

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

511



FROM: Economic Development Agency

SUBMITTAL DATE:
April 21, 2016

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:

Summary

(Commences on Page 2)

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 674,028	\$ 0	\$ 674,028	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 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:

REVIEWED BY CIP

Ivan M. Chand
4/26/2016

APPROVE
By:
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Washington and Benoit
Nays: None
Absent: Tavaglione and Ashley
Date: May 3, 2016
xc: EDA, Recorder

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

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:

3-11

FORM APPROVED COUNTY COUNSEL
DATE 4/21/16
BY: GREGORY P. PRIAMOS
Department of County Finance

By: Zareh Sarrafian, Chief Executive Officer
Riverside University Health System

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

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

PAGE: 2 of 2

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
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 - RIVERSIDE, CA 92502

2016-0181580

05/05/2016 09:28 AM Fee: \$ 0.00

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



357					R	A	Exam: 218		
Page	DA	PCOR	Misc	Long	RFD	1st Pg	Adtl Pg	Cert	CC
2									
SIZE	NCOR	SMF	(NCHG) T:	Ncttoce					

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, 2016, 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: May 3, 2016

Owner: County of Riverside
(Name of Public Entity)

FORM APPROVED COUNTY COUNSEL
BY: Marsha L. Victor 4/21/16
MARSHA L. VICTOR DATE

By: John J. Benoit
John J. Benoit, Chairman, Board of Supervisors

STATE OF CALIFORNIA)

ss

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.

ATTEST: Kecia Harper-Ihem, Clerk

Executed at Riverside, California on 05/03/16

By: Marsha L. Victor
Deputy

John J. Benoit
John J. Benoit, Chairman, Board of Supervisors

05.03.16 3-11

2016-5-131001

Updated 04/2013



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:

5/3/16

Signature:

Karen Barton

Print Name:

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