

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

825B



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

**FINANCIAL DATA**

Current F.Y. District Cost:	\$90,458.71	In Current Year Budget:	Yes
Current F.Y. County Cost:	\$	Budget Adjustment:	No
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	<input type="checkbox"/>
Requires 4/5 Vote	<input checked="" type="checkbox"/>

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

APPROVE

BY: *Alex Gann*  
Alex Gann

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
BY: *Neal R. Kipnes*  
DATE

FISCAL PROCEDURES APPROVED  
BY: *Warren D. Williams* 1/21/10  
MAN M. CHAND, FINANCE DIRECTOR  
Departmental Concurrence

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

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**

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**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

Project: Calimesa - Avenue L Storm Drain, Stage 1  
Project No. 5-0-00165-01

Sheet 2 of 2 sheets

CONTRACT CHANGE ORDER NO. 2

To Louie Giannini dba L.G. Engineering, 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

- 5. On September 15 through November 5, 2009 the Contractor encountered in situ material which had an excessive amount of moisture. The onsite material and contract soil borings were not in agreement thus entitling the Contractor to a change of condition change order. The wet material had to be hauled away, scarified at a designated area to reduce moisture, hauled break to the construction area and backfilled to assure District compaction specifications were met. The Contractor was ordered to do the additional work on a Force Account Bases in accordance with Section VII, Article 7.03 of the General Provisions. The total associated cost was \$79,513.66.

FORM APPROVED COUNTY COUNSEL  
BY: Neal R. Kipnis DATE \_\_\_\_\_

Estimated Cost: Decrease \$ \_\_\_\_\_ or Increase \$90,458.71

By reason of this order the time of completion will be adjusted as follows: 18 Days

Submitted by: Henry Olivo HENRY OLIVO, Construction Engineer Date: 1/26/2010

Approved: Warren D. Williams WARREN D. WILLIAMS, General Manager-Chief Engineer Date: 1/26/10

\_\_\_\_\_  
Chairman, Board of Supervisors 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 therefore the prices shown above.

Accepted: Date January 26, 2010 Contractor LG Engineering

By: Louie Giannini Title Owner

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.