

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



ITEM: 3.52
(ID # 15357)

MEETING DATE:
Tuesday, December 07, 2021

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Approve Contract Change Order No. 3 – Between the County of Riverside and Helix Environmental Construction Group, Inc., for the Construction of Integrated Mitigation Project in the French Valley area, District 3. [\$606,282 Total Cost – Local Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Contract Change Order No. 3 with Helix Environmental Construction Group, Inc. on the Integrated Mitigation Project and authorize the Chair of the Board to execute the same; and
2. Authorize the Transportation Department to issue Contract Change Order No. 3 with Helix Environmental Construction Group, Inc. on the Integrated Mitigation Project.

ACTION:Policy


Mark Lancaster, Director of Transportation 10/28/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Hewitt 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: December 7, 2021
xc: Transportation

Kecia R. Harper
Clerk of the Board

By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 606,282	\$ 0	\$ 606,282	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Measure A/Western (83%), Combined Improvement Funds (17%)			Budget Adjustment:	No
			For Fiscal Year:	21/22

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

By Minute Order 3.57 of August 4, 2020, the Board of Supervisors entered into a contract with Helix Environmental Construction Group, Inc., of La Mesa, California for the Construction of Integrated Mitigation Project.

The authorized amount of the contract was \$1,799,289. The total amount of the Contract Change Order No. 3 is \$606,282 (33.70% of the original contract amount) which exceeds the maximum change order amount that can be authorized by the Director of Transportation and requires Board of Supervisors approval in accordance with Resolution No. 2019-035.

Contract Change Order 3 allocates funds for the following efforts:

The County is required to mitigate for impacts to habitat for the federal and state listed endangered species, least Bell's vireo (LBV), that will result from the construction of Phase 3 of the Clinton Keith Road Extension Project. The mitigation effort to offset said impacts is taking place within Warm Springs Creek at Clinton Keith Road, which was determined to be the most feasible and cost-efficient approach. Additionally, the permit issued by the Army Corps of Engineers for Phase 2 of the Clinton Keith Project requires the segment of Warm Springs Creek under the bridge to be restored to pre-project conditions. Therefore, plantings and irrigation to achieve pre-project conditions are provided for under, Contract Change Order 3.

Not including this Contract Change Order, The Transportation Department has issued 3 Contract Change Orders to date totaling, \$179,522 (9.98% of the original contract amount), which was the result of:

- Unexpected soil conditions, foliage protection, hand seeding, herbicide application, irrigation system testing: \$96,003, CCO 4
- Habitat impacts mitigation and associated work and vegetation restoration, including planting additional plants, clearing and grubbing, planting container plants, hydroseed, signs and staking: \$83,918, CCO 2
- Value engineering change proposal: (\$399), CCO 1

Impact on Residents and Businesses

The improvements will enhance water quality in the watershed and biological efficacy and ultimately restore and protect the environment for local residents and future generations.

SUPPLEMENTAL:

Additional Fiscal Information

The Contract Change Order brings the total current authorized contract change order amount to \$785,804, which is 43.67% over the originally authorized contract amount of \$1,799,289. The cost increase will be funded by MeasureA/Western and Combined Improvement funds.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Change Order Report
Vicinity Map
Letter of Transmittal



Jason Farin, Principal Management Analyst 12/1/2021



Gregory L. Priamos, Director County Counsel 11/22/2021



COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

SHEET 1 OF 3 SHEETS

Contract Change Order No. 3

CONTRACT: Integrated Mitigation Project

WORK ORDER NO. C7-0032

CALTRANS EA NO. _____

LOCAL-FED AID NO. _____

STATE-FED AID NO. _____

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

Description of work to be done, estimate of quantities and prices to be paid. Segregated between additional work at contract price, agreed price and force account. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time.

Estimate of Extra Work at Agreed Lump Sum

As directed by the Engineer and in accordance with the applicable sections of the Special Provisions; the following items will be added:

- 5-Year Maintenance @ Warm Springs Creek 1 LS @ \$132,032.91 = \$132,032.91
- Adaptive Measures @ Warm Springs Creek 1 LS @ \$200,000.00 = \$200,000.00

The 5-Year Maintenance will be paid in accordance with Section 20-4.04 PAYMENT of the Special Provisions.

