

FORM APPROVED COUNTY COUNSEL
DATE 12/14/15
BY: GREGORY P. PRIAMOS
Departmental Concurrence

Reviewed by 12/28/15
CIP TEAM
Delia Courtenay

By: Steven L. Harmon
Steven L. Harmon, Public Defender
Law Offices of the Public Defender

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

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

2/6



FROM: Economic Development Agency

SUBMITTAL DATE:

December 23, 2015

SUBJECT: Riverside Public Defender/Probation Building Project, Seismic Retrofit Phase - Approval of Change Order No. 5 and Notice of Completion, District 2, [\$285,000], Bond Proceeds 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify Change Order No. 5 in the amount of \$285,000 to Angeles Contractor, Inc. (Angeles) of Buena Park, California, for unforeseen conditions for the Riverside Public Defender/Probation Building Project, Seismic Retrofit Phase, and find that the work was integral to the project and that competitive bidding would not produce an advantage and is impractical for the work;
2. Authorize the Assistant County Executive Officer/EDA or designee, to execute Change Order No. 5 on behalf of the county;
3. Accept the Riverside Public Defender/Probation Building Project, Seismic Retrofit Phase as complete, and authorize the Clerk of the Board to record the Notice of Completion; and

(Continued)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 285,000	\$ 0	\$ 285,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: Bond Proceeds 100% (previously approved budget)				Budget Adjustment: No	
				For Fiscal Year: 2015/16	

C.E.O. RECOMMENDATION:

APPROVE

BY:

County Executive Office Signature

Imelda Delos Santos

MINUTES OF THE BOARD OF SUPERVISORS

Prev. Agn. Ref.: 3-11 of 3/24/15; 3-38 of 10/21/14; 3-86 of 2/26/13; 3-13 of 10/6/15

District: 2

Agenda Number:

3-10

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

Economic Development Agency

FORM 11: Riverside Public Defender/Probation Building Project, Seismic Retrofit Phase - Approval of Change Order No. 5 and Notice of Completion, District 2, [\$285,000], Bond Proceeds 100%

DATE: December 23, 2015

PAGE: 2 of 3

RECOMMENDED MOTION: (Continued)

4. Authorize the release of \$151,183 in retained funds to Angeles in accordance with the contract terms and upon resolution of all claims and stop notices.

BACKGROUND:

Summary

On October 21, 2014, the Board approved a construction agreement between the County of Riverside and Angeles for the completion of certain structural retrofit work regarding the Riverside Public Defender/Probation Building project referred to as the Seismic Retrofit Phase, in the amount of \$2,493,590. The scope of work included structural steel, rebar, grade beams, concrete pile foundations, and shotcrete walls.

Upon commencement of construction, it was determined that there were a number of previously unforeseen issues, which, combined with additional scope required by the structural engineer of record, resulted in Change Orders No.1 through No.4 in the cumulative amount of \$245,063. Change Orders No. 1 through No. 4 were within the construction contingency allowance.

Change Order No. 5 is comprised of work essential for the completion of the project including, but not limited to, replacement of slide bearings, installation of steel plates, additional epoxy dowels, deeper foundation footings, beam repairs, and other unforeseen conditions. The changes were integrally related to the original project in that all of these items were included in the original scope. It was within Angeles' original scope to install the previously fabricated slide bearings. Upon inspection it was determined that the side bearings were fabricated incorrectly by the previous contractor which required Angeles to fabricate new slide bearings. The other items within Change Order No. 5 simply required additional work and materials than was originally bid. Time was of the essence for these improvements since they were related to the seismic upgrade the building and the need to stabilize the building as soon as possible. EDA determined it was impractical to seek out competitive bids for this work due to time constraints. Approval of Change Order No. 5 will compensate Angeles in the amount of \$285,000 for a revised contract value of \$3,023,653. Change Order No. 5 is within the previously approved project budget but exceeds the construction contingency allowance.

Angeles has completed the work and the Riverside Public Defender/Probation Building project, Seismic Retrofit Phase has been inspected and found to comply with all contract requirements. The Economic Development Agency therefore recommends that the Clerk of the Board record the Notice of Completion. This Board action will release the contract retention funds to Angeles in the amount of \$151,183 after the Notice of completion has been recorded, the 35 day lien period has expired per contract terms, and all remaining claims and stop notices have been resolved.

Impact on Citizens and Businesses

(Commences on Page 3)

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

Economic Development Agency

FORM 11: Riverside Public Defender/Probation Building Project, Seismic Retrofit Phase - Approval of Change Order No. 5 and Notice of Completion, District 2, [\$285,000], Bond Proceeds 100%

DATE: December 23, 2015

PAGE: 3 of 3

Impact on Citizens and Businesses

Completion of the Riverside Public Defender/Probation Building, Seismic Retrofit Phase, has provided a safe building to continue with the remaining construction of the project. The Riverside Public Defender/Probation Building project will accommodate the Public Defender and Probation Department 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.

