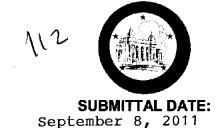
SUBMITTAL TO THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Redevelopment Agency

SUBJECT: Jurupa Valley Aquatic Center – Notice of Cessation

RECOMMENDED MOTION: That the Board of Directors:

- Receive and file the voluntary Notice of Default letter from J.D. Diffenbaugh;
- 2. Approve and authorize the Chairman of the Board to sign the Notice of Cessation;
- Authorize the Clerk of the Board to record the Notice of Cessation; and
- 4. Authorize the release of the remaining 5% retention on the project and further authorize the Redevelopment Agency (RDA) to process final payment subject to RDA staff working with the Surety for J.D. Diffenbaugh to finalize and closeout the project, including clearing up any and all remaining stop notices and/or performance issues

BACKGROUND: (Commences on Page 2)

Robert Field **Executive Director**

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Bu	udget: Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustme	nt: No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12
COMPANION IT	EM ON BOARD OF SUPERVISOR	RS AGENDA	: No	
SOURCE OF FUNDS: N/A				Positions To Be
				Deleted Per A-30
				Requires 4/5 Vote

C.E.O. RECOMMENDATION:

County Executive Office Signature

FORM APPROVED COUNTY COUNSE!

Consent Consent Dep't Recomm.: g G Exec.

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Prev. Agn. Ref.: 4.1 of 6/16/09; 4.1 of 4/12/11

District: 2

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD Agenda Number

Redevelopment Agency Jurupa Valley Aquatic Center - Notice of Cessation September 8, 2011 Page 2

BACKGROUND:

On June 16, 2009, the Board of Directors approved the construction contract between J.D. Diffenbaugh and the Redevelopment Agency (RDA) for the County of Riverside for the construction of the Jurupa Valley Aquatic Center. J.D. Diffenbaugh sent RDA a letter of default stating they would not be able to carry out its contractual obligations. The Surety for J.D. Diffenbaugh, Safeco Insurance Company of America has engaged a consulting firm to close out the project, including dealing with stop notices filed against the project and to finalize all work. At the time the letter was received, the project was approximately 99% complete. All remaining work has been addressed by the Surety and their agents, and only minor items of cost and work remain to be resolved. RDA and Surety have agreed that the facility is complete for warranty purposes as of June 16, 2011. As stop notice releases or release bonds are received, the remaining balance of the contract payments will be sent to the Surety pursuant to Surety's agreement with J.D. Diffenbaugh and the direction of the letter of default.

To be recorded with County Recorthirty (30) days following continuous No recording fee						
When recorded return to:						
CLERK OF THE BOARD Stop No. 1010						
NOTICE OF CESSATION						
(Civil Code § 3092 – Public Works	s)	·				
Notice is hereby given by has ceased on a public wor	•	owner, a public entity of the State of California, that labor nt as follows:				
Project title: Jur	upa Valley Aqu	atic Center				
Date of cessation: June	Date of cessation: June 16, 2011					
Cessation has continued	until recording	of this Notice.				
Name and address of ownersing Street, Suite 500, Riversing	-	ent Agency for the County of Riverside, 3403 Tenth				
Interest or estate of owner	Owner					
Street address or legal des	cription of site:	4310 Camino Real, Riverside, CA 92509				
Name of Contractor: J.D	. Diffenbaugh					
Dated:	Owner:	Redevelopment Agency for Riverside County of Riverside				
	By: Title:	Bob Buster, Chairman Board of Directors				
STATE OF CALIFORNIA) COUNTY OF RIVERSIDE)						
forgoing notice and on whose bel	nalf I make this v	County of Riverside, the public entity which executed the reification; I have read said notice, know its contents, and that the forgoing is true and correct.				
Executed at Riverside, California	on	(Date)				
		Bob Buster, Chairman Board of Directors				

Page 1 of 1

FORM APPROVED COUNTY COUNSEL

BY: MARSHALL WICTOR 83444