

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



764

**FROM:** Successor Agency to the Redevelopment Agency

**SUBMITTAL DATE:**  
August 16, 2012

**SUBJECT:** Thermal Town Street Improvement Project – Change Order No. 3 and Notice of Completion

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

1. Approve and authorize the Chairman of the Board to execute Change Order No. 3 for the Thermal Town Street Improvement Project in the amount of \$16,931;
2. Accept the construction of the Thermal Town Street Improvement Project constructed by Hazard Construction Company as complete;
3. Authorize the Chairman of the Board to execute the attached Notice of Completion for the Thermal Town Street Improvement Project;

(Continued)

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 16,931	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

**COMPANION ITEM ON BOARD AGENDA:** No

<b>SOURCE OF FUNDS:</b> Desert Communities Redevelopment Project Area Capital Improvement Bond Proceeds (previously approved budget)	<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

**County Executive Office Signature**

BY: Jennifer Sargent

FISCAL PROCEDURES APPROVED  
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER  
 DATE BY: Samuel Wong 8/16/12  
 DEPARTMENT: SAMUEL WONG  
 FORM APPROVED COUNTY COUNSEL  
 BY: MARSHAL VICTOR 8/16/12

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

**RECOMMENDED MOTION:** (Continued)

4. Authorize the Clerk of the Board to file executed Notice of Completion for the Thermal Town Street Improvement Project;
5. Authorize the release of retained funds to Hazard Construction in accordance with the contract terms; and
6. Direct the Successor Agency to submit this item for approval at the next Oversight Board meeting.

**BACKGROUND:**

On August 16, 2011, the Board of Directors for the Redevelopment Agency executed a construction contract with Hazard Construction Company for street improvements within the community of Thermal. The project has been completed and work inspected and found to comply with all contract requirements.

The retained funds to be released are an enforceable obligation to the Agency pursuant to the terms of the construction contract entered into with Hazard Construction Company as the retention amount is an integral part of the contract compensation. Board action is required to release the balance of the contract retention funds to Hazard Construction Company 35-days after the Notice of Completion is filed.

Change Order No. 3 is needed to mitigate dust blowing off sites by installing soil stabilization at the future park area and decomposed granite at the intersection of Main and Center Streets. These areas were disturbed during construction and some type of dust mitigation is required as there is no plan or funds for improvement on the properties at this time.

The retained funds will come from withheld contract funds. Change Order No. 3 will come from the previously approved project budget contingency and will not require additional funds from the agency. County Counsel has reviewed and approved the attached documents as to form. Staff recommends that the Board of Supervisors approve the recommended motions and direct the Clerk of the Board to record the Notice of Completion.

Attachments:

- Hazard Construction Company Change Order No. 3 (3)
- Notice of Completion

PLEASE COMPLETE THIS INFORMATION  
RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD  
RIVERSIDE CO. CLERK OF THE BOARD  
4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC  
P O BOX 1147 – RIVERSIDE, CA 92502

**MAIL STOP # 1010**

AND WHEN RECORDED MAIL TO:

**RETURN TO: STOP #4080**  
Riverside County Economic Development Agency  
44-199 Monroe St., Suite B, Indio, CA 92201

**THIS SPACE FOR RECORDERS USE ONLY**

**NOTICE OF COMPLETION**

(California Civil Code §§ 8180-8190, 8100-8118)

To be recorded with County Recorder within 15 days after completion.

