

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

707B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:

June 4, 2013

SUBJECT: Contract Change Order No. 2 and Notice of Completion
Calimesa - Avenue L Storm Drain, Stage 2, Project No. 5-0-00165-02
District 5/District 5

RECOMMENDED MOTION:

The Board ratify the attached Contract Change Order No. 2 between the District and Leatherwood Construction, Inc., providing compensation for extra work required for the completion of the Calimesa - Avenue L Storm Drain, Stage 2 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:	\$248,510.00	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: 25150 947480 527980 Zone 5 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:
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: Order

Kecia Harper-Ihem
Clerk of the Board

By: Deputy

Prev. Agn. Ref.: 11.6 of 06/05/12 | District: 5th/5th | Agenda Number:

11-4

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

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

SUBJECT: Contract Change Order No. 2 and Notice of Completion
Calimesa - Avenue L Storm Drain, Stage 2, Project No. 5-0-00165-02
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Page 2

BACKGROUND:

The Board approved a contract with Leatherwood Construction, Inc., in the amount of \$3,117,705.00 as Agenda Item Number 11.6 on June 5, 2012.

Per Section II, Article 2.07A Board authorization of Contract Change Order No. 2 is necessary to ratify payment for extra work associated mostly with street paving above the 7,000-foot long storm drain in Avenue L in the city of Calimesa. The pre-construction condition of Avenue L consisted of multiple parallel utility trenches, a cross section of variable slope, and areas of localized low points. Throughout the construction, the trench width increased due to caving in of the parallel trenches, which resulted in an unforeseeable increase in excavation, backfill, and trench paving width. Additionally, the older sections of street surface experienced significant distress due to the normal construction impacts. This wear and tear issue had been recognized prior to construction and the contract required the street to be crack sealed and overlayed to offset this damage. However, the amount of damage exceeded predictions. It was then determined by the District and City staff that grinding the high points of the road and overlaying the road with new asphalt would provide a uniform driving surface which is safer for the residents of Calimesa. The overall project went smoothly and as evidenced by the attached letter, the City of Calimesa is very pleased with the result.

The Contract Change Order for the work in the amount of \$248,510.00 will increase the total construction cost of the project to \$3,501,862.27.

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 5 budget for the contract increase of \$248,510.00 for this project.

END
PROJECT



Calimesa—Avenue L Storm Drain, Stage 2 consists of constructing approximately 7,100 lineal feet of reinforced concrete pipe ranging in size from 66" to 18" beginning at the upstream terminus of the Calimesa—Avenue L Storm Drain, Stage 1 project, west of Sundar Drive in Calimesa. From here, the project alignment travels easterly in Avenue L for approximately 6,500 lineal feet, thence northerly in Douglas Street for approximately 600 lineal feet.

RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Project: Calimesa - Avenue L Storm Drain, Stage 2
 Project No. 5-0-00165-02

Sheet 1 of 1 sheets

CONTRACT CHANGE ORDER NO. 2

To Leatherwood Construction, 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 two (2) 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 February 15, 2013 District staff, City Engineer and the Contractor walked Avenue L to determine the condition of the street and a best course of action at this meeting. It was determined that a variable grinding of the street would be required. The associated cost for this grinding was based on a lump sum price of \$80,000.00.
2. Due to the poor condition of the street and the extra asphalt concrete required to correct parallel trenches, low areas, etc., additional asphalt concrete was necessary to correct the street to a safe driving condition. Using the contract unit price and the actual volume of asphalt concrete used, the cost associated for this extra work is \$168,510.00.

The total amount of \$248,510.00 will constitute full compensation for the extra work as described by this change order.

ATTEST:

KECIA HARPER-IHEM, Clerk

By [Signature]
 DEPUTY

Estimated Cost: Decrease \$ _____ or Increase \$ 248,510.00

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

Submitted by: [Signature] Date: 5/8/13

KENT ALLEN, Construction Engineer

Approved: [Signature] Date: 5/8/13

WARREN D. WILLIAMS, General Manager-Chief Engineer

[Signature] 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 LEATHERWOOD CONST. INC.

By: [Signature] Title VP/SEC

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 114

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 # 2013-0269636
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: **Calimesa - Avenue L Storm Drain, Stage 2**
Project No. 5-0-00165-02

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: **Leatherwood Construction, Inc.**

Street address or legal description of site: **Beginning at the upstream terminus of the Calimesa - Avenue L Storm Drain, Stage 1 project, west of Sundar Drive in Calimesa. From here the project alignment travels easterly in Avenue L for approximately 6,500 lineal feet, thence northerly in Douglas Street for approximately 600 lineal feet.**

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.

COPY

Executed at Riverside, California on 06/04/13 (Date)

ATTEST:

KECIA HARPER-IHEM, Clerk

By *Kecia Harper-Ihem*
DEPUTY

Marion Ashley
Marion Ashley, Chairman

06.04.13 11-4

P8152962

**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:

10-4-13

Signature:

Karen Barton

Print Name: Karen Barton, Board Assistant