



# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY



### Transportation Department

*Juan C. Perez, P.E., T.E.*  
*Director of Transportation*

November 13, 2013

Ahmad Bagheri, Executive Vice President  
OHL USA, Inc.  
1920 Main Street, Suite 310  
Irvine, CA 92614

**RE: Notice of Acceptance of Proposal and Intent to Award  
Magnolia Avenue/ BNSF Railway, Grade Separation Project, between Lincoln  
Street and Buchanan Street, in the City of Riverside and Home Gardens area  
Project No. B7-0784, Federal Aid No. TCIFCML -5956 (193)**

Dear Mr. Bagheri:

Please consider this as the County of Riverside's notice to your firm that it accepts your proposal received October 23, 2013 for the referenced project, and that the County of Riverside intends to award the construction contract to your firm.

Base Bid Schedule and Alternate Bid Schedule 1 (Home Gardens Sanitary District) are selected for award; therefore, the total contract amount is \$34,167,522.42.

Your company's Bid for the referenced project required corrections in accordance with the Instructions to Bidders Item 22, "Bids" (Page A16). The bid quantities and bid unit prices were re-calculated for bid items 51, 59, 89, 96, 103, 121, and 202 to provide correct bid item subtotals. Due to these corrections, the Base Bid subtotal, written on your submitted Bid, changed from \$34,084,323 to \$34,082,306.42. As a result, the Project Total is revised from \$34,169,539, as written on your submitted Bid, to \$34,167,522.42. These corrections are reflected in the Contract. A copy of your submitted Bid is also attached for your reference.

Per Instruction to Bidders Item 27.D (Page A20), the County has selected to award the contract prior to execution by the Contractor. Once the contract is executed by the Chairman of the Board of Supervisors, we will forward 5 original contracts documents to your company for signatures. The Contract is anticipated to be approved for award on December 3, 2013. Meanwhile, a copy of Contract that was sent to our Board of Supervisors is attached for your information.

Attached for execution, by your company, is a copy of a Faithful Performance Bond form and a Payment Bond form.

We request that you initiate preparation of the bonds for the project, in accordance with the contract requirements. Submit two (2) original Faithful Performance Bonds, two (2) original Payment Bonds, and one (1) complete insurance certificate package that conforms to the terms of the bid documents.

Insurance documentation must include additional insured endorsements for General Liability policies, Automobile Liability policies, and Excess Liability policies. Additionally, a Waiver of Subrogation shall be furnished for the Worker's compensation policy. All endorsements must be signed by authorized broker or insurance carrier. Attached to this letter is a Brief List of Contract Insurance Requirements.

In addition to the County of Riverside, the additional insured endorsements and waiver of subrogation must name the following:

1. The City Riverside, its elected and appointed officials, employees, agents, and representatives,
2. Burlington Northern Santa Fe (BNSF), its elected and appointed officials, employees, agents, and representatives,
3. Riverside County Flood Control and Water Conservation District, its elected and appointed, officials, employees, agents, and representatives,
4. Southern California Edison (SCE), its elected and appointed officials, employees, agents, and, representatives,
5. Southern California Gas Company (SCG), its elected and appointed officials, employees, agents, and representatives,
6. AT&T, its elected and appointed officials, employees, agents, and representatives,
7. Riverside Public Utilities, its elected and appointed officials, employees, agents, and representatives,
8. Sunesys, its elected and appointed officials, employees, agents, and representatives,
9. Home Gardens Sanitary District, its elected and appointed officials, employees, agents, and representatives,
10. Santa Ana Water Project Authority, its elected and appointed officials, employees, agents, and representatives,
11. Time Warner, its elected and appointed officials, employees, agents, and representatives,

Each of the above listed entities shall also be held harmless, in accordance with the requirements of General Conditions Section 4, "Insurance and Hold Harmless" of the Specifications and Contract Documents Book.

As required in Section 00-1.10 of the Special Provisions, the Contractor shall provide All Risk Builder's Risk (Course of Construction) insurance, including earthquake and flood, property at off-site storage locations and while in transit. This insurance policy can be submitted when construction is about to begin.

Additionally, please Refer to Appendix "F" page 63 of 75 of these Special Provisions for BNSF insurance requirements set forth in Exhibit "C-1" and section 3 "Insurance". Additionally, refer to General Condition item 4, "Insurance and Hold Harmless. Contractor must provide one acceptable set of insurance documents for this project.

For any differing provisions between the General Conditions and the BNSF requirements, insurance documents shall contain the higher of any stated coverage amounts and also contain the most stringent requirements.

Failure to submit all of the above listed documents to the Transportation Department within the specified time in the special provision may cause the County of Riverside to consider your firm as not being in compliance with the bid documents, resulting in rescission of the Notice of Acceptance and Intent to Award and the pending award approval, and your bid bond being forfeited on that basis.

Following full execution and award of the contract by the County of Riverside Board of Supervisors and your company, your company will be requested return the signed documents. Upon final review and acceptance, one original set of the agreement and bonds will be returned to you for your file.

Attached is a copy of the summary of bids for your use and reference.

If you have any questions or need additional information, please contact me at your convenience at (951) 955-1537 or Saleem Baig at (951) 955-1682.

Sincerely,



Joel Jimenez, P.E.  
Senior Civil Engineer  
Contracts / Bidding Unit

JRJ:jrj:sb

Attachments: Contract, 1 draft set  
Performance Bond form  
Payment Bond form  
Brief List of Contract Insurance Requirements  
Summary of Bids  
Copy of your bid proposal (pages B2-B10)

cc: Khalid Nasim  
Scott Staley  
Chronological File  
Construction/Inspection File with Attachments  
Project File