

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

923



FORM APPROVED COUNTY COUNSEL
DATE 1/21/15
BY: GREGORY P. PRIAMOS
Departmental Concurrence

FROM: Regional Park and Open-Space District

SUBMITTAL DATE:
January 20, 2015

SUBJECT: Adopt Resolution No. 2015-5 Declaring that the Lake Cahuilla Recreation Park Entry Road Repairs as Emergency Work; Construction Award to Dateland Construction Co.; CEQA Finding of Exemption; District 4; [\$136,642]; [Park District Fund 33100]

RECOMMENDED MOTION: That the Board of Directors:

1. Finds that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15302; and
2. Adopt Resolution No. 2015-5 Declaring that the Lake Cahuilla Recreation Park Entry Road Repairs as Emergency Work where such emergency would not permit a delay resulting from a competitive solicitation for bids, that this action is necessary to respond to the emergency pursuant to state guidelines for public agencies for emergency work; and

BACKGROUND:

Summary

On September 8, 2014, the Lake Cahuilla Recreation Area primary park entrance road was significantly damaged as a result of flash floods from a storm. The road collapsed in one area, and sustained significant levels of erosion on both banks along its entire length.

(continued on page 2)



Scott Bangle
General Manager

2015-020D JS/MG

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 136,642	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Park District Fund 33100
Budget Adjustment: No
For Fiscal Year: 2014-2015

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF DIRECTORS

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

Prev. Agn. Ref.: M.O.3.41; 11/4/14

District: 4

Agenda Number:

13-1

**SUBMITTAL TO THE BOARD OF DIRECTORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Adopt Resolution No. 2015-5 Declaring that the Lake Cahuilla Recreation Park Entry Road Repairs
as Emergency Work; Construction Award to Dateland Construction; CEQA Finding of Exemption; District 4;
[\$136,642]; [Park District Fund 33100]**

DATE: January 20, 2015

PAGE: 2 of 2

RECOMMENDED MOTION: (continued from page 1)

3. Accept the bid submitted by Dateland Construction Co. for Lake Cahuilla Recreation Park emergency entry road repairs, approve the Agreement in the amount of \$136,642 and authorize the Chairman of the Board to execute the Agreement on behalf of the District; and
4. Direct the Clerk of the Board to file a Notice of Exemption with the County Clerk within five (5) days of the approval of the emergency repairs and bid.

BACKGROUND:

Summary (continued)

The Transportation and Land Management Agency (TLMA) was contacted immediately to provide a cost estimate and timeline for repairs. TLMA was unable to complete the work due to the volume of other storm-related road damage throughout the County. TLMA invited three current County vendors to make emergency proposals for the Lake Cahuilla road repairs. Two vendors responded and provided proposals. TLMA and the District reviewed the fee proposal with the lowest, most responsive bidder, Dateland Construction Co. With Central Purchasing's assistance, the District issued an Emergency Purchase Order to Dateland Construction.

The road repairs at Lake Cahuilla Recreation Park are categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15301 – Existing Facilities and 15302 – Replacement or Reconstruction. The project is to make repairs to an existing road that was washed out by storm waters where there is negligible or no expansion of the existing road. The storm waters made the road impassable and unsafe to the public so the project replaces dirt and paving to restore the road to the same size with no expansion of capacity.

Resolution No. 2015-5 and the Agreement has been approved as to form by County Counsel.

Impact on Citizens and Businesses

Lake Cahuilla Recreation Area and Regional Park is an important outdoor facility for the residents and visitors throughout Coachella Valley and long term tourists who frequent the park in November through March. The road damage was so severe that guests were unable to enter the park safely. This road also serves as the primary access point to the Riverside County shooting range which is utilized by County Law Enforcement, to water district facilities and used by local adjacent property owners.

SUPPLEMENTAL:

ADDITIONAL FISCAL INFORMATION:

The Board of Supervisors approved a budget adjustment in the FY14/15 First Quarter Budget Report on 11/04/2014 for \$200,000. Actual costs were \$136,642, and were paid to Dateland Construction from Fund Balance in the District's Fund 33100 which is reserved specifically for repairs, maintenance, and new construction of District assets and infrastructure.

