

FORM APPROVED COUNTY COUNSEL 11/24/15  
DATE  
BY: GREGORY P. PRIAMOS

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

230



**FROM:** Executive Office and Economic Development Agency

**SUBMITTAL DATE:**  
November 24, 2015

**SUBJECT:** Amendments to Board Policy B-22 Capital Improvement Program and H-7 Selection of Architectural, Engineering, and Real Estate Related Services, All Districts, [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors approve the recommended amendments to Board Policy B-22 Capital Improvement Program and H-7 Selection of Architectural, Engineering, and Real Estate Related Services (Attached).

**BACKGROUND:**  
Summary

The Board of Supervisors recently approved the establishment of pre-qualified consultants on August 18, 2015 (Items 3-27 and 3-28). These on-call consultants, who have demonstrated experience in their specialty areas, are deemed eligible to provide bids for county projects; however, Board policy currently limits the use of pre-qualified consultants to county projects that are under \$100,000.

(Continued)

*Rohini Dasika*  
Rohini Dasika  
Senior Management Analyst, Executive Office

*Robert Field*  
Robert Field  
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: N/A				Budget Adjustment: No	
				For Fiscal Year: 2015/16	

**C.E.O. RECOMMENDATION:** APPROVE

*Debra Cournoyer*  
Debra Cournoyer

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley  
Nays: None  
Absent: None  
Date: December 8, 2015  
xc: EO, All Dept's.

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

**Prev. Agn. Ref.:** 3-28 of 8/18/15;  
3-27 of 8/18/15

**District:** ALL

**Agenda Number:**

3-9

REVIEWED BY CIR  
*[Signature]*  
Ivan M. Chand 12/1/2015

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

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: Amendments to Board Policy B-22 Capital Improvement Program and H-7 Selection of  
Architect, Engineering, and Real Estate Related Services, All Districts, [\$0]**

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**BACKGROUND:**

**Summary (continued)**

B-22, the Capital Improvement Program (CIP) policy, requires each professional services contract for a project that totals more than \$100,000 to be procured through a Request for Proposal (RFP) or Request for Qualifications (RFQ) process, which adds costs and potentially adds time to projects. These professional services contracts can be for an amount less than the actual cost of going through the RFP or RFQ process. Also, some professional services are required after the project is underway, and would not only add costs but time to the project, such as the need for a survey. While the cost of the contract may be roughly \$2,000, the time and the actual cost of the RFP process will cause additional expenses to the project. Another example of where this applies is a requirement to go through a RFP process for a feasibility study on a project that will most likely be over \$100,000. The current restrictions preclude an expedient determination due to the time it takes for the RFP process.

Two recent examples of contracts that would no longer be required to go through the RFP process if the Board approves the changes are as follows:

- A construction management services amendment to a contract in the amount of \$8,100 for a total of \$16,500 for the RCRMC switchboard water damage project with a total budget of \$1.3 million. The department would be required to go through an RFP process. The proposed changes to B-22 would allow the department to move forward with this amendment as long as the project budget was not increased.
- A Construction Management Services contract in the amount of \$12,900 for the RCRMC Blower Room, Pneumatic Tube System CIP project with a total project cost of \$109,475. This project is currently on hold, but the proposed changes to B-22 would exempt the department from going through an RFP process for this particular low-value contract.

Instead, the department will be able to enter into these contracts quickly with a pre-approved vendor.

Therefore, the Board is being asked to approve changes to B-22, which will allow the department (EDA/Facilities) to enter into a professional services contract with Board approved pre-qualified specialty consultants on projects that exceed \$100,000. These agreements shall not be for more than \$100,000 annually. The new language does not allow a department to exceed the project budget without getting the appropriate approval by the Board of Supervisors. This new language conforms with Government Code Section 25502.5, which has provided authorization for the county's purchasing agent to engage in professional services when the aggregate annual cost does not exceed \$100,000. Approval of the changes to B-22 will allow a department to work within the same parameters using Board approved pre-qualified specialty consultants.

Board Policy H-7 is a guide for the selection of architectural, engineering, and real estate related services. It sets forth the requirements for purchasing related to projects on the CIP. The substantive changes to it are related to the proposed changes to B-22. The new language adds in specialty professional services as a type of contract to fall under this policy and requires a department to follow the selection procedures in H-7. Specifically, the language clarifies when an RFP or RFQ is required.

All other changes to these policies are non-substantive. All changes have been reviewed and approved by County Counsel.

EDA, in conjunction with the Executive office, will be doing a more comprehensive review of B-22 in the next calendar year. These changes have been identified as necessary and are requested to be approved at this time.

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**Impact on Residents and Businesses**

The ultimate goal is to provide efficient and cost effective service to county residents and businesses. By approving the proposed changes, departments will be able to operate in a more efficient and cost effective manner on projects exceeding \$100,000.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

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BOARD OF SUPERVISORS POLICY**

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**Policy:**

The Capital Improvement Program (CIP) is a method for providing the Board of Supervisors with a comprehensive document containing immediate and long term capital needs with their financing and budget requirements. The CIP will be used for planning of new public works projects pertaining to county facilities, major facility expansions and purchases of large capital assets. The CIP will be the central vehicle for all major capital projects within the county. This policy applies to departments, agencies, districts and authorities governed by the Board of Supervisors unless specifically exempted by the Board. Except for office construction, expansion, or real property acquisition, this policy is not intended for capital projects carried out in the normal course of business by the Riverside County Flood and Water Conservation District, Regional Parks and Open Space District, Transportation and Land Management Agency (TLMA), Housing Authority, and the Waste Management Department. These agencies and districts must adhere to specific state and federal statutes for their public works projects.

It is the intent of this policy to be consistent with the provisions of Board Policy A-69 "Best Practices in Contract Management", Board Policy H-7 "Selection of Architectural, Engineering and Real Estate Related Services," B-11 "Award of Public Works Contracts Pertaining to County Facilities and Certain Other Improvements," California Government Code Sections 25502.5(a) 4526, Uniform Public Construction Cost Accounting Act (UPCCA) procedures, Federal Clean Water Act, State of California Porter-Cologne Water Quality Control Act, other applicable state codes, and ordinances, resolutions or policies of the county which may govern the approval of projects and contracts for acquisition of land or structures, construction, alteration, repair or improvement of county facilities.

**I. Definitions**

- A. A "Capital Improvement Project" shall mean a tangible fixed asset or public works project pertaining to a county facility project of significant value that extends beyond the current year. With respect to policy B-22, "Significant Value", as herein described, shall include the professional facilities services and its associated capital improvements, including but not limited to: master planning for county facilities, acquisition of land for a county facility, acquisition of buildings, construction or expansion of county facilities, fixed assets, or enhancements to county facilities -- that will be used, occupied or owned by a county entity, with a combined project value over \$100,000; major leases OR any county facilities project requiring new net county cost.
- B. "Major Lease" shall mean any lease where the value of the asset to be leased is at least \$1,000,000 or the term of the lease is greater than five (5) years.

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- C. "Capital Improvement Budget" (CIB) shall mean a listing of capital projects, their funding sources and construction schedules, being recommended for approval by the Board of Supervisors during annual budget deliberations.
- D. "County Department(s)" shall mean all departments, agencies, districts and authorities that are governed by the Riverside County Board of Supervisors, except those departments exempted above, or other appropriate approving board.
- E. "Managing Department" shall mean the designated department managing the project and having authorization to procure professional facilities services pursuant to Board Policy H-7.
- F. Project value shall mean the sum of public works contract(s) which prescribe the work or services pertaining to a county facility. Contracts may not be split or separated into smaller work orders or projects for the purpose of diminishing the project value.
- G. "Program Document" shall mean a written assessment and description of core space requirements that make up the capital improvement project. The Program Document establishes the project scope, size, and funding need.
- H. The Capital Project Review Committee shall mean the committee formed by approval of the Board of Supervisors in November 2006 to provide cost oversight and review of any change order or need which results in a particular project exceeding the 10% contingency established in the project budget.