Additional Fiscal Information

All costs associated with this project will be 100% funded through Bond Proceeds, thus no net county costs will be incurred and no departmental budget adjustment is required.

Attachments:

Copy of Change Order No. 5 for Angeles Contractor, Inc.

Notice of Completion for Angeles Contractor, Inc.

COUNTY OF RIVERSIDE ECONOMIC DEVELOPMENT AGENCY

CHANGE ORDER NO. 5

COPY

Date: 10/6/2015

Project Name: Public Defender/Probation Building

To Contractor:

PeopleSoft Project No: FM 08240003992

Angeles Contractor, Inc.
8461 Commonwealth Ave.
Buena Park, CA 90621
eziQC-ACI-FM08240003992.01

Distribution:

- | | |
|---------------------|--------------------------|
| (1) Project Manager | (4) Construction Manager |
| (2) Contractor | (5) Inspector |
| (3) Fiscal | (6) 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:

DESCRIPTION OF CHANGE	REASON FOR CHANGE ORDER	COR#	TYPE	AMOUNT
1) Over-excavation, shoring GL3	Unforeseen Conditions	6 1	ADD	\$49,597.58
2) Backfill and compact deep footing at GL 3	Unforeseen Conditions	6 2	ADD	\$12,000.00
3) Additional hook dowels with epoxy injection - AWI	Plan/Essential Scope Omissions	16	ADD	\$25,961.93
4) Grid Line C beam repairs	Unforeseen Conditions	17	ADD	\$17,496.04
5) Replace slide bearings fabricated by AWI	Unforeseen Conditions	21	ADD	\$22,092.37
6) Infill existing opening and cut in new opening	Unforeseen Conditions	22	ADD	\$13,164.79
7) Demo and install new baffles at drag beams	Unforeseen Conditions	28	ADD	\$13,556.18
8) Installation of steel plates at Grid Line 3	Plan/Essential Scope Omissions	29	ADD	\$27,642.65
9) Additional work at Pile Caps GL "A"	Unforeseen Conditions	30	ADD	\$27,546.00
10) Additional generator, fuel, electrical, trailer	Unforeseen Conditions	37	ADD	\$62,000.00
11) Repair of spalls below concrete slabs	Unforeseen Conditions	38	ADD	\$10,094.53
12) Patch shear wall at GL "F"	Unforeseen Conditions	39	ADD	\$3,847.93
TOTAL				\$285,000.00

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

This Change Order provides for a time extension of

Original Contract Duration (calendar days):	51	calendar days
Prior Authorized Time Extension (calendar days):	126	
Revised Construction Duration (calendar days):	177	
Original Contract Completion Date:	354	
Revised Contract Completion Date:	3/9/2015	
	10/23/2015	

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. Contractor expressly waives any contract right to pursue any further claim related to this change order work.

1) Javier Gil 10/09/2015
Contractor (Signature) Date
Javier Gil
Contractor's Printed Name

Original Contract \$ 2,493,590.00
Prior Authorized ☒ ADD ☐ DEDUCT \$ 245,062.39
Total Contract Prior to this Change \$ 2,738,652.39

Authorized Changes on this Change Order: \$ 285,000.00

2) Jeffrey Van Wagenen
Managing Director (Signature) Date

Amount of Contract Authorized Including this Change Order \$ 3,023,652.39

3) Thomas Howell 10/14/15
Architect (Signature) Date
Thomas Howell
Architect's Printed Name

Pursuant to ☐ Board Policy B-1.1
☒ M.O. and Date

4) Dominick Lombardi 10/14/15
Project Manager (Signature) Date

Dominick Lombardi
Project Manager's Printed Name

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

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

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 – RIVERSIDE, CA 92502

THIS SPACE FOR RECORDERS USE ONLY

NOTICE OF COMPLETION

(California Civil Code §§ 8100-8118, 9200-9208)

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: Riverside Public Defender/Probation Building, Seismic Retrofit Phase
(FM08240003992)

Date of Completion: Date Hereof

Nature of owner: Public Entity

Interest or estate of owner: In Fee

Address of owner: Clerk of the Board of Supervisors, County Administrative Center,
4080 Lemon St., Riverside, CA 92501

Name/address of direct contractor: Angeles Contractor, Inc., 8461 Commonwealth Ave., Buena Park, CA 90621

Street or legal description of site: 4075 Main Street, Riverside, CA 92501

Dated:

Owner: County of Riverside
(Name of Public Entity)

By: _____
John J. Benoit, Chairman, Board of Supervisors

STATE OF CALIFORNIA)

ss

COUNTY OF RIVERSIDE)

I am the Chairman of the governing board of 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.

ATTEST: Kecia Harper-Ihem, Clerk

Executed at Riverside, California on _____

By: _____
Deputy

John J. Benoit, Chairman, Board of Supervisors

FORM APPROVED COUNTY COUNSEL

BY: Marshall Victor
MARSHALL VICTOR

12/14/15
DATE
Updated 11/2014