

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

941



**SUBMITTAL DATE:**  
May 23, 2012

**FROM:** Successor Agency to the Redevelopment Agency

**SUBJECT:** Thermal Town Street Improvement Project

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve and authorize the Chairman of the Board to execute Change Order No. 1 for the Thermal Town Street Improvement Project in the amount of \$41,238;
2. Approve and authorize the Chairman of the Board to execute the first amendment to the agreement by and between the County of Riverside and Krieger and Stewart in the amount of \$31,650; and
3. Direct the Successor Agency to submit this item for approval at the next Oversight Board meeting.

**BACKGROUND:** (Commences on Page 2)

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 72,888	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

**COMPANION ITEM ON BOARD OF DIRECTORS AGENDA:** No

<b>SOURCE OF FUNDS:</b> Redevelopment Agency Capital Improvement Funds – Desert Communities Project Area	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

BY:   
Jennifer L. Sargent

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS OF THE SUCCESSOR AGENCY TO  
THE REDEVELOPMENT AGENCY**

On motion of Supervisor Tavaglione, seconded by Supervisor Stone 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:** June 5, 2012

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

xc: ATTACHMENTS FILED  
RDA, EDA, Auditor

4.3

WITH THE CLERK OF THE BOARD

Prev. Agn. Ref.: 4.10 of 8/16/11; 4.3 of 5/24/11

District: 4/4

Agenda Number:

FORM APPROVED COUNTY COUNSEL  
BY: MARSHAL VICTOR 5/8/12  
PAUL ANGULO, CPA, AUDITOR-CONTROLLER  
BY: Samuel Wong 5/24/12  
Department of Administrative Services

Dept's Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

**BACKGROUND:**

On August 16, 2011, the Board of Directors for the Redevelopment Agency executed a construction contract with Hazard Construction Company for street improvements within the community of Thermal. During construction some existing sidewalks were determined to exceed cross slope tolerance allowed under current American with Disabilities Act regulations. The majority of this extra work will be offset by the elimination of various line items that are not required as they will be done by local utility companies and property owners. This change will result in a net increase of \$41,238 for Change Order No. 1.

In addition, utility work in the area forced the removal of construction staking that had been done by Krieger and Stewart for the project. This will require additional survey and construction staking by Krieger and Stewart under the attached first amendment.

To add the sidewalk improvements additional time will be required for the completion of project. Change Order No. 1 includes the addition of 40 calendar days to the construction contract.

The funds for this change order are shown on the Initial Recognized Obligation Schedule (IROPS). The project cannot be completed without the additional construction staking and survey work, and the terms of the original contract with Hazard Construction Company cannot be fulfilled without execution of this amendment. The funds for Change Order No. 1 and the first amendment will come from the previously approved project budget and will not require additional funds from the agency and will not impact County's General Funds.

County Counsel has reviewed and approved the attached documents as to form. Staff recommends that the Board of Supervisors execute Change Order No. 1 and the first amendment.

**Attachments:**

- Hazard Construction Change Order No. 1 (3)
- Krieger and Stewart First Amendment (3)





1           **WHEREAS**, the DCPA Redevelopment Plan (hereinafter "PLAN") was adopted in  
2 order to eliminate blight and revitalize the substandard physical and economic  
3 conditions that exist within the PROJECT AREA;

4           **WHEREAS**, pursuant to Sections 34177-34181 of the Health and Safety Code,  
5 the COUNTY is authorized to make and execute contracts and other instruments  
6 necessary or convenient in compliance with the Enforceable Obligation Payment  
7 Schedule (EOPS) as superseded by the Recognized Obligation Payment Schedule  
8 (ROPS) as adopted by the Agency and the Oversight Board;

9           **WHEREAS**, the proposed services are necessary in performance of an  
10 obligation of the Former RDA pursuant to the EOPS or as later superseded by the  
11 ROPS;

12           **WHEREAS**, the proposed services provided in this First Amendment will benefit  
13 the PROJECT AREA by facilitating professional engineering services, including  
14 construction staking and surveying services for the Thermal Town Street Improvement  
15 Project in order to help eliminate blight and revitalize the physical and economic  
16 conditions that exist in the PROJECT AREA;

17           **WHEREAS**, the former RDA entered into an Engineering Services Agreement  
18 with ENGINEER which Agreement established procedure for amendment for additional  
19 services;

20           **WHEREAS**, the COUNTY has determined that the scope of services in the  
21 Original Agreement requires amendment to additional services;

22           **WHEREAS**, The COUNTY and ENGINEER desire to amend the original scope  
23 of work to provide professional services, consisting of professional engineering services  
24 for construction staking and survey for the Thermal Town Street Improvement Project,  
25 as described in Exhibit 'A-1';

