

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



ITEM  
3.24  
(ID # 8534)

MEETING DATE:

Tuesday, January 29, 2019

FROM : TLMA-TRANSPORTATION:

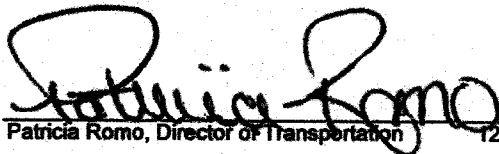
SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:

Adopt Resolution No. 2019-035 Amending Resolution 2018-009, delegating authority of the Director of Transportation, the Deputy Director of Transportation or registered Civil Engineer acting under the direction of the Director of Transportation, to Execute Change Orders and Emergency Work Pursuant to Public Contract Code Sec. 20395, All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2019-035, amending Resolution 2018-009, delegating authority of the Director of Transportation, the Deputy Director of Transportation or registered Civil Engineer acting under the direction of the Director of Transportation, to Execute Change Orders and Emergency Work Pursuant to Public Contract Code Sec. 20395, from the Previously Approved Amount of not to Exceed \$500,000, to an Amount not to Exceed \$1,500,000.

ACTION: Policy

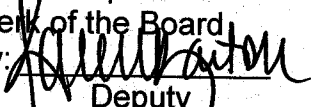
  
Patricia Romo, Director of Transportation 12/4/2018

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MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: January 29, 2019  
xc: Transp.

Kecia Harper  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment: NA</b>	
			<b>For Fiscal Year: 18/19</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

On July 31, 2018, the Board of Supervisors adopted Resolution No. 2018-009, which delegated authority to execute emergency contracts and approve contract change orders to the Director of Transportation, Deputy Director of Transportation or registered civil engineer acting under the direction of the Director of Transportation. Resolution No. 2018-009 also brought the limit for change order authority that is delegated to the Director of Transportation, for work upon County highways or transportation facilities, current with Public Contract Code.

Recent storm events in the Coachella Valley have resulted in flash floods that destroyed Box Canyon Road and the 70th Avenue Bridge over the Coachella Canal near the community of Mecca. The damage to these roads was severe and beyond the capabilities of County road crews to repair. Emergency contracts were considered; however, the initial costs estimates were significantly greater than the current \$500,000 delegated authority limit given to the Director of Transportation by Resolution No. 2018-009. Repair of these roadways is being done under the competitive bidding process, which will delay the start of repair by three to four months. Since these roads are under full closure due to the extent of damage, public access is impacted and long detours are currently in place, causing inconvenience to the public and businesses.

Given rising construction costs and the potential for a greater frequency of natural disasters that could damage transportation infrastructure, the Transportation Department recommends increasing the amount delegated to the Director of Transportation from \$500,000 to \$1,500,000. The typical design, bid, build procedure for a construction contract can take several months. This proposed increase would allow the department to retain the services of a construction contractor in the event of an emergency immediately, and is expected to be adequate for the majority of emergency road repairs. Having the ability to obtain a contractor immediately following a catastrophic event would allow the Transportation Department to partner with a contractor to make necessary repairs, and get damaged roads reopened to traffic, thereby reducing inconvenience to public and businesses that rely on county roads.

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

This resolution will require that, upon execution of an emergency construction contract, the Director of Transportation report back to the Board in a public meeting within 30 calendar days of executing the contract, or at the next regularly scheduled meeting beyond the 30-day mark.

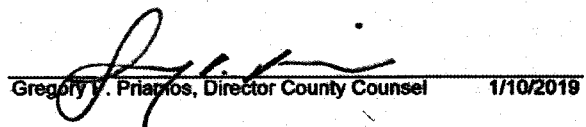
**Impact on Residents and Businesses**

The County Transportation Department is responsible for providing safe reliable roads and expeditious response during emergency events to repair roads and bridges for public use. Resolution 2019-035 would provide the safeguards needed to provide for the efficient repair of transportation infrastructure to minimize disruption to residents and businesses.

