

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

117



FROM: Successor Agency to the Redevelopment Agency

SUBMITTAL DATE:
November 21, 2012

SUBJECT: Rubidoux Child Development Center – Approval of Construction Change Order No. 6 and Reduction of Retention.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve a reduction of the contract retention in the amount of \$254,495 for R.I.C. Construction from 10% to 5% per the General Conditions of the Contract; and
2. Approve and authorize the Chairman of the Board to execute the attached Change Order No. 6 between R.I.C. Construction Company, Inc. and the Successor Agency to the Redevelopment Agency in the amount of \$27,901.

BACKGROUND: (Commences on Page 2)

REVIEWED BY CIP
Christopher Hans
Christopher Hans

Robert Field
Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 282,396	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: Jurupa Valley Redevelopment Capital Improvement Bond Proceeds (previously approved budget)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

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

County Executive Office Signature

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 DATE: 11/19/12
 Department: (M) (R) (E) (W) (F) (O) (N) (G)

FORM APPROVED COUNTY COUNSEL
 11/19/12
 BY: *Marsha L. Victor*
 MARSHA L. VICTOR

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

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

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

Ayes: Buster, Stone and Benoit
 Nays: None
 Absent: Tavaglione and Ashley
 Date: December 4, 2012
 xc: RDA, EDA, CIP, Auditor

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

Prev. Agn. Ref.: 4.4 of 11/6/12 District: 2/2 Agenda Number: **4.4**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

BACKGROUND:

On July 15, 2008, the Board of Directors for the former Redevelopment Agency (RDA) for the County of Riverside approved an agreement between the RDA and Ruhnau Ruhnau Clark and Associates, Inc., for design and construction management services for the Rubidoux Child Development Center Project.

On June 27, 2011, the Redevelopment Agency's Chairman of the Board of Directors awarded and executed the agreement between R.I.C. Construction Company, Inc. and the former Redevelopment Agency for the County of Riverside, for the construction of the project.

The project is currently under construction and is located at 3865 Riverview Drive in Rubidoux, just south of Mission Boulevard, on the same site as the new Louis Rubidoux Library. The project will provide a 14,335 square foot Child Development Center located on approximately 1.5 acres. The facility will provide 168 licensed child care slots, 24 infants/toddlers and 144 preschoolers. The facility will also include an outdoor play area and a full service kitchen for food preparation. This project will comply with Board Policy H-29: Sustainable Building Policy, which establishes the use of sustainable practices using Leadership in Energy and Environmental Design (LEED) criteria.

The items within Change Order No. 6 are for unforeseen construction related items that are necessary for the completion of the project and which were unanticipated at the original time of bid. The change orders address the conflicts with a fire line, storm drain and wall, providing a cage for a backflow prevention device, etc. Change Order 6 is within the 10% contingency established in the project budget.

Pursuant to the General Conditions of the contract, the Successor Agency is currently holding 10% of all progress payments for R.I.C. Construction Company, Inc. The General Conditions of the contract state that after the 50% completion point of the contract work, if satisfactory progress is being made, the Agency has sole discretion to reduce the retention to a minimum 5% of the contract. R.I.C. Construction Company, Inc. has completed 99% of the contract work.

Change Order 6 and the 5% reduction in retention are included in the Recognized Obligation Payment Schedule (ROPS), as approved by the Oversight Board and the California Department of Finance, and will be processed in accordance with the terms of the original construction contract. Change Order No. 6 and the 5% reduction in retention will not be an additional cost to the project as they are accounted for in the approved budget and a budget adjustment is not required.

Staff recommends the Board of Supervisors approve Change Order No. 6 and approved a reduction of the contract retention for R.I.C. Construction Company, Inc. from 10% to 5% per the General Conditions of the contract.

Attachments:

- Change Order No. 6 (3)

**SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE
CHANGE ORDER NO. 6**

Date: 11/21/2012

Project: Rubidoux Child Development Center

To Contractor:

R.I.C. Construction
10675 E. Avenue, Ste 1
Hesperia, CA 92345

Project No: 20064018

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) COP 22 Approved: Subdrainage Pipe connections; \$2,913.17 | | |
| COP 34 Approved: Remove 12" Fire Line; \$6,315.29 | | |
| COP 35 Approved: Revise Playground for ADA; \$4,981.65 | | |
| COP 37 Approved: Add man gate to northwest fencing; \$2,211.25 | | |
| COP 38 Approved: Zone Damper at Lobby; \$3,570.00 | | |
| | ADD | \$ 19,091.36 |
| 2) COP 40 Approved: Repair sink hole in parking lot; \$1,679.58 | | |
| COP 42 Approved: Relocate 60' of Storm Drain; \$6,591.11 | | |
| COP 44 Approved: Provide Cage for Backflow; \$973.64 | | |
| | | \$ 9,244.33 |
| 3) COP 41 Approved: Credit Change in Shrubs at Mural Wall; (\$435.00) | | |
| | | \$ (435.00) |

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): 0
Prior Authorized Time Extension (calendar days): 230
Revised Construction Duration (calendar days): 89 Rain 11/4, 11/7, 12/12, 1/23 Wind 12/6, 12/22, 12/23; CO 5 82
Original Contract Completion Date: 2/12/2012
Revised Contract Completion Date: 5/4/2012

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.

ATTEST:
KECIA HARPER, IHEM, Clerk
By [Signature]
DEPUTY

1) [Signature] 11/5/12
Contractor (signature) Date

Darin Dalton, R.I.C. Construction
Contractor's Printed Name

Original Contract	\$ <u>5,089,900.00</u>
Prior Authorized <input checked="" type="checkbox"/> ADD <input type="checkbox"/> DED	\$ <u>235,700.72</u>
Total Contract Prior to this Change	\$ <u>5,325,600.72</u>

2) [Signature]
John Tavagnone, Chairman,
Board of Supervisors (Signature) Date

John Tavagnone, Chairman, Board of Supervisors
Successor Agency to RDA Printed Name

Authorized Changes on this C.O.:
Addition \$ 28,335.69
Deduction \$ -435.00

NET: Addition Deduction
\$ 27,900.69

3) [Signature] 11/1/12
Architect (signature) Date

Roger Clarke, Rubenau Rubenau Clarke
Architect's Printed Name

Amount of Contract Authorized
including this Change Order
\$ 5,353,501.41

4) [Signature] 11/6/12
Project Manager (signature) Date

Erin Sydow
Project Manager's Printed Name

Pursuant to:
 Board Resolution 2012-034
 M.O. and Date 4.7 of 4/5/11

Successor Agency Change Order Form - Revised 03-29-12

DEC 04 2012 4.4

FORM APPROVED COUNTY COUNSEL
BY: [Signature] 11/19/12
MARSHAL VICTOR DATE

**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: REBECCA LEWIS

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

City: _____ **Zip:** 92509

Phone #: 951-784-0112

Date: 12-4-12 **Agenda #** 4.4

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.