

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS DATE: 10/7/15

Departmental Concurrence

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

435



FROM: TLMA – Transportation Department

SUBMITTAL DATE:
 September 23, 2015


SUBJECT: Contract Change Order No. 19 – Agreement Between the County of Riverside and SEMA Construction, Inc. for Construction of the State Route 79 (Winchester Road) Phase 1 Widening Project. 3rd District; [\$750,000]; 14% Federal Funds, 86% Local Funds.

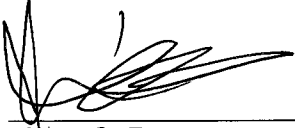
RECOMMENDED MOTION: That the Board of Supervisors execute and authorize the Transportation Department to issue Contract Change Order No. 19 with SEMA Construction, Inc.

BACKGROUND:

Summary

On November 22, 2011 (Agenda Item 3-15), the Board of Supervisors entered into an agreement with SEMA Construction, Inc. of Irvine, CA for the State Route 79 (SR-79) (Winchester Road) Widening Project, Phase 1, from Domenigoni Parkway to Scott Road, in the French Valley area.


 Patricia Romo
 Assistant Director of Transportation


 Juan C. Perez
 Director of Transportation and Land Management

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (Per Exec. Office) |
|-----------------|----------------------|-------------------|-------------|---------------|---|
| COST | \$ 750,000 | \$ 0 | \$ 750,000 | \$ 0 | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 | |

SOURCE OF FUNDS: STP Discretionary (14%) and Measure A (86%). There are no general funds used in this project. **Budget Adjustment:** No
 For Fiscal Year: 15/16

C.E.O. RECOMMENDATION:

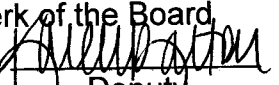
APPROVE
 BY: 
 Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Benoit
 Nays: None
 Absent: Ashley
 Date: October 20, 2015
 xc: Transp.

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

3-23

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 11/22/11, Item 3-15 | District: 3 | Agenda Number:

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Contract Change Order No. 19 – Agreement Between the County of Riverside and SEMA Construction, Inc. for Construction of the State Route 79 Phase 1 Widening Project. 3rd District; [\$750,000]; 14% Federal Funds, 86% Local Funds.

DATE: September 23, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

The authorized amount of the contract was \$14,398,601. The amount of this Contract Change Order No. 19 is \$750,000 (5.21% of the original contract amount), which exceeds the maximum change order amount that can be authorized by the Director of Transportation and Land Management and requires Board of Supervisors approval in accordance with Resolution No. 93-047. This Contract Change Order settles a \$1,005,966 Notice of Potential Claim from the contractor against the County of Riverside (County). The Contractor, SEMA Construction, Inc., bid the project to reuse the existing Class 2 aggregate road base material based on the construction drawings and a field inspection. SR-79 is a state highway, and the construction plans were developed based on as-built road plans provided by the California Department of Transportation (Caltrans). The expected amount of road base material was not present and the existing base was not deemed adequate for reuse to provide the expected pavement life. The Contractor had to supply and install additional Class 2 aggregate road base material to complete the project. The negotiated cost for this work is \$750,000.

For the SR-79 Widening Project there were four major factors that resulted in change orders 1-18:

- Changes required by Caltrans to enhance safety and to meet current Caltrans standards (\$541,557)
- Increased crude oil prices and for asphalt material quality (\$257,099). Compensation for fluctuation in crude oil prices and asphalt quality is part of Caltrans Construction Contract Specification Requirements in order to obtain better bid prices, as the contractor cannot anticipate future oil prices.
- Items to protect private property and increase safety during construction (\$205,189)
- Unforeseen issues such as impacts to utility lines, discovery of unanticipated cultural artifacts, and increased quantities (\$304,780)

Total change orders, including Change Order No. 19, total \$2,058,625 and are detailed in the attached Change Order Report.

Construction is complete, and the Notice of Completion will be issued following acceptance of the project by Caltrans.

Impact on Residents and Businesses

SR-79 (Winchester Road) is the primary north-south corridor in the southwest area of the County. It connects the Temecula/Murrieta area with the Winchester/Hemet/San Jacinto area and the Pass area. These improvements were needed to accommodate current and projected traffic volumes and are expected to improve traffic safety.