**ATTACHMENTS:**

Resolution 2019-035

  
Scott Bruckner 1/17/2019

  
Gregory V. Priamos, Director County Counsel 1/10/2019

2  
3 RESOLUTION NO. 2019-035

4  
5 A RESOLUTION OF THE BOARD OF SUPERVISORS OF  
6 THE COUNTY OF RIVERSIDE DELEGATING AUTHORITY IN THE TRANSPORTATION  
7 DEPARTMENT AS TO CHANGE ORDERS AND EMERGENCY WORK  
8

9 WHEREAS, Resolution No. 93-047, adopted by the Board on March 30, 2017, delegated  
10 certain authority for the Director of Transportation to execute change orders.

11 WHEREAS, Resolution No. 93-047 was superseded by Resolution No. 2011-015, adopted  
12 on January 11, 2011 at agenda item no. 3.80.

13 WHEREAS, Resolution No. 2011-015 was superseded by Resolution No. 2018-009,  
14 adopted on July 31, 2018 at agenda item no. 3.52.

15 WHEREAS, The Director of Transportation has recommended that the delegation of  
16 authority as to change orders and emergency work include Director of Transportation, or the Deputy  
17 Director of Transportation or registered civil engineer acting under the direction of the Director of  
18 Transportation in order to ensure effective response time that will protect the public's investment in  
19 ongoing projects.

20 BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California,  
21 in regular session assembled on January 29, 2019, as follows:

22 1. That Resolution No. 2019-035 adopted by the Board on January 29, 2019 is hereby  
23 superseded effective immediately.

24 2. That the Board delegates to the Director of Transportation, or the Deputy Director of  
25 Transportation or registered civil engineer acting under the direction of the Director of Transportation,  
26 authority to execute in the name of the County of Riverside, change orders for any contract work upon  
27 county highways or transportation facilities pursuant to Public Contract Code §20395. The authority of  
28

01.29.19 3.24

FORM APPROVED COUNTY COUNSEL  
BY *[Signature]* DATE 1/30/19  
KRISTINE BELL-VALDEZ

1 the Director and Deputy Director of Transportation to approve change orders shall be as follows: For  
2 contracts of \$50,000 or less, a change or cumulative changes shall not exceed a total of \$5,000.

3 For contracts of more than \$50,000 but not to exceed \$250,000, a change or  
4 cumulative changes shall not exceed a total of ten percent (10%) of the original contract amount.

5 For contracts of more than \$250,000, a change order shall not exceed \$25,000 plus  
6 five percent (5%) of the original contract in excess of \$250,000. An individual change order  
7 shall not exceed \$210,000 and cumulative change orders shall not exceed ten percent (10%) of the  
8 original contract amount. In no case shall an individual change or cumulative changes cause the  
9 total contract amount to exceed the budget amount approved by the Board of Supervisors.

10 3. That the Board delegates to the Director of Transportation or the Deputy Director of  
11 Transportation or registered civil engineer acting under the direction of the Director of Transportation  
12 authority to execute in the name of the County of Riverside written emergency contracts for  
13 material purchase or both work and material for the repair, maintenance or safeguarding of county  
14 highways and transportation facilities, without advertising for bids, when in the judgment of the  
15 Director of Transportation the public interest and necessity demand immediate action to safeguard life,  
16 health or property pursuant to Public Contract Code §20395. In no case shall the expenditure upon any  
17 such written contract exceed the sum of \$1,500,000. Any such emergency contracts executed by the  
18 Director of Transportation shall be reported by the Director to the Board in public meeting within thirty  
19 calendar days following execution of such contract or the first regularly scheduled Board meeting  
20 thereafter.

21 ROLL CALL:

22 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
23 Nays: None  
24 Absent: None

25 The foregoing is certified to be a true copy of a resolution duly  
26 adopted by said Board of Supervisors on the date therein set forth.

27 Kecia R. Harper, Clerk of said Board

28 By 

Deputy