

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



11.2

(1)

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the recommendation from Flood Control District regarding Approval of Contract Change Order No. 6 between the District and Belczak and Sons, Inc.; and Acceptance of the Notice of Completion for the Corona Drains – East Ontario Avenue Storm Drain, Stages 1 and 2 and Corona Drains – Line 1G, Stage 2, 2nd/2nd District, is approved as recommended.

(2)

On Motion of Supervisor Tavaglione, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter be reconsidered.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on April 24, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: April 24, 2012
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.
11.2

xc: Flood, Recorder

506 B



**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FISCAL PROCEDURES APPROVED
IVAN M. CHAND, FINANCE DIRECTOR
BY: *Ivan M. Chand* 4/11/2012
IVAN M. CHAND

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
April, 24, 2012

SUBJECT: Corona Drains – East Ontario Avenue Storm Drain, Stages 1 and 2
and Corona Drains - Line 1G, Stage 2; Project No. 2-0-00351-01
Contract Change Order No. 6 and Notice of Completion
District Two / District Two

RECOMMENDED MOTION:

The Board approve the attached Contract Change Order No. 6 between the District and Belczak and Sons, Inc., providing compensation for extra work required for the completion of the Corona Drains – East Ontario Avenue Storm Drain, Stages 1 and 2 as well as the Line 1G, Stage 2 contract due to changed conditions. The Board accept the referenced project as constructed; authorize the Chairman to executed the attached Notice of Completion; and direct the Clerk of the Board to record the executed Notice of Completion with the Riverside County Clerk and Recorder's Office.

BACKGROUND:

The Board approved a contract with Belczak and Sons, Inc., in the amount of \$3,580,074.05 as Agenda Item 11.2 on May 24, 2011.

Continued to Page 2.

Warren D. Williams
WARREN D. WILLIAMS
General Manager-Chief Engineer

FORM APPROVED COUNTY COUNSEL
BY: *Neal R. Kipnis* 4/11/2012
NEAL R. KIPNIS DATE

RJC

FINANCIAL DATA	Current F.Y. District Cost:	\$297,322.71	In Current Year Budget:	Yes
	Current F.Y. County Cost:	\$	Budget Adjustment:	No
	Annual Net District Cost:	\$	For Fiscal Year:	2011-2012

SOURCE OF FUNDS: 25120 947420 527980-Zone 2 Const/Maint/Misc-Contracts	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Michael R. Shetler*
Michael R. Shetler

County Executive Office Signature

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

3)
MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT
On motion of Supervisor Benoit, 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: April 24, 2012
xc: Flood, Recorder

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

Prev. Agn. Ref.: 11.2 of 5/24/11 District: 2/2 Agenda Number:

11.2

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

SUBJECT: Corona Drains – East Ontario Avenue Storm Drain, Stages 1 and 2
and Corona Drains - Line 1G, Stage 2; Project No. 2-0-00351-01
Contract Change Order No. 6 and Notice of Completion
District Two / District Two

SUBMITTAL DATE: April 24, 2012

Page 2

BACKGROUND contd:

Board authorization of Contract Change Order No. 6 is necessary to authorize payment for extra work and costs associated with the change of existing field conditions. The Corona Drains - East Ontario Avenue Storm Drain project involves the construction of approximately one mile of storm drain and channel reconstruction within the El Cerrito area of Riverside County and the city of Corona. The downstream terminus of the storm drain confluences with the existing El Cerrito Channel, travels northwesterly along Ontario Avenue and terminates within the Corona city limits at State Street. The storm drain mainline and laterals vary in size from 18 to 84 inches in diameter. The project will eliminate ongoing street flooding and backyard nuisance flooding affecting homes located north of Ontario Avenue, between State Street and Rising Sun Road, and provide substantial relief for the neighborhood between Ambassador Avenue and Envoy Avenue.

