

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



FROM: Redevelopment Agency

SUBMITTAL DATE:
August 19, 2010

SUBJECT: Marna O'Brien Park Bio-Swale Improvements - Notice of Completion and Change Order Ratification

RECOMMENDED MOTION: That the Board of Directors:

1. Make the finding that extra work was integral to the Marna O'Brien Park Bio-Swale, and further bidding would not provide economic advantage, rather, it would cause additional construction delay and possible cost to the project;
2. Ratify Change Order #2, in the amount of \$3,010 with Nature Tech Landscaping, Inc., for additional work required on the project;

(Continued)

Robert Field

Robert Field
Executive Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 3,010	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: No

SOURCE OF FUNDS: 1-1986 Redevelopment Project Area Capital Improvement Funds-Lakeland Village/Wildomar Sub-Area

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: September 14, 2010
xc: RDA, Auditor, Recorder

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: N/A

District: 1

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY: *Samuel Wong* 8/21/10
 SAMUEL WONG
 FORM APPROVED COUNTY COUNSEL
 BY: *Neal R. Kipps* 8/25/10
 NEAL R. KIPPS DATE
 Departmental Concurrence

RECOMMENDED MOTION: (Continued)

3. Accept the construction of the project as complete and authorize the release of retained funds to the contractor in accordance with contract terms;
4. Authorize the Chairman to execute the attached Notice of Completion for the project; and
5. Authorize the Clerk of the Board to file the attached Notice of Completion for the project;

BACKGROUND

On September 8, 2009, the Redevelopment Agency for the County of Riverside entered into an agreement with Nature Tech Landscaping, Incorporated to construct a bio-swale along the front perimeter of Marna O'Brien Park, located in the City of Wildomar, in the amount of \$79,620.

During the course of construction, it was determined that extra PVC split rail fence was required at additional locations. Some existing PVC split rail fence also needed to be relocated, and some fence materials were damaged in the process.

Also, a few light standards were relocated in order to allow construction of the bio-swale. The light standards were relocated at new grade elevations. Consequently, the conduit runs for these were no longer at the adequate depth. In order to address this issue, a new conduit line for the relocated light standards was installed.

The total additional cost for the aforementioned items is \$3,010. The Agency is requesting that the Board approve Change Order #2, as it exceeds the cumulative 10% authority delegated to the Agency's Executive Director and the project is complete.

The Agency is also requesting that the Board of Directors make the finding that extra work was integral to the project and further bidding would not provide economic advantage, and instead would cause additional construction delay and cost to the project. Staff recommends that the Board approve Change Order #2 and increase the construction budget by \$3,010.

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. 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

DOC # 2010-0444989

09/16/2010 08:00A Fee:NC

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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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NOTICE OF COMPLETION

To be recorded with County Recorder
within 10 days after completion.
No recording fee.

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: Marna O'Brien Park Bio-Swale Improvements

Date of Completion: Date hereof 09/14/10

Nature of owner: Government, a public entity

Interest or estate of owner: Construction Easement

Address of owner: City of Wildomar, City Hall
23873 Clinton Keith Road, Wildomar, CA 92595

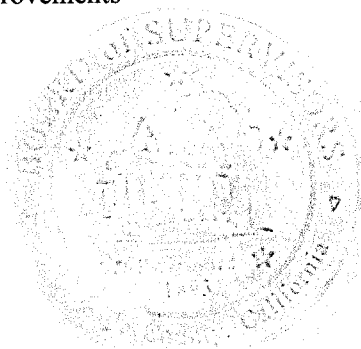
Name of contractor: Nature Tech Landscaping, Inc. 1760 Marlborough Avenue, Riverside, CA 92507

Street or legal description of site: 20505 Palomar Street, Wildomar, CA 92595

Dated: September 14, 2010

Owner: County of Riverside
(Name of Public Entity)

By: Marion Ashley
Marion Ashley, Chairman, Board of Supervisors



FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE: 9/25/10

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.

Executed at Riverside, California on 09/14/10 (Date)

Marion Ashley, Marion Ashley, Chairman of the Board of Supervisors

ATTEST: KECIA HARPER-IHEM, Clerk of the Board

By: Kallu Gutten Deputy

09.14.10 4.2

2010-10-103450



LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

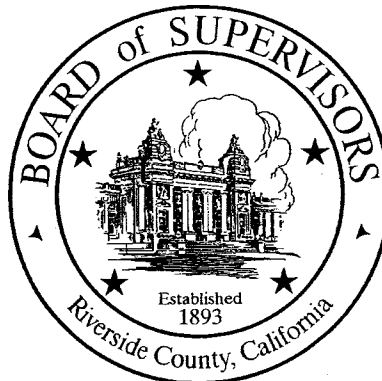
<http://riverside.asrclkrec.com>

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date: 09-14-10

Signature: *Karen Barton*

Print Name: Karen Barton, Board Assistant, Riverside County Clerk of the Board



COUNTY OF RIVERSIDE
ECONOMIC DEVELOPMENT AGENCY
REDEVELOPMENT DIVISION

CHANGE ORDER NO. 2

Date: 8/3/2010

Project: Marna O'Brien Park Bio-Swale Improvement

To Contractor:

Nature Tech Landscaping, Inc.
1760 Marlborough Ave.
Riverside, CA 92507

Project No.: _____

Distribution:

Project Manager Inspector
Contractor Architect/Engineer
Fiscal Accounting

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 additional PVC rail fence in four additional locations			
COR#6	ADD	\$	999.67
2) Provide and install PVC fence materials that were missing or damaged			
COR#7	ADD	\$	193.97
3) Install a new conduit run for the relocated light standards			
COR#8	ADD	\$	1,616.13

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

This Change Order provides for a time extension of 2 calendar days.

Original Contract Duration (calendar days):	<u>60</u>
Prior Authorized Time Extension (calendar days):	<u>4</u>
Revised Construction Duration (calendar days):	<u>66</u>
Original Contract Completion Date:	<u>2/21/2010</u>
Revised Contract Completion Date:	<u>2/27/2010</u>

APPROVAL

County of Riverside

By _____
Authority for Change
or Board Minutes of:

Original Contract	\$	<u>79,620.00</u>
Prior Authorize [<input checked="" type="checkbox"/>]ADD []DED	\$	<u>9,438.46</u>
Total Contract Prior to this Change	\$	<u>89,058.46</u>

Accepted By: *[Signature]* 8.3.10
Division Manager Date

Authorized Changes on this C.O.:

Addition	\$	<u>3,009.77</u>
Deduction	\$	_____

Contractor Date

NET: [<input checked="" type="checkbox"/>] Addition [] Deduction	\$	<u>3,009.77</u>
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Architect Date

[Signature] 8.3.10
Project Manager Date

Amount of Contract Authorized Including this Change Order	\$	<u>92,068.23</u>
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**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium).
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: G. A. GRANT

Address: 27068
(only if follow-up mail response requested)

City: MEADOW ROCK **Zip:** 92590

Phone #: _____

Date: SEP 14 **Agenda #** 412

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.