

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

601



FROM: Waste Management Department

SUBMITTAL DATE:
November 16, 2006

SUBJECT: Escrow Agreement in lieu of retention with Road Builders, Inc. for the Construction of Liner System, Phase 2, Stage 3 Expansion at the Lamb Canyon Sanitary Landfill

RECOMMENDED MOTION: That the Board authorize the General Manager-Chief Engineer to execute the escrow agreement with Road Builders, Inc. and Temecula Valley Bank on behalf of the County.

BACKGROUND: On October 17, 2006, the Board awarded a contract to Road Builders, Inc. (Contractor) in the amount of \$11,446,104.00 for the Construction of Liner System, Phase 2, Stage 3 Expansion at the Lamb Canyon Sanitary Landfill. Pursuant to Section 22300 of the Public Contract Code of the State of California, the Contractor has requested the County to deposit eligible securities with the Escrow Agent (Temecula Valley Bank) as a substitute for retention earnings. Upon execution of this escrow agreement, the Department will be releasing the entire amount of the monthly progress payments instead of withholding the retention. The retention monies will either go to escrow or Contractor (if adequate securities are placed in escrow by Contractor). As recommended by County Counsel, the General Manager-Chief Engineer should sign the escrow agreement because there will be future related documents submitted to the bank as the project progresses, and the General Manager-Chief Engineer will then be the authorized signatory for the County.

[Handwritten Signature]
Hans W. Kernkamp, General Manager-Chief Engineer

FORM APPROVED
COUNTY COUNSEL

NOV 17 2006
Departmental Consultation

FINANCIAL DATA

Current F.Y. Total Cost:	N/A	In Current Year Budget:	Yes
Current F.Y. Net County Cost:	N/A	Budget Adjustment:	No
Annual Net County Cost:	N/A	For Fiscal Year:	06/07

SOURCE OF FUNDS:

*Department will release 10% retention of the \$11,446,104.00 contract earlier with an escrow account, but still retain control over final release from escrow.	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Alex Hann

Consent
 Policy
 Per Exec. Ofc.:
 Policy
 Dep't Recomm.:

Prev. Agn. Ref.: 9/12/06 (12.1)
10/17/06 (12.1)

District: 5

Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

12.1