Adaptive measures include the following: perform surveys to identify areas with lower than average native cover and higher than average non-native cover; perform selective thinning of dead annual species, to increase native cover from perennial trees and shrubs; install container plants and install new drip irrigating lines to irrigate them in areas with below average cover; collect and install native cuttings in areas with below average cover; collect native seed and install by hand, raking the seed in the soil surface to promote germination; adjust irrigating lines as needed, and remove and re-install components seasonally to avoid damage from storm flows; increase watering event as needed for recent and previously installed container plants; perform additional maintenance events to remove weeds and treat them with herbicide prior to non-native seed setting; maintain additionally installed irrigation lines, and remove them at the completion of the project.

Adaptive measures to be paid in monthly installments of \$3,333.33 per month (\$40,000 / year for 5 years). If the project success criteria has met the native and non-native coverage after Years 3 or 4, the County will pay the full amount (\$200,000), minus \$20,000. The remaining balance will be paid upon final sign-off of the respective agency.

Total of Estimate of Extra Work at Agreed Lump Sum **\$332,032.91**



**COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT**

SHEET 2 OF 3 SHEETS

Contract Change Order No. 3

CONTRACT: Integrated Mitigation Project

WORK ORDER NO. C7-0032
 CALTRANS EA NO. _____
 LOCAL-FED AID NO. _____
 STATE-FED AID NO. _____

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

Description of work to be done, estimate of quantities and prices to be paid. Segregated between additional work at contract price, agreed price and force account. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time.

Estimate of Extra Work at Force Account

As directed by the Engineer and in accordance with the applicable sections of the Special Provisions, compensate the Contractor for costs pertaining to the installation and removal of foliage protectors on various species throughout the site, the application of the herbicide, manually pressure testing of irrigation system (EMWD review delays), and hand seeding of ephemeral drainage areas.

Force Account Payment will be in accordance with Section 9-1.04 of the Standard Specifications.

- Water Supply Line (COR 3) \$25,000.00
- Hand Contour Grading & Relocate (COR 5) \$20,000.00
- Additional Drip System Install (COR 010 & pending) \$25,000.00
- Bonding Cost \$25,000.00

Total of Estimate of Extra Work at Force Account: **\$95,000.00**

Estimate of Items at Agreed Unit Cost

As directed by the Engineer and in accordance with the applicable sections of the Special Provisions; the following items will be added:

- Irrigation (3 Years) @ WSC 123 Events @ \$1,471.85 = \$181,037.55
- Soil Stabilization(COR 008) 153,000 SQFT @ \$0.08369 = \$ 12,804.57
- SWPPP Extension (5 months) 5 EA @ \$1,300.00 = \$ 6,500.00

Irrigation will be per the below table; equally spaced through the specific time allotment.

	Year 1	Year 2	Year 3
	2 gallon/plant	3 gallon/plant	3 gallon/plant
Year 1: 90-day - February-November: 5 months, 20 weeks	2/week (41 visits)		
Year 1: May-January: 9 months, 39 weeks)	1/week (39 visits)		
Year 2-3: April-October (7 months, 31 weeks)		3/month (21 visits)	1/month (7 visits)
Year 2-3: November-March (5 months, 21 weeks)		2/month (10 visits)	1/month (5 visits)
	80 visits	31 visits	12 visits

Total increase of additional items at agreed unit cost **\$200,342.12**



COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

SHEET 3 OF 3 SHEETS

Contract Change Order No. 3

CONTRACT: Integrated Mitigation Project

WORK ORDER NO. C7-0032
CALTRANS EA NO.
LOCAL-FED AID NO.
STATE-FED AID NO.

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

Description of work to be done, estimate of quantities and prices to be paid. Segregated between additional work at contract price, agreed price and force account. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time.

Estimate of Decreases of Contract Items at Contract Unit Prices

Table with 4 columns: Item description, Quantity, Unit Price, and Total Price. Includes items like Gravel Mulch, Wood Mulch, RSP Fabric, and Traffic Control.

