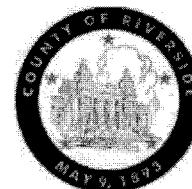


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.12
(ID # 5079)

MEETING DATE:

Tuesday, September 26, 2017

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA) AND PROBATION :

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA) AND PROBATION: Alan M. Crogan Youth Treatment and Education Center - Approval of Amendment No. 2 to the Professional Services Agreement with Kitchell CEM, Amendment No. 3 to the Professional Services Agreement with DLR Group, Approval of Notice of Completion for Pinner Construction Co., Inc., District 1 [\$1,633,065 - SB81 State Financing Program 75%, Development Impact Fees 15%, General Fund 7%, Probation 3%] (Clerk to Record Notice of Completion)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify the attached Amendment No. 2 to the professional services agreement for construction management services between the County of Riverside (County) and Kitchell CEM (Kitchell), in the amount of \$240,537 for the Alan M. Crogan Youth Treatment and Education Center (YTEC) and authorize the Chairman of the Board to execute the agreement on behalf of the County;

ACTION: Policy, CIP

Robert Field, Assistant County Executive Officer/EDA

9/14/2017

Mark A. Hake, Chief Probation Officer

9/15/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: September 26, 2017
xc: EDA, Probation, Recorder

Kecia Harper-Ihem
Clerk of the Board

By:

Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

2. Ratify the attached Amendment No. 3 to the owner/architectural agreement between the County and DLR Group WWCOT (DLR), in the amount of \$170,381 and authorize the Chairman of the Board to execute the agreement on behalf of the County;
3. Accept the Alan M. Crogan YTEC Project constructed by Pinner Construction Co., Inc. (Pinner), as complete and authorize the Clerk of the Board to record the attached Notice of Completion; and
4. Approve the reduction of the contract retention for Pinner Construction Co., Inc. (Pinner) from 5% to 2.5% and authorize the release of any undisputed retained funds in the amount of \$1,222,147 in accordance with the contract terms.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 1,633,065	\$ 0	\$ 1,633,065	\$ 0
NET COUNTY COST	\$ 114,315	\$ 0	\$ 114,315	\$ 0
			Budget Adjustment: No	
			For Fiscal Year: 2017/18	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On February 10, 2015, Item 9-1, the Board of Supervisors approved a reduction to the project budget for a new amount of \$32,695,960 and approved the construction agreement with Pinner in the amount of \$22,913,600. A notice to proceed was issued and construction started on March 6, 2015. During construction, the project encountered some unforeseen conditions which caused additional design and engineering services as well as encountered construction delays resulting in the need to extend services provided by Kitchell and DLR. Kitchell's Amendment No. 2 in the amount not to exceed \$240,537 will cover the additional construction management hours during the extended construction period for a revised agreement value of \$1,253,452. DLR's Amendment No. 3 in the amount not to exceed \$170,381 will cover the additional design and engineering as well as construction administrative services for a revised agreement value of \$2,587,924. Both of the revised agreement values for Kitchell and DLR are within the previously approved project budget, therefore an adjustment to the budget is not required at this time.

During construction, a total of 16 additive and deductive change orders were issued for a total amount of \$1,529,338 (6.67%) increasing the overall construction contract to \$24,442,938. Pinner has completed the work with the exception of a few outstanding items on the punch list

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

which they will continue working to complete. The project has been inspected and found to comply with the contract requirements. This Board action will release \$612,024 now, which is half of the withheld retention, to Pinner and the remaining undisputed retention funds of \$612,024 for a total amount not to exceed \$1,224,048 after the Notice of Completion has been filed and the 35 day lien period has expired.

Impact on Residents and Businesses

Construction of the new Alan M. Crogan Youth Treatment and Education Center will benefit the community by providing enhanced public safety and furthering the treatment and education of the youth in the juvenile justice system to reduce recidivism.

Additional Fiscal Information

On September 13, 2016, there was an adjustment to the line items within the approved project budget. With this Board action, there is no increase to the project budget, however a further adjustment to the line items has been established and is as follows:

Project Budget Line Items	Budget Category	Project Budget Amount	Line Item Adjustment	Revised Budget Line Items
Architectural and Engineering Consultants	1	2,480,078	170,381	2,650,459
Construction Management	2	1,235,343	259,837	1,495,180
Construction Contract	3	24,121,701	321,237	24,442,938
Offsite Construction	4	0	0	0
Project Management	5	680,000	150,000	830,000
Fixtures, Furnishings, Equipment	6	307,175	70,000	377,175
Other Soft Costs / Specialty Consultants	7	1,751,118		1,751,118
Project Contingency	8	2,100,545	(1,051,455)	1,049,090
Minor Construction	9	20,000	80,000	100,000
Project Budget		\$ 32,695,960	\$ 0	\$ 32,695,960