The Corona Drains Line 1G, Stage 2 project involves the construction of the storm drain within the city of Corona. The project consists of approximately 250 feet of reinforced concrete pipe ranging from 72 to 48 inches with multiple inlets and connector pipes. The storm drain connects to the existing facility in Olive Street and extends into Main Street where it will capture northbound runoff.

The largest share of extra costs on this project is associated with the latent field conditions of the project during the Contractor's pipe excavation and backfill operations. These latent conditions resulted in having to provide extra compaction for a temporary sewer bypass system so the Contractor could proceed with sewer line installation, additional street improvement material due to extensive sinkhole repairs at Olive Street, and accrued labor/delay time as a result of a much more difficult pipe installation operation along Ontario Avenue. The difficulty of the pipe operation was a result of the unanticipated proximity of a 42-inch EVMWD water line and the 30-inch SAWPA SARI Line.

In summary, previously approved Contract Change Order Nos. 1 through 5 in the amount of \$186,046.60 plus Contract Change Order No. 6 (see attachment) in the amount of \$73,230.31 along with the contract pay item adjustments in the amount of \$224,092.40 and a \$5,085.84 deduction for additional inspection cost incurred will increase the total construction cost of the project to \$4,058,357.52. This final amount is 13.4% over the original awarded contract amount.

The District and the Contractor agree that the retention funds still held by the District shall be properly paid to the Contractor approximately 45 days following recordation of the Notice of Completion (assuming no Stop Notices are filed).

County Counsel has reviewed this matter and has reviewed and approved the attached change order as to legal form.

FINANCIAL:

Sufficient funds are available in the District's FY 2011-2012 Zone 2 budget for this contract increase of \$297,322.71.

RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Project: Corona Drains - East Ontario Avenue Storm Drain, Stages 1 & 2 Sheet 2 of 2 sheets
Corona Drains Line 1G, Stage 2, Project No. 2-0-00351

CONTRACT CHANGE ORDER NO. 6

To Belczak & Sons, Inc., Contractor
You are hereby directed to make the herein described changes from the plans and specifications or to do the following described work not included in the plans and specifications.

NOTE: THIS CHANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED BY THE GENERAL MANAGER-CHIEF ENGINEER OR THE BOARD OF SUPERVISORS OF THE DISTRICT.

Description of work to be done, estimate of quantities, and prices to be paid. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time. Change requested by District

- 4. On December 14, 2011 the Contractor submitted a claim for additional asphalt concrete excavation and haul away. Apparently, the cursory asphalt concrete street boring report and the actual asphalt thickness were not consistent resulting in extra work and delay time to the Contractor. The negotiated lump sum price for this scope of work is \$4,000.00.

The total amount of \$73,230.31 will constitute full compensation for the extra work and lost production as described by this change order.

FORM APPROVED COUNTY COUNSEL
BY: [Signature] DATE 4/12/12

NEAREST: KECIA HARPER-IHEM, Clerk

By: [Signature]
DEPUTY

Estimated Cost: Decrease \$ _____ or Increase \$ 73,230.31

By reason of this order the time of completion will be adjusted as follows:

Submitted by: [Signature] RJC Date: 4/6/12
HENRY OLIVO, Construction Engineer

Approved: [Signature] Date: 4/11/12
WARREN D. WILLIAMS, General Manager-Chief Engineer