**II. Capital Improvement Plan Policy**

- A. The guiding strategy of the CIP will be to allow the County of Riverside to fully account and plan for such capital projects that will have a major impact to the county's annual budget, future staffing levels and service to the public. The CIP will allow the county to anticipate and plan for its future capital needs, as well as prioritize multiple projects to maximize the use of the county's limited capital funds.
- B. Capital improvement projects shall not be separated from the costs of their associated professional services, including but not limited to architectural, landscape design, engineering, geotechnical services, water quality management, construction management, labor compliance, real estate, materials testing and inspection, environmental assessment **or other specialty professional services.**

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Instead, the costs of the construction or improvements as well as the cost for professional facilities services shall be combined and submitted together to determine total project value.

- C. The CIP team, chaired by the Executive Office and consisting of Facilities Management/Economic Development Agency, and Information Technology staff, is designated to oversee the stewardship of the CIP.
- D. The CIP team will develop a multi-year Capital Improvement Program (CIP) with a time horizon of five to ten years listed annually.
- E. The CIP team will develop a capital improvement budget annually.
- F. The CIP team will coordinate the development of the capital improvement program with the annual update of the public facilities needs list. The needs list will include those projects that may be partially or fully funded through the collection of development impact fees.
- G. The CIP team will coordinate the development of the capital improvement program and the capital improvement budget with the development of the county annual operating budget.
- H. The CIP team will coordinate the development of the quarterly CIP report with the development of the county quarterly budget report.
- I. The CIP team shall work with county departments to identify and use the least costly method of financing for all capital improvements.
- J. All capital improvements must be a component of the CIP before any county department can submit a grant or issue an RFP related to the capital improvement.
- K. All capital improvement projects underway must be reviewed at various stages and approved by the CIP team before submittal to the Board of Supervisors or appropriate authorizing board for approval.
- L. Unfunded or partially funded capital improvement projects may not incur costs beyond the funding amounts committed by Board action. These projects may not proceed until further funding is identified by the Executive Office.

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**III. Capital Improvement Plan Process**

- A. The CIP team will issue an annual call for projects to all county departments. The annual call will include requests for county facility projects including but not limited to: master planning for county facilities, acquisition of land for a county facility, acquisition of buildings, construction or expansion of county facilities, fixed assets requiring general funds or enhancements to county facilities, and their associated professional facilities services -- that will be used, occupied or owned by a county entity, with a combined total value over \$100,000; major leases and changes/revisions to current projects on the CIP list; OR any county facilities project requiring new net county cost.
- B. County departments will revise/add to their CIP list covering the next five fiscal years and provide an initial justification for new projects, which will include preliminary and/or future staff needs, anticipated space needs and funding sources.
- C. The CIP team will review all submittals by departments, which will include prioritizing and compiling the projects into a multi-year CIP. During the review, the CIP team may consult with the county departments, and Executive Office analysts, to review costs, identify funding sources, analyze space needs and determine applicability to the CIP plan.
- D. The CIP team will prepare a proposed multi-year CIP for the Board of Supervisors. After review by the Board of Supervisors, any changes requested will be incorporated into the proposed multi-year CIP.
- E. The CIP team will update and present the multi-year CIP annually to the Board of Supervisors as a companion document to the county annual operating budget. The multi-year CIP document will make recommendations for department priority projects to the Board based upon available funding.

**IV. Project Priority**

A. Evaluation:

The following are some of the considerations that will be used by the CIP team for evaluation of projects to be included in the multi-year CIP:

- Health and safety considerations regarding the project;
- Agency/department's input regarding phasing and sequencing resulting from

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- contingent events;
- Type and level of mandate regarding service provision;
- Impact and overall level of benefit to the county CIP and the county's citizens;
- Outside (state, federal or other) funding for projects;
- Program alternatives, if any;
- Cost effectiveness of program alternatives, where applicable;
- Estimated costs of project;
- If appropriate, information on service demands (e.g. caseloads) may be considered for particular projects;
- Other considerations not identified and which may be applicable to a specific project.

**B. Prioritization:**

The CIP team will evaluate county department project priorities and make recommendations to the Board based on a priority ranking as follows:

Priority I – Imperative: Projects that cannot reasonably be postponed without harmful or otherwise unacceptable consequences.

Priority II – Essential: Projects meeting clearly demonstrated needs or objectives.

Priority III – Important: Projects benefiting the community that could be delayed without impairing basic services.

Priority IV – Desirable: Projects that would benefit the community but are not included in the plan because of funding limitations.

**V. Roles and Responsibilities**

**A. Capital Improvement Program Team**

1. The CIP team will have the lead responsibility for coordinating the capital needs requests for all county departments, for preparing a multi-year CIP, a capital improvement budget (CIB), and a quarterly CIP report.
2. The CIP team will assist county departments in identifying appropriate funding sources for the projects.

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3. The CIP team shall be responsible for prioritizing each project listed in the CIP based on the project priority ranking outlined in IV. B. above.
4. The CIP team will be responsible for developing an order of magnitude cost range for those projects included in the CIP that have been assigned a CIP Priority I (one) ranking.
5. The CIP team will verify estimates of project construction costs, operating and maintenance costs, and departmental staffing costs submitted by county departments.

**B. County Departments**

1. In consultation with the CIP Team, county departments will be responsible for the development of a long-range capital improvement plan for their department.
2. County departments will be responsible for submitting a prioritized list of current capital needs as well as future needs during the annual call for projects.
3. County departments will be responsible for writing the justification for their projects and including sufficient detail to assist the CIP team in recommending projects to the Board.
4. County departments will be responsible for identifying appropriate funding sources for the project prior to initiating the capital improvement project. (The CIP team will assist as needed).
5. County departments will be responsible for identifying staffing, operating and maintenance costs for each of the projects requested with the assistance of their Executive Office budget analyst prior to initiating the capital improvement project. (Facilities Management/Economic Development Agency will assist with maintenance and utility cost projections).

**C. Managing Department**

1. The designated managing department is responsible for the management and oversight of its assigned capital facilities projects. The managing department will continuously maintain and make available for reporting and administrative review, a checklist to ensure that all critical tasks are accomplished during the life of a project. Among other things, this list will include the program document, environmental impact report (EIR), life safety approvals, geological testing,

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special site requirements, various inspections, Water Quality Management Plan (WQMP), program verification, architect selection, Americans with Disabilities Act (ADA) review, budget tracking, schedule verification, CIP reviews and approvals, and all construction related tasks.

2. The managing department is responsible for all CIP team reviews and Board approval requirements related to the specific project.
3. The managing department is responsible for referring the project to the CIP team in the event of major changes to the project scope, size, or funding expectations in the approved "In-Principle" Form-11.
4. The managing department is responsible for obtaining county department concurrence on all CIP Board approvals required in Section VIII or when the project financially impacts their department.

**VI. Capital Projects Identified Outside the CIP Process**

All capital improvements shall go through the capital planning process. When a capital improvement is identified outside the annual CIP process, the requesting county department will submit a request to add the project to the CIP. The request shall be submitted to the CIP team in the same format, with the same information required in the annual call process. The request will be reviewed by the CIP team for consideration of inclusion into the current CIP.

**VII. Capital Improvement Budget**

- A. The capital improvement budget (CIB) will be prepared by the CIP team for inclusion with adoption of the proposed county operating budget.
- B. The CIB will include identification of the project, order of magnitude cost range, priority, desired occupancy date, funding sources, departmental operating budgets affected and the current fiscal year's estimated costs. The CIB will also include summarized information for future fiscal year's costs and funding sources.

**VIII. CIP Approvals**

A county department may initiate a CIP project in coordination with a managing department. CIP team review and Board approval is required at the following stages of the project. The managing department shall obtain concurrence from the county department head or its designee on all CIP Board approvals when the project financially

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impacts their department as detailed below:

- "In-Principle Approval"
- "Notice of Intent to Purchase / Authorization to Purchase Real Property"
- Approval of professional facilities services contracts
- Program and schematic design approval
- "Approval of Construction Documents and Authorization for the Clerk of the Board to Advertise for Bids"
- Approval of contract award for construction of the improvements
- Change orders / contract amendments (if necessary)

**A. In-Principle Approval**

Where the combined costs of construction of the improvements and associated professional services is over \$100,000 **including** major leases and changes/revisions to current projects on the CIP list; OR any county facilities project requiring new net county cost:

The managing department shall submit the scope and funding plan for the public facilities project for review and approval by the county's capital improvement program (CIP) team prior to or concurrent with "In-Principle" Form 11 approval by the Board of Supervisors.

