

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

950.C



**FROM:** Redevelopment Agency

**SUBMITTAL DATE:**

**SUBJECT:** Cabazon Civic Center – Award of Construction Contract

June 2, 2011

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

1. Approve Addenda Nos. 1 through 5 to the specifications that were issued to all plan holders prior to the March 24, 2011 bid opening;
2. Approve the request by Davis Reed Construction, Inc. for relief from their bid due to a clerical error; Find the bid by AWI Builders, Inc. as non-responsive;

Award the contract to Doug Wall Construction, Inc. as the lowest responsive bidder in the amount of \$11,990,000 which includes bid alternates number 1 and 2;

(Continued)

*Robert Field*

Robert Field  
Executive Director

**FINANCIAL  
DATA**

Current F.Y. Total Cost:	\$ 15,900,000	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

**SOURCE OF FUNDS:** Mid-County Redevelopment Project Area Capital Improvement Funds - Cabazon Sub-Area

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

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

*Jennifer L. Sargent*

County Executive Office Signature Jennifer L. Sargent

FISCAL PROCEDURES APPROVED  
PAUL ANGULO, CPA, AUDITOR-CONTROLLER  
BY: Samuel Wong 5/25/11  
DATE: 5/25/11  
MARSHAL L. VICTOR

FORM APPROVED COUNTY COUNSEL  
BY: 5/25/11  
DATE: 5/25/11  
MARSHAL L. VICTOR

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

Prev. Agn. Ref.: 4.12 of 12/14/10; 9.10 of 12/14/10

District: 5

Agenda Number

4.7

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

**RECOMMENDED MOTION: (Continued)**

5. Authorize the Chairman to execute the contract documents on behalf of the Board;
6. Approve and authorize the Chairman to execute the attached agreement with MTGL, Inc. for construction inspection and testing services in the amount of \$166,150;
7. Approve and authorize the Chairman to execute the attached agreement with Southern California Edison for replacement of overhead facilities with underground facilities in the amount of \$158,699.61;
8. Approve and authorize the Chairman to execute the attached agreement with Verizon for replacement of overhead facilities with underground facilities in the amount of \$125,117.85;
9. Delegate authority to the Executive Director of the Redevelopment Agency or his designee for amendments up to 10% of the contract amount for the contracts with MTGL, Inc., Southern California Edison, and Verizon; and
10. Approve the project budget of \$15,900,000.

**BACKGROUND:**

On December 14, 2010, the Board of Directors approved the plans and specifications for the Cabazon Civic Center (Project) which will be developed at the existing site of the James A. Venable Community Center in the community of Cabazon in Riverside County. The community center will remain as the hub of the civic center.

New facilities to be constructed include a library (5,470 square feet), a child development center (13,026 square feet), an administration building for Cabazon Water District (3,300 square feet), basketball courts, play areas, picnic shade shelters, a skate park, restroom building (772 square feet), additional multi-purpose turf area, a maintenance building (1,655 square feet), and associated parking. The old Cabazon Fire Station #24 (building number CB3102 on the County Building Asset List) will also be demolished as part of the plans and specifications for this project.

Street improvements will be completed along Carmen Avenue, Irene Street, and Broadway Street. Each street is currently two-lane and will be improved to Circulation Element designations as approved in the County General Plan. Existing electrical and telephone utilities will be undergrounded. This project will comply with County Policy H-29: Sustainable Building Policy which establishes the use of sustainable practices using Leadership in Energy and Environmental Design (LEED) criteria. A total of approximately 7.89 acres will be disturbed and 3.55 acres of vacant land will be developed.

(Continued)

**BACKGROUND:** (Continued)

During the advertisement period, five (5) addenda were issued to the specifications for the project. Bidders are required to acknowledge and take into account all issued addenda on their bid proposal to be considered for award. The addenda were issued to clarify and modify the approved project contract documents. The addenda are attached.

On March 24, 2011, 18 bids were received. The Agency and County Counsel reviewed the lowest nine bids for the project. Davis Reed Construction, Inc. was the apparent low bidder, but requested relief from their bid due to a clerical error. The submittals from Davis Reed Construction Inc. appear to substantiate their claim and are in accordance with the Public Contract Code, and therefore Agency staff recommends that the Board grant the requested relief.

The second apparent low bid was by AWI Builders, Inc. This bid has been determined to be non-responsive based on the following factors: their failure to acknowledge Addendum No. 5; inclusion in their bid package of the forms for substitution of the skate park elements manufacturer which were required to be submitted ten days prior to bid to request a substitution; inclusion of the forms for qualification of a skate park installer for two different companies neither of which was listed as performing the installation on the subcontractor's bid list; failure of AWI Builders Inc. to be a qualified installer by Skate Park Association USA for the skate park component of the project as required by the specifications. AWI Builders Inc. submitted an objection to the finding of their bid as non-responsive, stating that they did not intend to request substitution of the skate park element manufacturer, and that either Construction Contractor's Corporation or AWI Builders Inc. would do the skate park installation. It is the responsibility of the submitting contractor to comply with the bid requirements. There is no way for the Agency to have determined they did not wish to substitute the manufacturer, and no other reason for the inclusion of the substitution documents, than if they wished to request a substitution. The subcontractor list submitted did not list the skate park as a portion of the work to be performed by Construction Contractor's Corporation as required by the Subletting and Subcontracting Fair Practices Act. Additionally, the specifications in this case require the installer to an approved skate park contractor by the Skate Park Association USA, and it has been verified by the Agency project team that AWI Builders Inc. is not certified on such list.

The third low bid was submitted by Doug Wall Construction, Incorporated and is in appropriate form. Therefore it is recommended that the Board find that the bid by Doug Wall Construction, Incorporated is the lowest responsive bid and award the construction contract to that company in the amount of \$11,990,000.

The agency solicited proposals for construction testing and inspection. Based on the proposals received, MTGL, Inc. was selected for testing and inspection services. It is recommended the Board approve the contracts and adopt the project budget as follows:

(Continued)

**BACKGROUND:** (Continued)

Project Budget:

Construction	\$11,990,000.00
Contingency	\$ 1,199,000.00
Construction Testing and Inspection (MTGL)	\$ 166,150.00
EDA Inspection	\$ 167,464.00
Southern California Edison	\$ 158,699.61
Verizon	\$ 125,117.85
EDA Project Management	\$ 140,000.00
FF&E	\$ 600,000.00
Other Utilities	\$ 600,000.00
Miscellaneous	<u>\$ 753,568.54</u>
Total	\$15,900,000.00

Attachments:

- Addenda Nos. 1 through 5
- Agreement between Doug Wall Construction, Inc. and the Redevelopment Agency for the County of Riverside
- Payment and Performance Bonds
- Consulting Services Agreement for Materials Testing and Special Inspections Services Between agency and MTGL, Inc.
- Southern California Edison Agreement for Replacement of Overhead Utilities with Underground Facilities
- Verizon Agreement for Replacement of Overhead Facilities with Underground Facilities