

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

438



FROM: Successor Agency to the Redevelopment Agency

SUBMITTAL DATE:
October 25, 2012

SUBJECT: El Cerrito Road and Storm Drain Improvements Project – Edison Letter of Authorization and Construction Change Orders 3 & 4.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Chairman of the Board to execute the Southern California Edison Letter of Authorization on the El Cerrito Road and Storm Drain Improvements Project; and
2. Approve and authorize the Chairman of the Board to execute the attached Change Order No. 3 and 4 between Riverside Construction Company, Inc. and the Successor Agency to the Redevelopment Agency, in the amount of \$92,700.

BACKGROUND: (Commences on Page 2)

Robert Field

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 92,700	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

SOURCE OF FUNDS: 1-1986 Redevelopment Project Area Capital Improvement Bond Proceeds (previously approved budget)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer Sargen*
Jennifer Sargen

County Executive Office Signature

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: *Samuel Wong* 10/24/12
 SAMUEL WONG
 DEPARTMENT OF COUNTY CLERK
 DATE: 10/10/12
 FORM APPROVED COUNTY COUNSEL
 BY: *Marshall Victor*
 MARSHALL VICTOR
 Dept't Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 4.4 of 7/17/12 District: 2/2 Agenda Number **4.2**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

BACKGROUND: On March 26, 2002, the Board of Directors entered into an agreement with Krieger and Stewart for the engineering and design of the El Cerrito Road and Storm Drain Improvement Project.

The project consists of storm drain improvements to provide ultimate flow capacity, median, street improvements including curb, gutter, sidewalks, and installation of a traffic signal at the intersection of El Cerrito Road and Evelyn Street along the segment of El Cerrito Road between Interstate 15 and Temescal Canyon Road in the unincorporated community of El Cerrito.

These improvements will benefit the El Cerrito Sub-Area of the Redevelopment Project Area 1-1986, by helping to eliminate blight within the project area by installing sidewalks, streets, curb, gutter, and the construction of a new storm drain, and significantly improving the pedestrian access in the area. On May 3, 2011, the Board approved the plans and specifications for El Cerrito Road and Storm Drain Improvements Project and authorized the Clerk of the Board to advertise the Notice Inviting Bids. On June 28, 2011, the Board accepted and awarded the construction contract for the project to the lowest responsible bidder, Riverside Construction Company in the amount of \$3,631,141 and a total project budget of \$5,341,755.

The Successor Agency plans to install one streetlight westerly of the El Cerrito Sports Park (Station 32+83 on the El Cerrito Road Improvement Project Plans). Edison requires that a Letter of Authorization be executed to initiate design for this streetlight and determine the future power source. The City of Corona shall be responsible for any monthly energy charges after energizing the streetlight. The Southern California Edison Letter of Authorization and any future relative costs are listed on the Recognized Obligation Payment Schedule (ROPS), under the line item Utilities-Southern California Edison, which has been approved by the Oversight Board and the California Department of Finance.

The items within Change Order Nos. 3 & 4 are related to Riverside Construction's change in storm drain construction sequencing and schedule acceleration of the storm drain and road improvement project. Change Order Nos. 3 & 4 are within the 10% contingency established in the project budget and are also included in the Recognized Obligation Payment Schedule (ROPS), as approved by the Oversight Board and the California Department of Finance, and will be processed in accordance with the terms of the original construction contract. Change Order Nos. 3 & 4 will not be an additional cost to the project as it is accounted for in the approved budget and a budget adjustment is not required.

Staff recommends that the Board approve the motions and authorize the Chairman of the Board to execute the Southern California Edison Letter of Authorization and Change Order Nos. 3 & 4 for the El Cerrito Road and Storm Drain Improvements Project.

Attachment:

- Letter of Authorization
- Change Order Nos. 3 & 4

**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
FOR THE COUNTY OF RIVERSIDE
CHANGE ORDER NO. 3**

Date: 10/25/2012

Project: El Cerrito Road Improvement Project

To Contractor:
Riverside Construction Company, Inc.
4225 Garner Road
Riverside, CA 92502

Project No: ED1104200712
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) This is a no-cost, no-time extension Contract Change Order to the Work specified in the Contract Documents related to storm drain facility installation as proposed by Riverside Construction Company (see attached letter). The Successor Agency accepts Riverside Construction Company's proposal to change the sequencing and method of Work (including utilization of temporary 55" storm drain connector pipe with less carrying capacity than either the existing or new storm drain facilities, which may increase risk of flooding should a storm occur during construction activities) on the express condition that Contractor has accepted all responsibility and liability which may arise from its proposed changes to the project specifications by revising the sequencing and method the Work.. Contractor acknowledges that all provisions of the Contract Documents shall remain in force and unchanged as part of the modified Work.