Estimated deduction of unit price bid item resulting from a change of more than 25 percent in the bid item's quantity, shall not be subject to adjustment.

Total Estimate of Decrease of Contract Items at Contract Unit Prices (\$21,093.17)

Total Cost for this Contract Change Order: \$606,281.86

Estimated Cost: Decrease \$ Increase \$606,281.86

Participating: Yes: [] No: [x] N/A: []

WE, the undersigned contractor, have given careful consideration to the change proposed and hereby agree that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices shown above. By reason of this proposed change 0 days adjustment of time will be allowed.

Cindi A. Wachi 09/30/2021
Approval Recommended Date
Cindi Wachi, Engineering Division Manager

Mark Lancaster 10/26/2021
Approved Date
Mark Lancaster, Director of Transportation

Accepted Helix Environmental Construction Date 10/5/21

Karen S. Spiegel DEC 07 2021
Approved Date
Chair, Riverside County Board of Supervisors
KAREN SPIEGEL

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

ATTEST:
KECIA R. HARPER, Clerk
By [Signature] DEPUTY

FORM APPROVED COUNTY COUNSEL
BY: [Signature] DANIELLE D. MALAND

Integrated Mitigation Project
 Contract CCO History

Contract No. 20-06-006
 Work Order No. C7-0032
 Contract Amount \$1,799,289.73

Single Maximum CCO \$102,464.49
 Maximum CCO's \$179,928.97

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

CCO No.	Amount This CCO	Authority	Cumulative CCO's	% Original Authorized	Cumulative CCO %	CCO Category	Classification
1	-\$398.95	Director	-\$398.95	-0.02%	-0.02%	UB	Extra/Others
2	\$83,917.17	Director	\$83,518.22	4.66%	4.64%	CFC	Unavoidable
4	\$96,003.26	Director	\$179,521.48	5.34%	9.98%	CFC	Unavoidable
3	\$606,281.86	Board	\$785,803.34	33.70%	43.67%	CFC	Unavoidable
			\$785,803.34	43.67%			

