



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

704 B

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
June 4, 2013

SUBJECT: Contract Change Order No. 1 and Notice of Completion
Lakeland Village - Orange Street Storm Drain Lateral, Stage 1, Project No. 3-0-00012-01
District 1/District 1

RECOMMENDED MOTION:

The Board ratify the attached Contract Change Order No. 1 between the District and Mike Bubalo Construction Co., Inc., providing compensation for extra work required for the completion of the Lakeland Village - Orange Street Storm Drain Lateral, Stage 1 contract due to changed conditions.

The Board accept the referenced project as constructed; authorize the Chairman to execute 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:

See Page 2.

FINANCIAL:

See Page 2.

WARREN D. WILLIAMS
General Manager-Chief Engineer

**FINANCIAL
DATA**

Current F.Y. District Cost:	\$115,200.00	In Current Year Budget:	Yes
Current F.Y. County Cost:	N/A	Budget Adjustment:	No
Annual Net District Cost:	N/A	For Fiscal Year:	2012-2013

SOURCE OF FUNDS:

25130 947440 527980 Zone 3 Const/Maint/Misc-Contracts

Positions To Be Deleted Per A-30 ☐

Requires 4/5 Vote ☒

C.E.O. RECOMMENDATION:

APPROVE

BY:
Alex Gann

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

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

Ayes: Jeffries, Stone, Benoit and Ashley

Nays: None

Absent: Tavaglione

Date: June 4, 2013

By: Flood Recorder

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

RECEIVED BY THE CLERK OF THE BOARD
JUNE 10 2013

Prev. Agn. Ref.: 11.4 of 07/03/12

District: 1st/1st

Agenda Number:

11-1

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FISCAL PROCEDURES APPROVED
 JEANINE J. REY, FINANCE DIRECTOR
 BY: 5/13/13
 MARSHAL VICTOR

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

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

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Lakeland Village - Orange Street Storm Drain Lateral, Stage 1, Project No. 3-0-00012-01
District 1/District 1

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Page 2

BACKGROUND:

The Board approved a contract with Mike Bubalo Construction Co., Inc., in the amount of \$187,744.00 as Agenda Item Number 11.4 on July 3, 2012.

Per Section II, Article 2.07A Board authorization of Contract Change Order No. 1 is necessary to ratify payment for extra work associated with excavating through rock in order to install the storm drain. The District, during the design phase, contracted a specialized geotechnical investigation to determine the potential for difficult excavation. Contrary to the reports, the Contractor encountered rock in the excavation resulting in a significant increase in the time required to perform the excavation compared to what was anticipated. The District carefully monitored time, materials and effort required for this work. An additional twelve (12) days of Extra Work was required to excavate through the rock.

The contract change order for this work in the amount of \$115,200 will increase the total construction cost of the project to \$319,061.25.

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).

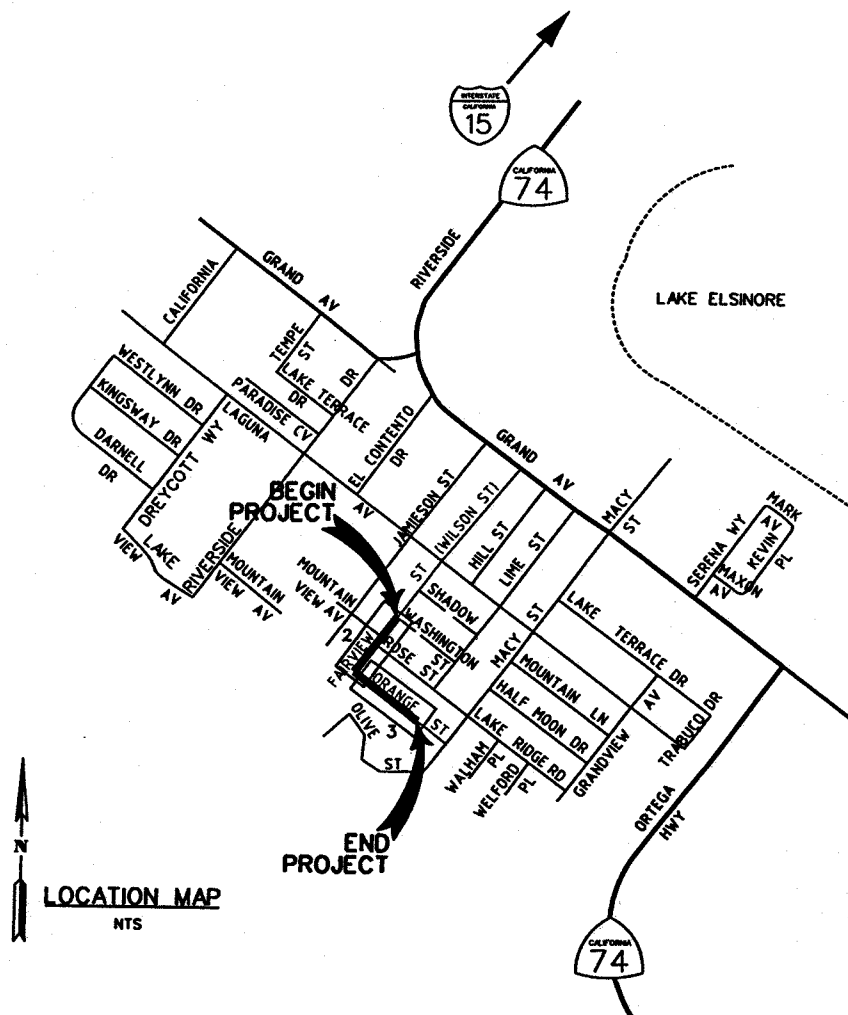
Final inspection of the above referenced project was made, and the project was found to be complete according to plans and specifications. A brief project description and location map are attached.

