

RESOLUTION No 2018-2139

A RESOLUTION ACCEPTING THE
BIOGAS ENERGY RECOVERY SYSTEM
FOR

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, Western Water Constructors, Inc. of Santa Rosa, California, executed a contract on October 2, 2015 in the amount of \$2,079,000 to complete BIOGAS ENERGY RECOVERY SYSTEM project, JOB NO. 14600-04, scope defined in Contract Documents and Specifications dated July 2015 prepared by Cornerstone Environmental Group, LLC for District ownership and maintenance;

WHEREAS, the District has authorized change orders in the total amount of \$487,873.61, for a total final project cost of \$2,566,873.61; and

WHEREAS, Michael P. Cortez, District Engineer for the Las Gallinas Valley Sanitary District by a Notice of Completion dated September 13, 2018, 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 Acceptance 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 13th day of September 2018, by the following vote of the members thereof:

AYES, and in favor thereof, Members: *Clark, Elias, Greenfield, Murray*
NOES, Members: *Schrieblman*
ABSTAIN, Members: *None.*
ABSENT, Members: *None.*

[Handwritten Signature]

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

[Handwritten Signature]
Megan Clark, President Board of Directors



Exhibit A

Notice of Acceptance of Completion
BIOGAS ENERGY RECOVERY SYSTEM

4/11/18



2018-0033203

Recorded
Official Records
County of
Marin
RICHARD N. BENSON
Assessor-Recorder
County Clerk

REC FEE 0.00

06:45AM 20-Sep-2018

50
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Recorded at the Request of:
Las Gallinas Valley Sanitary District

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

**RECORD WITHOUT FEE
PER G.C. 27383**

Space above this Line for Recorder's Use

NOTICE OF ACCEPTANCE OF COMPLETION

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

BIOGAS ENERGY RECOVERY SYSTEM

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 13th day of September 2018, did file with the Secretary of said District a Statement of Completion of the following described work, the BIOGAS ENERGY RECOVERY SYSTEM project, Job No. 14600-04, the contract for doing which was awarded to Western Water Constructors, Inc. of Santa Rosa, California, and entered into on October 2, 2015. A copy of said Statement of Completion is attached hereto 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 31st day of August, 2018. Acceptance of completion of said work was ordered by the District Board on September 13, 2018 and the name of the surety on the contractor's Faithful Performance Bond and Payment Bond for said project is Fidelity and Deposit Company of Maryland.

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 BIOGAS ENERGY RECOVERY SYSTEM project, all as more particularly described in the plans and specifications approved by the Board of Directors of said District on July 23, 2015.

The site of the construction and improvements was in and around 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 Interim 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 17th day of September 2018.

LAS GALLINAS VALLEY SANITARY DISTRICT



Chris DeGabriele, Interim General Manager





DISTRICT BOARD

Rabi Elias
Megan Clark
Russ Greenfield
Craig K. Murray
Judy Schriebman

DISTRICT ADMINISTRATION

Chris DeGabriele,
Interim General Manager
Michael Cortez,
District Engineer
Mel Liebmann,
Plant Manager
Greg Pease,
Collection System/Safety Manager
Susan McGuire,
Administrative Services Manager

ATTACHMENT 1

STATEMENT OF COMPLETION

**BIOGAS ENERGY RECOVERY SYSTEM
(JOB NO. 14600-04)**

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 Western Water Constructors, Inc. of Santa Rosa, California, dated October 2, 2015, was completed to my satisfaction on August 31, 2018.

That said work and improvements are more particularly described in the Contract Documents dated July 2015, prepared by Cornerstone Environmental Group, LLC, approved by the Board of Directors of said District, and advertised for public bidding on July 23, 2015.

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 13, 2018

By:

Michael P. Cortez, PE
District Engineer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Marin }
On September 17, 2018 before me, Teresa Lerch, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Chris De Gabriele
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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.

[Handwritten Signature]

Signature _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Notice of Acceptance of Completion
Document Date: 9.17.18 Number of Pages: _____
Signer(s) Other Than Named Above: Biogas

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____
 Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____
 Partner – Limited General Partner – Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian of Conservator Trustee Guardian of Conservator
 Other: _____ Other: _____
Signer is Representing: _____ Signer is Representing: _____