[Signature] Date: 4/24/12
Chairman, Board of Supervisors

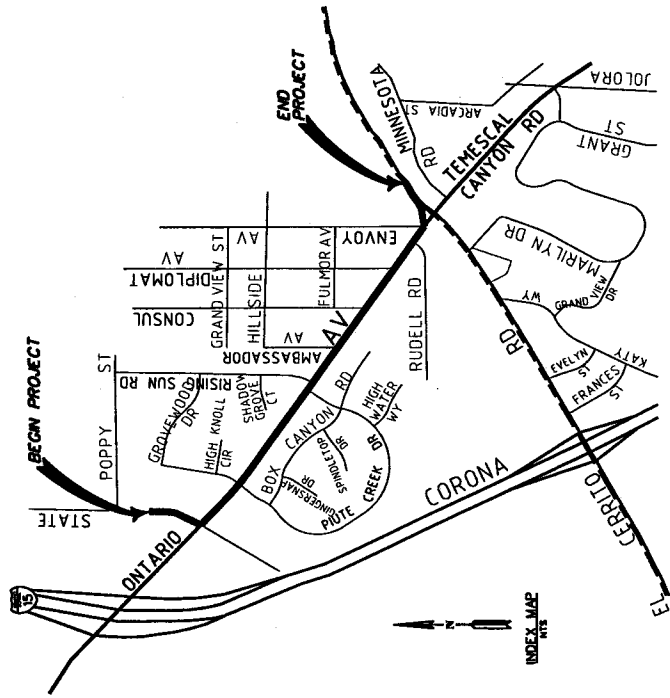
We, the undersigned Contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices shown above.

Accepted: Date 4-6-12 Contractor Belczak & Sons, Inc.

By: [Signature] Title V-Pres.

If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to the proceeding with the ordered work and filing a written protest within the time therein specified.

CORONA DRAINS - EAST ONTARIO AVE. SD STAGES 1 AND 2



CORONA DRAINS LINE 1G STAGE 2



The Corona Drains East Ontario Avenue Storm Drain project involves the construction of about one mile of underground storm drain and channel reconstruction within the ElCerrito area of Riverside County and the City of Corona. This project should eliminate ongoing street flooding and backyard nuisance flooding affecting homes located north of Ontario Avenue, east of the 15 Freeway between State Street and Rising Sun Road and provide substantial relief for the older neighborhood between Ambassador Avenue and Envoy Avenue. The pipe size varies from 18 inches to 84 inches in diameter.

The Corona Drains Line 1G Stage 2 project involves the construction of the storm drain within the City of Corona. The project consists of constructing approximately 250 feet of reinforced concrete pipe ranging from 72 inches to 48 inches with multiple inlets and connector pipes. The storm drain connects to the existing facility in Olive Street and extends into Main Street where it will capture northbound flood flows.

RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Project: Corona Drains – East Ontario Avenue Storm Drain, Stages 1 & 2 Sheet 1 of 2 sheets
Corona Drains Line 1G, Stage 2, Project No. 2-0-00351

CONTRACT CHANGE ORDER NO. 6

To Belczak & Sons, Inc. Contractor

You are hereby directed to make the herein described changes from the plans and specifications or to do the following described work not included in the plans and specifications.

NOTE: THIS CHANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED BY THE GENERAL MANAGER-CHIEF ENGINEER OR THE BOARD OF SUPERVISORS OF THE DISTRICT.

Description of work to be done, estimate of quantities, and prices to be paid. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time. Change requested by District

This change order will cover four (4) items of extra work that the Contractor completed during the course of construction for which no payment item was included in the contract. The Contractor was directed to do the extra work described in this change order on a Force Account Basis in accordance with Section II, Article 2.07 and Section VII, Article 7.03 of the General Provisions as well as Section 3 of the Special Provisions. Extra work is itemized as follows:

1. On September 15, 2011 the Contractor encountered a 6-inch City of Corona maintained waterline which was not consistent with material type shown on the drawings. The Contractor's crew encountered a combination C-900/transite waterline, with coupler, within the limits of the storm drain trench. The following day the waterline broke during backfill operation which resulted in a half day of repair and cleanup. The associated cost, based on a Force Account Basis, is \$4,332.43.
2. On November 14 through 17, 2011, the Contractor encountered several utility conduits which hindered placement of a standard catch basin structure (RCTD CB300) as proposed per plan. The District directed the Contractor to construct an alternate design grated catch basin (RCTD CB302), thus placing the catch basin entirely within street limits and avoiding conflicts with the aforementioned utilities outside of street right of way. The Contractor was able to construct the alternate catch basin at a negotiated lump sum price of \$13,500.
3. Prior to commencement of construction at the Olive Street/Main Street intersection, the Contractor was required to video record the existing 15-inch sewer vitrified clay pipe (VCP) to ascertain the condition of the sewer line before and after the pipe excavation/backfill operation. The video revealed excessive cracks along the invert of the sewer line, and the District and City of Corona determined the sewer was too weakened to be supported during the Contractor's pipe excavation operation. Subsequently, there was a mutual agreement between the District and the Contractor that a 24-foot section of 15-inch sewer line would have to replace the deteriorated section of VCP sewer pipe within the limits of the storm drain trench. Moreover, a temporary turnkey sewer bypass system had to be installed during the sewer replacement procedure. The associated cost for the sewer line replacement operation, on a Force Account Basis, is \$51,397.88.

Estimated Cost: Decrease \$ _____ or Increase \$ _____

By reason of this order the time of completion will be adjusted as follows:

Submitted by: _____ Date: _____
 HENRY OLIVO, Construction Engineer

Approved: _____ Date: _____
 WARREN D. WILLIAMS, General Manager-Chief Engineer

_____ Date: _____
 Chairman, Board of Supervisors

We, the undersigned Contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices shown above.

Accepted: Date _____ Contractor _____

By: _____ Title _____

If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to the proceeding with the ordered work and filing a written protest within the time therein specified.

To be recorded with County Recorder
No recording fee.

Recording requested by:
Kecia Harper-Ihem, Clerk of the Board
Riverside County Clerk of the Board
Stop No. 1010
Post Office Box 1147, Riverside, CA 92502-1147

When recorded return to:
CLERK OF THE BOARD
Stop No. 1010
Post Office Box 1147, Riverside, CA 92502-1147

NOTICE OF COMPLETION

(Civil Code § 3093 – Public Works)

DOC # 2012-0186719
04/25/2012

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

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: **Corona Drains – East Ontario Avenue Storm Drain Stages 1 & 2
Corona Drains Line 1G, Stage 2
Project No. 2-0-00351-01**

Date of completion: **Date this document is recorded** 04/24/12

Nature of owner: **Public Agency**

Interest or estate of owner: **Street Right-of-Way**

Address of owner: **1995 Market Street, Riverside, CA 92501**

Name of contractor: **Belczak & Sons, Inc.**

Street address or legal description of site: **The Corona Drains – East Ontario Avenue Storm Drain project involved the construction of about one mile of underground storm drain and channel reconstruction within the El Cerrito area of Riverside County and the city of Corona. The Corona Drains Line 1G, Stage 2 project involved the construction of a storm drain within the city of Corona. The storm drain connects to the existing facility in Olive Street and extends into Main Street where it will capture northbound flood flows.**

Dated: 04/24/2012

Owner: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
(Name of public entity)

By: *Marion Ashley*

Title: Marion Ashley, Chairman, Board of Supervisors

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

I am the Chairman of the governing board of the Riverside County Flood Control and Water Conservation District the public entity which executed the foregoing notice and on whose behalf I make this verification; I have read said 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 04/24/12 (Date)

ATTEST: KECIA HARPER-IHEM, Clerk

By: *[Signature]* Deputy
County Counsel Form 1 (Rev. 5-71)

Marion Ashley
Marion Ashley, Chairman

COPY

FORM APPROVED COUNTY COUNSEL 4/25/12
DATE
BY: NEAL R. KIPNIS

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

Recorder
P.O. Box 751
(951) 486-7000

www.riversideacr.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 FOR SEAL for the Riverside County Flood Control and Water Conservation District (EMBOSED ON DOCUMENT)

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

1945

CALIFORNIA

Date: April 24, 2012

Signature: April Eckles

Print Name: April Eckles, Board Assistant