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

This Change Order provides for a time extension of	<u>0</u>	calendar days
Original Contract Duration (calendar days):	<u>365</u>	
Original Notice To Proceed Date:	<u>1/23/2012</u>	
Prior Authorized Time Extension (calendar days):	<u>110</u>	(5 Days CO1, 1 Day Weather 1/23, 104 Days CO2)
Revised Construction Duration (calendar days):	<u>475</u>	
Original Contract Completion Date:	<u>1/22/2013</u>	
Revised Contract Completion Date:	<u>5/12/2013</u>	

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) Donald M Pim 9-26-2012
Riverside Construction Co. (Signature) Date

Original Contract	\$ <u>3,631,140.70</u>
Prior Authorized <input checked="" type="checkbox"/> ADD <input type="checkbox"/> DED	\$ <u>134,530.75</u>
Total Contract Prior to this Change	\$ <u>3,765,671.45</u>

Donald M. Pim
President, Riverside Construction Company Inc.
Printed name

Authorized Changes on this C.O.:
Addition \$ 0.00
Deduction \$ 0.00

2) _____
John Tavaglione, Chairman Date
Board of Supervisors (Signature)

John Tavaglione
Chairman, Board of Supervisors
Printed name

NET: Addition Deduction \$ 0.00

3) Charles Krieger 10-1-12
Krieger & Stewart Inc. (Signature) Date

Amount of Contract Authorized
Including this Change Order \$ 3,765,671.45

Charles Krieger
Krieger & Stewart Inc.
Printed name

Pursuant to:
 Board Resolution 2012-034
 M.O. and Date 4.10, 6/28/11

4) Erik Sydow _____
Project Manager (signature) Date

Erik Sydow
Project Manager
Printed name



GENERAL ENGINEERING CONTRACTORS
4225 GARNER ROAD - P.O. BOX 1146
RIVERSIDE, CALIFORNIA 92502-1146

VIA E-MAIL

September 19, 2012

Successor Agency to the Redevelopment Agency
3403 10th Street, Ste 400
Riverside, CA 92501

Attn: Charles Waltman

Project: El Cerrito Road Improvement Project

RE: Water Control

Dear Mr. Waltman:

In an effort to mitigate the Owner's extended delay to the project and help minimize exposure to possible storm damage, Riverside Construction is modifying the construction phasing to expedite completion of the new storm drain system. Primarily this involves removing and replacing the storm drain facilities at the upstream connection prior to the new downstream connection. This is with the understanding, in accordance with Item 3.H "Water Control" of the Special Requirements, the methods of controlling both surface and groundwater, and protecting all existing and proposed improvements is the responsibility of the Contractor.

In the event rain is forecast, Riverside Construction will have equipment and crews available on standby to address any storm related issues.

Should you have any questions, please contact our office.

Sincerely,
Riverside Construction Company, Inc.

A handwritten signature in cursive script that reads 'Donald M. Pim'.

Donald M. Pim
President

**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
FOR THE COUNTY OF RIVERSIDE
CHANGE ORDER NO. 4**

Date: 10/25/2012

Project: El Cerrito Road Improvement Project

To Contractor:

Riverside Construction Company, Inc.
4225 Garner Road
Riverside, CA 92502

Project No: ED1104200712

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) Schedule Acceleration of construction activities to complete the Storm Drain and the El Cerrito Road Improvement Project. Acceleration shall include revision of the current completion date of May 12, 2013 to a revised completion date of March 1, 2013 (less 72 days), with Liquidated Damages of \$2,000 per calendar day being assessed for each calendar day that the Project Work remains incomplete during the time period from March 1, 2013 to May 12, 2013 (as adjusted for due cause by Change Order), and \$4,400 per calendar day being assessed for each calendar day that the Project Work remains incomplete after May 13, 2012, as adjusted for due cause by Change Order.

