

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

811



**FROM:** Economic Development Agency/Facilities Management

**SUBMITTAL DATE:**

March 10, 2011

**SUBJECT:** Larry D. Smith Correctional Facility Expansion No. 3 – Notice of Completion

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

1. Accept the Larry D. Smith Correctional Facility Expansion No. 3 constructed by Bernards Bros., Inc., as complete and authorize the Clerk of the Board to record the Notice of Completion; and
2. Authorize the release of \$3,173,000 in retained funds to the contractor in accordance with the contract terms.

**BACKGROUND:** Commences on Page 2

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 3,173,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 3,173,000	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**

**County Executive Office Signature** Jennifer L. Sargent

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Stone 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: March 22, 2011  
 xc: EDA, Auditor, Sheriff, Recorder

Kecia Harper-Ihem  
 Clerk of the Board  
 By: Deputy

**Prev. Agn. Ref.:** 3.34 of 11/30/10; 3.37 of 6/29/10

**District:** 5

**Agenda Number:**

**3.10**

By: Stanley L. Sniff Jr., Sheriff-Coroner-PA  
 By: Samuel Wong, Departmental Concurrence  
 By: Marshall Victor, Auditor-Controller-PA  
 DATE: 3/31/11



**BACKGROUND:**

On November 30, 2010, the Board of Supervisors approved the retention reduction for Bernards Bros., Inc. from 10% to 5%. The project has been inspected and found to comply with all contract requirements; however, the Economic Development Agency (EDA) will withhold \$238,450 from the retention money for miscellaneous punch list items that need to be addressed. This will reduce the remaining contract retention balance from \$3,173,000 to \$2,934,550. Upon completion of the punch list items and EDA has inspected and approved the work, the remaining retention money withheld will be released. This Board action will release the remaining balance of the contract retention funds to Bernards Bros., Inc.

This Notice of Completion concludes Larry D. Smith Correctional Facility Expansion No. 3 cost obligations with the sole exception of a Banning sewer fee assessment. The final sewer assessment will be calculated by measuring the facility's discharge during the first 6 months of full operation. Based on maximum possible use estimates, this one-time fee will be \$1.3 million or less. The department will budget a reserve in FY 11/12 to cover the fee. The full project should come in within budget targets, though the Banning fee could result in a small (1.5%) overrun.

All cost associated with this project will be fully funded by General Funding Designation. Thus, no additional net county cost will be incurred as a result of this agreement.



PLEASE COMPLETE THIS INFORMATION  
RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD  
RIVERSIDE CO. 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**  
**RIVERSIDE COUNTY CLERK OF THE BOARD**  
**P. O. BOX 1147 - RIVERSIDE, CA 92502**

**DOC # 2011-0136713**

03/29/2011

**Customer Copy Label**

The paper to which this label is  
affixed has not been compared  
with the recorded document

**Larry W Ward**

County of Riverside  
Assessor, County Clerk & Recorder

**THIS SPACE FOR RECORDERS USE ONLY**

**NOTICE OF COMPLETION**

To be recorded with County Recorder  
within 10 days after completion.  
No recording fee.

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:** Larry D. Smith Correctional Facility Expansion No. 3 (FM08250003738)

**Date of Completion:** Date Hereof 3/22/11

**Nature of owner:** County of Riverside, public entity

**Interest or estate of owner:** In Fee

**Address of owner:** Clerk of Board of Supervisors, County Administrative Center, 4080 Lemon St., Riverside, CA 92501

**Name of contractor:** Bernards Bros. Inc., 555 First Street, San Fernando, CA 91340

**Street or legal description of site:** 1627 S. Hargrave Street, Banning, CA 92220

**Dated:** March 22, 2011

Owner: County of Riverside  
(Name of Public Entity)

By: Bob Buster  
Bob Buster, Chairman, Board of Supervisors

**STATE OF CALIFORNIA )**

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**COUNTY OF RIVERSIDE )**

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.

Executed at Riverside, California on 3/22/11

Bob Buster, Bob Buster, Chairman of the Board of Supervisors

ATTEST: KECIA HARPER-IHEM, Clerk of the Board

By: [Signature] Deputy

**COPY**

03.22.11 3.10

FORM APPROVED COUNTY COUNSEL

BY: [Signature] 3/3/11 DATE  
MARSHAL VICTOR



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

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

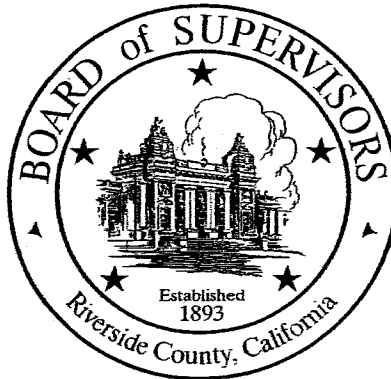
<http://riverside.asclrec.com>

**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:

3-22-11

Signature:

*Karen Barton*

Print Name:

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