

FORM APPROVED COUNTY COUNSEL
 DATE 10/17/14
 BY: GREGORY P. PRIAMOS

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



FROM: Economic Development Agency

SUBMITTAL DATE:
 October 8, 2014

SUBJECT: Riverside Public Defender/Probation Building Project - Approval of Contract through Easy Indefinite Quantity Contract with Angeles Contractor, Inc., District 2/District 2, [\$2,493,590], Bond Proceeds 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the revised plans for the Riverside Public Defender/Probation Building Project to complete the remaining seismic retrofit portion of the construction;
2. Approve the plans, specifications and contract documents for the Riverside Public Defender/Probation Building Project located at 4075 Main Street in Riverside, California;
3. Approve the attached construction agreement between the County of Riverside and Angeles Contractor, Inc. (Angeles) of Buena Park, California, in the amount of \$2,493,590 to complete the seismic retrofit portion of the construction of the Riverside Public Defender/Probation Building Project and authorize the Chairman of the Board to execute the agreement on behalf of the county; and

(Continued)

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA AUDITOR-CONTROLLER
 BY: Esteban Hernandez 10/17/14

Robert Field
 Assistant County Executive Officer/EDA

By: Mark A. Hake, Chief Probation Officer
 Riverside County Probation Department
 By: Steven L. Harmon, Public Defender
 Law Offices of the Public Defender

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY COMMENT (Law Exec. Officer)
COST	\$ 2,493,590	\$ 0	\$ 2,493,590	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Bond Proceeds 100%
Budget Adjustment: No
For Fiscal Year: 2014/15

C.E.O. RECOMMENDATION:
 APPROVE
 BY: Rohini Dasika
 Rohini Dasika
 County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 3-20 of 7/29/14; 3-21 of 7/29/14 **District:** 2/2 **Agenda Number:** 3-38

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

Economic Development Agency

FORM 11: Riverside Public Defender/Probation Building Project - Approval of Contract through Easy Indefinite Quantity Contract with Angeles Contractor, Inc., District 2/District 2, [\$2,493,590], Bond Proceeds 100%

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RECOMMENDED MOTION: (Continued)

4. Authorize the Assistant County Executive Officer/EDA to administer the agreement in accordance with applicable Board policies.

BACKGROUND:

Summary

On February 26, 2013, the Board of Supervisors approved the construction contract between the County of Riverside and AWI Builders, Inc. (AWI) of Pico Rivera, California, in the amount of \$14,417,500 for the Riverside Public Defender/Probation Building project, formerly known as the Riverside Public Defender Remodel project, and authorized the Assistant County Executive Officer/EDA to administer the contract in accordance with applicable Board policies.

On July 21, 2014, the Economic Development Agency (EDA) sent a Five Day Notice of Termination for Convenience via overnight mail giving AWI a five day notice of its intent to terminate the construction contract. Termination was effective on July 26, 2014 at 4:00 p.m. On July 29, 2014, the Board of Supervisors approved the Five Day Notice of Termination for Convenience and the Notice of Cessation with AWI.

To date, the Riverside Public Defender/Probation Building project is approximately 30% complete, and a portion of the seismic retrofit work was incomplete when AWI's contract was terminated. Time is of the essence to have the remaining retrofit work completed before the remaining tenant improvement work is advertised for re-bid.

The previously approved structural plans and specifications have been updated by JCE Structural Engineering Group, Inc. to highlight the scope of work that remains to be completed. Angeles, an approved Easy Indefinite Quantity Contract (EZIQC) contractor, received the approved plans and specifications for review and walked the job site with county personnel. Following review of the project site plans and specifications, Angeles submitted their proposal in accordance with the EZIQC contract in the amount of \$2,493,590. Approval of the construction agreement via the National Joint Powers Alliance's (NJPA's) EZIQC program will expedite the delivery of the seismic retrofit portion of the Riverside Public Defender/Probation Building project. This project portion is anticipated to start immediately after Board approval and finish by March 1, 2015.

The Riverside Public Defender/Probation Building project will require a re-bid of the remaining tenant improvement and envelop upgrade work. The plans and specifications for re-bidding the project will be developed by Holt Architects, who is the architect of record for the project.

EDA will return to the Board under separate cover to approve the plans and specifications and re-bid the remaining tenant improvement work.

Impact on Citizens and Businesses

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Impact on Citizens and Businesses

The Riverside Public Defender/Probation Building project will accommodate the Public Defender and Probation Departments and will provide the necessary office space to account for the long term growth of both departments. The Public Defender will have the space to consolidate all operations into one building, enhancing communication and work efficiencies and resulting in an environment that will serve the community in the most effective manner possible. The Probation Department will house court officers and pre-sentence investigators who would then be in close proximity to the courts that are served. Additionally, offenders completing the court process will receive initial reporting instructions which might reduce the FTA (Failure to Appear) rates.

Contract History and Price Reasonableness

On August 20, 2013, Angeles was awarded the NJPA EZIQC contract via a public bidding process. Angeles was selected after bidding a competitive cost adjustment factor of .9764 in accordance to the NJPA bid and contract documents for prevailing wage work performed outside of normal working hours. As a NJPA member, the County of Riverside can utilize EZIQC contracting to expedite delivery of projects based on the fair market prices for construction goods and services in the Construction Task Catalogue (CTC).

In accordance with the EZIQC contract, Angeles provided a responsible and responsive proposal for the Riverside Public Defender/Probation Building project. Cost reasonableness for the project is achieved through the fair market value of the construction goods and services established in the CTC and the negotiable lump sum proposal that reduces the amount to ninety-seven cents on the dollar.

Additional Fiscal Information

All costs associated with this agreement will be 100% funded by Bond Proceeds, thus no net county costs will be incurred this FY 2014/15, and no budget adjustment is required at this time.

Attachments:

Copy of Membership to National Joint Powers Alliance (NJPA)
Specifications
Construction Agreement with Angeles Contractor, Inc.