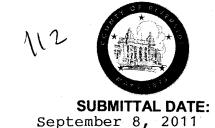
SUBMITTAL TO THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Redevelopment Agency

SUBJECT: Jurupa Valley Aquatic Center - Notice of Cessation

RECOMMENDED MOTION: That the Board of Directors:

- 1. Receive and file the voluntary Notice of Default letter from J.D. Diffenbaugh;
- Approve and authorize the Chairman of the Board to sign the Notice of Cessation;
- 3. 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**

Annual Net County Cost: \$ 0 For Fiscal Year: COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: No SOURCE OF FUNDS: N/A Position	2011/12
SOURCE OF FUNDS. N/A	
	To Be
Deleted P	er A-30 🖳

C.E.O. RECOMMENDATION:

County Executive Office Signature

MINUTES OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY

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

Ayes:

Buster, Benoit and Ashley

Navs:

None

Absent: Tavaglione and Stone

Date:

September 20, 2011

XC:

RDA, Recorder

Kecia Harper-Ihem Clerk of the Board

Requires 4/5 Vote

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 Numbe

Policy

Policy

APPROVED COUNTY COUNSE!

X Consent

Consent Dep't Recomm.:

<u>ن</u> و

Exec.

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.

2011-0428704 08:00A Fee:NC Page 1 of 2 Recorded in Official Records To be recorded with County Recorder no sooner than County of Riverside thirty (30) days following continuous cessation of labor. Larry W. Ward No recording fee When recorded return to: PAGE SIZE MISC LONG COPY CLERK OF THE BOARD Stop No. 1010 4080 Lemon St. Riverside, 92501 NOTICE OF CESSATION PCOR NCOR EXAM 465 426 NCHO Α SMF concetto T: CTY UNI (Civil Code § 3092 – Public Works) NOTICE OF CESSATION Notice is hereby given by the undersigned owner, a public entity of the State of California, that labor has ceased on a public work of improvement as follows: Jurupa Valley Aquatic Center Project title: Date of cessation: June 16, 2011 Cessation has continued until recording of this Notice. Name and address of owner: Redevelopment Agency for the County of Riverside, 3403 Tenth Street, Suite 500, Riverside, CA 92501 Interest or estate of owner: Owner 4310 Camino Real, Riverside, CA 92509 Street address or legal description of site: Name of Contractor: J.D. Diffenbaugh Redevelopment Agency for Riverside County Owner: Dated: September 20, 2011 of Riverside Bob Buster, Chairman By: **Board of Directors** Title: STATE OF CALIFORNIA) COUNTY OF RIVERSIDE) I am the Chairman of the governing board of the County of Riverside, the public entity which executed the forgoing notice and on whose behalf I make this verification; I have read said notice, know its contents, and the same is true. I certify under penalty of perjury that the forgoing is true and correct. Executed at Riverside, California on 9/20/11 (Date)

Page 1 of 1

09.20.11 4.1 2011-10-109900

ATTEST:

KECIA HARPER-IHEM, Clerk of the Board

Bob Buster, Chairman Board of Directors

FORM APPROVED COUNTY COUNSE



LARRY W. WARD COUNTY OF RIVERSIDE ASSESSOR-COUNTY CLERK-RECORDER

Recorder P.O. Box 751 Riverside, CA 92502-0751 (951) 486-7000

http://riverside.asrclkrec.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors (embossed on document)



Date:

Signature:

Print Name:

Haumbarten

Karen Barton, Board Assistant, Riverside County Clerk of the Board

