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



FROM: Department of Facilities Management **SUBMITTAL DATE:** July 9, 2003

SUBJECT: NOTICE OF COMPLETION: SOUTHWEST JUSTICE CENTER
COURTS PROJECT

RECOMMENDED MOTION: That the Board:

1. Approve the attached settlement agreement and increase the project budget by \$494,000;
2. Accept the construction of the Southwest Justice Center Courts project performed by Turner Construction as complete; and,
3. Authorize the Clerk of the Board to file the Notice of Completion

BACKGROUND: Minute Order 3.41, dated March 26, 2002, authorized Facilities Management to negotiate an agreement with Turner Construction for the completion of the Southwest Justice Center.

(Continued on Page 2)

MJS:GC

for T.L. Miller

MICHAEL J. SYLVESTER, Director
Department of Facilities Management

**REQUIRES
4/5 VOTE**

FINANCIAL DATA:
CURRENT YEAR COST
NET COUNTY COST

ANNUAL COST: N/A
IN CURRENT YEAR BUDGET: Yes
BUDGET ADJUSTMENT: No FOR FY: 2003

SOURCE OF FUNDS: Bond Proceeds

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Officer Signature *[Signature]*

Reviewed by
[Signature]
CIP TEAM

FORM APPROVED
COUNTY COUNSEL
JUL 16 2003
BY *[Signature]*

Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref. Dist. 3
M.O. 3.34, 11/5/02; M.O. 3.41, 3/26/02; M.O. 3.39, 3/14/00;
M.O. 3.30, 1/5/99; M.O. 3.1, 3/3/98; M.O. 3.36, 10/28/97

AGENDA NO.

3.3

BOARD OF SUPERVISORS

Form 11: NOTICE OF COMPLETION: SOUTHWEST JUSTICE CENTER COURTS PROJECT

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During the course of construction, several changes were made to the project in which the County Representatives and Turner Construction Company Inc. could not initially come to agreement on a fair and equitable contract adjustment. On May 7th 2003, Turner Construction submitted a formal claim to the County in the amount of \$741,216.

The County agreed to the entitlement and accepted that some level of compensation was due Turner Construction. To resolve the disagreements on this compensation, a series of negotiations were held, attended by Turner Construction, their sub-contractors, County Representatives, and County Counsel which resulted in an agreed amount of \$494,000 for settlement of all claims on the project.

Turner Construction has completed the Southwest Justice Center Courts project. The project has been inspected and found to comply with the contract documents. By approval of this Board action the following amounts will be released to Turner Construction following standard contract procedures:

| | |
|---|-----------------------|
| The balance of the contract | \$98,058.00 |
| Balance of unpaid approved Change Orders | \$97,502.00 |
| The balance of the contract retention funds | \$2,073,370.00 |
| <u>Settlement agreement</u> | <u>\$494,000.00</u> |
| Total | \$2,762,930.00 |