

COUNTY OF VENTURA
PUBLIC WORKS AGENCY

MEMORANDUM

March 15, 2024

To: David Fleisch, Interim County Engineer *DF*
Via: Anitha Balan, Director - Roads & Transportation *AB*
From: Gianfranco Laurie, Deputy Director - Roads & Transportation *GL*
Joshua Patricio, Project Engineer *JP*

Subject: CONTRACT CHANGE ORDER NO. 4
APPROVAL REQUESTED
Countywide Storm Drain Repairs
Project No. 50650, Spec No. RD24-04
Contractor: Sam Hill & Sons, Inc.

Reason for Change:

<input type="checkbox"/> Changed Conditions: 3-4.1	<input type="checkbox"/> Type 1	<input type="checkbox"/> Type 2	<input type="checkbox"/> Type 3
<input checked="" type="checkbox"/> Operating Agency Request	<input type="checkbox"/> Claims Settlement	<input checked="" type="checkbox"/> Design Discrepancy	
<input type="checkbox"/> New Code Requirements	<input type="checkbox"/> Minor Modification in Details		
<input type="checkbox"/> Agency Caused Delay	<input type="checkbox"/> Contractor Proposed Cost Reduction		
<input type="checkbox"/> Alternative Products	<input type="checkbox"/> Other _____		

Justification for Change:

Initial project scope was to replace a damaged 12' section of corrugated metal pipe (CMP) and build a headwall on the outlet side of the culvert, however field and existing drainage conditions have changed due to heavy rainfall in 2024. A portion of the roadway, asphalt concrete (AC) berm, and hillside slope washed away at the outlet side of the culvert after the 2024 rainfall events. This exposed more of the 30" CMP in the roadway which was damaged. The 30" CMP needs to be replaced across the roadway, and the hillside needs to be built back up and stabilized in order to prevent further damage to the roadway and restore proper drainage.

4.0 Replacement of CMP and Hillside Restoration at Broadway Road
Quantity Authorized: 1 LS
Contract Unit Price: \$65,648.00

Contractor shall replace the existing damaged 30" CMP across the roadway, tie into the existing inlet and new headwall outlet, and rebuild the hillside slope. Trenching operations shall follow County of Ventura Road Standards Plate E-11, unless otherwise directed by the Engineer. Proper fill material shall be imported, and hillside shall be restored to a 1:1 max slope, compacted to at least 90%, and hydroseeded. AC dike shall be constructed on the north end at the edge of existing pavement to direct surface flow into the inlet.

The item on this CCO is eligible for FEMA reimbursement.

Justification of Cost & Time Adjustment:

Contractor's Proposal	\$67,052.00	Contractor's Time Proposal	8 working days
PM's Original Estimate	\$61,792.00	PM's Original Time Estimate	8 working days
PM's Revised Estimate	n/a	PM's Revised Time Estimate	n/a
Negotiated Amount	\$65,648.00	Negotiated Time Adjustment	8 working days

Total cost of this change order is \$65,648.00.

Discussion of Negotiations:

- Contractor has signed the CCO.
- Contractor has orally agreed to this CCO, but the signature of the contractor has not been able to be obtained without delaying the project work.
- Contractor has indicated that the CCO being submitted will not be signed and it is recommended that the CCO be issued unilaterally.

Change Order Percentages:

Percent change, this change order	8.42%
Cumulative percent change to date	8.80%

Recommendation:

- It is recommended that you execute this change order which is NOT within your authority based on the following: The Contract Change Order is more than \$51,499.95 (\$25,000 + 5% of \$529,999.00) and therefore not within the authority of the Director of Public Works in accordance with 7.7.2.1 of the PPM.
- Please sign change order.
- It is recommended that you approve this change order for submittal to the Board. The draft Board Letter is attached for your review.

Attachments:

1. Engineer's Estimate
2. Contractor's Proposal
3. Change Order
4. Draft Board Letter



Lic. # 648594

P.O. Box 5670
 Ventura, CA 93005
 Phone: (805) 644-6278
 Fax: (805) 644-2813

To:	County Of Ventura Public Works Agency	Contact:	Joshua Patricio
Address:	800 S. Victoria Avenue Ventura, CA 93009-1600	Phone:	(805) 654-2018
Project Name:	County Storm Drain Repairs RD24-04 50650	Bid Number:	
Project Location:	Ventura, Ojai, Santa Paula, And Moorpark, CA	Bid Date:	1/10/2023

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
CO 3 - Broadway Road					
39	Broadway Road MP 0.14 - Additional - Traffic Control & Construction Signing	1.00	LS	\$4,400.00	\$4,400.00
40	Broadway Road MP 0.14 - Import Material And Rebuild Slope	188.00	TON	\$120.00	\$22,560.00
41	Broadway Road MP 0.14 - Additional - Corrugated Metal Pipe (Native For Backfill, Sand For Pipe Zone In Street)	54.00	LF	\$580.00	\$31,320.00
43	Broadway Road MP 0.14 - Additional - AC Pavement Repair	7.00	TON	\$464.00	\$3,248.00
44	Broadway Road MP 0.14 - Additional - Processed Miscellaneous Base	6.00	TON	\$150.00	\$900.00
45	Broadway Road MP 0.14 - Additional - AC Dike (North Side Of Road)	20.00	LF	\$161.00	\$3,220.00
Total Price for above CO 3 - Broadway Road Items:					\$65,648.00

