

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

952



**FROM:** Economic Development Agency

**SUBMITTAL DATE:**  
August 29, 2012

**SUBJECT:** Riverside Public Defender Remodel – Revise Plans and Specifications and Reject All Bids

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

1. Find that due to a change in the project scope and lack of clarity or ambiguity in the bid documents that it is in the best interests of the County to reject all bids;
2. Direct the Economic Development Agency to review and revise the bid documents and specifications as necessary to facilitate moving the project forward to rebid;

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

*Lisa Brandl for*

Robert Field  
Assistant County Executive Officer/EDA  
By: Lisa Brandl, Managing Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	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

**COMPANION ITEM ON BOARD AGENDA:** No

**SOURCE OF FUNDS:** General Fund Designation

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 SUPERVISORS**

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

Ayes: Buster, Tavaglione, Benoit and Ashley  
Nays: None  
Absent: Stone  
Date: September 11, 2012  
xc: EDA

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

Prev. Agn. Ref.: 3.35 of 1/11/11; 3.22 of 5/18/10

District: 2/2

Agenda Number:

3.11

FORM APPROVED COUNTY COUNSEL  
BY: *H.P. Victor* 8/28/12  
MARSHAL VICTOR DATE Departmental Concurrence

Dep't Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

**BACKGROUND:**

On January 11, 2011, the Board of Supervisors approved the plans and specifications for the Riverside Public Defender Remodel and authorized the Clerk of the Board to advertise for bids. The design documents were subsequently changed after said approval due to several factors. After further evaluation of the facility's existing structure, it was determined that a seismic retrofit was necessary to comply with the most current, applicable building codes. The plans and specifications were revised to include the necessary seismic work for compliance. In addition, the existing HVAC system was re-examined and was determined to be inadequate for upgrading to an efficient system considered to be industry-standard. In the effort to address this inadequacy, the plans and specifications were revised to include a design that meets current efficiency standards for heating and cooling occupied spaces. Furthermore, the existing offsite, underground telecommunications infrastructure supporting the building does not meet Riverside County Information Technology (RCIT), the Public Defender, and the county's standards for telecommunications. In order to address this deficiency, the portion of the county's "Outside Plant" (OSP) underground infrastructure program that will provide County-standard telecommunications capabilities has been included in the plans and specifications. These modifications not only created a major change in the bid documents, but also caused a major change in the project budget.

On April 26, 2012, fifty-eight contractors attended a mandatory job walk for the Riverside Public Defender Remodel project. Due to pre-bid RFI's, and further project issues, there were additional changes to the project specifications in the form of four addenda during the bidding period. On May 30, 2012, a bid opening was conducted and AWI Builders, Inc. was the apparent lowest responsive and responsible bidder. Stronghold Engineering Inc. filed a bid protest regarding the low bid submittal by AWI Builders, Inc. claiming that their bid was non-responsive, and that the bidder was non-responsive.

County expressly reserved the right in the bid documents to reject all bids, should that be determined to be in the best interests of the County. Some changes to a project's specifications during the course of bidding of a project are not uncommon. Scope and design issues are inherent in the remodel of an existing structure. This project however has undergone a larger metamorphosis than most. Based on those significant changes to the project scope and specifications after Board approval in January, 2011, and an apparent lack of clarity or ambiguity in the plans leading to further addenda and a bid protest, staff recommends that the Board find it is in the best interests of the County to reject all bids, review the specifications and projected costs, revise the specifications as deemed appropriate and necessary by the project team, and resubmit to the Board a revised set of project specifications and updated budget information as necessary for a rebid of this project.