SUPPLEMENTAL:

Additional Fiscal Information

Contract Change Order No. 19 brings the total current authorized contract amount to \$16,457,225, 14.3% over the originally authorized contract amount of \$14,398,601. The cost increase will be funded by a combination of federal Surface Transportation Program (STP) Discretionary funds and Measure A funds.

Contract History and Price Reasonableness

During the course of the contract, changed conditions were encountered that resulted in increased costs. The County has worked with SEMA Construction, Inc. to establish fair and reasonable costs for the additional work as specified in the construction contract.

ATTACHMENTS:

- Location Map
- Change Order Report
- Change Order Letter of Transmittal

LETTER OF TRANSMITTAL

**Local Agency: County of Riverside
Transportation Department**

DATE: September 23, 2015

File: SR-79 Phase 1 Widening Project

W.O. No.: B4-05272

Federal Aid No. STPLN-5956(197)

C.C.O.: 19

TO: Patricia Romo

From: Hugh Smith

\$750,000 (5.21% of the original contract amount of \$14,398,601.00)

The plans indicated that the existing road section contained class 2 base. However, the contractor did not encounter class 2 base for a vast majority of the project. As a result there was less on-site material available to the contractor to make class 2 base for the project. Since this was an underground condition, it could not be inspected by the contractor prior to making his bid. This settlement addresses additional costs and impacts to the contractor to purchase and deliver class 2 base for the project.

The amount of this Contract Change Order is \$750,000. The accumulation of all Contract Change Orders thus far, including this one, is \$2,058,624.11.

Previous Contract Change Order Amounts Approved:

See C.C.O. History
(attached)

\$1,308,624.11

This contract change order will be funded by 86% Measure A funds and 14% STP Discretionary funds.

OCT 20 2015 3-23

This Contract Change Order was discussed with the Designer, Ali Al-Saadoon (Caltrans Oversight), James Shankel (Caltrans Environmental), Jon Bumps (Caltrans Design), and Al Afaneh (Caltrans DTM) and they have provided their concurrence to this change.

Adjustment of Time: 71 working days

ESTIMATE OF COST

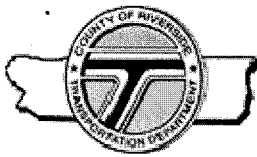
| | |
|---------------|---------------------|
| Items | |
| Force Account | |
| Agreed Price | \$750,000.00 |
| Adjustment | |
| | <hr/> |
| TOTAL | \$750,000.00 |



Hugh Smith
Construction Engineer

C. C. O. Category

| | |
|----------------------------|---|
| Agency Mandated | |
| Anticipated Force Account | |
| Change in Field Conditions | √ |
| Design Omission | |
| ROW Obligations | |
| Upgrades / Benefits | |
| Utilities | |



COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

SHEET 1 OF 1 SHEETS

Contract Change Order No. 19

CONTRACT: SR-79 Phase 1 Widening Project

WORK ORDER NO. B4-05272
CALTRANS EA NO. 08-464613
LOCAL-FED AID NO. STPLN-5956(197)
STATE-FED AID NO.

TO: SEMA Construction, Inc. CONTRACTOR: YOU ARE HEREBY DIRECTED TO MAKE THE HEREIN DESCRIBED CHANGES FROM THE PLANS AND SPECIFICATIONS OR DO THE FOLLOWING DESCRIBED WORK NOT INCLUDED IN THE PLANS AND SPECIFICATIONS ON THIS CONTRACT.

Description of work to be done, estimate of quantities and prices to be paid. Segregated between additional work at contract price, agreed price and force account. 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.

Estimate of Extra Work at Agreed Price:

In accordance with the applicable sections of the Plans, Standard Specifications and the Special Provisions, compensate the contractor for costs to import approximately 57,800 tons of additional Class II Aggregate Base not available to the contractor as originally shown on the Plans.

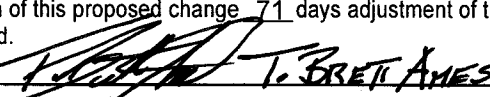

The contractor will accept the amount of \$750,000 as full and complete compensation for furnishing all labor, material, equipment, tools and incidentals as required in completing the above extra work and, furthermore, this change order provides for the settlement of all outstanding claims.

