existing Caltrans culvert located at the southeast corner of County Line Road and the Caltrans off-ramp. The underground storm drain system consists of reinforced concrete pipe which varies in size from 66 inches to 108 inches in diameter and will be constructed within the existing street right-of-way and Caltrans right-of-way at the downstream terminus of the project.

Throughout a majority of the course of construction the Contractor encountered in situ material that was much wetter than indicated in our pre-construction soils investigation. The wet material had to be hauled away, scarified at a designated area to reduce excess moisture, hauled back to the construction area and backfilled to ensure proper District compaction requirements were met. This operation, which is the largest share of the change order cost, involved an extensive use of construction equipment and labor.

Additionally, the Contractor encountered two unknown abandoned water lines, an unknown utility encasement and was required to remove a portion of concrete slab beneath Calimesa Boulevard to ensure a quality pavement product upon completion of the paving operation.

The District and the Contractor both recognized that some of the work would be extra work, and both the District and the Contractor kept time and materials records for this extra work. Based upon extensive meetings between the District and Contractor to review records for this extra work, the parties have agreed that the payment stated in this change order is the appropriate compensation to the Contractor for all extra work.

Change Order No. 2 in the amount of \$90,458.71, along with previous District approved Change Order No. 1, will increase the cost of the project to \$2,658,071.45.

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

#### RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

	MALKOIDE COOM I I LOOD COM THOL & WATER CORE	DERVATION DIGITALS.
	mesa – Avenue L Storm Drain, Stage 1 ject No. 5-0-00165-01	Sheet 1 of 2 sheets
	CONTRACT CHANGE ORDER NO.	2
To Lou	ie Giannini dba L.G. Engineering	, Contractor
You are hereby	directed to make the herein described changes from the plans and specifical and specifications.	ations or to do the following described work not
SUPER\	HANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED BY THE GENERAL M VISORS OF THE DISTRICT.	
	k to be done, estimate of quantities, and prices to be paid. Unless otherwise stated, ally used and no allowance will be made for idle time. Change requested by	rates for rental of equipment cover only such time as strict
construct extra wor 2.07A(b)	nge order will cover five items of extra work that the Contraion for which no payment item was included in the contract. It as described in the change order on a Force Account Bases and 2.07B(2b) and Section VII, Article 7.03 of the General Frovisions. Extra work is itemized as follows:	The Contractor was directed to do the in accordance with Section II, Articles
1.	On August 24 through 25, 2009 the Contractor was instructed in link fence and pipe swing gate which were adjacent indicated on the plans. The associated cost, on a Force According to the plans.	to the Caltrans inlet structure and not
2.	On November 3, 2009 there were two abandoned utility line 10+86 of the Calimesa Boulevard Lateral and not shown represents all additional compensation needed for removal cassociated with the operation. The associated cost, on a form	on the storm drain plans. This item of such utilities and construction delays
3.	On November 4, 2009 the Contractor encountered two te location and elevation at Stations 10+80 and 10+90 of the Corepresents additional compensation due to construction condition. The associated costs are \$2,940.53.	Calimesa Boulevard Lateral. This item
4.	On October 7 through 30, 2009 the Contract encountered slab about 1 foot below the existing Calimesa Boulevard paside of the pipe excavation trench from approximate Stations directed to remove a 2 foot portion of the slab to ensure proto placement of base and asphalt pavement. The associate \$1,780.36.	evement. This slab ran along the west s 20+30 to 31+10. The Contractor was oper compaction of the subgrade prior
	Estimated Cost: Decrease \$	or Increase \$
By reason of this completion will be	order the time of adjusted as follows:	
Submitted by:		Date:
	HENRY OLIVO, Construction Engineer	
Approved:	WARDEN D. WILLIAMS Consell Manage Object Francisco	Date:
	WARREN D. WILLIAMS, General Manager-Chief Engineer	
	Chairman, Board of Supervisors	Date:
equipment, furnisi	ned Contractor, have given careful consideration to the change proposed and hereby ag h all materials, except as may be otherwise noted above, and perform all services neces the prices shown above.	ree, if this proposal is approved, that we will provide all sary for the work above specified, and will accept as full
Accepted: Date_	Contractor	
Ву:	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 filling a written protest within the time therein specified.

#### RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

RIVERSIDE COUNTY FLOOD	CONTROL & WAT	ER CONSERVA	HON DISTR	.CT	
Project: Calimesa - Avenue L Storm Drain, S	Stage 1		Sheet 2	of <u>2</u> she	eets
Project No. 5-0-00165-01					
	CT CHANGE OR	DER NO. <u>2</u>	_		
To <u>Louie Giannini dba L.G. Engineering</u> You are hereby directed to make the herein described of	hanges from the plans	and specifications or	to do the followi		tractor ork no
included in the plans and specifications.					
NOTE: THIS CHANGE ORDER IS NOT EFFECTIVE UNTI- SUPERVISORS OF THE DISTRICT.					
Description of work to be done, estimate of quantities, and price equipment is actually used and no allowance will be made for idle			ental of equipmen	cover only such	time a
5. On September 15 through Nov had an excessive amount of m agreement thus entitling the Co had to be hauled away, scarificonstruction area and backfille Contractor was ordered to do to Section VII, Article 7.03 of the G	noisture. The onsite ontractor to a changed at a designated ed to assure Distremental work	e material and co ge of condition cl d area to reduce rict compaction s on a Force Acc	ontract soil be nange order. moisture, ha specifications ount Bases in	orings were not the wet manuled break to were met. In accordance	not in ateriato the The with
		PROPERTY NEAL R. K	DESTRUCTION OF THE PROPERTY OF	Y COUNSEL DA	
	Estimated Cost: Decre	ease \$	or Increase \$9	0,458.71	
By reason of this order the time of completion will be adjusted as follows: 18 Days					
O O O					-
Submitted by:		5	1/2/	/2010	
HENRY OLIVO, Construction Engine	er ///	U	ate:	7-10	
Approved: WARREN D. WILLIAMS, General Ma	ACC PROGRAMMENT	D	ate:	26/10	,
WARREN D. WILLIAMS, General Ma	mager-Chief Engineer		-4		
Chairman, Board of Supervisors		U	ate:		
We, the undersigned Contractor, have given careful consideration equipment, furnish all materials, except as may be otherwise note payment therefore the prices shown above.	n to the change proposed and above, and perform all se	and hereby agree, if this ervices necessary for the	proposal is approv work above specif	ed, that we will pro ied, and will accep	ovide a pt as fu
Accepted: Date January 20, 2010	Co	ntractor <u>LG EM</u>	interin	9	

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.