

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



SUBMITTAL DATE: April 21, 2016

FROM: Economic Development Agency

SUBJECT: Riverside University Health System Medical Center Nursing and Allied Health Education Building - Approval of Notice of Cessation for AWI Builders, Inc., District 5, [\$674,028], Existing CORAL Bond Proceeds Reimbursed by RUHS Enterprise Fund 100%

RECOMMENDED MOTION: That the Board of Supervisors:

- 1. Approve and authorize the Chairman to execute the attached Notice of Cessation for the contract between the County of Riverside (County) and AWI Builders, Inc. (AWI) for the Riverside University Health System (RUHS) Medical Center (MC) Nursing and Allied Health Education Building 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 payment due, not-to-exceed \$674,028 to AWI in accordance with the contract terms.

BACKGROUND: Summarv

(Commences on Page 2)

Robert Field

Assistant County Executive Officer/EDA By: Jeff Van Wagenen, Managing Director

POLICY/CONSENT FINANCIAL DATA **Next Fiscal Year: Total Cost: Ongoing Cost: Current Fiscal Year:** (per Exec. Office) 0 \$ COST 674,028 \$ 674,028 \$ 0 \$ Consent D Policy X 0 \$ **NET COUNTY COST** 0 \$ 0 \$ 0 \$

SOURCE OF FUNDS: Existing CORAL Bond Proceeds Reimbursed by RUHS Enterprise Fund 100% (Previously approved budget)

Budget Adjustment: No For Fiscal Year: 2015/16

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

26 2016

MINUTES OF THE BOARD OF SUPERVISORS

4/5 Vote

Change Order

Executive Officer salth System

Zareh Sarrafian, Chief Exec Riverside University Health

B

Positions Added

Prev. Agn. Ref.: 3-14 of 3/01/16; 3-82 of 2/26/13; 3.14 of 4/07/09

District: 5

Agenda Number:

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

Economic Development Agency

FORM 11: Riverside University Health System Medical Center Nursing and Allied Health Education Building – Approval of Notice of Cessation for AWI Builders, Inc., District 5, [\$674,028], Existing CORAL Bond Proceeds Reimbursed by RUHS Enterprise Fund 100%

DATE: April 21, 2016

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BACKGROUND: Summary

On February 26, 2013, the Board of Supervisors (Board) approved the construction agreement between the County and AWI with the project budget of \$18,728,365 for the RUHS MC Nursing and Allied Health Education Building project. On March 1, 2016, the Board approved a project budget adjustment for a new project budget of \$19,614,673.

The RUHS MC Nursing and Allied Health Education Building project is nearing completion with a limited punch list still needing to be completed. AWI has disputed the outstanding punch list causing retained funds to be withheld from subcontractors who have performed on the project. Because work has therefore ceased on the project for at least 30 days, the Economic Development Agency (EDA) and County Counsel staff hereby recommend approval of the Notice of Cessation to begin the 35-day period for filing of any outstanding stop payment notices, and then to release any undisputed funds. The value of incomplete work will be withheld from retained funds per the terms of the contract and the Civil Code.

This Board action will release the undisputed funds in an amount not-to-exceed \$674,028, while EDA and AWI continue to attempt to resolve outstanding issues regarding the remaining work and payments.

Additional Fiscal Information

All monies will be expended in FY 2015/16. The revised project budget was approved on March 1, 2016 (M.O. 3-14) and is 100% funded through existing CORAL Bond Proceeds reimbursed by RUHS Enterprise Fund; therefore there is no additional cost associated with this action and no budget adjustment is required.

Attachment:

Notice of Cessation for AWI Builders, Inc.

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**

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 due to cessation of labor, as follows:

Project title or description of work:

Riverside University Health System Medical Center,

Nursing and Allied Health Education Building (FM08430003954)

As of the _4th day of _February, 20_16, 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: AWI Builders, Inc.

7831 Paramount Blvd., Pico Rivera, CA 90660

Street or legal description of site: 26516 Cactus Ave., Moreno Valley, CA 92555

Dated:

Owner: County of Riverside

(Name of Public Entity)

FORM APPROVED COUNTY COUNSEL

BY Hawke & Yeary

Dv

John J. Benoit, Chairman, Board of Supervisors

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE)

I am the <u>Chairman</u> of the governing board of the <u>County of Riverside</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:_

Deputy

John J. Benoit, Chairman, Board of Supervisors