

FISCAL PROCEDURES APPROVED FORM APPROVED COUNTY COUNSEL
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 DATE 7/22/10
 BY: Samuel Wong 7/27/10
 MARSHAL VICTOR

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

734



SUBMITTAL DATE:
July 29, 2010

FROM: Economic Development Agency

SUBJECT: Roy's Desert Resource Center – Notice of Completion

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the reduction of the contract retention for W.E. O'Neil Construction Company of California from 10% to 5% per the General Conditions of the contract and authorize the release of \$252,191 in retained funds to the contractor in accordance with the contract terms; and
2. Accept Roy's Desert Resource Center Project (Project) constructed by W.E. O'Neil Construction Company of California as complete and authorize the Clerk of the Board to record the Notice of Completion.

BACKGROUND: On July 21, 2009, the Board of Supervisors (Board) approved the Construction Agreement with W.E. O'Neil Construction Company of California in the amount of \$1,838,347 and authorized the Chairman of the Board to execute the Agreement on behalf of the County of Riverside (County).

Robert Field

(Continued)

Robert Field
Assistant County Executive Officer/EDA

| | | | | |
|-----------------------|--------------------------------------|------------|--------------------------------|---------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ 252,191 | In Current Year Budget: | Yes |
| | Current F.Y. Net County Cost: | \$ 252,191 | Budget Adjustment: | No |
| | Annual Net County Cost: | \$ 0 | For Fiscal Year: | 2010/11 |

| | | |
|---|---|--------------------------|
| SOURCE OF FUNDS: General Fund from within the DPSS current approved budget | 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*
Jennifer L. Sargent

County Executive Office Signature

Reviewed by
CIP TEAM
DeVeno

Susan Loew
Susan Loew, Director
Department of Public Social Services

Departmental Concurrence

Consent
 Policy
 Consent
 Policy

Dept't Recomm.:
 Per Exec. Ofc.:

BACKGROUND: (Continued)

The General Conditions of the Contract state that after the 50% completion point of the contract work, if satisfactory progress is being made the County has sole discretion to reduce the retention to a minimum of 5% of the contract. W.E. O'Neil Construction Company of California has completed the work on time, within budget, and in a professional manner. Therefore, the Economic Development Agency recommends that the contract retention be reduced to 5% of the contract and the Clerk of the Board to file the Notice of Completion.

The Project was inspected and found to comply with all contract requirements. This Board action will release \$126,095, which is 5% of the total contract, and the remaining retention funds of \$126,096 to W.E. O'Neil Construction Company of California. The sum of these two amounts is \$252,191.

Sufficient funds are budgeted for FY 2010/11 within the project budget to cover all costs associated with this Agreement, thus no additional Net County Costs will be incurred.

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: Roy's Desert Resource Center (Project # FM08510003957)

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 Street, Riverside, CA 92501

Name of contractor: W.E. O'Neil Construction Company of California, 3990 E. Concours Drive, Suite 400,
Ontario, CA 91764

Street or legal description of site: 19531 McLane Street, Palm Springs, CA 92262

Dated: _____

Owner: County of Riverside
(Name of Public Entity)

By: _____
Marion Ashley, Chairman, Board of Supervisors

STATE OF CALIFORNIA)

ss

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 _____ (Date)

_____, Marion Ashley, Chairman of the Board of Supervisors

ATTEST: KECIA HARPER-IHEM, Clerk of the Board

By: _____ Deputy

FORM APPROVED COUNTY COUNSEL

BY: MARSHAL VICTOR 7/22/10
DATE