

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

**December 16, 2025**

**FROM**

**NOEL CASTILLO, Director, Department of Public Works – Transportation**

**SUBJECT**

Escrow Agreement for the Rock Springs Road Bridge Over the Mojave River Project in the Unincorporated Area of Apple Valley

**RECOMMENDATION(S)**

1. Approve **Escrow Agreement No. 25-1056** for Security Deposits in Lieu of Retention between M.C.M. Construction, Inc., Acquiom Clearinghouse LLC, and San Bernardino County pursuant to the Public Contract Code Section 22300 for the Rock Springs Road Bridge Over the Mojave River Project.
2. Authorize the Director of the Department of Public Works to execute the Escrow Agreement for Security Deposits in Lieu of Retention and to provide and receive written notice under the Escrow Agreement for the Rock Springs Road Bridge Over the Mojave River Project.
3. Direct the Director of the Department of Public Works to transmit the Escrow Agreement for Security Deposits in Lieu of Retention to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Noel Castillo, Director, 387-7906)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The Escrow Agreement for Security Deposits in Lieu of Retention (Escrow Agreement) does not modify or affect the financial terms of the existing construction contract with M.C.M. Construction, Inc. (M.C.M.), for the Rock Springs Road Bridge Over the Mojave River Project (Project), which totals \$19,227,651, as approved by the Board of Supervisors (Board) on September 23, 2025 (Item No. 77). This item directs the placement of withheld retention into an escrow account, at no cost to the Department.

**BACKGROUND INFORMATION**

The Project is a coordinated effort between San Bernardino County and the California Department of Transportation to improve Rock Springs Road by replacing the existing two-lane low-water crossing over the Mojave River with a two-lane bridge. The new bridge will feature four-foot shoulders, a concrete barricaded sidewalk with streetlights on the south side, and drainage improvements. Additionally, the Project includes channel grading, rock slope protection, asphalt paving, installing the Midwest Guardrail System (a safety barrier commonly used along roadways to prevent vehicles from leaving the roadway), striping, and signage.

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On September 23, 2025 (Item No. 77), the Board awarded Construction Contract No. 27-725 for the Project to M.C.M. in the amount of \$19,227,651.

Retention in construction is a percentage of a payment that a project owner holds back from a contractor until the project is completed to the required standard. This practice is a financial security measure to ensure the contractor finishes the job, fixes defects and meets the contract's terms. Under this construction contract, five percent of each monthly progress payment is withheld as retention until the Project is accepted as complete. Public Contract Code Section 22300 permits contractors to request that retention amounts be deposited into an escrow account in lieu of direct withholding. M.C.M. has elected this option and identified and requested Acquiom Clearinghouse LLC as its escrow agent.

The Escrow Agreement will remain in effect throughout the Project and for at least 35 days following formal acceptance of the completed work.

The Department of Public Works recommends approval of the Escrow Agreement. Approval is necessary to comply with Public Contract Code Section 22300, to ensure the timely processing of retention payments, and to avoid delay to this critical infrastructure project. The escrow services are provided at no cost to the County, with fees borne by the contractor, and Acquiom Clearinghouse LLC is an established escrow provider for public works projects.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on December 4, 2025; Purchasing (Joni Yang, Buyer III, 387-2463) on November 13, 2025; and County Finance and Administration (Kathleen Gonzalez, Administrative Analyst, 387-5412) on November 25, 2025.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Curt Hagman Seconded: Jesse Armendarez  
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Curt Hagman, Joe Baca, Jr.  
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY

  
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DATED: December 16, 2025



cc: PW/Trans - Silao w/agree for sign  
Contractor - c/o PW/Trans w/agree  
File - w/agree

CCM 12/18/2025