

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

104



**FROM:** Redevelopment Agency

**SUBMITTAL DATE:**  
September 1, 2010

**SUBJECT:** Jurupa Veterans of Foreign War (VFW) Rehabilitation Project – Project Award

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

1. Make the following findings:
  - a) The Jurupa Veterans Foreign War Project is of primary benefit to the Jurupa Valley Redevelopment Project (JVPA) by helping to eliminate blight within the project area by providing upgrades to the existing facilities that is used by various groups for community events and gatherings within the project area;
  - b) No other means of financing the project are available to the community due to the fact that the current economic crisis has substantially reduced the community's revenues to fund the project;

(Continued)

*Robert Field*

Robert Field  
Executive Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 1,948,100	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

**COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA:** Yes

<b>SOURCE OF FUNDS:</b> Jurupa Valley Redevelopment Improvement Capital 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

BY: *Jennifer L. Sargent*  
Jennifer L. Sargent

**County Executive Office Signature**

Dep't Recomm.:  
 Per Exec. Ofc.:  
 Policy  
 Policy

Prev. Agn. Ref.: 4.3 of 7/29/08; 4.2 of 7/21/09

District: 2

Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

4.1  
RDA-01a-F11  
FRM 11 (REV 08/2010)

Reviewed by  
**CHRISTOPHER HANS**  
 Christopher Hans  
 Departmental Concurrence

FORM APPROVED COUNTY COUNSEL  
 By: *Janet C. Ode*  
 AUG 18 2010

**RECOMMENDED MOTION: (Continued)**

- c) The payment of funds for the construction of the project is consistent with the Implementation Plan adopted pursuant to section 33490 which calls for improving existing public facilities in the project area;
2. Any minor irregularities be waived;
3. Accept and award the construction contract to the lowest responsive bidder ASR Constructors, Inc., in the amount of \$1,426,000;
4. Authorize the Executive Director, or designee, to execute amendments for the VFW Rehabilitation project up to the amount of \$75,000; and
5. Approve a total project budget of \$1,948,100.

**BACKGROUND**

On June 8, 2010, the Board approved the plans and specifications and authorized the Clerk of the Board to advertise the Notice Inviting Bids for the Jurupa Veterans of Foreign War (VFW) Rehabilitation Project. The project consists of the construction of a new entrance structure along the west side of the building, re-configured and re-paved parking lot to provide proper drainage, and handicapped accessibility to the building. A 700 square foot storage building and covered assembly patio adjacent to the existing building will be added. A revised kitchen to accommodate the new equipment and proposed community functions, in addition to remodeled interior wall surfaces to replace existing wood paneling.

The project was advertised on the Riverside County Economic Development website on June 10, 2010 and in the Press Enterprise on June 10, 2010, and June 17, 2010. On June 28, 2010, at 1:30pm 7 sealed bids were received. A bid protest was received from Hamel Contracting, Inc. The protest contended that ASR Constructors, Inc., failed to list subcontractors for fire sprinklers and plumbing. Hamel Contracting, Inc. further argues that the scope of work for the fire sprinklers and plumbing exceed the required listing value of \$7,130 (1/2 of 1%). In addition, Hamel Contracting, Inc., contends that ASR Constructors, Inc., does not have the required C-16 license to self perform the work as required by the Business and Professions Code 7057 (c). County Counsel reviewed the protest information and concur that the bid protest items are without merit and are waivable. ASR Constructors Inc., bid notes they hold an "A" license which allows them to install underground site plumbing, sewer, and storm drains. ASR Constructors, Inc. also holds a "B" license which allows them to perform in-house due to there being two (2) or more unrelated trades involved in the VFW Rehabilitation project. ASR Constructors, Inc. has contacted a C-16 licensed company to perform the required work under that license which does not exceed the required listing value of 1/2 of 1%. Staff recommends that any minor irregularities be waived and that the Board award the construction contract to ASR Constructors Inc. in the amount of \$1,426,000.

(Continued)

**BACKGROUND:** (Continued)

This project is categorically exempt under CEQA guidelines 15061. In addition, the Agency filed a Notice of Exemption with the County Clerk on May 12, 2010, for the 30-day public review period.

Staff recommends that the Board make the findings, waive any minor irregularities, award the construction contract to ASR Constructors, Inc., and approve the total project budget as follows:

Construction Budget

Construction	\$1,426,000
Misc. Construction and Inspection Fee	\$ 100,000
Project Management	\$ 150,000
Jurupa Community Services District Fees	\$ 100,000
Construction Administration/Management	\$ 29,500
Contingency	<u>\$ 142,600</u>
<b>Total</b>	<b>\$1,948,100</b>

AGREEMENT FORM

THIS AGREEMENT entered into this 23 day of August, 2010, 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: JURUPA VFW POST in strict accordance with the plans and specifications dated March 24, 2010, prepared by Broeske Architects & Associates, Inc., hereinafter called the "Architect"; 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 one hundred eighty (180) 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 General Conditions, the sum of \* \_\_\_\_\_ Dollars (\$ 1,426,000.00), being the total of the

Base Bid. \* ONE MILLION FOUR HUNDRED TWENTYSIX THOUSAND

The sum is to be paid according to the schedule as provided in the General Conditions.

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.

JURUPA VFW POST 10267  
MISSION BLVD.

Type of Contractor's organization

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

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

IF OTHER THAN CORPORATION EXECUTE HERE

Attest:

Firm Name

WA

Signature

Address

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

IF CORPORATION, FILL OUT FOLLOWING AND EXECUTE

Name of President of Corporation

ALAN REGOTTI

Name of Secretary of Corporation

PATL BERRY

Corporation is organized under the laws of the state of

CALIFORNIA

Firm Name

ASR CONSTRUCTORS, INC.

Signature

ALAN REGOTTI

Title of Office

PRESIDENT

Address

5230 WILSON ST., RIVERSIDE

Contractor's License No.

615395

AFFIX  
SEAL

Attest:

Deputy

Owner

Seal

By:

Chairman, Board of Directors

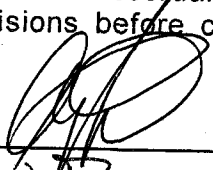
**CONTRACTOR'S CERTIFICATE REGARDING  
WORKER'S COMPENSATION INSURANCE**

Section 3700 of the Labor Code provides, in part, as follows:

"Every employer except the State and all political subdivision or institutions thereof, shall secure the payment of compensation in one (1) or more of the following ways:

- a) by being insured against liability to pay compensation with one (1) or more insurers duly authorized to write compensation insurance in this State; or
- b) by securing from the Director of Industrial Relations, a Certificate of Consent to Self-insure, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his employees ..."

The undersigned is aware of the provisions of Section 3700 of the Labor Code that requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and will comply with such provisions before commencing the performance of the work of this Contract.

Signature:  Date: 8/23/10  
Printed Name: ALAN REZOTTI Title: PRESIDENT  
Company: ASR CONSTRUCTORS, INC.  
Address: 5230 WILSON ST.  
RIVERSIDE, CA. 92509

(In accordance with Article 5 [commencing at Section 1860], Chapter 1, Part 7, Division 2, of the Labor Code, the above Certificate must be signed by Contractor and filed with the awarding body prior to Contractor performing any work under this Contract.)

CONTRACTOR'S CERTIFICATE REGARDING  
WORKER'S COMPENSATION INSURANCE