Contract History and Price Reasonableness:

The actual cost of the road repair was less than the original amount submitted by Dateland Construction; therefore, resulting in cost savings for the District for this necessary work.

Attachments:

Resolution No. 2015-5

Agreement for Road Repairs with Dateland Construction

Notice of Exemption

Attachment A

2
3 RESOLUTION NO. 2015-5

4
5 A RESOLUTION OF THE BOARD OF DIRECTORS OF
6 THE RIVERSIDE COUNTY REGIONAL PARK AND OPEN-SPACE DISTRICT
7 DECLARING THAT THE LAKE CAHUILLA RECREATION PARK IS EMERGENCY WORK

8
9 WHEREAS, on September 8, 2014, a storm and flash floods significantly damaged and
10 washed away a portion of the primary park entrance road to the Lake Cahuilla Recreation Area; and

11 WHEREAS, the road repair work was urgently needed to restore the road to its condition
12 before the storm and alleviate the dangerous condition of the road to allow safe access and passage by
13 those who use the park area, the local water district to access its water tanks and facilities that serves the
14 surrounding community, the shooting range used by Riverside County law enforcement and other area
15 property owners; and

16 WHEREAS, the Riverside County Regional Park and Open-Space District ("District") has
17 found that the circumstances involved with the damage and destruction of the Lake Cahuilla Recreation
18 Area access road warrants a declaration that the public interest and necessity demands the immediate
19 expenditure of public money to safeguard life, health or property;

20 WHEREAS, the District received assistance from the Riverside County Transportation and
21 Land Management Agency and obtained bid proposals from two contractors able to perform this
22 emergency work; and

23 WHEREAS, Dateland Construction Co. submitted the lowest bid for this emergency road
24 repair work;

25 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the
26 Board of Directors of the Riverside County Regional Park and Open-Space District ("Board"), in regular
27 session assembled on February 3, 2015, that the Lake Cahuilla Recreation Park Emergency Entry Road
28 Repairs is an emergency that would not permit a delay resulting from a competitive solicitation for bids,

FORM APPROVED COUNTY COUNSEL
DATE 1-21-15
BY: SYDTHIA M. GUNZEL

1 that this action is necessary to respond to the emergency pursuant state guidelines for various public
2 agencies for emergency work.

3 BE IT FURTHER RESOLVED that the Board approves the Agreement between the
4 District and Dateland Construction for the Lake Cahuilla Recreation Park emergency entry road repairs in
5 the amount of One Hundred Thirty Six Thousand Six Hundred Forty Two Dollars (\$136,642) and
6 authorize the Chairman of the Board to execute the Agreement on behalf of the District.

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AGREEMENT FORM

Page 1 of 2

THIS AGREEMENT, entered into this 16th day of September, 2014, by and between Dateland Construction Co. INC., hereinafter called the "Contractor," and the Riverside County Regional Park and Open-Space District, hereinafter called "District."

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, Instructions to Bidders, Contractor's Quote, Wage Schedule according to the State of California, Payment and Performance Bonds, Plans and Specifications plus any Addenda thereto, General Conditions, including all terms and conditions to the Agreement. All Contract documents are intended to cooperate and become complimentary 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 necessary for road repairs at Lake Cahuilla Park, in strict accordance with the plans and specifications as prepared by the District, including addenda thereto as listed in the Contractor's Quote, all of which are made part hereof.

TIME FOR COMPLETION: The work shall be commenced on a date to be specified in a written order of the Contractor and shall be completed within **Twenty (20) 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 District 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 One Hundred Thirty-Six Thousand Six Hundred Forty-Two dollars and no cents \$(136,642.00) being the total of the base bid.

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 certification: "I am aware of the provisions of section 3700 of the Labor Code which 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 I will comply with such provisions before commencing the performance of work of this contract".