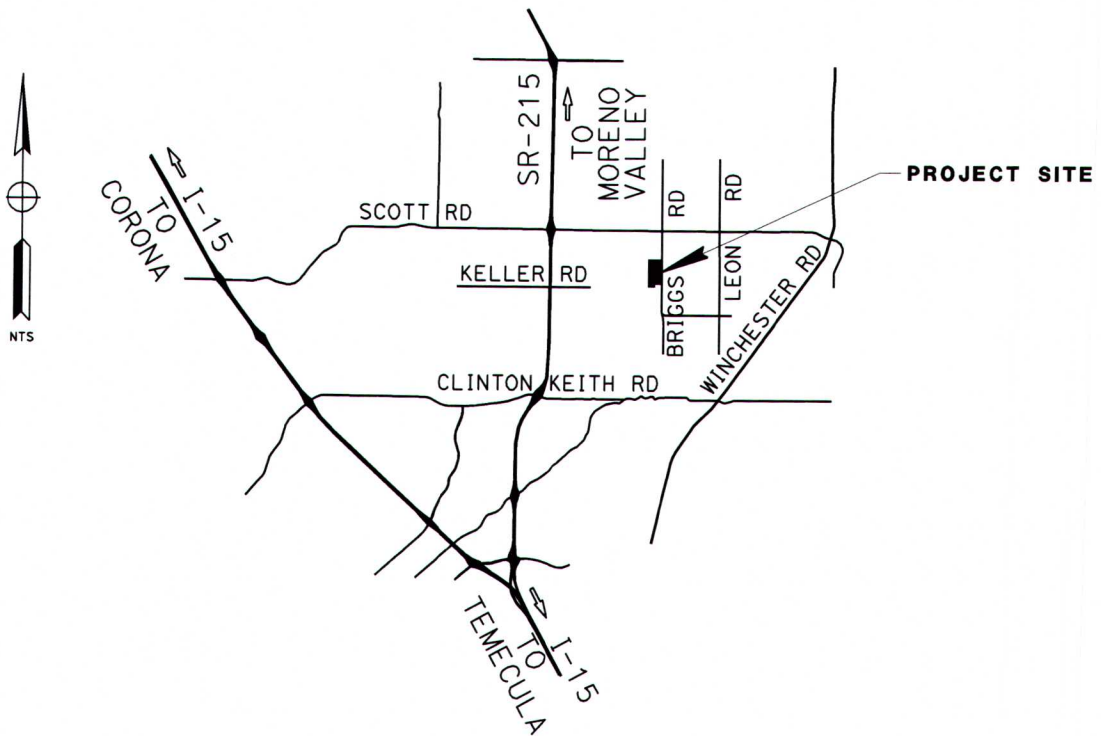
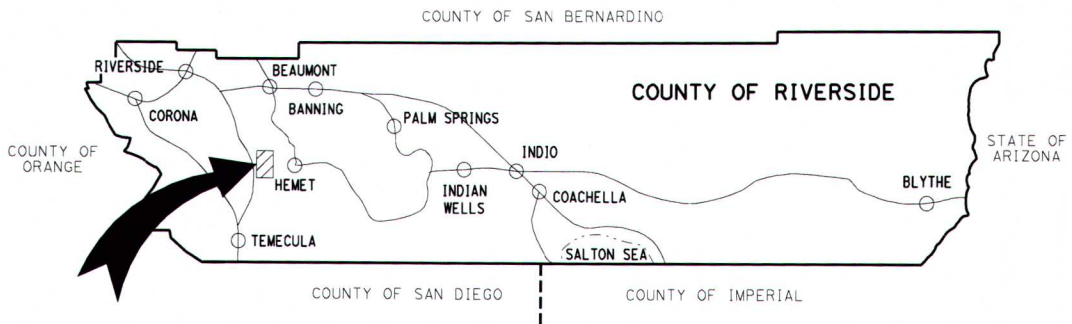
New Authorized Contract Total \$2,585,093.07
 Total CCO Dollars To Date \$785,803.34
 Total % Increased by CCO's 43.67%

COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

Integrated Mitigation Project

Located Southwest of Briggs Road and Golden Jay Lane
In the French Valley Community

Project No. C7-0032



VICINITY MAP

TOWNSHIP 6S RANGE 3W SECTION 24
COUNTY ROAD BOOK PAGE No. 121A

CHANGE ORDER REPORT (Integrated Mitigation Project)

CCO #	Amount	Percent	Description
	Original Contract Amount \$1,799,289		
1	(\$399)	(0.02%)	Value engineering change proposal submitted by the contractor in accordance with Section 4-1.07B.
2	\$83,918	4.66%	Mitigation work needed to comply with the 404 Permit issued by the Army Corps of Engineers for Phase 2 Clinton Keith Road Project, which includes vegetation restoration and additional planting when necessary.
4	\$96,003	5.34%	Various extra work due to harder than expected soil conditions including, fabrication of foliage protection installation, hand seeding, herbicide application and EMWD fees.
Authorized Change Orders	\$179,522	9.98%	
3	\$606,282	33.70%	Additional mitigation and SWPPP needed to comply with the 404 Permit issued by the Army Corps of Engineers for Phase 2 of the Clinton Keith Road Project. 5-year and 3-year irrigation plans were necessary to ensure successful vegetation growth. Mitigation was also needed for impacts to habitat of the federal and state endangered species least Bell's vireo for Phase 3 of the Clinton Keith Road Project.
Total Change Orders	\$785,804	43.67%	
Revised Contract Amount	\$2,585,093		

LETTER OF TRANSMITTAL

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

DATE: October 21, 2021

File: Integrated Mitigation Project

W.O. No.: C7-0032

C.C.O.: 3

TO: Mark Lancaster

From: Cindi Wachi

\$606,281.86 (33.70% of the original contract amount of \$1,799,289.73)

This contract change order provides for additional mitigation and SWPPP implementation to comply with the 404 Permit (SPL-2006-02205-MAL) issued by the Army Corps of Engineers for Phase 2 of the Clinton Keith Road Project. The 404 Permit requires the portion of Warm Springs Creek to be returned to pre-project conditions, which included vegetative cover. Vegetation has not grown successfully to date.