Additional Fiscal Information

All costs associated with this Board action were previously approved on February 10, 2015 (Item 9-1). All costs associated with this agreement will be 75% (up to \$24,698,105) funded through the State Financing Program, 15% (\$5,157,440) funded through County Development Impact Fees, 7% (up to \$2,200,000) through General Fund and 3% (\$1,000,000) through


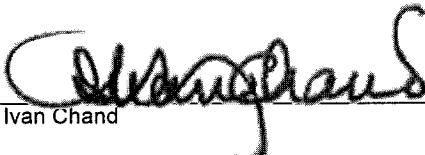
**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

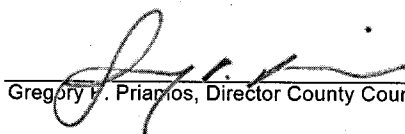
Probation Department, thus no net county costs will be incurred and no budget adjustment is required.

Attachments:

- Amendment No. 2 to the Professional Services Agreement with Kitchell CEM, Inc.
- Amendment No. 3 to the Professional Services Agreement with DLR Group WWCOT
- Notice of Completion for Pinner Construction Co., Inc.

RF:JV:VC:SP:RM:SC FM08260000146 5079-13669
S:\Project Management Office\FORM 11'S\Form 11's in Process\5079 - 13669_D4 - 000146 - Alan M Crogan YTEC - Amend No 2
for Kitchell, Amend No 3 for DLR, NOC for Pinner_092617.doc

		
Rekini Dasika, Principal Management Analyst	9/18/2017	Ivan Chand 9/19/2017


Gregory P. Priantos, Director County Counsel 9/15/2017

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 – RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 – RIVERSIDE, CA 92502

2017-0403464

09/28/2017 03:37 PM Fee: \$ 0.00

Page 1 of 2

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



780

THIS SPACE FOR RECORDERS USE ONLY

NOTICE OF COMPLETION

(California Civil Code §§ 8100-8118, 9200-9208)

To be recorded with County Recorder within 15 days after completion.

Notice is hereby given by the undersigned owner, a public entity of the State of California, that a public work of improvement has been completed, as follows:

Project title or description of work: Alan M. Crogan Youth Treatment and Education Center Project
(FM08260000146)

Date of Completion: Date Hereof 09/26/17

Nature of owner: Public Entity

Interest or estate of owner: In Fee

Address of owner: Clerk of the Board of Supervisors, County Administrative Center,
4080 Lemon St., Riverside, CA 92501

Name/address of direct contractor: Pinner Construction, Inc., 1255 S. Lewis Street, Anaheim, CA 92805

Street or legal description of site: 10000 County Farm Road, Riverside, CA 92503

Dated: September 26, 2017

Owner: County of Riverside
(Name of Public Entity)

By: John Tavaglione
John Tavaglione, Chairman, Board of Supervisors

STATE OF CALIFORNIA)

ss

COUNTY OF RIVERSIDE)

I am the Chairman of the governing board of the County of Riverside, the public entity which executed the foregoing notice and on whose behalf I make this verification; I have read this notice, know its contents, and the same is true. I certify under penalty of perjury that the foregoing is true and correct.

ATTEST: Kecia Harper-Ihem, Clerk

By: Kecia Harper-Ihem
Deputy

Executed at Riverside, California on 09/26/17

By: John Tavaglione
John Tavaglione, Chairman, Board of Supervisors

09.26.17 3.12

FORM APPROVED COUNTY COUNSEL

BY: Marsha L. Victor 9/26/17 Updated 5/2016
MARSHA L. VICTOR DATE



PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

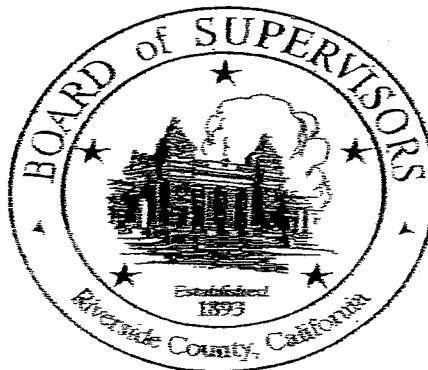
Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000
www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date:

9-26-17

Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board

AMENDMENT NO. 2

To the

PROFESSIONAL SERVICES AGREEMENT

Between

THE COUNTY OF RIVERSIDE AND KITCHELL CEM

The County of Riverside and Kitchell CEM of Ontario, CA hereby agree to amend that certain agreement for construction management services associated with the Alan M. Crogan (formerly Van Horn) Youth Treatment and Education Center (FM08260000146) approved on July 1, 2014, Agenda Item 3-13, and first amendment approved on September 13, 2016, Agenda Item 3-22 as follows:

- Article 5 CONSTRUCTION MANAGER’S COMPENSATION subsection 5.1.2.3 shall be modified as follows:

(1) Construction Management Staffing: Not to Exceed Fee: \$1,253,452

- Article 15 Exhibit F. MASTER PROJECT SCHEDULE shall be modified as follows:

9. Construction Complete July 31, 2017

10. Occupancy Complete August 29, 2017

- Article 15 Exhibit N. STAFFING PLAN shall be amended to include the modified hours in the attached STAFFING PLAN R3.7 for new total hours of 9,447 and a Not To Exceed amount of \$1,236,202 plus reimbursable expenses totaling \$17,250. The additional compensation for Amendment No. 2 is Two Hundred Forty Thousand, Five Hundred Thirty-Seven dollars (\$240,537) for a new not-to-exceed lump sum fee of One Million, Two Hundred Fifty-Three Thousand, Four Hundred Fifty-Two dollars (\$1,253,452).

- All other terms and conditions of the Agreement shall remain in full force and effect.

SEP 26 2017 3.12

1
2 ATTEST:
3 Kecia Harper-Ihem
4 Clerk of the Board

5 By [Signature]
6 Deputy

7
8 Dated: SEP 26 2017

9
10
11
12
13
14 (Seal)

County of Riverside

By: [Signature]
John Tavaglione
Chairman, Board of Supervisors

CONSULTANT

Kitchell CEM

[Signature]
Kitchell CEM

By DAVID GIANNELLI
SR VICE PRESIDENT
Title

15
16
17
18
19
20 FORM APPROVED COUNTY COUNSEL
21 BY: Marsha L. Victor 9/12/17
MARSHA L. VICTOR DATE

AMENDMENT NO. 3

To The

AGREEMENT

Between

THE COUNTY OF RIVERSIDE AND [DLR GROUP WWCOT]

The County of Riverside and DLR GROUP WWCOT of Riverside, CA hereby agree to amend that certain agreement for Architectural and Engineering services associated with the Alan M. Crogan (formerly Van Horn) Youth Treatment and Education Center (FM08260000146) approved on June 19, 2012, Agenda Item 3.16, first amendment approved on June 25, 2013, and second amendment on January 26, 2016 as follows:

- Section II. SCOPE OF WORK shall be modified in the first paragraph to read as follows:
"Architect shall provide additional services as outlined and specified in **Exhibit A-3** consisting of two pages attached hereto and incorporated herein by this reference".
- Section III. ARCHITECT'S SERVICES shall be modified to read as follows:
"The Architect shall render the following services and related services as stipulated in **Exhibit "A," "A-1," "A-2," and "A-3"**.
- Section IV.A.1. Determination of Amount shall be modified in the first paragraph to read as follows:
"For the services hereinabove required the County shall pay to the Architect, in the manner hereinafter provided, which includes the additional scope of work enumerated in **Exhibit "A-3"**, and shall be paid as provided in paragraph IV.C. Payment."
"The COUNTY shall pay the Architect services performed and expenses incurred in accordance with the terms of **Exhibit A, Exhibit A-1, Exhibit A-2, and Exhibit A-3** consisting of one (1) page and incorporated herein. The total amount of the original agreement and **Exhibit A** was Two Million, One Hundred Eighteen Thousand, Nine Hundred Fifty Dollars \$2,118,950. The additional compensation for Amendment #1 and **Exhibit A-1** was One Hundred Twenty Five Thousand Dollars \$125,000. The additional compensation for Amendment #2 and **Exhibit A-2** was One Hundred Seventy Three Thousand, Five Hundred Ninety Three Dollars \$173,593. The additional compensation for Amendment #3 and **Exhibit A-3** is One Hundred Seventy Thousand, Three Hundred Eighty One Dollars \$170,381 for a new not-to-exceed total of Two Million, Five Hundred Eighty-Seven Thousand, Nine Hundred Twenty Four Dollars \$2,587,924, unless a written amendment to this Agreement is executed by both parties prior to performance of additional services."
- Section IV.C.1.f Construction Administration, the amount shall be changed to \$788,954.
- Replace page 13 of 13, Exhibit "E" with the attached revised page 13 of 13 Exhibit "E."
- All other terms and conditions of the agreement shall remain in full force and effect.

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

By: [Signature]
Deputy

Dated: SEP 26 2017
(Seal)

County of Riverside

By:

[Signature]
John Tavaglione, Chairman
Board of Supervisors

[Signature]
DLR GROUP WWCOT
By: William Judge
Principal
Title

FORM APPROVED COUNTY COUNSEL

BY: [Signature] 9/13/17
MARSHA L. VICTOR DATE

EXHIBIT "E"

See attached project schedule, dated January 31, 2012. Due to extended review periods, month 20, start of construction, commenced March 2015. With Amendment No. 3, final close-out was extended to August 2017.