IN WITNESS WHEREOF, the parties hereto on the day and year first above written have executed this agreement.

AGREEMENT FORM

Page 2 of 2

Type of Contractor's organization: INC.

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

IF OTHER THAN CORPORATION EXECUTE HERE:

Firm Name:	
Address:	
Contractor's License No.	
Signature:	
Title:	

IF CORPORATION, FILL OUT THE FOLLOWING AND EXECUTE:

Name of President of Corporation:	JIM RICHERT
Name of Secretary of Corporation:	JUDY THOMPSON
Corporation organized under the laws of the State of	CALIFORNIA
Firm Name:	DATLAND CONSTRUCTION
Address:	83-801 AVE 45, INDIO, CA. 92201
Contractor's License No.	396698
Signature:	<i>Judy Thompson</i>
Title:	CORPORATE SECRETARY

DO NOT COMPLETE BELOW THIS LINE

=====

Attest:

DISTRICT

Authorized Signature (~~County~~)

(Official Title)

AGREEMENT FORM

Page 2 of 2

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:

Firm Name:				
Address:				
Contractor's License No.				
Signature:				
Title:				

IF CORPORATION, FILL OUT THE FOLLOWING AND EXECUTE:

Name of President of Corporation:				
Name of Secretary of Corporation:				
Corporation organized under the laws of the State of				
Firm Name:				
Address:				
Contractor's License No.				
Signature:				
Title:				

DO NOT COMPLETE BELOW THIS LINE

=====

Attest:

Riverside County Regional
Park and Open-Space District

By: _____

Chairman Board of Directors

Date: _____

FORM APPROVED COUNTY COUNSEL

BY: Synthia M. Gunzel 1-21-15
SYNTHIA M. GUNZEL DATE



SCOTT BANGLE Parks Director/General Manager
 KYLA BROWN Chief - Parks & Recreation
 KEITH HERRON Chief - Resources & Planning
 BRANDE HUNE Chief - Business Operations

Riverside County Regional Park and Open-Space District

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR)
 P.O. Box 3044
 Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Regional Park and
 Open Space District
 4600 Crestmore Road
 Jurupa Valley, CA 92509

Project Title/Case No.: Lake Cahuilla Recreation Area and Regional Park - Emergency Entry Road Repair and Contract Award

Project Location: Riverside County, 58075 Jefferson Street, La Quinta, CA 92253

Project Description: On September 8, 2014, the Lake Cahuilla Recreation Area primary park entrance road was significantly damaged as a result of flash floods from a storm. Due to the volume of other storm related road damage throughout the County, TLMA was unable and needed to request emergency proposal for repair. The most optimal bidder being awarded the contract to repair the roadway is Dateland Construction Co. The Assessor's Parcel Number is 766-060-007, 760-050-001, 762-040-010, and 762-040-002 located within the Lake Cahuilla Recreation Area in La Quinta, California.

Name of Public Agency Approving Project: Riverside County Regional Park and Open-Space District


Project Applicant & Address: Riverside County Regional Park and Open-Space District, 4600 Crestmore Road, Jurupa Valley, CA 92509

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption (Section 15301 Class 1(d) and 15302 Class 2 (c))
- Statutory Exemption (_____)
- Other: _____

Reasons why project is exempt: The project is exempt from the provisions of CEQA specifically by CEQA Guidelines Section 15301 Class 1 (d) and 15302 Class 2 (c) consists of restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood. The proposal will not add additional square footage and the replacement or reconstruction of existing facilities involving negligible or no expansion of capacity.

