



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 16-201, **Version:** 1

- a. Accept as complete a further portion of East Garrison Subdivision Phase 1 Infrastructure Improvements, including off-site and on-site erosion control, and off-site street improvements;
- b. Approve the release of the balance of Faithful Performance and Labor and Material Bonds related to said improvements (Bond No. 5026101 in the total amount of \$1,093,500 and Bond No. 502126 in the total amount of \$115,500) in accordance with Government Code section 66499.7 after the passage of time for recording claims or liens;
- c. Retain Faithful Performance and Labor and Material Bonds No. 5026132 in the total amount of \$1,174,500 pending completion of the improvements related to that bond; and
- d. Accept Maintenance Bond No. 0196964 in the amount of \$161,200 for the accepted improvements.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept as complete a further portion of East Garrison Subdivision Phase 1 Infrastructure Improvements, including off-site and on-site erosion control, and off-site street improvements;
- b. Approve the release of the balance of Faithful Performance and Labor and Material Bonds related to said improvements (Bond No. 5026101 in the total amount of \$1,093,500 and Bond No. 502126 in the total amount of \$115,500) in accordance with Government Code section 66499.7 after the passage of time for recording claims or liens;
- c. Retain Faithful Performance and Labor and Material Bonds No. 5026132 in the total amount of \$1,174,500 pending completion of the improvements related to that bond; and
- d. Accept Maintenance Bond No. 0196964 in the amount of \$161,200 for the accepted improvements.

SUMMARY

The recommended actions will allow the County to accept as complete and release the bonds for a further portion of the balance of the East Garrison Phase 1 infrastructure improvements that were deferred and completed in conjunction with the Phase 2 tract improvements.

DISCUSSION:

On June 22, 2007 the Board of Supervisors approved the Final Tract Map, Subdivision Improvement Agreement, and infrastructure improvement plans for Phase 1 of the East Garrison development, and construction was initiated.

On November 4, 2008 the Board of Supervisors accepted a portion of the East Garrison Subdivision Phase 1 Improvements as complete, approved reduction of Faithful Performance Bond No. 5026126 for Phase 1 off-site road improvements on Reservation Road and Intergarrison Road to the amount of \$791,500, and approved a 50% reduction of Grading Bond No. SU5022535 in the amount of \$4,026,000.

On March 26, 2013 the Board of Supervisors accepted as complete additional portions of the Phase 1

Improvements, released the balance of Grading Bond SU5022535 in the remaining amount of \$4,026,000, released the entirety of Erosion Control Bond SU5022536 in the amount of \$1,500,000 and released the entirety of Onsite Improvement Bond 5026133 in the amount of \$6,262,608. The Board also approved a 51% reduction of Phase 1&2 Erosion Control Bond 5026101 in the amount of \$1,152,300, a 96% reduction of Phase 1 Offsite Improvement Bond 5026126 in the amount of \$2,603,250, and an 86% reduction of Phase 1 Onsite Improvement Bond 5026132 in the amount of \$7,435,885. Portions of these bonds were retained to provide financial security for Phase 1 street improvements that were postponed and scheduled to be completed in conjunction with the Phase 2 tract improvements at the request of the Developer (see Attachment 2).

Maintenance Bond No. 0196964 in the amount of \$161,200 for the accepted infrastructure improvements that are completed and accepted has been provided by the developer in accordance with the Subdivision Agreement.

Upon receipt of the Subdivider's Engineer's Letter of Partial Completion on February 3, 2016, the Public Works Department determined that the portions of the Phase 1 improvements relating to erosion control and paint striping on off-site streets have been completed in accordance with the approved Phase 1 improvement plans and as specified in the implementation agreements, recommends their acceptance, and recommends the faithful performance and labor and materials bonds for these completed improvements can be released.

The final list of asphalt and concrete sidewalks on certain on-site (interior) streets in the area of the future Town Center have not yet been completed, and the bonds for this work will be retained.

OTHER AGENCY INVOLVEMENT:

The office of the County Counsel has reviewed the recommendation as to form.

FINANCING:

There is no financial impact to the General Fund. In accordance with the approved Disposition and Development Agreement (DDA) and related documents, all costs for construction of the improvements and the County's review thereof have been funded by the Subdivider.

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Reviewed by: Benny J. Young, PE, Director of Public Works

Approved by: Carl P. Holm, AICP, RMA Director

Attachments: 1. Location Map
 2. Phase 1 Bond Summary
 3. Maintenance Bond
 4. Engineer's Letter of Completion