

**SUBMITTAL TO THE FLOOD CONTROL AND
WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 11.3
(ID # 22840)

MEETING DATE:

Tuesday, October 17, 2023

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Approve Change Order and Contract Increase for Bautista Creek Channel Sediment Removal, Stage 90, Project No. 4-0-00030-90, District 3. [\$580,040 Total Cost – District funds 100%] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Change Order No. 1 in the estimated amount not to exceed \$580,040 for Bautista Creek Channel Basin Sediment Removal, Stage 90 ("Project") for the removal of additional sediment material, an integral part of the project work, and authorize the Chair of the Riverside County Flood Control and Water Conservation District's ("District") Board of Supervisors ("Board") to execute the attached Change Order No. 1 on behalf of the District; and
2. Approve the contract increase for the not to exceed amount of \$580,040 for the Project and increase the total compensation to Contera Construction Corp. ("Contractor") to \$3,325,391.

ACTION: 4/5 Vote Required, Policy

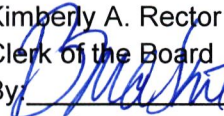
Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG

10/4/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: October 17, 2023
xc: Flood

Kimberly A. Rector
Clerk of the Board
By 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$580,040	\$0	\$580,040	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: 25140 947446 525440 Zone 4 Professional Services			Budget Adjustment:	No
			For Fiscal Year:	23/24

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The District's Board approved a contract with Contractor in the amount of \$2,745,351 as Agenda Item Number 11.1 on May 2, 2023. A brief project description and location map is attached.

The Bautista Creek Channel Basin Sediment Removal, Stage 90 Project consists of the excavating and removal of accumulated sediment to restore the basin's original capacity and function. Due to the unusually wet winter, the District's Contractor encountered a change in conditions that resulted in an estimated additional 46,000 cubic yards of sediment material that needs to be excavated from the basin. In addition to this material, another 22,000 cubic yards of sediment was deposited following Tropical Storm Hillary which also needs to be excavated from the basin.

Prev. Agn. Ref.: MT #20833 11.2 of 01/10/23 (Advertise/CEQA Exempt)
MT #21537 11.1 of 05/02/23 (Award)

Impact on Residents and Businesses

This Project consists of excavating and removing accumulated sediment to the original grade of the existing basin to restore the basin's capacity and function.

Additional Fiscal Information

Pursuant to MT #21537, Agenda Item Number 11.1 on May 2, 2023, the District's Board previously approved a contract with Contractor for \$2,745,351. The action items today would authorize an increase in total compensation to Contractor to a total of \$3,325,391.

ATTACHMENTS:

1. Change Order No. 1
2. Project Description and Location Map

SG:NG:rlp
P8/251933

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Jason Farin, Principal Management Analyst 10/10/2023



Aaron Gettis, Deputy County Counsel 10/5/2023

**RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION
DISTRICT**

**Project Name: Bautista Creek Channel Basin Sediment Removal,
Stage 90**

Sheet 1 of 2

Project No.: 4-0-00030-90

CONTRACT CHANGE ORDER NO. 1

To **Contera Construction Corporation**, Contractor you are hereby directed to make the herein described changes from the plans and specifications or to do the following described work not included in the plans and specifications.

NOTE: THIS CHANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED AND EXECUTED BY THE GENERAL MANAGER-CHIEF ENGINEER, IF APPLICABLE SIGNATURE AUTHORITY APPROVAL HAS BEEN GRANTED BY BOARD ORDER OR THE BOARD OF SUPERVISORS OF THE DISTRICT.

Description of work to be done, estimate of quantities, and prices to be paid. 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. Change requested by District.

The Bautista Creek Channel Basin Sediment Removal, Stage 90 project (Project) consists of the excavating and removal of accumulated sediment to restore the basin's original capacity and function. Due to the unusually wet winter, the District's Contractor, Contera Construction Corp., encountered a change in conditions that resulted in an additional 46,000 cubic yards of sediment material that needed to be excavated from the basin.

Following Tropical Storm Hilary, the project site received an additional 22,000 cubic yards of sediment that needed to be excavated from the basin.

Section 2.07 of the General Provisions allows the District to add Extra Work, when confronted with unpredicted conditions, unforeseen events, or emergencies.

Exhibit 1, Updated Grading Plan - Extra Work which includes additional labor, materials, and equipment that is needed for work around this unforeseen issue. The total proposed compensation for the Extra Work is \$580,040.00.

Table 1: Contract Cost Summary

Original Contract Cost	\$2,745,350.94
<u>Prior Authorized Change:</u>	
Increase:	\$0.00
Decrease:	-\$0.00
Net:	\$0.00
Total Contract Cost Prior to this Change Order	\$2,745,350.94
<u>Authorized Changes on this Change Order:</u>	
Increase:	\$580,040.00
Decrease:	-\$0.00
Net:	\$580,040.00
Amount of Contract Authorized Including this Change Order	\$3,325,390.94

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Table 2: Contract Working Days Summary

Original Contract Duration	100 Contract Working Days
Prior Authorized Time Extensions	0 Contract Working Days
Contract Change Order 1 Time Extension	36 Contract Working Days
Revised Contract Duration	136 Contract Working Days

ATTEST:
 KIMBERLY A. RECTOR, Clerk
 By [Signature]
 DEPUTY

Submitted by: [Signature] Date: 10/2/23
 NICHOLAS GUIZADO, Construction Engineer

Approved by: [Signature] Date: Oct 2, 2023
 for JASON E. UHLEY, General Manager-Chief Engineer

[Signature] Date: 10/17/23
 Chair, Board of Supervisors **KAREN SPIEGEL**

We, the undersigned Contractor, have given careful consideration to the change proposed, including its effect on other work already contracted for, and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services necessary for the work above specified, and will accept as full payment for all costs related in any way thereto the prices shown above. Contractor expressly waives any contract right to pursue any further claim, including indirect or impact costs, related to this change order work.

Accepted: Date: 10/02/2023 Contractor: Contera Construction Corporation

By: [Signature] Title: CFO

If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to the proceeding with the ordered work and filing a written protest within the time therein specified.

SG:NG:rlp
 P8/251935

FORM APPROVED COUNTY COUNSEL
 BY [Signature]
 KRISTINE BELL-VALDEZ DATE

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