Scott Bangle, General Manager _____ 951-955-4398 _____
County Contact Person Phone Number

 _____
Signature Title

_____ 1/20/15 _____
Date

Date Received for Filing and Posting at OPR: _____

For County Clerk's Use Only

ATTACHMENT A



SCOTT BANGLE Parks Director/General Manager
KYLA BROWN Chief - Parks & Recreation
KEITH HERRON Chief - Resources & Planning
BRANDE HUNE Chief - Business Operations

Riverside County Regional Park and Open-Space District

MEMORANDUM

DATE: September 16, 2014
TO: County of Riverside Central Purchasing
FROM: Scott Bangle, General Manager
RE: Lake Cahuilla Park Emergency Road Repair Request

 9/16/14

The Riverside County Parks and Open-Space District is requesting immediate approval for emergency road repair work at Lake Cahuilla Park. The park is currently closed to the public and cannot re-open until the road is repaired.

The park's entry road was significantly damaged as a result of flash floods that occurred on 9/8/14 in the early morning hours. The road collapsed in one area and sustained significant levels of erosion on both banks along its entire length. This road is the primary access point to the park for customers as well as service providers.

The standard process for planning, bidding, and completing this work could take up to eight months to complete, during which time the park would have to remain closed to the public. This long of a closure would negatively impact not only the park but hundreds of constituents that enjoy using this venue. Snow bird season will open in October 2014, and fishing season will also be in high gear shortly thereafter. If road repairs are not completed in a timely manner, the District would miss out on that revenue and could lose those customers for future seasons.

The Transportation and Land Management Agency (TLMA) was contacted immediately to provide a cost estimate and timeline for repair. TLMA is unable to complete the work due to the volume of other storm-related road damage throughout the County, but invited three current County vendors to make emergency proposals for the Lake Cahuilla work. Two vendors responded and provided proposals. TLMA and the District have reviewed the fee proposal with the selected Consultant and its team, and believe the fees are fair and in accordance with industry standard for this type of work.

With Central Purchasing's approval, the District will issue a Purchase Order to the consultant to begin work at Lake Cahuilla immediately so as not to extend the park's closure any longer than absolutely necessary. The District will bring the signed contract forward to the Board of Supervisors for ratification at the next available Board date..

Lake Cahuilla Park, Emergency Road Repair Justification

Lake Cahuilla's entry road (primary access to the park for customers as well as service providers) was significantly damaged as a result of flash floods that occurred on 9/8/14 in the early morning hours. The road has collapsed in one area and has been significantly eroded on both banks of the road for the entire length of the road.

The Riverside County Transportation and Land Management Agency (TLMA) was contacted immediately to provide a cost estimate and timeline for repair; however, they informed the District they are unable to complete the work due to other damage sustained to roads throughout the Count. Transportation staff invited three current County vendors to make emergency proposals for repair. Two vendors responded and provided proposals. While the cost is expected to be around \$150,000, we are requesting a NTE amount of \$200,000 due to the condition of the soil and unknown repairs that may be required once the damaged portions of the road are removed (may require additional soil compaction, additional off-site soil to replace what was eroded, soil compaction testing, etc.)

Lake Cahuilla Park must remain closed until the road is reconstructed as there is no safe access to the park. In addition, the neighboring Quarry housing development cannot access their maintenance yard, Coachella Valley Water District has limited access to test and maintain their water storage facility (lake), and Riverside Sheriff's Organization cannot access their shooting range. It is estimated this closure will further negatively impact revenue estimates as day use and camping cannot occur.

Pictures attached.



Collapsed portion of the road.





Erosion on banks of the road







COUNTY OF RIVERSIDE

Purchasing and Fleet Services Department
2980 Washington St
Riverside, CA 92504
Phone: (951) 955-4937
Fax: (951) 955-4948

