

**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
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

BY:
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: June 30, 2015
xc: EDA, Recorder

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

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

3-18

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

Departmental Concurrence

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

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

2015-0287527

07/02/2015 11:54 AM Fee: \$ 0.00

Page 1 of 2

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



357					R	A	Exam: 648		
Page	DA	PCOR	Misc	Long	RFD	1st Pg	Adtl Pg	Cert	CC
2									
SIZE	NCOR	SMF	NCHG	T:					NEHGCC

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: June 30, 2015

Owner: County of Riverside
(Name of Public Entity)

By: Marion Ashley
Marion Ashley, Chairman, Board of Supervisors

STATE OF CALIFORNIA)

ss

COUNTY OF RIVERSIDE)

FORM APPROVED COUNTY COUNSEL

BY: Marsha L. Victor 6/10/15
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: Kecia Harper-Ihem, Clerk

By: Kecia Harper-Ihem
Deputy

Executed at Riverside, California on 06/30/15

Marion Ashley
Marion Ashley, Chairman, Board of Supervisors

06.30.15 3-18

Updated 04/2013

20150-120305



PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

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

www.riversideacr.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:

6-30-15

Signature:

Karen Barton

Print Name:

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