

RESOLUTION No 2010-1911

**A RESOLUTION ACCEPTING THE
WASTEWATER TREATMENT PLANT ELECTRICAL UPGRADES 2009/10
FOR
Las Gallinas Valley Sanitary District**

WHEREAS, NEC, Inc., Ramona, California, executed a contract on October 1, 2009 in the amount of \$ 190,000.00 to complete Wastewater Treatment Plant Electrical Upgrades 2009/10 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 \$ 53,390.86, for a total final project cost of \$243,390.86; and

WHEREAS, Michael P. Cortez, District Engineer for the Las Gallinas Valley Sanitary District by a Notice of Completion dated August 12, 2010, a copy of which is attached here to 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 12th day of August 2010, by the following vote of the members thereof:

AYES, and in favor thereof, Members: *Clark, Greenfield, Loder, Murray, Sweetman*
NOES, Members: *None*
ABSTAIN, Members: *None*
ABSENT, Members: *None*

Carolyn A. Memmott

Carolyn A. Memmott, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

[Signature]

Craig K. Murray, President Board of Directors





2010-0039677

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See
log

Recorded at the Request of:
Las Gallinas Valley Sanitary District

Recorded | REC FEE | 0.00
Official Records
County of
Marin
JOAN C. THAYER
Assessor-Recorder

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

09:41AM 17-Aug-2010 | Page 1 of 5

RECEIVED

Space above this Line for Recorder's Use

SEP 02 2010

L.G.V.S.D.

NOTICE OF ACCEPTANCE OF COMPLETION

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

WASTEWATER TREATMENT PLANT ELECTRICAL UPGRADES 2009/10

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 12th day of August, 2010, did file with the Secretary of said District a Statement of Completion of the following described work, the Wastewater Treatment Plant Electrical Upgrades 2009/10 project, the contract for doing which was awarded to NEC, Inc. of Ramona, CA, and entered into on October 1, 2009. 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 6th day of August, 2010. Acceptance of completion of said work was ordered by the District Board on August 12, 2010 and the name of the surety on the contractor's Faithful Performance Bond and Payment Bond for said project is Contractors Bonding and Insurance Company of Irvine, CA.

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 Wastewater Treatment Plant Electrical Upgrades 2009/10 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 located on 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)

I certify (or declare) under penalty of perjury that the forgoing is true and correct.

Executed at San Rafael, California, this Thirteenth day of August, 2010.

LAS GALLINAS VALLEY SANITARY DISTRICT


Mark R Williams, General Manager

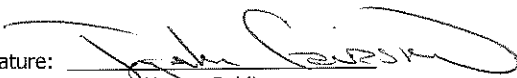
STATE OF CALIFORNIA)) ss.
COUNTY OF MARIN)

On August 13, 2010, before me, Tymber Cavasian, Notary Public, personally appeared Mark R. Williams, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature: 
Notary Public

(Seal)

**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****WASTEWATER TREATMENT PLANT ELECTRICAL UPGRADES 2009/10**

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 NEC, Inc., of Ramona, California, dated October 1, 2009, was completed to my satisfaction on August 6, 2010.

That said work and improvements are more particularly described in the Contract Documents, approved by the Sanitary Board of said District on August 27, 2009.

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: August 12, 2010

By:

Michael P. Cortez, PE
District Engineer

X:\PROJECTS\09600-06 WWTP Elec Upgrades\09600-06 Statement of Completion - WTP Electrical Upgrades 2009-10.docx




August 10, 2010

To: Michael Cortez
District Engineer
LGVSD
300 Smith Ranch Rd
San Rafael, CA 94903

Project: WWTP Electrical Upgrades 2009/10
Project No.: 7827
Owner: LGVSD
300 Smith Ranch Rd
San Rafael, CA 94903

This is to certify that I, William Hobbs am an authorized official of Native Electrical Construction, Inc. working in the capacity of President and have been properly authorized by said corporation to sign the following statements pertaining to the subject contract:

I know of my own personal knowledge, and do hereby certify, that the work of the contract described above has been performed, and materials used and installed in every particular, in accordance with, and in conformity to, the contract drawings and specifications. The contract work and additional work requested is now complete in all parts and requirements, and ready for your final inspection. I understand that neither the determination by the Engineer that the work is complete, nor the acceptance thereof by the Owner, shall operate as a bar to claim against the Contractor under the terms of the guarantee provisions of the contract documents.

By: 
William Hobbs

Title: President

For: Native Electrical Construction, Inc.