PURCHASE ORDER

Vendor Instructions

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Packaging Slip showing P.O. number and contents must accompany each shipment. 2. No charge for packaging or drayage will be allowed except when specified in order. 3. No partial billings except when specified in the order. 4. THIS ORDER EXPRESSLY LIMITS ACCEPTANCE TO THE TERMS OF THIS ORDER. ANY ADDITIONAL OR DIFFERENT TERMS PROPOSED BY THE SELLER ARE REJECTED UNLESS EXPRESSLY ASSENTED TO IN WRITING BY THE BUYER. | <ol style="list-style-type: none"> 5. MAIL INVOICE TO THE ADDRESS SHOWN BELOW. SHOW PURCHASE ORDER NUMBER AND ORDERING DEPARTMENT. 6. Out of state vendors MUST show CA Board of Equalization Permit Number. Otherwise, sales tax will be deducted. 7. IMPORTANT: Seller shall provide material safety data sheets for each product containing hazardous substances as listed by CA Dir. Ind. Rel. in CA Adm. Code, Title 8, Section 5194 and labor codes 8. If work is to be carried out on county property, vendor shall call purchasing and ascertain amounts and types of insurance required and provide proof of insurance before beginning work |
|--|---|

PARKS

Parks
Park Dist Headquarters
4600 Crestmore Rd
Riverside CA 92519
United States

Dispatch Via Email		
Purchase Order	Date	Revision
PKARC-0000017330	2014-09-16	
Payment Terms	Freight Terms	Ship Via
Net 30	FOB Destination, Freight Paid	BEST WAY
Buyer	Phone	Currency
Julie Smith		USD

Vendor: 000004888
Dateland Construction Co
Inc
50-305 Highway 111
Coachella CA 92236
United States

Ship To: 6461-29700
Parks
Park Dist Headquarters
4600 Crestmore Rd
Riverside CA 92519
United States

Attention: Not Specified

Bill To: Parks
Park Dist Headquarters
4600 Crestmore Rd
Riverside CA 92519
United States

Line-Sch	Item/Description	Tax Exempt? N	Tax Exempt ID:	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date	Replenishment Option: Standard
1 - 1	Lake Cahuilla Emergency Road Repair				200000.0	EA	1.00	200000.00	09/16/2014	

*Approved by: Mark Seiter, Central Purchasing
Director's Emergency Request on file at the District.*

*Julie A. Smith
jasmith@rircoparks.org
(951) 955-4308*

Authorized Signature

DATELAND CONSTRUCTION CO., INC

83-801 AVE. 45
 INDIO, CA 92201
 (760) 342-2999 -FAX (760) 342-5444

PROPOSALS and CONTRACT NO. _____

PROPOSAL SUBMITTED TO:	PHONE: 951-955-4317	DATE: 12-Sep-14
NAME: RIVERSIDE COUNTY	PROJECT: LAKE CAHUILLA ENTRANCE ROAD REPAIR	
ADDRESS: 4600 CRESTMORE ROAD	LOCATION: LAKE CAHUILLA	
CITY & STATE: JURUPA VALLEY CA 92509	ENGINEER N / A	DATE ON PLANS N / A
ATTENTION: ANN DIXSON	PROJECT PLANS - NO. AND TITLE: N / A	

We hereby propose to furnish the necessary equipment, labor and material required to perform the following work:

REPAIR SLOPES AND ROAD

1	LS	MOBILIZATION IN AND OUT	@	3700.00	\$	3,700.00
1	LS	SLOPE FILL USING ONSITE MATERIAL	@	61500.00	\$	61,500.00
1860	SF	INSTALL 4" AC OVER 6" BASE	@	7.50	\$	13,950.00
						SUBTOTAL \$ 79,150.00

ADDITIONAL PRICE INSTALL 600 LF RIP RAP						
1	LS	INSTALL 6" TO 24" RIP RAP 5' DEEP	@	47232.00	\$	47,232.00

ADDITIONAL PRICE FOR IMPORT FILL						
900	YDS	IMPORT MIXED FILL FROM COUNTY PILE	@	11.40	\$	10,260.00

STIPULATIONS

- Owner to provide construction water at site boundary
- No PM-10 plan or N.O.I included
- No compaction testing included in proposal
- No landscaping repairs or replacement included

ACCEPTED FOR BUYER _____

Submitted by: _____

BY _____

Approved By: _____

TITLE: _____

Title _____

Date: _____

When signed by the Buyer and approved by a Managing officer of this Company, this constitute a firm contract between both parties, hereto, for all labor and for all materials herein referred to, according to terms and conditions.