ADD \$ 91,000.00

- 1) September 22, 2012 demolition and preparation of subgrade for RCB inlet.

ADD \$ 1,700.00

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

This Change Order provides for a time extension of

	<u>-72</u>	calendar days
Original Contract Duration (calendar days):	<u>365</u>	
Original Notice To Proceed Date:	<u>1/23/2012</u>	
Prior Authorized Time Extension (calendar days):	<u>110</u>	
Revised Construction Duration (calendar days):	<u>403</u>	(5 Days CO1, 1 Day Weather 1/23, 104 Days CO2)
Original Contract Completion Date:	<u>1/22/2013</u>	
Revised Contract Completion Date:	<u>3/1/2013</u>	

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) Donald M. Pim 9-26-2012
Riverside Construction Co. (Signature) Date

Donald M. Pim
President, Riverside Construction Company Inc.
Printed name

Original Contract	\$ <u>3,631,140.70</u>
Prior Authorized <input checked="" type="checkbox"/> ADD <input type="checkbox"/> DED	\$ <u>134,530.75</u>
Total Contract Prior to this Change	\$ <u>3,765,671.45</u>

2) _____
John Tavaglione, Chairman Date
Board of Supervisors (Signature)

John Tavaglione
Chairman, Board of Supervisors
Printed name

Authorized Changes on this C.O.:
Addition \$ 92,700.00
Deduction \$ 0.00

NET: Addition Deduction \$ 92,700.00

3) Charles Krieger 10-1-12
Krieger & Stewart Inc. (Signature) Date

Charles Krieger
Krieger & Stewart Inc.
Printed name

Amount of Contract Authorized
Including this Change Order \$ 3,858,371.45

4) _____ 10/2/12
Project Manager (signature) Date

Erik Sydow
Project Manager
Printed name

Pursuant to:
 Board Resolution 2012-034
 M.O. and Date 4.10, 6/28/11

**APPLICANT DESIGN OPTION FOR
DISTRIBUTION AND/OR SERVICE EXTENSIONS
LETTER OF AUTHORIZATION**

TO SOUTHERN CALIFORNIA EDISON COMPANY (SCE)

Applicant understands that for facilities designed in accordance with SCE's Rules 13, 15, and/or 16, the Applicant can elect:

- Option (1) SCE to design the distribution and/or service extension; or
- Option (2) A Competitive Bidding Procedure for the distribution and/or service extension design.

Under **Option (1)** above, SCE completes the project design. SCE's design costs are included in the total project cost to serve subject to refund / allowance. Under **Option (2)** above, Competitive Bidding. Applicant shall receive a bid amount from SCE and secure Competitive Bids from Qualified Designers for the *design* of the distribution and/or service extension. The SCE bid amount provided will be used as the job -specific cost estimate for design services. Either SCE or a Qualified Designer can design the distribution line and/or service extension under Option (2). The Applicant should have a thorough understanding of the Applicant Design Terms and Conditions prior to choosing Option (2) – Competitive Bid. Copies are available upon request.

If Applicant elects SCE to design the distribution and/or service extension and then later secures a third -party Qualified Designer under Option (2) Competitive Bidding. Applicant shall pay to SCE any and all costs incurred by SCE for design work already performed as a result of Applicant originally requesting SCE 's design.

Regardless of the design option chosen, all speculative projects are subject to the advance collection of engineering fees.

Applicant understands the above Options and hereby elects the following by initialing the Option selected:



Option (1) Design by SCE



Option (2) Competitive Bidding for Applicant Design

The elected Option is for the distribution line and/or service extension to be located at and/or described as follows:

Station 32+83 of the El Cerrito Road Improvement Plans.

Installation is for 1, 22,000L streetlight.

Applicant understands that by signing below, additional charges may apply if SCE incurs interim design costs as a result of Applicant first electing Option (1) and subsequently securing a third-party Qualified Designer and electing Option (2).