**Notice is hereby given by the undersigned owner, a public entity of the State of California, that a public work of improvement has been completed, as follows:**

**Project title or description of work:** Thermal Town Street Improvement Project

**Date of Completion:** Date of this notice

**Nature of owner:** Successor Agency to the Redevelopment Agency, a Public Entity

**Interest or estate of owner:** Construction Easement

**Address of owner:** 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, CA 92501

**Name of contractor:** Hazard Construction Company, 6465 Marindustry Place, San Diego, CA 92121

**Street or legal description of site:** South of Airport Blvd., West of Grapefruit, North of Church and East of Polk Street

**Dated:**

Owner: \_\_\_\_\_  
Successor Agency to the Redevelopment Agency

By: \_\_\_\_\_  
John Tavaglione, Chairman, Board of Supervisors

STATE OF CALIFORNIA )

ss

COUNTY OF RIVERSIDE )

I am the Chairman of the governing board of the Successor Agency to the Redevelopment Agency for the County of Riverside, the public entity which executed the foregoing notice and on whose behalf I make this verification; I have read this notice, know its contents, and the same is true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Riverside, California on \_\_\_\_\_

\_\_\_\_\_, John Tavaglione, Chairman of the Board of Supervisors

ATTEST: KECIA HARPER-IHEM, Clerk of the Board

By: \_\_\_\_\_ Deputy

FORM APPROVED COUNTY COUNSEL  
BY: Marsha L. Victor 8/9/12  
MARSHA L. VICTOR DATE

**COUNTY OF RIVERSIDE EDA AS SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE**

**CHANGE ORDER NO. 3**

**Date:** 6/14/2012

**Project:** Thermal Town Street Improvements

**To Contractor:**  
Hazard Construction Company  
6465 Marindustry Place  
San Diego, CA 92121

Project No: MS4227  
**Distribution:**  
 Project Manager      Construction Manager  
 Contractor            Inspector  
 Fiscal                    Architect/Engineer

**You are directed to make the following changes. Changes shall include labor, material and equipment; each item to include all charges or indirect arising out of this work:**

- |  |             |
|--|-------------|
| 1) Install Soil Stabilization 64,500 SF              | \$6,450.00  |
| COR # 5  | ADD         |
| 2) Install Decomposed Granite (Desert Gold) 4,875 SF | \$10,481.25 |
| COR # 5  | ADD         |

**The specifications, where pertinent, shall apply to these changes.**

**This Change Order provides for a time extension of** 0 **calendar days**  
 Original Contract Duration (calendar days): \_\_\_\_\_  
 Prior Authorized Time Extension (calendar days): \_\_\_\_\_  
 Revised Construction Duration (calendar days): 0  
 Original Contract Completion Date: 3/19/2012  
 Revised Contract Completion Date: 6/11/2012

**NOTE:** This change order is not effective until ALL signatures below are obtained, and if applicable, signature authority approval by Form 11 as indicated per Change Order Guidelines.

**The undersigned contractor has given careful consideration to the change proposed, including its effect on other work already contracted for, and hereby agrees, if this change order is approved, that he will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment for all costs related in any way thereto the prices shown above.**

1)  7/3/12  
 Contractor (signature)      Date  
**JASON A. MORDHORST, VICE PRESIDENT**  
 Contractor's Printed name

Original Contract	\$	<u>2,272,832.00</u>
Prior Authorized <input checked="" type="checkbox"/> ADD <input type="checkbox"/> DED	\$	<u>208,401.93</u>
<b>Total Contract Prior to this Change</b>	<b>\$</b>	<b><u>2,481,233.93</u></b>


2) \_\_\_\_\_  
 Chairman, Board of Supervisors (signature)      Date  
John F. Tavaglione  
 Chairman, Board of Supervisors

Authorized Changes on this C.O.:  
 Addition \$ 16,931.25  
 Deduction \$ \_\_\_\_\_

NET:  Addition  Deduction      \$ 16,931.25

3)  7-25-12  
 Engineer (signature)      Date  
Alec M. Yzaquinte  
 Engineer's Printed name

Amount of Contract Authorized Including this Change Order      \$ 2,498,165.18

4)  7.24.12  
 Project Manager (signature)      Date  
Joaquin Tijerina  
 Project Manager's Printed name

Pursuant to:  
 Board Resolution 2012-034  
 M.O. and Date \_\_\_\_\_

FORM APPROVED COUNTY COUNSEL  
 Successor Agency Change Order Form - Revised 03-29-12  
 BY: MARSHAL VICTOR 8/9/12  
 DATE