February 8, 2017
(Update: June 5, 2017)

Ms. Rebecca McCray, Supervising Project Manager
Riverside County Economic Development Agency
3403 10th Street, Suite 400
Riverside, CA 92501

Re: Extra Services #3R
Riverside County EDA – Van Horn Youth Treatment & Education Facility
DLR Group Project No.: 75-12608-00
EDA Project No.: FM08260000146

Dear Rebecca,

The following outlines our extra service request for additional services beyond the terms of our current Agreement:

1.0 Scope of Services

- 1.1 **Changes to Casework, Rec Yard and Security Fences (Bulletin 6)**: The following changes were requested by Probation: Casework was both added and deleted; security fencing in rec yards was modified in height and razor wire was eliminated and replaced with anti-climb fencing. Basketball backstop was added to the Assessment Unit rec yard.
- 1.2 **Add and/or relocate cameras (Bulletin 7)**: The following changes were requested by Probation: Three (3) cameras were added to the project and incorporated into the Riser Diagram (Cameras B35, B36 and B37). Cameras A15 and A16 were relocated. Parapet details were developed for support of Cameras A15 and A16.
- 1.3 **Equipment, millwork, landscape, and irrigation (Bulletin 8)**: Probation requested modifications and additions of millwork and the addition of an exam table and magnetometer. EDA requested landscape and irrigation changes to the construction drawings which resulted in revisions to calculations and irrigation schedule.
- 1.4 **Modifications to the Smoke Control system (Bulletin 10)**: Subsequent to project approval (which included a complete smoke evacuation system) by the California State Fire Marshal (SFM), the SFM required the design and construction of a smoke control system to provide a fully tenable environment during a fire event.

This request required the following changes: Removal and replacement of the existing smoke evacuation fans, structural and architectural modifications at the fan locations. A make-up air system was also required for the enhanced exhaust air demand. The Architect and the Mechanical Engineer assisted the designer of the fluid dynamic model which was the core of the smoke control design. Numerous changes to plans, schedules and details of three disciplines (architectural, mechanical and electrical) were required. The work was assembled and submitted to the SFM for review and approval. The approved submittal was then disseminated and coordinated with the Contractor.

Additionally, there were a number of modifications of the approved details to address client concerns. The Architects assisted in the review of the Contractor's cost proposals.

- 1.5 Monument Sign (Bulletin 12): Prepared design and construction drawings of a cast-in-place concrete, illuminated monument sign.
- 1.6 BSCC Modifications (Bulletin 13): Following previous approvals, BSCC Area Representatives requested multiple changes to the construction design/details and utilities of the project. Modified specifications for utilities were required. Coordination with the Contractor is required.
- 1.7 Hydronic Piping Relocation: Due to the Contractor's claim that the subcontractors could not fit the hydronic piping in the ceiling space and the Contractor's refusal to provide the delegated design per the Contract Documents, DLR Group provided a design and calculations to relocate the hydronic piping to the roof.
- 1.8 Extension of Construction Administrative Services: Based on a 395-day duration for Construction Contract Administration on the project and a commencement date of April 4, 2015, as of May 31, 2017 (the Contractor's current date of substantial completion), DLR Group has extended its services 12.86 additional months. This extension has resulted in costs beyond the budgeted resources.

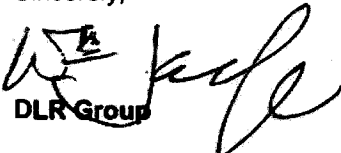
2.0 Professional Fee

- 2.1 DLR Group and its consultants have provided the additional services described under Scope of Services for a fixed fee of **One Hundred Seventy Thousand Three Hundred Eight One Dollars (\$170,381.00)**. The breakdown of this fee is as follows:

• Hydronic Piping	\$ 18,225
• Casework, Rec Yard and Fencing (Bulletin 6)	\$ 4,500
• Cameras (Bulletin 7)	\$ 2,250
• Landscape, irrigation; and millwork (Bulletin 8)	\$ 2,400
• Smoke Control System (Bulletin 10)	\$ 48,500
• Monument Sign (Bulletin 12)	\$ 3,250
• BSCC Modifications (Bulletin 13)	\$ 7,625
• Extension of Construction Administration Services	<u>\$ 83,631</u>
(includes credit: Sports Field Modification – ES #2 \$52,260)	
Total	\$170,381

If the above request meets with your approval, please process the appropriate paperwork. Please do not hesitate to contact me should you have any questions.

Sincerely,



DLR Group

William Judge, AIA, LEED AP
Architect / Principal