



Contra
Costa
County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: January 17, 2023

Subject: ACCEPT Hazardous Materials Work at 651 Pine Street as Complete and AUTHORIZE Release of Retained Funds for that Work

RECOMMENDATION(S):

ACCEPT as complete the hazardous material remediation work at 651 Pine Street as part of the Administration Demo and Redevelopment (ADR) project and AUTHORIZE the release of retention in the amount of \$365,928.60 for that completed work.

FISCAL IMPACT:

No direct fiscal impact. The monies have already been paid and are part of the 5% retention allowed under the contract to be held in escrow until the end of the project as surety that the work would be accomplished.

BACKGROUND:

The County entered a contract with Webcor Builders to perform the abatement and demolition of the former Administration Complex at 651 Pine Street in Martinez, CA. As is customary with large construction contracts, five percent of each monthly payment to the general contractor is held in escrow until the end of the project as a surety in case there is unperformed or unfinished work at the end of the contract. This project has three distinct

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/17/2023** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Ken Carlson, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 17, 2023

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Antonia Welty, Deputy

Contact: Eric Angstadt;
925-655-2042

cc:

phases: abatement of hazardous

BACKGROUND: (CONT'D)

materials, demolition and construction. The subcontractors who perform the abatement and demolition are specialists, who once completing their work will not be part of the construction phase. This is distinct from many of the other subcontractors, such as plumbers or electricians, who have scopes of work that last throughout the construction phase. Sterling Environmental Corporation (Sterling), the abatement subcontractor, completed 100% of its assigned work in November 2022. Although the County could legally continue to retain the five percent escrow amounts for the abatement contractor until the end of the project, staff recommends the release of the retention for Sterling now. It would be a hardship for Sterling to have to wait until 2024 for its final payment since its work is complete. This release would not alter Webcor Builders' responsibilities or liabilities under the contract and applicable law, and Webcor has acknowledged that in writing.

CONSEQUENCE OF NEGATIVE ACTION:

Not taking this action would require Sterling to wait up to another 18 months after finishing its portion of work for its final project payment.