Successor Agency to the RDA
for the County of Riverside

**JOHN TAVAGLIONE,
CHAIRMAN, BOARD OF SUPERVISOR**

Applicant (Print or Type)

Title (Print or Type)

*

Signature

*

Date

**SOUTHERN CALIFORNIA EDISON ("SCE")
DISTRIBUTION LINE AND/OR SERVICE EXTENSION
APPLICANT'S INSTALLATION OPTION AND
STATEMENT OF APPLICANT'S CONTRACT ANTICIPATED COSTS**

Successor Agency to the Redevelopment
Agency for the County of Riverside

Applicant: _____

Work Order Number: _____

Project Specific Location: El Cerrito Road, Station 32+83, Project Plans

1. INSTALLATION OPTIONS

Applicant understands that in accordance with SCE's Rule 15 and/or Rule 16, Applicant can elect to have either SCE install the Distribution Line and/or Service Extension or a Qualified Contractor/Subcontractor install the Distribution Line and/or Service Extension.

2. SCE'S ESTIMATED REFUNDABLE COST INFORMATION

SCE's estimated refundable costs are based on the work that SCE would normally perform that can be performed by a Qualified Contractor/Subcontractor under the provisions of the Applicant Installation Option, Rule 15, Section G, and in accordance with SCE's Terms and Conditions Agreement for Installation of Distribution Line Extension by Applicant (Form 14-188).

SCE's estimated refundable costs:* \$ _____

If applicable, other estimated cost information may be provided below. This could include the credit amount for Rule 16, street light, or other associated installation work.

SCE Rule 16 credit amount:* \$ _____

SCE street light credit amount:* \$ _____

SCE associated work credit amount:* \$ _____

3. APPLICANT SELECTION

Applicant understands the installation options under Section 1 above, and hereby elects the following Installation Option by initialing the appropriate selection below:

* _____ Installation by SCE **JOHN TAVAGLIONE, CHAIRMAN, BOARD OF SUPERVISOR**

_____ Installation by Qualified Contractor/Subcontractor

Under installation by Qualified Contractor/Subcontractor, Applicant shall secure project specific bid information from Qualified Contractors/Subcontractors for the installation of the Distribution Line and/or Service extension. Applicant shall contribute or advance before the start of construction any refundable or non-refundable amounts as specified in Rules 15 and 16.

*Please refer to the specific contract, Appendix A, for detailed financial information.

4. **APPLICANT'S CONTRACT ANTICIPATED COST INFORMATION** (to be completed only if installation is performed by a Qualified Contractor/Subcontractor as selected in Section 3 above)

Applicant and/or Applicant's Qualified Contractor/Subcontractor understands that for the portion of the Electrical Distribution and/or Service Extension that SCE would normally install, in accordance with SCE's Rule's 15 and/or 16 and the Terms and Conditions Agreement for Installation of Distribution Line Extension by Applicant, the Applicant, prior to performing any work associated with the installation of these electrical facilities, and for the purpose of utility billing and accounting, shall elect one of the following options, and return this form to SCE prior to SCE proceeding with any further work on the Applicant's project.

Option 1 Applicant elects to provide SCE with the Applicant's Contract Anticipated Costs, which are subject to refund, that are associated with that portion of the new Distribution Line and/or Service Extension normally installed by SCE, and understands that the lower of SCE's estimated refundable cost or the Applicant's Contract Anticipated Costs, which are subject to refund, as submitted below, shall apply to any applicable SCE refunds and allowances provided in accordance with Rules 15 and 16,¹ or

Option 2 Applicant elects not to provide SCE with the Applicant's Contract Anticipated Costs, which are subject to refund. The Applicant understands that by selecting this option, the Applicant is directing SCE to use SCE's estimated refundable cost for all billing and accounting.

Applicant understands the Applicant Cost Information, as described above, and hereby elects the following by **initialing** the appropriate selection below:

_____ Option 1 - Applicant's Contract Anticipated Costs \$ _____

_____ Option 2 - SCE's Estimated Refundable Costs

5. **ITCC**

SCE shall value all trenching, conduit, backfill, street repair, substructures, and encasement, based on SCE's estimate of such items, for the purposes of collecting the applicable governmental taxes (ITCC) on contributions to SCE.

6. **UTILITY RESPONSIBILITIES**

Upon receipt of this completed and signed form, SCE shall begin the process of producing the applicable contracts and forms based on the selections made by the Applicant.

7. **SIGNATURE**

I declare under penalty of perjury that the foregoing is true and correct.

* Applicant's signature: _____

Applicant's printed name: John Tavaglione, Chairman, Board of Supervisors

Date: _____

¹ Excludes the estimated costs of work the Applicant cannot perform, such as, work on or in proximity to, energized equipment.