

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

764



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

**SUBMITTAL DATE:**  
August 16, 2012

**SUBJECT:** Thermal Town Street Improvement Project – Change Order No. 3 and Notice of Completion

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

1. Approve and authorize the Chairman of the Board to execute Change Order No. 3 for the Thermal Town Street Improvement Project in the amount of \$16,931;
2. Accept the construction of the Thermal Town Street Improvement Project constructed by Hazard Construction Company as complete;
3. Authorize the Chairman of the Board to execute the attached Notice of Completion for the Thermal Town Street Improvement Project;

(Continued)

Robert Field  
Assistant County Executive Officer/EDA

|                       |                               |           |                         |         |
|-----------------------|-------------------------------|-----------|-------------------------|---------|
| <b>FINANCIAL DATA</b> | Current F.Y. Total Cost:      | \$ 16,931 | In Current Year Budget: | Yes     |
|                       | Current F.Y. Net County Cost: | \$ 0      | Budget Adjustment:      | No      |
|                       | Annual Net County Cost:       | \$ 0      | For Fiscal Year:        | 2012/13 |

|   |  |
|---|--|
| <b>COMPANION ITEM ON BOARD AGENDA:</b> No   |  |
| <b>SOURCE OF FUNDS:</b> Desert Communities Redevelopment Project Area<br>Capital Improvement Bond Proceeds (previously approved budget) | <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 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 Benoit and duly carried, IT WAS ORDERED that the above matter is tentatively approved pending final action by the oversight board.

Ayes: Buster, Tavaglione, Benoit and Ashley  
Nays: None  
Absent: Stone  
Date: August 28, 2012  
xc: RDA, EDA, Auditor, Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By: Deputy

Prev. Agn. Ref.: 4.3 of 6/5/12      District: 4/4      Agenda Number **4.2**

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

FISCAL PROCEDURES APPROVED  
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER  
 DATE: 8/19/12  
 BY: Samuel Wong  
 Department of Public Works

FORM APPROVED COUNTY COUNSEL  
 DATE: 8/19/12  
 BY: Marshal L. Victor

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

**RECOMMENDED MOTION:** (Continued)

4. Authorize the Clerk of the Board to file executed Notice of Completion for the Thermal Town Street Improvement Project;
5. Authorize the release of retained funds to Hazard Construction in accordance with the contract terms; and
6. Direct the Successor Agency to submit this item for approval at the next Oversight Board meeting.

**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. The project has been completed and work inspected and found to comply with all contract requirements.

The retained funds to be released are an enforceable obligation to the Agency pursuant to the terms of the construction contract entered into with Hazard Construction Company as the retention amount is an integral part of the contract compensation. Board action is required to release the balance of the contract retention funds to Hazard Construction Company 35-days after the Notice of Completion is filed.

Change Order No. 3 is needed to mitigate dust blowing off sites by installing soil stabilization at the future park area and decomposed granite at the intersection of Main and Center Streets. These areas were disturbed during construction and some type of dust mitigation is required as there is no plan or funds for improvement on the properties at this time.

The retained funds will come from withheld contract funds. Change Order No. 3 will come from the previously approved project budget contingency and will not require additional funds from the agency. County Counsel has reviewed and approved the attached documents as to form. Staff recommends that the Board of Supervisors approve the recommended motions and direct the Clerk of the Board to record the Notice of Completion.

**Attachments:**

- Hazard Construction Company Change Order No. 3 (3)
- Notice of Completion

COUNTY OF RIVERSIDE EDA AS SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE

CHANGE ORDER NO. 3

RECEIVED JUL 18 2012

Date: 6/14/2012

Project: Thermal Town Street Improvements

To Contractor:  
Hazard Construction Company  
6465 Marindustry Place  
San Diego, CA 92121

Project No: MS4227  
**Distribution:**  
 Project Manager                      Construction Manager  
 Contractor                                Inspector  
 Fiscal                                        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:

- 1) Install Soil Stabilization 64,500 SF                      \$6,450.00  
    COR # 5    ADD
- 2) Install Decomposed Granite (Desert Gold) 4,875 SF                      \$10,481.25  
    COR # 5    ADD

The specifications, where pertinent, shall apply to these changes.  
 This Change Order provides for a time extension of 0 calendar days  
 Original Contract Duration (calendar days): \_\_\_\_\_  
 Prior Authorized Time Extension (calendar days): \_\_\_\_\_  
 Revised Construction Duration (calendar days): 0  
 Original Contract Completion Date: 3/19/2012  
 Revised Contract Completion Date: 6/11/2012

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.

