



*Before the Board of Directors of the Monterey County Water Resources Agency
County of Monterey, State of California*

BOARD ORDER No. 17-66

RECOMMEND THAT THE BOARD OF SUPERVISORS OF THE MONTEREY COUNTY WATER RESOURCES AGENCY, UPON APPROVAL AS TO FORM BY COUNTY COUNSEL:
A. ACCEPTS THE NOTICE OF COMPLETION FOR THE AFOREMENTIONED PROJECT FOR INSTALLATION AND CONSTRUCTION OF CHANNEL IMPROVEMENTS KNOWN AS THE BRYANT CANYON CHANNEL IMPROVEMENT PROJECT PERFORMED BY UCP SOLEDAD, LLC.; AND B. AUTHORIZES THE GENERAL MANAGER OF MONTEREY COUNTY WATER RESOURCES AGENCY TO EXECUTE AND RECORD WITHIN TEN DAYS WITH THE COUNTY RECORDER A NOTICE OF COMPLETION FOR SAID AFOREMENTIONED PUBLIC WORK PURSUANT TO THE PROVISIONS OF CALIFORNIA CIVIL CODE SECTION 9204; AND C. ACCEPTS FROM UCP SOLEDAD LLC, A CERTIFICATE OF ACCEPTANCE FOR THE COMPLETED CHANNEL IMPROVEMENTS KNOWN AS THE BRYANT CANYON CHANNEL IMPROVEMENT PROJECT FOR THE PURPOSE OF OPERATIONS AND MAINTENANCE; AND D. ACCEPTS A WARRANTY SECURITY HELD BY THE HANOVER INSURANCE COMPANY, MAINTENANCE BOND NO. 1053486 IN THE AMOUNT OF \$354,220 FOR A PERIOD OF ONE YEAR FOLLOWING THE ACCEPTANCE BY THE MONTEREY COUNTY WATER RESOURCES AGENCY BOARD OF SUPERVISORS' AND FILING OF THE NOTICE OF COMPLETION OF THE WORK AND IMPROVEMENTS AGAINST ANY DEFECTIVE WORK OR LABOR DONE OR DEFECTIVE MATERIALS FURNISHED; AND E. APPROVES THE RELEASE OF SECURITY BOND FOR FAITHFUL PERFORMANCE AND FOR PAYMENT HELD BY THE PHILADELPHIA INDEMNITY INSURANCE COMPANY, No. PB03010403806 IN THE AMOUNT OF \$1,948,210 AND \$885,550 RESPECTIVELY, AFTER THE PASSAGE OF TIME FOR RECORDING CLAIMS OR LIENS; AND F. AUTHORIZES THE CHAIR TO EXECUTE THE CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION; AND G. AUTHORIZES AND DIRECTS THE CLERK OF THE BOARD TO SUBMIT THE EXECUTED CERTIFICATE OF ACCEPTANCE TO THE COUNTY RECORDER.

Upon motion of Director Ortiz, seconded by Director Dupree, and carried by those members present, the Board of Directors hereby:

Recommends that the Monterey County Water Resources Agency Board of Supervisors take the following actions, upon approval as to form by County Counsel:

- a. Accept the Notice of Completion for the aforementioned Project for installation and construction of channel improvements known as the Bryant Canyon Channel Improvement Project performed by UCP Soledad, LLC.; and
- b. Authorize the General Manager of Monterey County Water Resources Agency to execute and record within ten days with the County Recorder a Notice of Completion for said aforementioned public work pursuant to the provisions of California Civil Code Section 9204.

- c. Accept from UCP Soledad LLC, a Certificate of Acceptance for the completed channel improvements known as the Bryant Canyon Channel Improvement Project for the purpose of operations and maintenance; and
- d. Accept a Warranty Security held by the Hanover Insurance Company, Maintenance Bond No. 1053486 in the amount of \$354,220 for a period of one year following the acceptance by the Monterey County Water Resources Agency Board of Supervisors' and filing of the Notice of Completion of the work and Improvements against any defective work or labor done or defective materials furnished; and
- e. Approve the release of Security Bond for Faithful Performance and for Payment held by the Philadelphia Indemnity Insurance Company, No. PB03010403806 in the amount of \$1,948,210 and \$885,550 respectively, after the passage of time for recording claims or liens; and
- f. Authorize the Chair to execute the Certificate of Acceptance and Consent to Recordation; and
- g. Authorize and direct the Clerk of the Board to submit the executed Certificate of Acceptance to the County Recorder.

PASSED AND ADOPTED on this 20th day of **November 2017**, by the following vote, to-wit:

AYES: Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz, Scattini and LeBarre

NOES: None

ABSENT: None



BY: Mark Gonzales, Chair
Board of Directors



ATTEST: David E. Chardavoyne
General Manager