**B. Notice of Intent to Purchase Real Property and Authorization to Purchase Real Property**

1. The managing department shall submit the "Notice of Intent or Authorization to Purchase Real Property" for review and approval by the county's capital improvement (CIP) team prior to or concurrent with the approval by the Board of Supervisors.
2. The "Authorization to Purchase Real Property" Form-11 shall include the estimated purchase price, including an estimate of escrow, closing costs, and transaction fees in the total cost.

**C. Approval of Professional Facilities Services Contracts**

1. Professional services for architectural, engineering, landscape design, geotechnical services, water quality management, construction management, labor compliance, real estate, materials testing and inspection, environmental

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assessment **or other specialty professional services**, may be selected through two options:

- a. Professional services may be selected from a list of pre-qualified firms established under Board Policy H-7 and shall comply with the limits and contracting authority set forth in California Government Code 25502.5 and shall not exceed the estimated project budget authorized by the Board of Supervisors.
  - b. Public notice of a **project-specific** Request for Qualification/Proposal (RFQ/RFP) may be given to procure professional services that exceed the limitations and contracting authority of California Government Code 25502.5. Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site.
2. All proposed contracts must be reviewed and approved as to form by the County Counsel in compliance with Board Policy A-18.

**D. Program & Schematic Design Approval**

1. The architect or the managing department will prepare a Program Document for the project. This activity will include an assessment of core requirements of the project to keep the project within reasonable scope, size, and funding expectations in the approved "In-Principle" Form-11.
2. The architect, under the direction of the managing department, will develop the schematic drawings for the project. This activity will include a review of the program requirements and a verification of project order of magnitude cost range from the architect. In addition, the anticipated construction schedule will be reviewed.
3. The managing department will submit the completed program document and schematic drawings to the CIP team for review to ensure they are consistent with the approved scope and funding plan in the "In-Principle" Form-11 in VIII.A. The CIP team will review the architect's estimated cost and schedule for the project, and verify funding assumptions and financing strategies.
4. The managing department will prepare a Form 11 to the Board of Supervisors for approval of the program document and completed schematic design drawings and authorization to proceed with the Design Development phase (DD's) and develop Construction Drawings (CD's) and specifications. The refined "order of magnitude cost range" for the project will be included in the

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background information on the Form 11.

5. The managing department will work with the architect during the design development phase of the project. This will include program verification and value engineering to keep the design of the project within the "order of magnitude" cost range. The Executive Office will review and approve (or deny) any significant program or scope changes.
  6. Environmental findings are not required to be reviewed by the CIP team but are subject to Board approval if required by the Federal Clean Water Act, State of California Porter-Cologne Water Quality Control Act, or other applicable state and federal laws.
  7. The managing department will obtain a cost estimate from the design architect based upon the Construction Drawings (CD's) and specifications. For projects over \$3 million in cost the managing department will obtain a cost estimate from an independent construction cost estimator and if necessary, will reconcile the estimates.
- E. Approval of Construction Documents and Authorization for the Clerk of the Board to Advertise for Bids
1. The managing department will submit completed construction drawings, specifications, and cost estimates will be submitted to the CIP team for review to ensure they are consistent with the program document and schematic design approval Form-11 in VIII.C. The CIP review will include verification of funding sources and cost estimates.
  2. The managing department will submit the project to the Board of Supervisors via a Form 11 for approval of construction drawings, specifications, and authorization for the Clerk of the Board to advertise for bids. An estimated project budget will be included in the background information on the Form-11.
  3. All formal process bids shall comply with Policy H-7.
- F. Approval of Contract Award

A construction company will be chosen from those responding to the RFP per county Board Policy H-7 and B-11. The managing department will submit the selected company and bid amount to the Board of Supervisors or other appropriate authorizing board via a Form 11 for approval. The Form 11 will include a complete

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**F. Approval of Contract Award**

A construction company will be chosen from those responding to the RFP per county Board Policy H-7 and B-11. The managing department will submit the selected company and bid amount to the Board of Supervisors or other appropriate authorizing board via a Form 11 for approval. The Form 11 will include a complete project budget among the board motions.

**G. Change Orders / Contract Amendments**

Change orders are generally costly and require an inordinate amount of management effort. Therefore, it is the intent of this policy that change orders be held to a minimum and normally used to deal with unforeseen circumstances and constructability problems. Change orders are not normally to be used for elective changes that are not critical to function or costs.

1. Change orders above the delegated authority of the managing department shall be submitted via a Form-11 for approval by the Board of Supervisors. The CIP team will review and sign off on the Form-11.
2. Change orders exceeding the 10% contingency established in the project budget are subject to review by the Capital Project Review Committee by the referral of the Executive Office. The committee, consisting of two board members, may convene to review such change orders and render final recommendations to the Board of Supervisors to approve or deny the change order request.
3. Amendments to contracts shall comply with Policy H-7.

**IX. Construction Administration**

- A. For all CIP projects approved and in process, the managing department, will prepare and submit quarterly status reports to the CIP team. It will be the managing department's responsibility to ensure that the quarterly status reports are provided to the CIP team for their respective projects.
- B. The CIP team will prepare and submit a CIP quarterly report as a companion to the county's quarterly budget report.
- C. The CIP team may determine additional reporting requirements depending upon the scope of the project.

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- D. The "Notice of Completion" is a document filed with the Clerk of the Board and approved by the Board of Supervisors when the capital improvement project is substantially complete. The managing department shall submit a courtesy copy to the CIP team for tracking purposes only.

**Reference:**

Minute Order 3.7 of 08/27/02  
Minute Order 3.40 of 11/7/06  
Minute Order 3.3 of 04/10/07  
Minute Order 3.5 of 06/30/09  
Minute Order 3-5 of 07/02/13

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**Policy:**

The Capital Improvement Program (CIP) is a method for providing the Board of Supervisors with a comprehensive document containing immediate and long term capital needs with their financing and budget requirements. The CIP will be used for planning of new public works projects pertaining to county facilities, major facility expansions and purchases of large capital assets. The CIP will be the central vehicle for all major capital projects within the county. This policy applies to departments, agencies, districts and authorities governed by the Board of Supervisors unless specifically exempted by the Board. Except for office construction, expansion, or real property acquisition, this policy is not intended for capital projects carried out in the normal course of business by the Riverside County Flood and Water Conservation District, Regional Parks and Open Space District, Transportation and Land Management Agency (TLMA), Housing Authority, and the Waste Management Department. These agencies and districts must adhere to specific state and federal statutes for their public works projects.

It is the intent of this policy to be consistent with the provisions of Board Policy A-69 "Best Practices in Contract Management", Board Policy H-7 "Selection of Architectural, Engineering and Real Estate Related Services," B-11 "Award of Public Works Contracts Pertaining to County Facilities and Certain Other Improvements," California Government Code Sections 25502.5(a) 4526, Uniform Public Construction Cost Accounting Act (UPCCA) procedures, Federal Clean Water Act, State of California Porter-Cologne Water Quality Control Act, other applicable state codes, and ordinances, resolutions or policies of the county which may govern the approval of projects and contracts for acquisition of land or structures, construction, alteration, repair or improvement of county facilities.

**I. Definitions**

- A. A "Capital Improvement Project" shall mean a tangible fixed asset or public works project pertaining to a county facility project of significant value that extends beyond the current year. With respect to policy B-22, "Significant Value", as herein described, shall include the professional facilities services and its associated capital improvements, including but not limited to: master planning for county facilities, acquisition of land for a county facility, acquisition of buildings, construction or expansion of county facilities, fixed assets, or enhancements to county facilities -- that will be used, occupied or owned by a county entity, with a combined project value over \$100,000; major leases OR any county facilities project requiring new net county cost.
- B. "Major Lease" shall mean any lease where the value of the asset to be leased is at least \$1,000,000 or the term of the lease is greater than five (5) years.

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- C. "Capital Improvement Budget" (CIB) shall mean a listing of capital projects, their funding sources and construction schedules, being recommended for approval by the Board of Supervisors during annual budget deliberations.
- D. "County Department(s)" shall mean all departments, agencies, districts and authorities that are governed by the Riverside County Board of Supervisors, except those departments exempted above, or other appropriate approving board.
- E. "Managing Department" shall mean the designated department managing the project and having authorization to procure professional facilities services pursuant to Board Policy H-7.
- F. Project value shall mean the sum of public works contract(s) which prescribe the work or services pertaining to a county facility. Contracts may not be split or separated into smaller work orders or projects for the purpose of diminishing the project value.
- G. "Program Document" shall mean a written assessment and description of core space requirements that make up the capital improvement project. The Program Document establishes the project scope, size, and funding need.
- H. The Capital Project Review Committee shall mean the committee formed by approval of the Board of Supervisors in November 2006 to provide cost oversight and review of any change order or need which results in a particular project exceeding the 10% contingency established in the project budget.