Additional mitigation is also needed to mitigate impacts to the habitat of federal and state endangered species, least Bell's vireo, for Phase 3 of the Clinton Keith Road Project. The Western Riverside Multiple Species Habitat Conservation Plan provides coverage for the least Bell's vireo. The opportunity to utilize additional acreage at Warm Springs Creek as mitigation eliminated the need to purchase land since the contractor is already responsible for mitigation work at Warm Springs Creek as part of the IMP project. The cost is in line or less than comparable projects. The project is required to be maintained for 5 years; this includes removal of non-native species.

Watering is required for 3 years, until the plants have adapted to the new habitat. The irrigation cost is based on a watering schedule determined by ICF (Environmental firm) necessary to support plant growth to provide habitat for the least Bell's vireo. There is no local water source in Warm Springs Creek; water will be brought in on each visit. Additionally, costs/acre were notably less compared to local mitigation banks and in-lieu fee program.

The amount of this Contract Change Order is \$606,281.86. The accumulation of all Contract Change Orders thus far, including this one, is \$785,803.34.

Previous Contract Change Order Amounts Approved:

See C.C.O. History
 (attached)

\$179,521.48

This Contract Change Order was discussed with County Staff and they gave their concurrence to this change.

Adjustment of Time: 0 working days

ESTIMATE OF COST

Items	(\$21,093.17)
Force Account	\$95,000.00
Agreed Lump Sum	\$332,032.91
Agreed Unit Cost	\$200,342.12
TOTAL	\$606,281.86

Cindi A. Wachi

Cindi Wachi

Engineering Division Manger

CCO	Amount	Funding Source
3	\$606,281.86	Measure A/Western (83%), Combined Improvement Funds (17%)

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



TRANSPORTATION DEPARTMENT

FORM 11 SUMMARY/ROUTING FORM

BOARD APPROVAL REQUIRED: Yes No
 COUNTY COUNSEL APPROVAL: Yes No

<input type="checkbox"/> AGREEMENT/CONTRACT	NO.:20-06-006
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REQUESTED BOARD DATE:	CAN IT GO AT A LATER DATE: <input type="checkbox"/> YES <input type="checkbox"/> NO
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<input type="checkbox"/> AMENDMENT	NO.	<input checked="" type="checkbox"/> CHANGE ORDER	NO. 3
<input type="checkbox"/> RESOLUTION	NO.	<input type="checkbox"/> ORDINANCE	NO.
<input type="checkbox"/> AWARD PACKAGE	<input type="checkbox"/> FINAL MAP	<input type="checkbox"/> ACQUISITION/EDA	<input type="checkbox"/> ADVERTISEMENT PACKAGE
<input type="checkbox"/> OTHER:	SUPERVISORIAL DISTRICT:		3 and 5

PROJECT/SUBJECT: Integrated Mitigation Project, Southwest of Briggs Road and Golden Jay Lane in the French Valley Community

CONTRACTING PARTY: Helix Environmental Construction Group, Inc.	W.O. NO.: C7-0032
PROJECT MANAGER: Benjie Cho	EXTENSION: 56736
FORM 11 AUTHOR/CONTACT: Cindi Wachi	EXTENSION: 51863

FISCAL

AMOUNT: \$	CHANGE ORDER AMOUNT: \$606,281.86
FUNDING SOURCE (S):	FUNDING SOURCE(S): Measure A/ Western Combined Improvement Funds

ROUTING

SPECIAL ROUTING INSTRUCTIONS (e.g., who receives original agreements, companion item, rush, etc.):
Please send Original Contract Change Orders W/Form-11 Summary/Routing and Approval to:
Devona Ramirez – Mail Stop 3113/Washington Yard

MINUTETRAQ (MT) NO:	TRANS TRACKING ID:	DATE RECEIVED:	INITIALS:

BOARD AGENDA DATE:	BOS ITEM NUMBER:
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