

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

716



SUBMITTAL DATE:
October 28, 2010

FROM: Economic Development Agency

SUBJECT: Retention Reduction for Larry D. Smith Correctional Facility Expansion No. 3

RECOMMENDED MOTION: That the Board of Supervisors approve a reduction of the contract retention for Benards Bros., Inc., of Laguna Hills, California from 10% to 5% per the general conditions of the contract.

BACKGROUND: On February 5, 2008, the Board of Supervisors approved the award of the construction contract to Bernards Bros., Inc., of Laguna Hills, California. Pursuant to the general conditions of the Contract, Economic Development Agency (EDA) is currently retaining 10% of all progress payments to Bernards Bros., Inc. 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.

(Continued)

Robert Field

Robert Field
Assistant County Executive Officer/EDA

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

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: General Fund Designation	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

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: November 30, 2010
xc: EDA, Sheriff, CIP, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: 3.37, 6/29/10; 3.19, 1/05/10

District: 5

Agenda Number: **3.34**

FORM APPROVED COUNTY COUNSEL
DATE: 10/27/10
BY: MARSHAL VICTOR
Departmental Concurrence

Reviewed by
Christopher Hans

Steve Thetford, Chief Deputy
Riverside County Sheriff's Department

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

BACKGROUND: (Continued)

Bernards Bros., Inc., has completed over 98% of the contract work and excellent progress has been made. The contract work is also being completed on time, within budget, and in a professional manner. Therefore, EDA recommends that the contract retention be reduced to 5% of the contract.

The Sheriff's Department has taken beneficial use of the facility, and inmates are currently occupying Housing Unit 15 with 16 and 17 to follow shortly.