



CITY OF MENIFEE

SUBJECT: Contract Change Order with Riverside Construction Company, Inc. for the Holland Road/I-215 Overcrossing

MEETING DATE: April 17, 2024

TO: Mayor and City Council

PREPARED BY: Carlos Geronimo, Engineering Manager

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Receive an update and ratify contract Change Order Nos. 1 through 8 with Riverside Construction Company, Inc., for construction services on the Holland Road/I-215 Overcrossing, in the amount of \$108,012.25 pursuant to Meniffee Municipal Code §3.12.090; and
2. Approve and authorize the City Manager to execute Contract Change Order No. 9 with Riverside Construction Company, Inc. for construction services on the Holland Road/I-215 Overcrossing, in the amount of \$35,000, increasing the contract value to a total amount not-to-exceed \$25,991,416.10.

DISCUSSION

The Holland Road / I-215 Overcrossing, Capital Improvement Program (CIP) Project No. 13-03 ("Project") is the construction of a four-lane bridge and road over the Interstate 215 from Haun Road to Hanover Lane connecting the City's east and west sides. The Project improvements also include construction of Mechanically Stabilized Earth (MSE) retaining walls on the east side, drainage, irrigation, and landscaping improvements, and installation of two traffic signals at Haun Road and Hanover Lane.

On October 19, 2022, the City Council approved a construction budget of \$27,647,109 and awarded the construction services contract to Riverside Construction Company, Inc. ("Contractor") in the amount of \$25,848,403.85. Construction work for the Project began in January 2023 and is ongoing.

Although staff makes every effort to carefully study and anticipate the extent of the scope of work required to achieve project goals, unforeseen needs are often encountered as a project progresses. Unknown site conditions, utility conflicts discovered during construction activities,

design clarifications, and additional expenses to comply with contract documents can result in additional work outside of the original scope and contract amount.

Pursuant to Menifee Municipal Code §3.12.090, change orders in an amount greater than 10% of the contract amount or that exceed \$25,000 must be approved by the City Council. In keeping with the provisions of the Menifee Municipal Code, Contract Change Order (CCO) No. 2 and CCO No. 9, associated with the Project require ratification / approval by the City Council.

CCO No. 2 provided for time and materials-based work, monitored by inspectors throughout the duration of the project including additional traffic control measures and other work required to address unknown underground utility conflicts and unanticipated safety elements identified during the course of construction.

CCO No. 9 is the result of an administrative compliance requirement which establishes a project Dispute Board Resolution (DRB) in accordance with the 2018 Caltrans Standard Specifications 5-1.43E. The DRB is required for projects within Caltrans right-of-way and is utilized for the timely resolution of disputes that arise out of the Project work and is necessary to pursue a claim, file for arbitration, or file for litigation. The DRB is composed of three impartial professional expert members selected by the City and Contractor. Pursuant to the 2018 Caltrans Standard Specification 5-1.43E(i), the City is required to reimburse the Contractor for half of the invoice costs to the DRB and half of the costs of any outside technical services. To date, there have been three DRB disputes related to unknown conditions or unclear plans/specifications claimed by the contractor including:

1. Unknown conditions related to drilling of Cast-in-place Holes (CIDH) piles.
2. Foundation rebar bid item and payment (not CIDH).
3. Time Related Overhead (TRO) for delays associated with unknown conditions.

Item 2 referenced above has been resolved in favor of the City, while items 1 and 3 are still pending a determination. CCO No.9 would ensure that adequate funding is available in the Project budget to meet this administrative requirement. The approval of CCO No. 9 would increase the total not-to-exceed value of the contract to \$25,991,416.10.

To provide a full picture of the Project costs to date, a summary of CCO Nos. 1-9 is outlined in Table 1 on the following page. Continued progress in completion of the required Project work requires ratification of the CCO No. 1-8 and approval of CCO No. 9.

Table 1 - Contract Activity Summary

Contract Activity		Approval Date	Summary of Changes	Amount
<i>Original Contract</i>		<i>October 19, 2022</i>	<i>Construction services</i>	<i>\$25,848,403.85</i>
CCO No. 1		April 17, 2023	12" C900 DR 14 Fusible Pipe	\$20,537.39
CCO No. 2		May 15, 2023	Extra Work for miscellaneous items	\$49,000.00
CCO No. 3		May 31, 2023	Irrigation Modifications Plan IP-5	(\$9,000.00)
CCO No. 4		July 27, 2023	Adjustment of Girder Flare Thickness	\$0.00
CCO No. 5		September 5, 2023	Misc. Extra Work T&M	\$16,824.94
CCO No. 6		September 21, 2023	Misc. Extra Work T&M (EMWD)	\$3,412.35
CCO No. 7		December 13, 2023	DB Electric Extra Work for Frontier	\$17,892.61
CCO No. 8		January 26, 2024	Modify bridge utility opening and provide additional rebar; perform exothermic welding at the bridge	\$9,344.96
CCO No. 9		PENDING	Caltrans required DRB budget	\$35,000.00
TOTAL				\$25,991,416.10

STRATEGIC PLAN OBJECTIVE

Connectivity and Mobility

FISCAL IMPACT

The total of all the CCO's (1-9) is \$143,012.25 or 0.55% of the total contract amount, well below the 10% threshold established in Menifee Municipal Code. The fiscal impact of the proposed CCO No. 9 is \$35,000. The funding required to support the proposed change order is available in the adopted Project budget, as summarized in Table 2 below.

Table 2 - Existing Project Funding

Fund	Project	Account No.	Available Budget
Menifee Valley RBB	Holland Road/I-215 Overcrossing	415-4555-58021	\$415,496.40

No additional budget appropriation action(s) is required.

ATTACHMENTS

1. Project Location Map
2. CCO No. 9
3. CCO No. 1
4. CCO No. 2
5. CCO No. 3
6. CCO No. 4
7. CCO No. 5
8. CCO No. 6
9. CCO No. 7
10. CCO No. 8