CO 3 - Add Alternates

CO 3 - Broadway Road

41.AA1	Broadway Road MP 0.14 - Slurry For Backfill In Street	54.00	LF	\$110.00	\$5,940.00
46.AA2	Broadway Road MP 0.14 - Remove And Replace Existing 12" CMP Inlet To 30" CMP	1.00	LS	\$3,650.00	\$3,650.00
46.AA3	Broadway Road MP 0.14 - 36"x36" Catch Basin (North Side Of Road)	1.00	EACH	\$14,000.00	\$14,000.00
Total Price for above CO 3 - Broadway Road Items:					\$23,590.00

Total Price for above CO 3 - Add Alternates Items: \$23,590.00

Notes:

- **Included:** Casitas Vista MP 0.69 - Excavate and Raise Existing CMP Slurry Backfill in Street, Repave (Contract Price), Base (Contract Price), Rock for Bottom of Trench, Traffic Control by 2 Flaggers. Plates to be Countersunk.
- **Excluded:** Permits, fees, bonds, engineering, staking, compaction tests, grading, SWPPP, striping, handling or disposal of hazardous materials, conflicts with existing utilities, landscaping, irrigation, de-watering of trench, raising of inlet Catch Basin.
- This proposal does not include pipe / pipe material, if existing pipe is not in good condition Ventura County will supply pipe.
- Days Added due to this Change Order: 4
- Trench plates, barricades & caution tape for work on-site will be provided as requested, on a T & M Basis.
- Proposal is Non-Divisible; All Items are to be accepted in order to effect line item pricing.
- Price is good for 30 days from date of quote.
- **DIR #1000008073**



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To: County Of Ventura Public Works Agency	Contact: Joshua Patricio
Address: 800 S. Victoria Avenue Ventura, CA 93009-1600	Phone: (805) 654-2018
	Fax:
Project Name: County Storm Drain Repairs RD24-04 50650	Bid Number:
Project Location: Ventura, Ojai, Santa Paula, And Moorpark, CA	Bid Date: 1/10/2023

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Sam Hill & Sons, Inc.</p> <p>Authorized Signature: _____</p> <p>Estimator: Caleb Litten 805-432-5739 caleb@samhillandsons.com</p>
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ESTIMATE OF COST

PROJECT TITLE: Countywide Storm Drain Repairs

PROJ. NO: 50650

Adjustment of Culvert

LOCATION: Casitas Vista Rd

Traffic Control	1 LS	\$8,000.00	\$ 8,000.00
CMP Replacement and Trenching	54 LF	\$606.00	\$ 32,724.00
PMB	6 TN	\$150.00	\$ 900.00
AC	7 TN	\$464.00	\$ 3,248.00
Import Fill Materila, Rebuild Hillside and Stabilize	188 TN	\$90.00	\$ 16,920.00

Total Cost of CCO #3	\$ 61,792.00
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Estimated by: JP

Spec No. RD24-04

Public Works Agency
Contracting Agency: County of Ventura
CONTRACT CHANGE ORDER NO. #4

Project Name: Countywide Storm Drain Repairs

ACCOUNTING	A/C Contract No.	Budget Dept/Acct No.	Project No.
DATA:		4083-4901	50650

To: Sam Hill & Sons, Inc.

You are hereby directed to make the following changes to the plans and specifications for this contract.

Note: This change order is not effective until approved by the Board of Supervisors, Director of Public Works Agency, a Department Director (as Deputy Director - Public Works Agency) or Deputy Purchasing Agent, as indicated.

4.0 Add New Contract Item: Replacement of CMP and Hillside Restoration at Broadway Road

+1 LS @ \$65,648.00/LS.....\$65,648.00

Contractor shall replace the existing damaged 30" CMP across the roadway, tie into the existing inlet and new headwall outlet, and rebuild the hillside slope. Trenching operations shall follow County of Ventura Road Standards Plate E-11, unless otherwise directed by the Engineer. Proper fill material shall be imported, and hillside shall be restored to a 1:1 max slope, compacted to at least 90%, and hydroseeded. AC dike shall be constructed on the north end at the edge of existing pavement to direct surface flow into the inlet.

The total cost of this change order is \$65,648.00

By reason of this order, the time of completion will be adjusted as follows:	8 Working Days
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RECOMMENDED *Gimpone-Laine* REG. NO. 80532 DATE 05/20/24
 FOR APPROVAL BY: Board of Supervisors

APPROVED BY _____ DATE _____

The undersigned contractor has given careful consideration to the change proposed, including its effect on other work already contracted for, and hereby agrees, if this change order is approved, that he 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 for all costs related in any way thereto the prices shown above.