Estimated Cost: Decrease \$ _____ Increase \$ 750,000.00

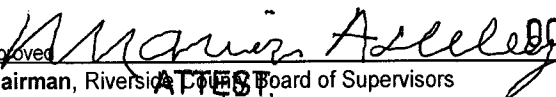
WE, the undersigned contractor, have given careful consideration to the change proposed and hereby agree that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment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


Approval Recommended _____ Date 7/13/15

By reason of this proposed change 71 days adjustment of time will be allowed.

Accepted  T. BRETT AMES _____ Date
SEMA Construction, Inc. Approved  Patricia Romo, Assistant Director of Transportation 9/29/15 Date

NOTE: This change order is not effective until approved by County. If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest with the time therein specified.

Approved  _____ Date OCT 20 2015
Chairman, Riverside Board of Supervisors

FORM APPROVED COUNTY COUNSEL

KECIA HARPER-THOM, Clerk

BY:  _____ DATE 10/16/15
MARSHAL L. VICTOR

By  _____
DEPUTY

SR 79 Winchester Road Phase 1 Widening from Scott Road to Domenigoni Parkway

Contract CCO History

Contract No. 11-11-002
 Work Order No. B4-05272
 Contract Amount \$14,398,601.00
 Single Maximum CCO \$150,000.00
 Maximum CCO's \$1,439,860.10
 Tip Budget \$21,163,000.00

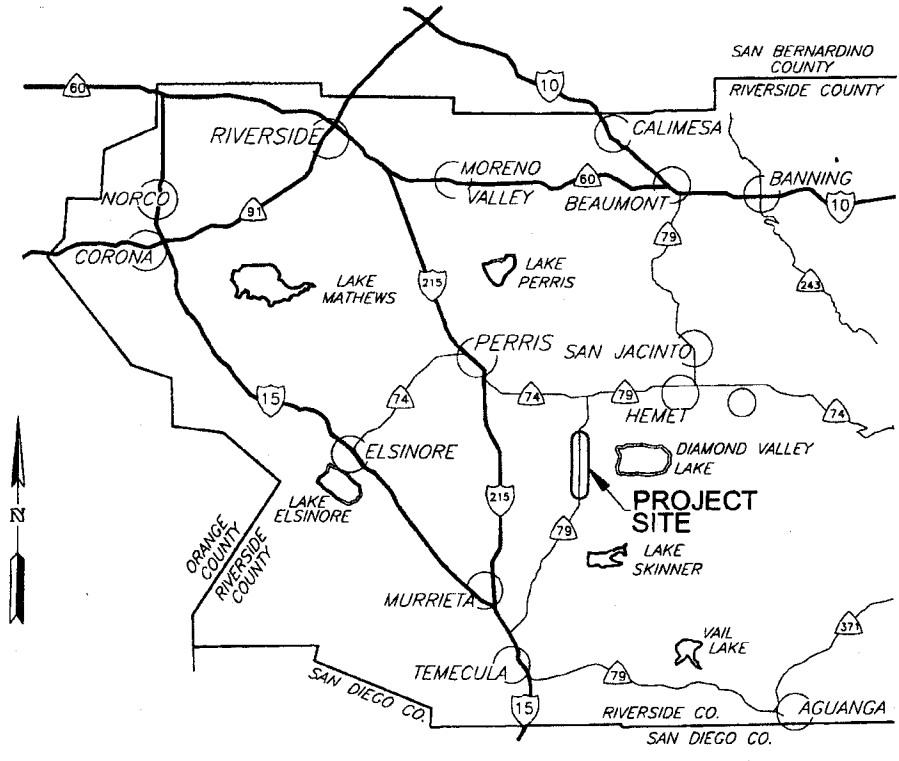
| CCO Category Legend | |
|---------------------|---------------------------|
| AFA | Anticipated Force Account |
| CFC | Changed Field Conditon |
| CME | Contract Management Error |
| DO | Design Omission |
| OAM | Outside Agency Mandate |
| RWO | Right-of-Way Obligation |
| SE | Survey Error |
| UB | Upgrade/Betterment |
| UI | Utility Interference |

