

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS DATE 6/18/15
 Departmental Concurrence

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

363



FROM: Economic Development Agency

SUBMITTAL DATE:
 June 18, 2015

SUBJECT: Riverside Centre Elevator Modernization Project – Approval of Notice of Cessation, District 2, [\$35,222], Real Estate Budget 94%, Facility Renewal Funds 6%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the Chairman to execute the attached Notice of Cessation for the contract between the County of Riverside and ThyssenKrupp Elevator Corporation and 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
2. Authorize the release of the remaining undisputed retention in the amount of \$35,222 to ThyssenKrupp Elevator Corporation in accordance with the contract terms.

**BACKGROUND:
 Summary**

(Commences on Page 2)

Robert Field

Robert Field
 Assistant County Executive Officer/EDA

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 35,222	\$ 35,222	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Real Estate Budget 94%, Facility Renewal Funds 6% (previously approved budget)
Budget Adjustment: No
For Fiscal Year: 2014/15 -2015/16

C.E.O. RECOMMENDATION:

APPROVE

Rohini Dasika
 BY: Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 3-11 of 3/19/13;
 3-19 of 7/30/13
District: 2
Agenda Number:

3-18

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

Economic Development Agency

FORM 11: Riverside Centre Elevator Modernization Project – Approval of Notice of Cessation, District 2, [\$35,222], Real Estate Budget 94%, Facility Renewal Funds 6%

DATE: June 18, 2015

PAGE: 2 of 2

BACKGROUND:

Summary

On July 30, 2013, the Board of Supervisors approved the total project budget for the Riverside Centre Elevator Modernization project in the amount of \$941,000 and the construction agreement between the County of Riverside and ThyssenKrupp Elevator Corporation (ThyssenKrupp) in the amount of \$773,573.

The modernization project is complete and the new components have been operating consistently for the past 90 days. As part of the approved contract amount, an allowance in the amount of \$72,240 was set aside for overtime work to be performed after-hours or on weekends to eliminate excessive construction noise during working hours of the facility. During the course of the project \$3,097 of the allowance was expended leaving an unused balance of \$69,143 and a revised total contract value of \$704,430. ThyssenKrupp has billed for the unused balance of the allowance resulting in a dispute over the final amount due on the contract. Since a resolution has not been met and construction activities by ThyssenKrupp have ceased for greater than 90 days, a Notice of Cessation is necessary to conclude the contract and begin the 35-day lien period.

This Board action will release the remaining undisputed contract retention funds in the amount of \$35,222 to ThyssenKrupp provided all outstanding issues can be resolved by the county and the contractor. The total approved contract is within the overall project budget, thus no net county costs will be incurred.

Contract History and Price Reasonableness

Pursuant to a mandatory bidder's conference and bid opening, ThyssenKrupp was determined to be the lowest responsive and responsible bidder resulting in the award of the contract for the Riverside Centre Elevator Modernization project.

Impact on Citizens and Businesses

The Riverside Centre Elevator Modernization project will provide more efficient and consistent daily elevator operations for visitors and tenants of the facility.

Additional Fiscal Information

All costs associated with this agreement will be 94% funded through the Economic Development Agency's Real Estate budget and 6% funded through Facility Renewal Funds; thus no net county costs will be incurred.

Attachment:

Notice of Cessation for ThyssenKrupp Elevator Corporation

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

KECIA HARPER-IHEM, 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 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: Riverside Center Elevator Modernization Project (FM08720000296)

As of the 1st day of April, 2015, 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: ThyssenKrupp Elevator
1265 East Fort Union Blvd, Suite 350
Cottonwood Heights, UT 84047-5624

Street or legal description of site: 3403 10th Street, Riverside, CA 92501

Dated: Owner: County of Riverside
(Name of Public Entity)

By: _____
Marion Ashley, Chairman, Board of Supervisors

STATE OF CALIFORNIA)

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FORM APPROVED COUNTY COUNSEL

COUNTY OF RIVERSIDE)

BY: Marsha L. Victor 6/10/15
MARSHA L. VICTOR DATE

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.

ATTEST: Kencia Harper-Ihem, Clerk

Executed at Riverside, California on _____

By: _____
Deputy

Marion Ashley, Chairman, Board of Supervisors