

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



**ITEM: 3.51
(ID # 14148)**

MEETING DATE:
Tuesday, December 15, 2020

FROM: FACILITIES MANAGEMENT:

SUBJECT: FACILITIES MANAGEMENT: Substitution of Subcontractor for Security Services (Warranty Work) for John J. Benoit Detention Center Project Pursuant to Resolution No. 2010-097, District 4, [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt the recommendation of the Director of Facilities Management to consent to the request from the prime contractor, Clark Construction Group – California LP to substitute a subcontractor for ISI detention Contracting Group, Inc. dba Argyle Security Group for the John J. Benoit Detention Center project, pursuant to Resolution No. 2010-097.

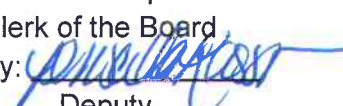
ACTION:


Rose Salgado, Director of Facilities Management 12/10/2020

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: December 15, 2020
xc: FM

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$0
NET COUNTY COST	\$ 0	\$ 0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment:	NO
			For Fiscal Year:	20/21

C.E.O. RECOMMENDATION: Approve.

BACKGROUND:

Summary

On April 20, 2010 via Item No. 3.30, the Board of Supervisors adopted Resolution 2010-097, Delegating Authority Regarding Requests for Substitution of Subcontractors on Public Works Construction Projects to the Assistant County Executive Officer/EDA or designee. While constructing public works projects, a general contractor may request a substitution of a subcontractor. Public Contract Code Sections 4107 and 4107.5 require a hearing be held if a listed subcontractor that is proposed to be removed submits an objection. Resolution 2010-097 grants the authority to conduct the hearing to the Assistant County Executive Officer/EDA or designee, in order to conduct the hearing promptly and minimize project delays. Upon conclusion of the required hearing, the hearing official will bring a recommendation to the Board of Supervisors for approval.

On December 8, 2020 a Subcontractor Substitution Hearing was conducted to hear testimony and view evidence regarding Clark Construction Group's request to substitute subcontractor ISI Detention Contracting Group, Inc. dba Argyle Security Group for the performance of warranty work from the John J. Benoit Detention Center project pursuant to State of California Public Contract Code section 4107(s)(6) which allows for subcontractor "when the listed subcontractor is not licensed pursuant to the Contractor's License Law".

Regional Executive Officer Carlos Gonzalez of Clark Construction requested a substitution of subcontractor on October 16, 2020 on the grounds that Argyle Security Group did not have an active contractor's license since February 2020 as required by California Public Contract Code section 4107 (a)(6). He testified that Argyle failed to have a qualifier for that license since November 15, 2019 and Argyle did not comply with Worker's Compensation requirements.


Buddy Johns from Argyle Security Group confirmed not having an active contractor's license and that the COVID-19 caused processing delays of the renewal application filed in October 2020. Mr. Johns also confirmed that the timeline of events and statements made by Clark Construction Group were correct.

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The Director of Facilities Management, acting as the Hearing Official for the Subcontractor Substitution Hearing, has determined that Argyle Security group had adequate time prior to the COVID-19 pandemic to submit license renewal to the State of California before the expiration date of January 31, 2020, and recommends that the Board adopt the recommendation to consent to the prime contractor's request for a substitution of the security systems subcontractor.

Impact on Residents and Businesses

This board action has no impacts on residents and businesses.


Steven Atkeson 12/10/2020


Gregory H. Priarios, Director County Counsel 12/10/2020