**II. Capital Improvement Plan Policy**

- A. The guiding strategy of the CIP will be to allow the County of Riverside to fully account and plan for such capital projects that will have a major impact to the county's annual budget, future staffing levels and service to the public. The CIP will allow the county to anticipate and plan for its future capital needs, as well as prioritize multiple projects to maximize the use of the county's limited capital funds.
- B. Capital improvement projects shall not be separated from the costs of their associated professional ~~facilities~~ services, including but not limited to architectural, landscape design, engineering, geotechnical services, water quality management, construction project management, labor compliance, real estate, materials testing and inspection, environmental assessment ~~and~~ or other regulatory

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~~compliance~~specialty professional services. Instead, the costs of the capital construction or improvements as well as the cost for professional facilities services shall be combined and submitted together to determine total project value.

- C. The CIP team, chaired by the Executive Office and consisting of Facilities Management/Economic Development Agency, and Information Technology staff, is designated to oversee the stewardship of the CIP.
- D. The CIP team will develop a multi-year Capital Improvement Program (CIP) with a time horizon of five to ten years listed annually.
- E. The CIP team will develop a capital improvement budget annually.
- F. The CIP team will coordinate the development of the capital improvement program with the annual update of the public facilities needs list. The needs list will include those projects that may be partially or fully funded through the collection of development impact fees.
- G. The CIP team will coordinate the development of the capital improvement program and the capital improvement budget with the development of the county- annual operating budget.
- H. The CIP team will coordinate the development of the quarterly CIP report with the development of the county quarterly budget report.
- I. The CIP team shall work with county departments to identify and use the least costly method of financing for all capital improvements.
- J. All capital improvements must be a component of the CIP before any county department can submit a grant or issue an RFP related to the capital improvement.
- K. All capital improvement projects underway must be reviewed at various stages and approved by the CIP team before submittal to the Board of Supervisors or appropriate authorizing board for approval.
- L. Unfunded or partially funded capital improvement projects may not incur costs beyond the funding amounts committed by Board action. These projects may not proceed until further funding is identified by the Executive Office.

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**III. Capital Improvement Plan Process**

- A. The CIP team will issue an annual call for projects to all county departments. The annual call will include requests for county facility projects including but not limited to: master planning for county facilities, acquisition of land for a county facility, acquisition of buildings, construction or expansion of county facilities, fixed assets requiring general funds or enhancements to county facilities, and their associated professional facilities services -- that will be used, occupied or owned by a county entity, with a combined total value over \$100,000; major leases and changes/revisions to current projects on the CIP list; OR any county facilities project requiring new net county cost.
- B. County departments will revise/add to their CIP list covering the next five fiscal years and provide an initial justification for new projects, which will include preliminary and/or future staff needs, anticipated space needs and funding sources.
- C. The CIP team will review all submittals by departments, which will include prioritizing and compiling the projects into a multi-year CIP. During the review, the CIP team may consult with the county departments, and Executive Office analysts, to review costs, identify funding sources, analyze space needs and determine applicability to the CIP plan.
- D. The CIP team will prepare a proposed multi-year CIP for the Board of Supervisors. After review by the Board of Supervisors, any changes requested will be incorporated into the proposed multi-year CIP.
- E. The CIP team will update and present the multi-year CIP annually to the Board of Supervisors as a companion document to the county annual operating budget. The multi-year CIP document will make recommendations for department priority projects to the Board based upon available funding.

**IV. Project Priority**

**A. Evaluation:**

The following are some of the considerations that will be used by the CIP team for evaluation of projects to be included in the multi-year CIP:

- Health and safety considerations regarding the project;
- Agency/department's input regarding phasing and sequencing resulting from

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contingent events;

- Type and level of mandate regarding service provision;
- Impact and overall level of benefit to the county CIP and the county's citizens;
- Outside (state, federal or other) funding for projects;
- Program alternatives, if any;
- Cost effectiveness of program alternatives, where applicable;
- Estimated costs of project;
- If appropriate, information on service demands (e.g. caseloads) may be considered for particular projects;
- Other considerations not identified and which may be applicable to a specific project.

**B. Prioritization:**

The CIP team will evaluate county department project priorities and make recommendations to the Board based on a priority ranking as follows:

Priority I – Imperative: Projects that cannot reasonably be postponed without harmful or otherwise unacceptable consequences.

Priority II – Essential: Projects meeting clearly demonstrated needs or objectives.

Priority III – Important: Projects benefiting the community that could be delayed without impairing basic services.

Priority IV – Desirable: Projects that would benefit the community but are not included in the plan because of funding limitations.

**V. Roles and Responsibilities**

**A. Capital Improvement Program Team**

1. The CIP team will have the lead responsibility for coordinating the capital needs requests for all county departments, for preparing a multi-year CIP, a capital improvement budget (CIB), and a quarterly CIP report.
2. The CIP team will assist county departments in identifying appropriate funding sources for the projects.

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3. The CIP team shall be responsible for prioritizing each project listed in the CIP based on the project priority ranking outlined in IV. B. above.
4. The CIP team will be responsible for developing an order of magnitude cost range for those projects included in the CIP that have been assigned a CIP Priority I (one) ranking.
5. The CIP team will verify estimates of project construction costs, operating and maintenance costs, and departmental staffing costs submitted by county departments.

**B. County Departments**

1. In consultation with the CIP Team, county departments will be responsible for the development of a long-range capital improvement plan for their department.
2. County departments will be responsible for submitting a prioritized list of current capital needs as well as future needs during the annual call for projects.
3. County departments will be responsible for writing the justification for their projects and including sufficient detail to assist the CIP team in recommending projects to the Board.
4. County departments will be responsible for identifying appropriate funding sources for the project prior to initiating the capital improvement project. (The CIP team will assist as needed).
5. County departments will be responsible for identifying staffing, operating and maintenance costs for each of the projects requested with the assistance of their Executive Office budget analyst prior to initiating the capital improvement project. (Facilities Management/Economic Development Agency will assist with maintenance and utility cost projections).

**C. Managing Department**

1. The designated managing department is responsible for the management and oversight of its assigned capital facilities projects. The managing department will continuously maintain and make available for reporting and administrative review, a checklist to ensure that all critical tasks are accomplished during the life of a project. Among other things, this list will include the program document, environmental impact report (EIR), life safety approvals, geological testing,

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special site requirements, various inspections, Water Quality Management Plan (WQMP), program verification, architect selection, Americans with Disabilities Act (ADA) review, budget tracking, schedule verification, CIP reviews and approvals, and all construction related tasks.

2. The managing department is responsible for all CIP team reviews and Board approval requirements related to the specific project.
3. The managing department is responsible for referring the project to the CIP team in the event of major changes to the project scope, size, or funding expectations in the approved "In-Principle" Form-11.
4. The managing department is responsible for obtaining county department concurrence on all CIP Board approvals required in Section VIII or when the project financially impacts their department.

**VI. Capital Projects Identified Outside the CIP Process**

All capital improvements shall go through the capital planning process. When a capital improvement is identified outside the annual CIP process, the requesting county department will submit a request to add the project to the CIP. The request shall be submitted to the CIP team in the same format, with the same information required in the annual call process. The request will be reviewed by the CIP team for consideration of inclusion into the current CIP.

**VII. Capital Improvement Budget**

- A. The capital improvement budget (CIB) will be prepared by the CIP team for inclusion with adoption of the proposed county operating budget.
- B. The CIB will include identification of the project, order of magnitude cost range, priority, desired occupancy date, funding sources, departmental operating budgets affected and the current fiscal year's estimated costs. The CIB will also include summarized information for future fiscal year's costs and funding sources.