1) [Signature] 7/3/12  
 Contractor (signature)                      Date  
JASON A. MORDHORST, VICE PRESIDENT  
 Contractor's Printed name

Original Contract                                      \$ 2,272,832.00  
 Prior Authorized  ADD  DED                      \$ 208,401.93  
 Total Contract Prior to this Change                      \$ 2,481,233.93

2) \_\_\_\_\_  
 Chairman, Board of Supervisors (signature)                      Date

Authorized Changes on this C.O.:  
 Addition \$ 16,931.25  
 Deduction \$ \_\_\_\_\_

John F. Tavaglione  
 Chairman, Board of Supervisors

NET:  Addition  Deduction                      \$ 16,931.25

3) [Signature] 7-25-12  
 Engineer (signature)                      Date

Amount of Contract Authorized Including this Change Order                      \$ 2,498,165.18

Alec M. Yzaguirre  
 Engineer's Printed name

Pursuant to:  
 Board Resolution 2012-034  
 M.O. and Date \_\_\_\_\_

4) [Signature] 7-24-12  
 Project Manager (signature)                      Date

ATTEST:  
KECIA HARPER-IHEM, Clerk  
 FORM APPROVED COUNTY COUNSEL  
 BY: [Signature] 8/9/12  
 Successor Agency Change Order Form - Revised 03-29-12                      DATE  
 By \_\_\_\_\_ DEPUTY

Joaquin Tijerina  
 Project Manager's Printed name

PLEASE COMPLETE THIS INFORMATION  
RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD  
RIVERSIDE CO. CLERK OF THE BOARD  
4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC  
P O BOX 1147 - RIVERSIDE, CA 92502

**MAIL STOP # 1010**

AND WHEN RECORDED MAIL TO:

**RETURN TO: STOP #4080**  
Riverside County Economic Development Agency  
44-199 Monroe St., Suite B, Indio, CA 92201

**DOC # 2012-0421484**  
09/05/2012

**Customer Copy Label**  
The paper to which this label is  
affixed has not been compared  
with the recorded document  
**Larry W Ward**  
County of Riverside  
Assessor, County Clerk & Recorder

**THIS SPACE FOR RECORDERS USE ONLY**

**NOTICE OF COMPLETION**

(California Civil Code §§ 8180-8190, 8100-8118)

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:** Thermal Town Street Improvement Project

**Date of Completion:** Date of this notice 8/28/12

**Nature of owner:** Successor Agency to the Redevelopment Agency, a Public Entity

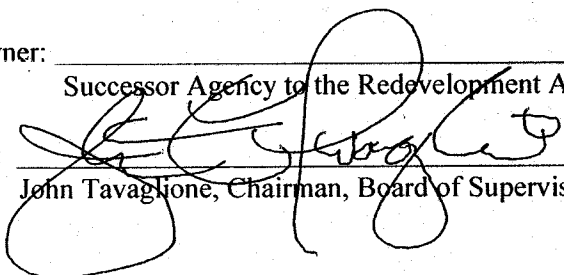
**Interest or estate of owner:** Construction Easement

**Address of owner:** 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, CA 92501

**Name of contractor:** Hazard Construction Company, 6465 Marindustry Place, San Diego, CA 92121

**Street or legal description of site:** South of Airport Blvd., West of Grapefruit, North of Church and East of Polk Street

**Dated:** August 28, 2012

Owner: \_\_\_\_\_  
Successor Agency to the Redevelopment Agency  
By:  \_\_\_\_\_  
John Tavaglione, Chairman, Board of Supervisors

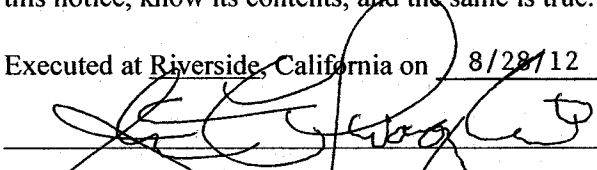
STATE OF CALIFORNIA )

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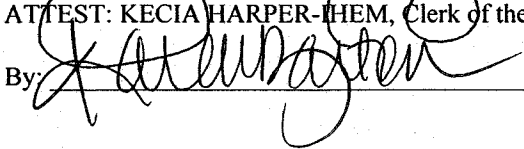
COUNTY OF RIVERSIDE )

I am the Chairman of the governing board of the Successor Agency to the Redevelopment Agency for 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.

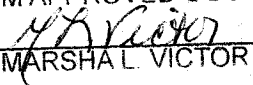
Executed at Riverside, California on 8/28/12

 \_\_\_\_\_, John Tavaglione, Chairman of the Board of Supervisors

ATTEST: KECIA HARPER-IHEM, Clerk of the Board

By:  \_\_\_\_\_ Deputy

**COPY**

FORM APPROVED COUNTY COUNSEL  
BY:  MARSHALL VICTOR  
DATE: 8/19/12

08.28.12 4.2



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

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

<http://riverside.asrcrkrec.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: 3-23-12

Signature: *Karen Barton*

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