

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

811



FROM: Economic Development Agency/Facilities Management

SUBMITTAL DATE:
March 10, 2011

SUBJECT: Larry D. Smith Correctional Facility Expansion No. 3 – Notice of Completion

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the Larry D. Smith Correctional Facility Expansion No. 3 constructed by Bernards Bros., Inc., as complete and authorize the Clerk of the Board to record the Notice of Completion; and
2. Authorize the release of \$3,173,000 in retained funds to the contractor in accordance with the contract terms.

BACKGROUND: Commences on Page 2

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 3,173,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 3,173,000	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: General Fund Designation	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE
BY: Jennifer L. Sargent

County Executive Office Signature

FISCAL PROCEDURES APPROVED
 PAUL ANGIULO CPA, AUDITOR-CONTROL FORM APPROVED COUNTY COUNSEL
 DATE 3/3/11
 BY: MARSHAL VICTOR
 DEPARTMENTAL CONCURRENCE
 SAMUEL WONG
 SHERIFF-CORONER-PA
 STANLEY L. SNIFF JR.

Dept's Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

BACKGROUND:

On November 30, 2010, the Board of Supervisors approved the retention reduction for Bernards Bros., Inc. from 10% to 5%. The project has been inspected and found to comply with all contract requirements; however, the Economic Development Agency (EDA) will withhold \$238,450 from the retention money for miscellaneous punch list items that need to be addressed. This will reduce the remaining contract retention balance from \$3,173,000 to \$2,934,550. Upon completion of the punch list items and EDA has inspected and approved the work, the remaining retention money withheld will be released. This Board action will release the remaining balance of the contract retention funds to Bernards Bros., Inc.

This Notice of Completion concludes Larry D. Smith Correctional Facility Expansion No. 3 cost obligations with the sole exception of a Banning sewer fee assessment. The final sewer assessment will be calculated by measuring the facility's discharge during the first 6 months of full operation. Based on maximum possible use estimates, this one-time fee will be \$1.3 million or less. The department will budget a reserve in FY 11/12 to cover the fee. The full project should come in within budget targets, though the Banning fee could result in a small (1.5%) overrun.

All cost associated with this project will be fully funded by General Funding Designation. Thus, no additional net county cost will be incurred as a result of this agreement.

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 - RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 - RIVERSIDE, CA 92502

THIS SPACE FOR RECORDERS USE ONLY

NOTICE OF COMPLETION

To be recorded with County Recorder
within 10 days after completion.
No recording fee.

Notice is hereby given by the undersigned owner, a public entity of the State of California, that a public work of improvement has been completed, as follows:

Project title or description of work: Larry D. Smith Correctional Facility Expansion No. 3 (FM08250003738)

Date of Completion: Date Hereof

Nature of owner: County of Riverside, public entity

Interest or estate of owner: In Fee

Address of owner: Clerk of Board of Supervisors, County Administrative Center, 4080 Lemon St., Riverside, CA 92501

Name of contractor: Bernards Bros. Inc., 555 First Street, San Fernando, CA 91340

Street or legal description of site: 1627 S. Hargrave Street, Banning, CA 92220

Dated:

Owner: County of Riverside
(Name of Public Entity)

By: _____
Bob Buster, Chairman, Board of Supervisors

STATE OF CALIFORNIA)

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COUNTY OF RIVERSIDE)

I am the Chairman of the governing board of the County of Riverside, the public entity which executed the foregoing notice and on whose behalf I make this verification; I have read this notice, know its contents, and the same is true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Riverside, California on _____

_____, Bob Buster, Chairman of the Board of Supervisors

ATTEST: KECIA HARPER-IHEM, Clerk of the Board

By: _____ Deputy

FORM APPROVED COUNTY COUNSEL
BY: Marsha L. Victor 2/2/11
MARSHA L. VICTOR DATE