**VIII. CIP Approvals**

A county department may initiate a CIP project in coordination with a managing department. CIP team review and Board approval is required at the following stages of the project. The managing department shall obtain concurrence from the county department head or its designee on all CIP Board approvals when the project financially

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impacts their department as detailed below:

- "In-Principle Approval"
- "Notice of Intent to Purchase / Authorization to Purchase Real Property"
- Approval of professional facilities services contracts
- Program and schematic design approval
- "Approval of Construction Documents and Authorization for the Clerk of the Board to Advertise for Bids"
- Approval of contract award for construction of the improvements
- Change orders / contract amendments (if necessary)

**A. In-Principle Approval-**

~~Before award of professional facilities services for the construction, expansion, improvement, and/or master planning of a facility; or the purchase, sale or leasing of real property that will be used, occupied or owned by a county entity—w/where the combined costs of capital construction of the improvements and associated professional facilities services is over \$100,000;—~~ including major leases and changes/revisions to current projects on the CIP list; OR any county facilities project requiring new net county cost:

The managing department shall submit the scope and funding plan for the public facilities project for review and approval by the county's capital improvement program (CIP) team prior to or concurrent with "In-Principle" Form 11 approval by the Board of Supervisors.

**B. Notice of Intent to Purchase Real Property and Authorization to Purchase Real Property**

1. The managing department shall submit the "Notice of Intent or Authorization to Purchase Real Property" for review and approval by the county's capital improvement (CIP) team prior to or concurrent with the approval by the Board of Supervisors.
2. The "Authorization to Purchase Real Property" Form-11 shall include the estimated purchase price, including an estimate of escrow, closing costs, and transaction fees in the total cost.

**C. Approval of Professional Facilities Services Contracts**

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1. Professional services contracts for architectural, engineering, landscape design, geotechnical services, water quality management, construction project management, labor compliance, real estate, materials testing and inspection, environmental assessment and or other regulatory compliancespecialty professional services, may be selected through two options:

a. Professional services may be selected from a list of pre-qualified firms established under Board Policy H-7 and shall comply with the limits and contracting authority set forth in California Government Code 25502.5 and shall not exceed the estimated project budget authorized by the Board of Supervisors.

b. Public notice of a project-specific Request for Qualification/Proposal (RFQ/RFP) may be given to procure professional services that exceed the limitations and contracting authority of California Government Code 25502.5-1. Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site.

~~shall be approved by the Board of Supervisors or other appropriate authorizing Board.~~

~~Where new net county cost is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvements, the selection procedures and negotiations listed above in Section A will be adhered to prior to award of contract.~~

32. All proposed contracts must be reviewed and approved as to form by the County Counsel in compliance with Board Policy A-518.

**D. Program & Schematic Design Approval**

1. The architect or the managing department will prepare a Program Document for the project. This activity will include an assessment of core requirements of the project to keep the project within reasonable scope, size, and funding expectations in the approved "In-Principle" Form-11.
2. The architect, under the direction of the managing department, will develop the schematic drawings for the project. This activity will include a review of the program requirements and a verification of project order of magnitude cost range from the architect. In addition, the anticipated construction schedule will be reviewed.
3. The managing department will submit the completed program document and schematic drawings to the CIP team for review to ensure they are consistent with the approved scope and funding plan in the "In-Principle" Form-11 in VIII.A. The CIP team will review the architect's estimated cost and schedule for the project, and verify funding assumptions and financing strategies.

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4. The managing department will prepare a Form 11 to the Board of Supervisors for approval of the program document and completed schematic design drawings and authorization to proceed with the Design Development phase (DD's) and develop Construction Drawings (CD's) and specifications. The refined "order of magnitude cost range" for the project will be included in the background information on the Form 11.
  5. The managing department will work with the architect during the design development phase of the project. This will include program verification and value engineering to keep the design of the project within the "order of magnitude" cost range. The Executive Office will review and approve (or deny) any significant program or scope changes.
  6. Environmental findings are not required to be reviewed by the CIP team but are subject to Board approval if required by the Federal Clean Water Act, State of California Porter-Cologne Water Quality Control Act, or other applicable state and federal laws.
  7. The managing department will obtain a cost estimate from the design architect based upon the Construction Drawings (CD's) and specifications. For projects over \$3 million in cost the managing department will obtain a cost estimate from an independent construction cost estimator and if necessary, will reconcile the estimates.
- E. Approval of Construction Documents and Authorization for the Clerk of the Board to Advertise for Bids
1. The managing department will submit completed construction drawings, specifications, and cost estimates will be submitted to the CIP team for review to ensure they are consistent with the program document and schematic design approval Form-11 in VIII.C. The CIP review will include verification of funding sources and cost estimates.
  2. The managing department will submit the project to the Board of Supervisors via a Form 11 for approval of construction drawings, specifications, and authorization for the Clerk of the Board to advertise for bids. An estimated project budget will be included in the background information on the Form-11.
  3. All formal process bids shall comply with Policy H-7.

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**F. Approval of Contract Award**

A construction company will be chosen from those responding to the RFP per county Board Policy H-7 and B-11. The managing department will submit the selected company and bid amount to the Board of Supervisors or other appropriate authorizing board via a Form 11 for approval. The Form 11 will include a complete project budget among the board motions.

**G. Change Orders / Contract Amendments**

Change orders are generally costly and require an inordinate amount of management effort. Therefore, it is the intent of this policy that change orders be held to a minimum and normally used to deal with unforeseen circumstances and constructability problems. Change orders are not normally to be used for elective changes that are not critical to function or costs.

1. Change orders above the delegated authority of the managing department shall be submitted via a Form-11 for approval by the Board of Supervisors. The CIP team will review and sign off on the Form-11.
2. Change orders exceeding the 10% contingency established in the project budget are subject to review by the Capital Project Review Committee by the referral of the Executive Office. The committee, consisting of two board members, may convene to review such change orders and render final recommendations to the Board of Supervisors to approve or deny the change order request.
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**IX. Construction Administration**

- A. For all CIP projects approved and in process, the managing department, will prepare and submit quarterly status reports to the CIP team. It will be the managing department's responsibility to ensure that the quarterly status reports are provided to the CIP team for their respective projects.
- B. The CIP team will prepare and submit a CIP quarterly report as a companion to the county's quarterly budget report.
- C. The CIP team may determine additional reporting requirements depending upon the scope of the project.
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approved by the Board of Supervisors when the capital improvement project is substantially complete. The managing department shall submit a courtesy copy to the CIP team for tracking purposes only.

**Reference:**

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**Policy:**

This policy provides specific guidance in selecting contracted Professional Facilities Services within cost and time constraints, to foster innovations in construction, provide economic opportunity for Riverside County firms, solicit expertise outside the County where it is advantageous to the County's interest, and award public contracts at fair and reasonable prices. The County shall strive for optimal results in capital outlay projects through careful selection of appropriately licensed and/or certified Professional Facilities Services. This policy is an exception to Board Policy A-18. With respect to policy H-7, Professional Facilities Services, as herein described, shall include contracted support services in: Architecture, Landscape Architecture, Structural and Civil Engineering, Geotechnical Analysis, Water Quality Management, Handicapped Accessibility Design, Energy Conservation, Construction Project Management and/or Engineering, Environmental Assessment Services, Regulatory Compliance Services and those Real Estate consulting services related to the construction, demolition, expansion, improvement, and/or master planning of a county facility; or the purchase, sale or leasing of real property that will be used, occupied or owned by a county entity. H-7 does not cover direct performance of construction or repair activities.

It is the intent of this policy to implement and/or be consistent with the provisions of Board Policy A-69 "Best Practices in Contract Management", Board Policy B-11 "Award of Public Works Contracts Pertaining to County Facilities", Board Policy B-22 "Capital Improvement Program" and California Government Code Sections 25502.5(a) and 4525-4529.5 (Mini-Brooks Act). California Government Code Section 4525-4529.5 requires that Professional Facilities Services are engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the County, and prohibits practices which might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration, and shall specifically prohibit government agency employees from participating in the selection process when those employees have a relationship with a person or business entity seeking a contract under this section which would subject those employees to the prohibition of California Government Code Section 87100.