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 2012-2013 Zone 3 budget for the contract increase of \$115,200 for this project.

LAKELAND VILLAGE ORANGE STREET STORM DRAIN LATERAL STAGE 1



This proposed project is located near the City of Lake Elsinore, Riverside County, California within Township 6 South, Range 5 West, Section 10. The project is an underground system designed to relieve the flooding located along Orange Street, between Macy Street and Fairview Street.

The proposed project consists of approximately 650 lineal feet of a 30 inch diameter reinforced concrete pipe (RCP). The proposed project begins at Lime Street Channel and terminates approximately 350 feet southeasterly of the intersection of Fairview Street and Orange Street. A water quality feature is also proposed to be constructed at the storm drain terminus to collect sediment and debris prior to it entering the storm drain system. Construction of the project includes trenching, removal of existing structures and concrete work; the storm drain will be placed within the public right of way and connect to an existing channel in order to minimize the potential environmental impacts.

RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Project: Lakeland Village - Orange Street Storm Drain Lateral, Stage 1
 Project No. 3-0-00012-01

Sheet 1 of 1 sheets

CONTRACT CHANGE ORDER NO. 1

To Mike Bubalo Construction Co., 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 one (1) item 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. During the excavation of the project for the installation of the storm drain, rock excavation was required beyond that expected in the contract. Based on measured mile calculations, staff observations and negotiations, the cost for this work is a lump sum price of \$115,200.00.
2. On October 17, 2012 the District directed the Contractor to construct some soil cement stabilization in Fairview Street to correct and prevent any future erosion of the work area. The associated cost, based on a Force Account Basis is, \$13,081.25.
3. In order to reestablish the private asphalt concrete pavement on Fairview Street to an equivalent pre-construction state, additional asphalt concrete was required. The negotiated lump sum price for this work is, \$2,500.00.

The total amount of \$130,781.25 will constitute full compensation for the extra work as described by this change order.

ATTEST:

KECIA HARPER-IHEM, Clerk

By Kecia Harper-Ihem
 DEPUTY

Estimated Cost: Decrease \$ _____ or Increase \$ 130,781.25

By reason of this order the time of completion will be adjusted as follows: 0

Submitted by: Kent Allen Date: 5/8/13
 KENT ALLEN, Construction Engineer
 Approved: Warren D. Williams Date: 5/8/13
 WARREN D. WILLIAMS, General Manager-Chief Engineer
Marion Ashley Date: 6/4/13
 Chairman, Board of Supervisors **MARION ASHLEY**

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 5/8/13 Contractor MIKE BUBALO CONST.
 By: [Signature] Title VP/SEC/TRES

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.

JUN 04 2013 11-1

FORM APPROVED COUNTY COUNSEL
 BY: [Signature] DATE: 5/9/13
 MARSHAL VICTOR

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 § 9204 – Public Works)

DOC # 2013-0269635
06/06/2013

Customer Copy Label

The paper to which this label is
affixed has not been compared
with the filed/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: **Lakeland Village - Orange Street
Storm Drain Lateral, Stage 1
Project No. 3-0-00012-01**

Date of completion: **Date this document is recorded 06/04/13**

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: **Mike Bubalo Construction Co., Inc.**

Street address or legal description of site: **The project is located near the city of Lake
Elsinore within Township 6 South, Range 5 West, Section 10.**

Dated: June 4, 2013

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

By: Marion Ashley

Title: Chairman, Board of Supervisors
Marion Ashley

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 06/04/13 (Date)

ATTEST:

Kecia Harper-Ihem, Clerk

By: Kecia Harper-Ihem
Deputy

06.04.13 11-1

Marion Ashley
Marion Ashley, Chairman

COPY

P8\152970

**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 (EMBOSSSED ON DOCUMENT)

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

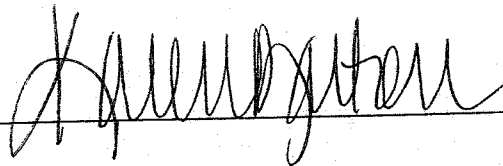
1945

CALIFORNIA

Date:

10-4-13

Signature:



Print Name: Karen Barton, Board Assistant