26           **WHEREAS**, ENGINEER shall perform the services described in Exhibit 'A-1' of  
27 the First Amendment through project completion unless the work program is altered by  
28

1 written amendments pursuant to the provisions in Section III of the Original Agreement ; and

2       **WHEREAS**, the ENGINEER has agreed to provide such additional services to COUNTY  
3 for the additional amount of Thirty One Thousand, Six Hundred Fifty Dollars (\$31,650);

4       **NOW, THEREFORE**, in consideration of the covenants, conditions, and provisions herein  
5 contained, said Agreement for Professional Services, dated December 6, 2011, is hereby  
6 amended as follows:

7       **1. Section 1. PURPOSE** is amended to read as follows:

8       “This Agreement is hereby entered into by and between the ENGINEER and the  
9 COUNTY for the purpose of obtaining professional services regarding the construction  
10 of the project. The ENGINEER shall provide the additional professional services, which  
11 are described in Exhibit A, and in Exhibit A-1 to this Agreement, attached hereto and  
12 incorporated hereby by this reference.”

13       **2. Section 2. ENGINEERS COMPENSATION AND METHOD OF PAYMENT** first  
14 sentence is amended to read as follows:

15       “The ENGINEER’S compensation shall be an amount not-to-exceed **Fifty Four**  
16 **Thousand Six Hundred and Fifty Dollars (\$54,650.00)** for all professional services  
17 provided.”

18       **3. Section 3. TIME OF PERFORMANCE** is amended to read as follows:

19       “The ENGINEER agrees that it will diligently and responsibly pursue the performance of  
20 the services required of it pursuant to this Agreement, and will complete the specified  
21 services no later than June 30, 2012.”

22 Except as modified herein, all other terms and conditions of this Agreement shall remain the  
23 same and in full force and effect.

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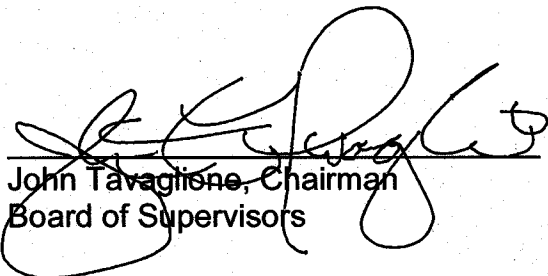
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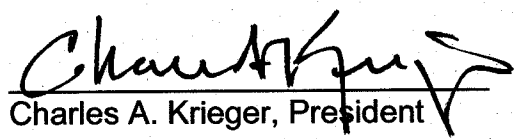
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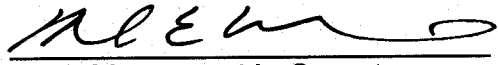
**IN WITNESS WHEREOF**, the County of Riverside, acting in its capacity as  
Successor Agency to the Redevelopment Agency for the County of Riverside and  
ENGINEER, have executed this First Amendment as of the date first above written.

**COUNTY OF RIVERSIDE AS  
SUCESSOR AGENCY**

**KRIEGER & STEWART, INC.**

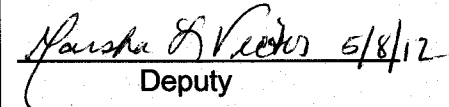
  
John Tavaglione, Chairman  
Board of Supervisors

  
Charles A. Krieger, President

  
Mark Messersmith, Secretary


**APPROVED AS TO FORM:**

Pamela J. Walls  
County Counsel

 5/8/12  
Deputy

**ATTEST:**

Kecia Harper-Ihem  
Clerk of the Board

  
Deputy

RF:LB:TM:AR:JT (11421)  
S:\RDACOM\FORMS 11\IN PROCESS\Form 11 Attachments\11421 Thermal Town St Improvement-1<sup>st</sup>  
Amendment Krieger & Stewart.docx

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**EXHIBIT A-1**

**SCOPE OF SERVICES**

**THERMAL TOWN STREETS IMPROVEMENT PROJECT**

Description – The Thermal Town Street Improvement Project currently under construction requires professional engineering services for construction staking and surveying. Fees include office time for revising grade sheets and survey preparation.

Services to be provided by Krieger and Stewart, Inc.:

1. Restaking per plans for grading	\$7,500.00
2. Final Curb and Gutter staking	\$15,500.00
3. Monument Restoration (8 at \$750 per monument)	\$6,000.00
4. Topographic Survey	\$2,650.00
<b>Total not to exceed</b>	<b>\$31,650.00</b>