Department, agencies and districts, herein called "Authorized Entities", represented by an Agency Director, Department Head or General Manager, refer to those departments, agencies, and districts who may procure professional facilities services for the construction of public works projects as it relates to their specialized County mission, with the exclusion of office construction or expansion, or real property acquisition. The Authorized Entities are: Regional Park and Open-Space District, Economic Development Agency/Facilities Management (EDA/FM), Flood Control and Water Conservation District, Transportation and Land Management Agency (TLMA), Housing Authority, and the

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**Policy:**

This policy provides specific guidance in selecting contracted Professional Facilities Services within cost and time constraints, to foster innovations in construction, provide economic opportunity for Riverside County firms, solicit expertise outside the County where it is advantageous to the County's interest, and award public contracts at fair and reasonable prices. The County shall strive for optimal results in capital outlay projects through careful selection of appropriately licensed and/or certified Professional Facilities Services. This policy is an exception to Board Policy A-18. With respect to policy H-7, Professional Facilities Services, as herein described, shall include contracted support services in: Architecture, Landscape Architecture, Structural and Civil Engineering, Geotechnical Analysis, Water Quality Management, Handicapped Accessibility Design, Energy Conservation, Construction Project Management and/or Engineering, Environmental Assessment Services, Regulatory Compliance Services and those Real Estate consulting services related to the construction, demolition, expansion, improvement, and/or master planning of a county facility; or the purchase, sale or leasing of real property that will be used, occupied or owned by a county entity. H-7 does not cover direct performance of construction or repair activities.

It is the intent of this policy to implement and/or be consistent with the provisions of Board Policy A-69 "Best Practices in Contract Management", Board Policy B-11 "Award of Public Works Contracts Pertaining to County Facilities", Board Policy B-22 "Capital Improvement Program" and California Government Code Sections 25502.5(a) and 4525-4529.5 (Mini-Brooks Act). California Government Code Section 4525-4529.5 requires that Professional Facilities Services are engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the County, and prohibits practices which might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration, and shall specifically prohibit government agency employees from participating in the selection process when those employees have a relationship with a person or business entity seeking a contract under this section which would subject those employees to the prohibition of California Government Code Section 87100.

Department, agencies and districts, herein called "Authorized Entities", represented by an Agency Director, Department Head or General Manager, refer to those departments, agencies, and districts who may procure professional facilities services for the construction of public works projects as it relates to their specialized County mission, with the exclusion of office construction or expansion, or real property acquisition. The Authorized Entities are: Regional Park and Open-Space District, Economic Development Agency/Facilities Management (EDA/FM), Flood Control and Water Conservation District, Transportation and Land Management Agency (TLMA), Housing Authority, and the

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Waste Management Department. These entities may also contract with the Economic Development Agency/Facilities Management for these services.

Professional services contracts for architectural, engineering, landscape design, demolition services, geotechnical services, water quality management, construction project management, labor compliance, real estate, materials testing and inspection, environmental assessment, master planning, and/or other regulatory compliance services are not stand-alone capital projects. The costs for such services as well as the cost of the associated public works construction shall be combined and submitted together to determine the project value.

The following Professional Facilities Services selection procedures shall apply to all County departments, agencies and special districts created by the County. For environmental assessment services tied to the California Environmental Quality Act (CEQA) or similar County regulations, the County Planning Department shall maintain a list of qualified consultants, and be notified of environmental assessments prepared by other departments, agencies and districts within the County.

- I. Architectural, Engineering, Landscape Design, Geotechnical Services, Water Quality Management, Construction Project Management, Labor Compliance, Real Estate, Materials Testing and Inspection, Environmental Assessment and/or Other Specialty Professional Services Regulatory Compliance Services— combined costs of professional services and associated capital improvement costs over \$100,000.
  - A. Pre-Approvals. ~~Before negotiations can be initiated for professional services for proposed~~ For any new construction, expansion, improvement, and/or master planning of a county facility; or the purchase, sale or leasing of real property that will be used, occupied, or owned by a county entity that exceeds \$100,000, the scope and funding plan for the project must be reviewed and approved by the County's Capital Improvement Program (CIP) Team, prior to or concurrent with "In-Principle Approval" of the project obtained from the Board of Supervisors in compliance with Board Policy B-22, Capital Improvement Program.
  - B. Professional services may be procured through two options:
    1. Professional services may be selected from a list of pre-qualified firms pursuant to this policy when the specialty or expertise is needed to meet the project's requirements and shall comply with the limits and contracting authority set forth in California Government Code 25502.5 and shall not exceed the estimated project budget authorized by the Board of Supervisors.

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~~B2. Public notice of a project-specific Request for Qualification/Proposal (RFQ/RFP) may be given to procure professional services that exceed the limitations and contacting authority of California Government Code 25502.5. Public notice of the Request for Qualification/Proposal (RFQ/RFP) will be given for each new project.~~ Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site. Direct requests to known professional service providers may also be made.

1. ~~a. For each new project,~~ The Authorized Entity or designee shall appoint a Selection Committee consisting of at least three County employees knowledgeable in the field of work solicited by the Request for Qualifications/Proposals (RFQ/RFP) to review the written information submitted in response to the RFQ/RFP. Following review of written submission, the Selection Committee may also conduct interviews of qualified firms being considered for specific projects if determined appropriate.

2. ~~b.~~ The Selection Committee will review each firm's comparative qualifications and rank the firms based on their written response to the RFQ/RFP, in accordance with California Government Code 4525-4529.5. The Committee will combine the rankings from written RFQ/RFP proposal with the rankings from oral interview with the selection committee to develop the final ranking. A minimum of three firms should be chosen for interviews.

3. ~~c.~~ The Selection Committee will recommend selection of the most qualified firm based upon professional experience, qualifications in the work to be performed, including relative comparable experience, past experience in the County, demonstrated professional excellence, availability, capability and involvement of key personnel, excellence in cost control and scheduling, relative location of firm to project site, volume of recent and current work for the County, ability to perform the work within the established timeframe and any other criteria appropriate to specific project conditions.

4. ~~d.~~ When the Selection Committee recommendation is approved by the Authorized Entity, one of the following methods shall be used to make a final selection:

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The highest ranked firm will be invited to negotiate fees for the Scope of Services. If such negotiations are not successful, the Authorized Entity may negotiate with the next most highly ranked firm or may reopen the RFP/RFQ process. If the top three (3) firms are equally qualified, the Authorized Entity may request bid proposals from all three of those firms and base selection on the most competitive bid.

**II. Architectural, Engineering, Landscape Design, Geotechnical, Water Quality Management, Construction Project Management, Real Estate, Environmental Assessment and—or Other Specialty Professional ServicesRegulatory Compliance Services – combined costs of professional facilities services and associated capital improvements under \$100,000 in any calendar year.**

A. For combined costs of professional facilities services and associated capital improvements under \$100,000, a group of pre-qualified firms may be established by authorized Entities. Public notice for selection of this group will be given. Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site. The pre-qualified group shall have a valid term of up to three years. The selection procedure will reoccur at least every three years to allow all interested firms to participate. Additional firms may be added to the pre-qualified list as needed using the same processes as used initially. The three-year period allows authorized departments to have a reliable core of firms ready to provide Professional Facilities Services without the use of project specific RFP/RFQ's. Fees will be negotiated with a single firm selected from the Pre-qualified list of venders for the project services required. Performance of the firms on the qualified list shall be reviewed at the end of each project, but at least annually to determine whether the firm shall remain on the list. Authorized Entity may remove pre-qualified firms at their sole discretion based on performance or changed business conditions. The qualifications of the pre-qualified group will be based on the following election process:

1. Each Authorized Entity or designee shall appoint a Selection Committee consisting of at least three County employees knowledgeable in the field of work solicited by the RFQ/RFP for the information submitted in response to the Request for Qualifications (RFQ/RFP). The Committee may conduct interviews of qualified firms for consideration if deemed appropriate.