ACCEPTED, CONTRACTOR

BY *Ronald de Hill* TITLE President DATE 5/20/24

If this contract change order is executed by the Agency, but the Contractor does not sign it, the Contractor shall, as required by the Specifications cited: 1. Proceed with the ordered work (Subsections 3-2.2.3 and 3-5); 2. File a written Notice of Potential Claim before commencing the work ordered (Subsection 6-11); and 3. Keep and furnish daily records of materials, equipment and labor (Subsections 3-3.3 and 3-5)

Spec No. RD24-04

County of Ventura
Public Works Agency
Contracting Agency: County of Ventura
CONTRACT CHANGE ORDER NO. #4

Project Name: Countywide Storm Drain Repairs

The following is for Agency use only and is not a part of this change order.

FUNDING RECAPITULATION:

ORIGINAL CONTRACT PRICE	\$	779,999.00
PREVIOUS CONTRACT CHANGE ORDERS	\$	68,639.00
CONTRACT CHANGE ORDER NO. #4	\$	65,648.00
REVISED CONTRACT PRICE	\$	<u>914,286.00</u>

Concurred to by: _____ Date: _____

Central Services
 Joan Araujo, Director

Engineering Services
 James O'Tousa, Director

Roads & Transportation
 Anitha Balan, Director

Water & Sanitation
 Joseph Pope, Director

Watershed Protection
 Vacant, Director

June 18, 2024

Board of Supervisors
 County of Ventura
 800 South Victoria Avenue
 Ventura, California 93009

Subject: Approval of Contract Change Order No. 4 in the Amount of \$65,648.00 with Sam Hill & Sons, Inc. of Ventura, California for the Countywide Storm Drain Repairs Project; Raising the Total Contract Amount from \$848,638.00 to a Total Amount of \$914,286.00; Project Specification No. RD24-04; Project No. 50650. Supervisorial District No(s). 1, 3, and 4.

Recommendations:

Approval of Contract Change Order No. 4 in the Amount of \$65,648.00 with Sam Hill & Sons, Inc. of Ventura, California for the Countywide Storm Drain Repairs Project; Raising the Total Contract Amount from \$848,638.00 to a Total Amount of \$914,286.00.

Fiscal/Mandates Impact:

Mandatory: No Yes City Authority:
 Source of Funding: Federal Emergency Management Agency (FEMA)
 Road Fund
 Funding Match Required: No
 Impact on Other Department(s): None

Summary of Revenue and Total Costs	FY 2023-2024	FY 2024-2025
Revenue:	\$ 65,648	\$ 0
Costs:		
Direct	\$ 65,648	\$ 0
Indirect - Agency/Department	\$ 0	\$ 0
Indirect – CAP	\$ 0	\$ 0
Total Costs	\$ 65,648	\$ 0
Net Road Fund Costs Including Indirects	\$ 0	\$ 0
Recovered Indirect Cost (Dept. and County CAP)	\$ 0	\$ 0



Current FY 2023-2024 Budget Projection for Road Fund Unit 4081				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/Deficit)
Appropriations				
Revenue				
Net Cost				

Sufficient revenue and appropriations are available in the FY 2023-2024 Road Fund budget.

Discussion:

On February 6, 2024, your Board authorized the award of a construction contract to Sam Hill & Sons, Inc., in the amount of \$779,999.00. The project consists of repairing and improving the existing storm drain infrastructure at various locations throughout unincorporated Ventura County.

The recent 2024 rainfall events have caused field and existing drainage conditions to change from those represented in the Plans & Specifications. As a result of the rain events, there has been an increase in the saturation of the ground raising water levels in the streambed surfaces and causing additional roadway damage. These changed conditions have resulted in three prior contract change orders (CCO) to compensate the contractor for the additional work. At the Broadway Road location, a portion of the roadway and hillside washed out causing more damage to the existing culvert pipe. CCO No. 4 is to replace the entire length of the pipe, repair the roadway, and restore and stabilize the hillside. These repairs will allow the safe passage of vehicles and provide proper drainage in the area.

The previous three CCO's were within the authority of the Interim County Engineer and were approved. However, CCO No. 4 is for \$65,648.00, which is above the authority of the Interim County Engineer, hence this request for approval by the Board of Supervisors. The addition of CCO No. 4 will increase the current contract cost of \$848,638.00 to a total of \$914,286.00.

Additional right-of-way is required to construct the drainage improvements. All permanent easements and temporary construction easements will be obtained prior to construction at the locations.



The estimated total project costs are as follows:

Preliminary Engineering	\$ 152,346
Construction Contract including Contingencies	\$ 899,999
Construction Engineering, Materials Testing, etc.	\$ 80,000
Right-of-Way	\$ 8,000
Previous Change Orders	\$ 68,639
Change Order #4	\$ 65,648
Total	\$ 1,274,632

Strategic Plan:

This item contributes to the Board of Supervisors (Board) 2024-2027 strategic priority to provide:

- III. Reliable infrastructure and sustainability through
 - 3. Investing in sustainable infrastructure, renewable energy, and preservation of our natural resources.

This letter has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have any questions, please contact the undersigned at 805-654-2077.

ANITHA BALAN, PE
Director
Roads & Transportation

Attachments:

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Location Map
- Exhibit 3 – Contract Change Order No. 4

