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

SUBMITTAL DATE:

June 13, 2013

FROM: Successor Agency to the Redevelopment Agency

SUBJECT: Jurupa Valley Sheriff's Evidence Warehouse - Notice of Cessation

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1. Authorize the Chairman to execute the attached Notice of Cessation;
- 2. Direct the Clerk of the Board to record the executed Notice of Cessation with the Riverside County Clerk and Recorder's Office in accordance with Section 9202 of the Civil Code; and
- 3. Authorize the release of the remaining undisputed retention of the project in accordance with the contract terms.

**BACKGROUND:** (Commences on Page 2) Robert Field Assistant County Executive Officer/EDA Christopher Hans In Current Year Budget: Yes Current F.Y. Total Cost: \$ 175,662 **FINANCIAL** No **Budget Adjustment: Current F.Y. Net County Cost:** \$0 DATA For Fiscal Year: 2012/13 \$0 **Annual Net County Cost:** COMPANION ITEM ON BOARD AGENDA: No **Positions To Be** SOURCE OF FUNDS: Jurupa Valley Redevelopment Capital Improvement **Deleted Per A-30** Bond Proceeds (previously approved budget) Requires 4/5 Vote C.E.O. RECOMMENDATION: APPROVE

2012 JUN 18 PM 2: 36

ATTACHMENTS FILED

WITH THE CLERK OF THE BOARD

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Prev. Agn. Ref.: 4-1 of 3/26/13 and 4-2 of 1/29/13

**County Executive Office Signature** 

District: 2/2

Agenda Number:

Successor Agency to the Redevelopment Agency Jurupa Valley Sheriff's Evidence Warehouse – Notice of Cessation June 13, 2013 Page 2

# BACKGROUND: (Continued)

On July 26, 2011, the Redevelopment Agency's Chairman of the Board of Directors awarded and executed the agreement between PCN3 Inc., and the former Redevelopment Agency for the County of Riverside, for the construction of the project.

On January 29, 2013, the Board of Supervisors approved a reduction of the contract retention for PCN3, Inc. from 10% to 5% per the General Conditions of the contract.

To date, four change orders have been issued in the cumulative amount of \$317,705, increasing the total contract value to \$3,513,245. PCN3 has submitted additional change order requests on the project which the county disputes.

A recorded Notice of Cessation begins the 35-day lien period after which no Stop Notices may be issued by PCN3, Inc.'s subcontractors, vendors, and suppliers. In addition, it allows the county to release undisputed funds to PCN3, Inc. and bars PCN3, Inc.'s right to claim interest on undisputed funds held by the county.

This Board action will release the remaining undisputed contract retention funds to PCN3, Inc., provided all outstanding issues can be resolved by the county and the contractor without requiring additional Board action. The total approved contract is within the overall project budget, thus no net county costs will be incurred. This amount is also included in the Recognized Obligation Payment Schedule (ROPS), as provided by the Oversight Board and the California Department of Finance, and will be processed in accordance with the terms of the original construction contract.

#### Attachment:

Notice of Cessation

PLEASE COMPLETE THIS INFORMATION RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD 4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC P O BOX 1147 – RIVERSIDE, CA 92502

**MAIL STOP # 1010** 

AND WHEN RECORDED MAIL TO: **RETURN TO: STOP #1010** 

P. O. BOX 1147 – RIVERSIDE, CA 92502

## THIS SPACE FOR RECORDERS USE ONLY

## NOTICE OF CESSATION

(California Civil Code §§ 9202 – Public Works)

To be recorded with County Recorder.

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: Jurupa Valley Sheriff's Warehouse (ED1206008110)

As of the <u>25</u> day of <u>April</u>, 20<u>13</u>, there has been a continuous cessation of labor upon the herein described work of improvement for at least 30 days and continuing until the date of recordation of this Notice of Cessation.

Nature of owner:

**Public Entity** 

Interest or estate of owner:

In Fee

Address of owner:

Clerk of the Board of Supervisors, County Administrative Center,

4080 Lemon St., Riverside, CA 92501

Name/address of direct contractor: PCN3

5450 Katella Avenue Suite 104 Los Alamitos, CA 90720

Street or legal description of site: 7477 Mission Blvd. Jurupa Valley, CA 92509

Dated:

Owner: Successor Agency to the Redevelopment Agency for

the County of Riverside

(Name of Public Entity)

STATE OF CALIFORNIA )

COUNTY OF RIVERSIDE )

I am the <u>Chairman</u> of the governing board of the <u>Successor Agency</u>, 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.

ATTEST: Kecia Harper-Ihem, Clerk	Executed at Riverside, California on
By:	X.1. J. D '4 Chairman Doord of Chromowigons
Deputy	John J. Benoit, Chairman, Board of Supervisors

BY: MARSHAL VICTOR DATE