

**RESOLUTION No 2011-1940**

**A RESOLUTION ACCEPTING THE  
DIGESTER BOILER REPLACEMENT  
FOR  
Las Gallinas Valley Sanitary District**

**WHEREAS**, Bay City Boiler & Engineering Company of Hayward, CA, executed a contract on August 12, 2010 in the amount of \$161,386.00 to complete Digester Boiler Replacement project, scope defined in Contract Documents and Specifications for District ownership and maintenance;

**WHEREAS**, the District has authorized change orders in the total amount of -\$13,771.00, for a total final project cost of \$147,615.00; and

**WHEREAS**, Michael P. Cortez, District Engineer for the Las Gallinas Valley Sanitary District by a Notice of Completion dated September 29, 2011, a copy of which is attached hereto as Exhibit A, has acknowledged that the aforementioned improvements have been installed, tested by the District, and found to be acceptable to the District for District ownership and maintenance.

**NOW, THEREFORE**, the Board of Directors of the Las Gallinas Valley Sanitary District herein approves the Notice of Completion for recordation with the Marin County Recorder.

\* \* \* \* \*

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 29<sup>th</sup> day of September 2011, by the following vote of the members thereof:

AYES, and in favor thereof, Members: *Clark, Greenfield, Koder, Murray and Schriebman*  
NOES, Members: *none*  
ABSTAIN, Members: *none*  
ABSENT, Members: *none*

*Carolyn A. Memmott*  
\_\_\_\_\_  
Carolyn A. Memmott, District Secretary  
Las Gallinas Valley Sanitary District

APPROVED:

*Judy Schriebman*  
\_\_\_\_\_  
Judy Schriebman, President Board of Directors



(seal)

# Exhibit A

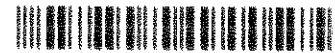
Notice of Acceptance of Completion  
Digester Boiler Replacement

4-1-11  
20

RECEIVED

OCT 17 2011

L.G.V.S.D.



2011-0049960

Recorded at the Request of:  
Las Gallinas Valley Sanitary District

Recorded	REC FEE	0.00
Official Records		
County of		
Marin		
RICHARD N. BENSON		
Assessor-Recorder		
County Clerk		
12:14PM 05-Oct-2011	Page 1 of 4	

When Recorded Mail to:  
Las Gallinas Valley Sanitary District  
300 Smith Ranch Road  
San Rafael, CA 94903

Space above this Line for Recorder's Use

**NOTICE OF ACCEPTANCE OF COMPLETION**

**LAS GALLINAS VALLEY SANITARY DISTRICT  
MARIN COUNTY, CALIFORNIA**

**DIGESTER BOILER REPLACEMENT**

NOTICE IS HEREBY GIVEN, Pursuant to Section 3093 of the Civil Code of the State of California, that Michael P. Cortez, District Engineer for the Las Gallinas Valley Sanitary District, Marin County, California, on the 29<sup>th</sup> day of September, 2011, did file with the Secretary of said District a Statement of Completion of the following described work, the Digester Boiler Replacement project, the contract for doing which was awarded to Bay City Boiler & Engineering Co., Inc., of Hayward, California, and entered into on September 28, 2010. A copy of said Statement of Completion is attached here to and incorporated by reference herein as Attachment 1.

That said work and improvements are public improvements owned and held by said District for the benefit of the public, and were actually completed on 7<sup>th</sup> day of September, 2011. Acceptance of completion of said work was ordered by the District Board on September 29, 2011 and the name of the surety on the contractor's Faithful Performance Bond and Payment Bond for said project is Travelers Casualty and Surety Company of America.

That said work and improvements consisted of the performing of all work and furnishing of all labor, materials, equipment and all utility and transportation services required for the installation of the Digester Boiler Replacement project, all as more particularly described in the plans and specifications approved by the Board of Directors of said District.

The site of the construction and improvements was in and around the Las Gallinas Valley Sanitary District, 300 Smith Ranch Road, San Rafael, CA 94903.

OWNER: Las Gallinas Valley Sanitary District  
300 Smith Ranch Road  
San Rafael, CA 94903

**VERIFICATION**

I, the undersigned, declare that I am the General Manager and duly authorized representative for the Las Gallinas Valley Sanitary District, Marin County, California, and that I have read the foregoing notice, know its contents, and that the facts therein stated are true to the best of my knowledge and belief.

(CONTINUED NEXT PAGE)





**DISTRICT BOARD**

Megan Clark  
Russ Greenfield  
Larry Loder  
Craig K. Murray  
Judy Schriebman

**DISTRICT ADMINISTRATION**

Mark R. Williams,  
General Manager  
Michael Cortez,  
District Engineer  
Janice Mandler,  
Collection System/Safety Manager  
Susan McGuire,  
Administrative Services Manager  
Mark Von Aspern,  
Plant Manager

**ATTACHMENT 1**

**STATEMENT OF COMPLETION**

**DIGESTER BOILER REPLACEMENT**

I, Michael P. Cortez, District Engineer, for the Las Gallinas Valley Sanitary District, Marin County, California, do hereby certify that work and improvements described in the contract, which was entered into by and between Las Gallinas Valley Sanitary District and Bay City Boiler & Engineering Co., Inc., of Hayward, California, dated September 28, 2010, was completed to my satisfaction on September 7, 2011.

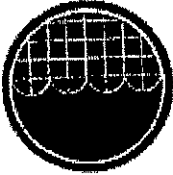
That said work and improvements are more particularly described in the Contract Documents, approved by the Sanitary Board of said District on August 12, 2010.

I understand that neither the determination of completeness of the work, nor acceptance of the work by the District, shall operate to bar claims against the Contractor under the terms of the guarantee provisions of the Contract Documents.

Dated: September 29, 2011

By:

Michael P. Cortez, PE  
District Engineer



**BAY CITY BOILER  
& ENGINEERING CO., INC.**

23312 Cabot Boulevard • Hayward  
CA 94545 • (510) 786-3711 • Fax (510) 786-3716

Repairs • Service • Installation • New Construction • Sales • 24 Hour Service

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September 7, 2011

Las Gallinas Valley Sanitary District  
Attn: Michael Cortez, District Engineer  
300 Smith Ranch Road  
San Rafael, CA 94903

Attn: Michael Cortez, District Engineer

Re: Digester Boiler Replacement  
Job No. 09600-09  
July 2010

Dear Mr. Cortez:

Bay City Boiler and Engineering was contracted to Provide and Install One (1) new Digester Boiler located at the Las Gallinas Valley Sanitary District, San Rafael per RFQ dated 08/10/2010 and Las Gallinas Valley Sanitary District Contract Number 09600-09 dated 09/28/2010.

In summary, The boiler was installed and started up in accordance to the contract. We completed the requirements of the contract and are requesting final payment. The work started on 09/28/2010 and was completed on 08/17/2011.

Thank you for the contract. We appreciate the business and the opportunity to be of service. If you have questions regarding the work that was performed, please contact me for any additional information.

Sincerely,  
Steve Dutra  
Steve Dutra  
Project Manager