

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

126



FROM: Waste Management Department

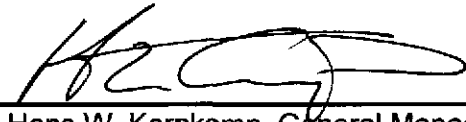
SUBMITTAL DATE:
March 30, 2009

SUBJECT: Construction of the Southwest Sedimentation Basin at the Badlands Landfill – Notice of Completion and Project Retention Funds

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the Construction of the Southwest Sedimentation Basin Project by Earth Construction and Mining, and authorize the Chairman to execute the attached Notice of Completion; and
2. Direct the County Clerk to file the executed Notice of Completion; and
3. Authorize the General Manager-Chief Engineer of Waste Management Department to Approve a Reduction of Retention from 10% to 5%.

BACKGROUND: On June 17, 2008, the Board awarded Earth Construction and Mining the contract to construct the Southwest Sedimentation Basin at the Badlands Landfill. The project was completed on March 6, 2009. The Department has accepted the work; therefore, recommends filing a Notice of Completion. The original contract amount was \$414,436.00 and the final total cost of the Project is \$456,012.28, 10.03% more than the original contract amount. The additional \$41,576.28 spent on the Project resulted from final quantity measurements and design modifications. (continued)

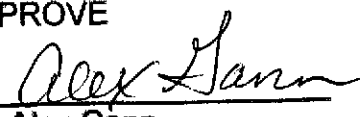


 Hans W. Kernkamp, General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 456,012.28	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:	FY 2008/09

SOURCE OF FUNDS: Waste Management Department Enterprise Funds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
 BY: 
 Alex Gann

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
 BY: 
 DATE: 3/25/09
 Departmental Concurrence

- Consent
- Policy
- Consent
- Policy

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

Prev. Agn. Ref.: 5/20/08 (12.1), 6/17/08 (12.1) | **District:** 5 | **Agenda Number:**

12.1

BACKGROUND (Cont'd):

It should be noted that a majority of the work was completed on January 21, 2009. During the first rain event after the sedimentation basin construction was completed, two cracks were discovered inside the 18" reinforced concrete pipe (RCP) located underneath the Spillway Embankment portion of the Sedimentation Basin. Earth Construction and Mining subsequently initiated the repair of the RCP on February 27, 2009 (including required QA/QC costs) and finished on March 6, 2009 at no additional charge to the County.

The Department retains 10 percent (10%) of the payments made to the Contractor for fulfillment of the work. As provided in the Contract Documents (General Provisions Section 7.5) and Public Contract Code Section 9203, *the Department believes it is appropriate to reduce the retention funds from 10 percent to 5 percent of the total amount paid to date.* The project is more than 50% completed, no stop notices have been received, and the Department has accepted the work. This request, if authorized, does not affect the total cost of the project.