2. The Committee will review each firm's comparative qualifications and determine if they meet minimum standards based on their response to the RFQ/RFP, in accordance with California Government Code 4525-4529.5. A minimum of three firms should be chosen for interviews. The Committee will

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combine the rankings from the written proposal with the rankings from the oral interviews to develop the list. The committee will rank the firms based upon professional experience, qualifications in the work to be performed, including relative project experience, demonstrated design excellence, capability and involvement of key personnel, excellence in cost control and scheduling, relative location of firm to project site, volume of recent and current work for the County, ability to perform the work within the

2. established timeframe and any other criteria appropriate to the general type of projects that will be considered over the length of the service. At a minimum the top three ranked firms will be selected as the approved qualified group. All selected firms shall be provided with written notice of their selection.
3. Following the above selection procedures, Authorized Entities must collectively or independently seek Board of Supervisor approval for their selected pool of firms. Fees for specific tasks may then be negotiated on a rotating basis with the firms on the qualified list as projects become available. Combined costs for professional facilities services contracts and associated capital improvements for individual projects must be less than \$100,000 with a cap of \$100,000 during any fiscal year. Firms will be retained on a rotating basis for the negotiated services including, but not limited to, agreement on the scope of work, terms, conditions, and fees.
4. For environmental assessment services, excluding hazardous materials assessments routinely performed as part of real estate acquisition or disposal (Phase I, Phase II), the County Planning Department shall maintain a pre-qualified list of consultants and shall be notified of environmental assessments and/or environmental impact reports prepared by other County departments, agencies and districts.
5. Each Authorized Entity will have the authority to sign contracts for amounts up to \$2,500 under this policy, except where additional authority level was delegated by separate Board action, subject to approval as to form by County Counsel. Signed contracts shall then be submitted to the respective purchasing agent/fiscal staff to process a Purchase Order. The Purchase Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed. Awards for other than low bid over \$2,500, must have Board approval.
6. Firms on the pre-qualified list of firms shall be rotated on a regular basis.

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B. Real Estate Related Services – Real Estate Consulting Services include by illustration: appraisal work, condemnation actions, space planning, land surveys, hazardous materials studies and remediation and record reviews, relocation assistance, real estate legal services, title reviews, title insurance, escrow services, project management and market and feasibility studies. Proposals shall be obtained from qualified providers for the work to be performed based on professional experience and qualifications for the nature of the work and ability to

perform. Fees will be established through negotiations for each prospective project. If requested by an Authorized Entity, the Economic Development Agency/Facilities Management will make the selection and negotiate the terms of the Services Contract for the department, subject to each Authorized Entity's approval. To facilitate the procurement of real estate related services, the Authorized Entities will proceed as follows:

1. Quotations will be obtained from qualified service providers listing their professional experience, qualifications, and ability to perform.
  2. The Authorized Entities will select and establish a list of service providers based on criteria set forth above. Authorized Entities shall be allowed to contract with these service providers under said contract with negotiated fees for an amount not to exceed \$100,000 per project, during any fiscal year. The Authorized Entities shall review the qualifications of the selected service providers once a year and make changes as necessary.
- C. Should the combined costs of professional facilities services and associated capital improvement exceed \$100,000 limit for a project after the professional facilities services contract is awarded, or should the above list created by the Authorized Entity not provide the expertise needed for the project, the selection procedures shall then proceed with the following procedures:

The revised scope and funding plan for the project must be reviewed and approved by the Capital Improvement Program Team prior to additional professional services contract award. In addition, concurrence from the department requesting the project must be obtained.

- D. Where additional general fund support, herein called "new net county cost" is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvement, the selection procedures in this policy apply.

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III. Contract Award of Professional Services Agreements – Architectural, Engineering, Landscape Design, Geotechnical, Water Quality Management, Construction Project Management, Real Estate, Environmental Assessment or Other Specialty Professional Services and Regulatory Compliance Services.

A. Each Authorized Entity will have the authority to sign contracts for amounts up to \$2,500, except where additional authority level was delegated by separate Board action, subject to approval as to form by County Counsel. Signed contracts shall then be submitted to the respective purchasing agent/fiscal staff to process a Purchase Order. The Purchase Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed.

1. Where the combined costs for professional services contracts and associated improvements less than \$100,000 do not require specific Board action, the Authorized Entity may choose to direct the award through the County Purchasing Department in lieu of Board approval. If that option is chosen, a Purchase Request with contract, approved as to form by County Counsel, will be submitted to the Purchasing Department. The Purchasing Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed.
2. Where additional general fund support, herein called "new net county cost", is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvement project, the selection procedures and negotiations listed in this policy shall apply prior to award of contract.

IV. Documentation and Maintenance of Professional Services Contracts – Documentation related to the selection process, fee negotiations and management of the consultant contract will be maintained by the initiating department for five years after completion of the performance period. Documentation should be sufficient to provide clear indication of why a firm was selected and on what basis the fee was established.

**Reference:**

Minute Order 6.7 of 03/21/78  
Minute Order 6.5 of 11/03/81  
Minute Order 3.20 of 07/11/89  
Minute Order 3.11 of 11/30/04

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Minute Order 3-5 of 07/02/13

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This policy provides specific guidance in selecting contracted Professional Facilities Services within cost and time constraints, to foster innovations in construction, provide economic opportunity for Riverside County firms, solicit expertise outside the County where it is advantageous to the County's interest, and award public contracts at fair and reasonable prices. The County shall strive for optimal results in capital outlay projects through careful selection of appropriately licensed and/or certified Professional Facilities Services. This policy is an exception to Board Policy A-18. With respect to policy H-7, Professional Facilities Services, as herein described, shall include contracted support services in: Architecture, Landscape Architecture, Structural and Civil Engineering, Geotechnical Analysis, Water Quality Management, Handicapped Accessibility Design, Energy Conservation, Construction Project Management and/or Engineering, Environmental Assessment Services, Regulatory Compliance Services and those Real Estate consulting services related to the construction, demolition, expansion, improvement, and/or master planning of a county facility; or the purchase, sale or leasing of real property that will be used, occupied or owned by a county entity. H-7 does not cover direct performance of construction or repair activities.

It is the intent of this policy to implement and/or be consistent with the provisions of Board Policy A-69 "Best Practices in Contract Management", Board Policy B-11 "Award of Public Works Contracts Pertaining to County Facilities", Board Policy B-22 "Capital Improvement Program" and California Government Code Sections 25502.5(a) and 4525-4529.5 (Mini-Brooks Act). California Government Code Section 4525-4529.5 requires that Professional Facilities Services are engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the County, and prohibits practices which might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration, and shall specifically prohibit government agency employees from participating in the selection process when those employees have a relationship with a person or business entity seeking a contract under this section which would subject those employees to the prohibition of California Government Code Section 87100.

Department, agencies and districts, herein called "Authorized Entities", represented by an Agency Director, Department Head or General Manager, refer to those departments, agencies, and districts who may procure professional facilities services for the construction of public works projects as it relates to their specialized County mission, with the exclusion of office construction or expansion, or real property acquisition. The Authorized Entities are: Regional Park and Open-Space District, Economic Development Agency/Facilities Management (EDA/FM), Flood Control and Water Conservation District, Transportation and Land Management Agency (TLMA), Housing Authority, and the

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Waste Management Department. These entities may also contract with the Economic Development Agency/Facilities Management for these services.

Professional services contracts for architectural, engineering, landscape design, geotechnical services, water quality management, construction project management, labor compliance, real estate, materials testing and inspection, environmental assessment, master planning, or other regulatory compliance services are not stand-alone capital projects. The costs for such services as well as the cost of the associated public works construction shall be combined and submitted together to determine the project value.

The following Professional Facilities Services selection procedures shall apply to all County departments, agencies and special districts created by the County. For environmental assessment services tied to the California Environmental Quality Act (CEQA) or similar County regulations, the County Planning Department shall maintain a list of qualified consultants, and be notified of environmental assessments prepared by other departments, agencies and districts within the County.

I. Architectural, Engineering, Landscape Design, Geotechnical Services, Water Quality Management, Construction Project Management, Labor Compliance, Real Estate, Materials Testing and Inspection, Environmental Assessment or **Other Specialty Professional Services** – combined costs of professional services and associated capital improvement costs over \$100,000.

A. Pre-Approvals. For any new construction, expansion, improvement, and/or master planning of a county facility; or the purchase, sale or leasing of real property that will be used, occupied, or owned by a county entity that exceeds \$100,000 , the scope and funding plan for the project must be reviewed and approved by the County's Capital Improvement Program (CIP) Team, prior to or concurrent with "In-Principle Approval" of the project obtained from the Board of Supervisors in compliance with Board Policy B-22, Capital Improvement Program.

B. Professional services may be procured through two options:

1. Professional services may be selected from a list of pre-qualified firms **pursuant to this policy** when the specialty or expertise is needed to meet the project's requirements and shall comply with the limits and contracting authority set forth in California Government Code 25502.5 and shall not exceed the estimated project budget authorized by the Board of Supervisors.