| CCO No. | Amount This CCO | Authority | Cumulative CCO's | % Original Authorized | Cumulative CCO % | CCO Category | Classification |
|---------|-----------------|-----------|-----------------------|-----------------------|------------------|--------------|----------------|
| 1 | \$0.00 | Director | | 0.00% | 0.00% | DO | Avoidable |
| 1S1 | \$0.00 | Director | | 0.00% | 0.00% | CFC | Unavoidable |
| 2 | \$75,000.00 | Director | \$75,000.00 | 0.52% | 0.52% | CFC | Unavoidable |
| 3 | \$43,465.00 | Director | \$118,465.00 | 0.30% | 0.82% | DO | Avoidable |
| 4 | \$16,000.00 | Director | \$134,465.00 | 0.11% | 0.93% | CFC | Unavoidable |
| 5 | \$46,655.00 | Director | \$181,120.00 | 0.32% | 1.26% | CFC | Unavoidable |
| 6 | \$7,971.50 | Director | \$189,091.50 | 0.06% | 1.31% | CFC | Unavoidable |
| 7 | \$33,900.00 | Director | \$222,991.50 | 0.24% | 1.55% | UB | Unavoidable |
| 8 | \$145,037.50 | Director | \$368,029.00 | 1.01% | 2.56% | UB | Extra/Others |
| 9 | \$3,200.00 | Director | \$371,229.00 | 0.02% | 2.58% | OAM | Unavoidable |
| 11 | \$11,558.96 | Director | \$382,787.96 | 0.08% | 2.66% | CFC | Unavoidable |
| 12 | \$43,213.73 | Director | \$426,001.69 | 0.30% | 2.96% | CFC | Unavoidable |
| 13 | \$0.00 | Director | \$426,001.69 | 0.00% | 2.96% | CFC | Unavoidable |
| 8S1 | \$72,100.50 | Director | \$498,102.19 | 0.50% | 3.46% | OAM | Unavoidable |
| 9S1 | \$55,000.00 | Director | \$553,102.19 | 0.38% | 3.84% | OAM | Unavoidable |
| 11S1 | \$91,982.47 | Director | \$645,084.66 | 0.64% | 4.48% | CFC | Unavoidable |
| 14 | \$145,153.00 | Director | \$790,237.66 | 1.01% | 5.49% | CFC | Unavoidable |
| 15 | \$135,317.54 | Director | \$925,555.20 | 0.94% | 6.43% | CFC | Unavoidable |
| 10 | \$53,287.49 | Director | \$978,842.69 | 0.37% | 6.80% | CFC | Unavoidable |
| 16r | \$107,000.00 | Director | \$1,085,842.69 | 0.74% | 7.54% | OAM | Unavoidable |
| 17r | \$112,437.33 | Director | \$1,198,280.02 | 0.78% | 8.32% | CFC | Unavoidable |
| 12S1 | \$110,344.09 | Director | \$1,308,624.11 | 0.77% | 9.09% | UB | Extra/Others |
| 19 | \$750,000.00 | Board | \$2,058,624.11 | 5.21% | 14.30% | CFC | Unavoidable |
| | | | \$2,058,624.11 | 14.30% | | | |

New Authorized Contract Total \$16,457,225.11
 Total CCO Dollars To Date \$2,058,624.11
 Total % Increased by CCO's 14.30%

STATE ROUTE 79, WIDENING PROJECT

LOCATION MAP



CHANGE ORDER REPORT
(State Route 79 (Winchester Road) Widening Project, Phase 1)