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2. Public notice of a **project-specific** Request for Qualification/Proposal (RFQ/RFP) may be given to procure professional services that exceed the limitations and contacting authority of California Government Code 25502.5. Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site. Direct requests to known professional service providers may also be made.

a. The Authorized Entity or designee shall appoint a Selection Committee consisting of at least three County employees knowledgeable in the field of work solicited by the Request for Qualifications/Proposals (RFQ/RFP) to review the written information submitted in response to the RFQ/RFP. Following review of written submission, the Selection Committee may also conduct interviews of qualified firms being considered for specific projects if determined appropriate.

b. The Selection Committee will review each firm's comparative qualifications and rank the firms based on their written response to the RFQ/RFP, in accordance with California Government Code 4525-4529.5. The Committee will combine the rankings from written RFQ/RFP proposal with the rankings from oral interview with the selection committee to develop the final ranking. A minimum of three firms should be chosen for interviews.

c. The Selection Committee will recommend selection of the most qualified firm based upon professional experience, qualifications in the work to be performed, including relative comparable experience, past experience in the County, demonstrated professional excellence, availability, capability and involvement of key personnel, excellence in cost control and scheduling, relative location of firm to project site, volume of recent and current work for the County, ability to perform the work within the established timeframe and any other criteria appropriate to specific project conditions.

d. When the Selection Committee recommendation is approved by the Authorized Entity, one of the following methods shall be used to make a final selection:

The highest ranked firm will be invited to negotiate fees for the Scope of Services. If such negotiations are not successful, the Authorized Entity may negotiate with the next most highly ranked firm or may reopen the RFP/RFQ process. If the top three (3) firms are equally qualified, the Authorized Entity may request bid proposals from all three of those firms and base selection on the most competitive bid.

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II. Architectural, Engineering, Landscape Design, Geotechnical, Water Quality Management, Construction Project Management, Real Estate, Environmental Assessment or Other Specialty Professional Services – combined costs of professional facilities services and associated capital improvements under \$100,000 in any calendar year.

A. For combined costs of professional facilities services and associated capital improvements under \$100,000, a group of pre-qualified firms may be established by authorized Entities. Public notice for selection of this group will be given. Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site. The pre-qualified group shall have a valid term of up to three years. The selection procedure will reoccur at least every three years to allow all interested firms to participate. Additional firms may be added to the pre-qualified list as needed using the same processes as used initially. The three-year period allows authorized departments to have a reliable core of firms ready to provide Professional Facilities Services without the use of project specific RFP/RFQ's. Fees will be negotiated with a single firm selected from the Pre-qualified list of venders for the project services required. Performance of the firms on the qualified list shall be reviewed at the end of each project, but at least annually to determine whether the firm shall remain on the list. Authorized Entity may remove pre-qualified firms at their sole discretion based on performance or changed business conditions. The qualifications of the pre-qualified group will be based on the following election process:

1. Each Authorized Entity or designee shall appoint a Selection Committee consisting of at least three County employees knowledgeable in the field of work solicited by the RFQ/RFP for the information submitted in response to the Request for Qualifications (RFQ/RFP). The Committee may conduct interviews of qualified firms for consideration if deemed appropriate.
2. The Committee will review each firm's comparative qualifications and determine if they meet minimum standards based on their response to the RFQ/RFP, in accordance with California Government Code 4525-4529.5. A minimum of three firms should be chosen for interviews. The Committee will combine the rankings from the written proposal with the rankings from the oral interviews to develop the list. The committee will rank the firms based upon professional experience, qualifications in the work to be performed, including relative project experience, demonstrated design excellence, capability and involvement of key personnel, excellence in cost control and

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scheduling, relative location of firm to project site, volume of recent and current work for the County, ability to perform the work within the

established timeframe and any other criteria appropriate to the general type of projects that will be considered over the length of the service. At a minimum the top three ranked firms will be selected as the approved qualified group. All selected firms shall be provided with written notice of their selection.

3. Following the above selection procedures, Authorized Entities must collectively or independently seek Board of Supervisor approval for their selected pool of firms. Fees for specific tasks may then be negotiated on a rotating basis with the firms on the qualified list as projects become available. Combined costs for professional facilities services contracts and associated capital improvements for individual projects must be less than \$100,000 with a cap of \$100,000 during any fiscal year. Firms will be retained on a rotating basis for the negotiated services including, but not limited to, agreement on the scope of work, terms, conditions, and fees.
  4. For environmental assessment services, excluding hazardous materials assessments routinely preformed as part of real estate acquisition or disposal (Phase I, Phase II), the County Planning Department shall maintain a pre-qualified list of consultants and shall be notified of environmental assessments and/or environmental impact reports prepared by other County departments, agencies and districts.
  5. Each Authorized Entity will have the authority to sign contracts for amounts up to \$2,500 under this policy, except where additional authority level was delegated by separate Board action, subject to approval as to form by County Counsel. Signed contracts shall then be submitted to the respective purchasing agent/fiscal staff to process a Purchase Order. The Purchase Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed. Awards for other than low bid over \$2,500, must have Board approval.
  6. Firms on the pre-qualified list of firms shall be rotated on a regular basis.
- B. Real Estate Related Services – Real Estate Consulting Services include by illustration: appraisal work, condemnation actions, space planning, land surveys, hazardous materials studies and remediation and record reviews, relocation assistance, real estate legal services, title reviews, title insurance, escrow services, project management and market and feasibility studies. Proposals shall

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be obtained from qualified providers for the work to be performed based on professional experience and qualifications for the nature of the work and ability to

perform. Fees will be established through negotiations for each prospective project. If requested by an Authorized Entity, the Economic Development Agency/Facilities Management will make the selection and negotiate the terms of the Services Contract for the department, subject to each Authorized Entity's approval. To facilitate the procurement of real estate related services, the Authorized Entities will proceed as follows:

1. Quotations will be obtained from qualified service providers listing their professional experience, qualifications, and ability to perform.
  2. The Authorized Entities will select and establish a list of service providers based on criteria set forth above. Authorized Entities shall be allowed to contract with these service providers under said contract with negotiated fees for an amount not to exceed \$100,000 per project, during any fiscal year. The Authorized Entities shall review the qualifications of the selected service providers once a year and make changes as necessary.
- C. Should the combined costs of professional facilities services and associated capital improvement exceed \$100,000 limit for a project after the professional facilities services contract is awarded, or should the above list created by the Authorized Entity not provide the expertise needed for the project, the selection procedures shall then proceed with the following procedures:
- The revised scope and funding plan for the project must be reviewed and approved by the Capital Improvement Program Team prior to additional professional services contract award. In addition, concurrence from the department requesting the project must be obtained.
- D. Where additional general fund support, herein called "new net county cost" is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvement, the selection procedures in this policy apply.

III. Contract Award of Professional Services Agreements – Architectural, Engineering, Landscape Design, Geotechnical, Water Quality Management, Construction Project Management, Real Estate, Environmental Assessment or Other Specialty Professional Services.

**COUNTY OF RIVERSIDE, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

**Subject:**  
**SELECTION OF ARCHITECTURAL, ENGINEERING  
AND REAL ESTATE RELATED SERVICES**

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A. Each Authorized Entity will have the authority to sign contracts for amounts up to \$2,500, except where additional authority level was delegated by separate Board action, subject to approval as to form by County Counsel. Signed contracts shall then be submitted to the respective purchasing agent/fiscal staff to process a Purchase Order. The Purchase Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed.

1. Where the combined costs for professional services contracts and associated improvements less than \$100,000 do not require specific Board action, the Authorized Entity may choose to direct the award through the County Purchasing Department in lieu of Board approval. If that option is chosen, a Purchase Request with contract, approved as to form by County Counsel, will be submitted to the Purchasing Department. The Purchase Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed.
2. Where additional general fund support, herein called "new net county cost", is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvement project, the selection procedures and negotiations listed in this policy shall apply prior to award of contract.

- IV. Documentation and Maintenance of Professional Services Contracts – Documentation related to the selection process, fee negotiations and management of the consultant contract will be maintained by the initiating department for five years after completion of the performance period. Documentation should be sufficient to provide clear indication of why a firm was selected and on what basis the fee was established.

**Reference:**

Minute Order 6.7 of 03/21/78  
Minute Order 6.5 of 11/03/81  
Minute Order 3.20 of 07/11/89  
Minute Order 3.11 of 11/30/04  
Minute Order 3.4 of 12/18/07  
Minute Order 3-5 of 07/02/13