| Change Order Number | Contract Amount | Percent | Description |
|---------------------|--|---------|--|
| | Original Contract Amount \$14,398,601 | | |
| 1 | \$0 | 0% | Modification of the special provisions allowing for night work to implement traffic control |
| 1S1 | \$0 | 0% | Modification of the special provisions allowing for closures up to five minutes during non-peak hours to allow dirt trucks to cross the road |
| 2 | \$75,000 | 0.52% | Miscellaneous extra work to address items that were unanticipated by the contract documents or for the sole convenience of the public |
| 3 | \$43,465 | 0.30% | Increased striping quantity; contract credit given for incorrect pipe size due to error in the bid summary; temporary use of barb wire to maintain cattle fencing |
| 4 | \$16,000 | 0.11% | Plan corrections to remove a crown in the right-turn lane for the proper centerline alignment; temporary signal at Construction Road |
| 5 | \$46,655 | 0.32% | California Department of Transportation repaved 400' within County project limits to eliminate an approximate 300' gap between both projects; extended the headwalls over the entire width of the depressed slab inlets to prevent potential erosion areas behind the headwalls; compensated the Contractor for the return on the incorrect Flared End Section and the cost of the correct Flared End Section; extended Class 4 Concrete Backfill limits to provide adequate protection to concrete culverts; increased the Rock Slope Protection quantities |
| 6 | \$7,972 | 0.06% | Compensated the Contractor for furnishing and delivering the necessary steel casing |
| 7 | \$33,900 | 0.24% | Compensated the Contractor for time impacts and work to protect the resources; relocated resources and the associated idle time as resources were environmentally cleared and right-of-way delays or other impacts caused by Eastern Municipal Water District project delays |
| 8 | \$145,038 | 1.01% | California Department of Transportation required a change of the barrier type from a temporary K-rail to a permanent Type 60 Barrier; California Department of Transportation oversight required the metal beam guardrail be changed to the 2010 standards |
| 8S1 | \$72,101 | 0.50% | To facilitate access, California Department of Transportation required that the signal box be installed in the barrier facing traffic. Additional time was required to install additional quantity of Type 60 Barrier; installed a new signal pull box and built the associated portion of the Type 60 MOD Barrier around the signal pull box |

CHANGE ORDER REPORT
(State Route 79 (Winchester Road) Widening Project, Phase 1)

| | | | |
|------|------------|-------|--|
| 9 | 3,200 | 0.02% | Installed radial sidewalk where Case C curb ramps are proposed per California Department of Transportation Americans with Disabilities Act (ADA) requirements; installed a push button post to comply with California Department of Transportation and ADA requirements |
| 9S1 | 55,000 | 0.38% | In lieu of final sidewalk, California Department of Transportation required a landing area made of concrete or asphalt at the intersection corners. Drainage pipe, inlet, and grading was proposed to clear ponding issues |
| 10 | 53,287 | 0.37% | Widening on the west side of SR-79 to route both lanes of traffic onto new pavement north of Scott Road; clearing and grubbing; permanent road signs changed to the 2010 standards to ensure acceptance by California Department of Transportation Safety Review; Accessible Pedestrian System; permanent roadside signs |
| 11 | 11,559 | 0.08% | Compensate the Contractor for Crude Oil Price Fluctuations greater than 5% |
| 11S1 | \$91,982 | 0.64% | Compensate the Contractor for Crude Oil Price Fluctuations greater than 5% |
| 12 | \$43,214 | 0.30% | Compensate the Contractor for an incentive for providing Hot Mix Asphalt with consistent quality factors as required by the Standard Specifications |
| 12S1 | 110,344 | 0.77% | Compensate the Contractor for an incentive for providing Hot Mix Asphalt with consistent quality factors as required by the Standard Specifications |
| 13 | \$0 | 0% | Modified the original pavement section to an equivalent structural section |
| 14 | \$145,153 | 1.01% | Covered all work related to the brown ditch alignment |
| 15 | \$135,318 | 0.94% | Replaced damaged signal detection loops for northbound Domenigoni Parkway; extended the pavement limits north to match a California Department of Transportation overlay project just south of Domenigoni Parkway; the northeast slope was required to be built in lifts with geogrid material to stay within the right of way |
| 16r | 107,000 | 0.74% | California Department of Transportation safety review required that all roadway obstructions within 30 feet of the driving lane must be protected with metal guard railing or other shielding method. |
| 17r | \$112,437 | 0.78% | Stage 2B striping placed on the final surface layer of HMA at Domenigoni Parkway; reinstated the deleted Type K-rail barrier by increasing the quantity for Item 95; cored holes into the headwall for the installation of railing posts; additional curb and gutter installed to provide protection for the traffic signal facilities; additional traffic control |
| 19 | *\$750,000 | 5.21% | This settlement addressed additional costs and impacts to the contractor to purchase and deliver Class 2 base for the project. |

CHANGE ORDER REPORT
(State Route 79 (Winchester Road) Widening Project, Phase 1)

| | | | |
|--------------------------|---------------------|--------|--|
| Authorized Change Orders | \$1,308,625 | 9.09% | |
| Change Order #19 | *\$750,000 | | |
| Total Change Orders | \$2,058,625 | 14.30% | |
| Revised Contract Amount | \$16,457,225 | | |