

When Recorded Mail to:

***5**

City of Milpitas
455 East Calaveras Boulevard
Milpitas, CA 95035
Attention: Office of the City Clerk

Record without fee under
Section 6103 – Government Code
State of California

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING
INITIAL ACCEPTANCE OF MAIN SEWAGE PUMP STATION PROJECT NO. 6103**

WHEREAS, the City of Milpitas has heretofore entered into a Contract with Anderson Pacific Engineering Construction, Inc., for the Main Sewage Pump Station CIP 6103. The City Engineer of the City of Milpitas has recommended acceptance of said improvement as completed in accordance with plans, specifications and approved change orders and correction lists, and in accordance with the final inspection of said City Engineer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Milpitas does hereby accept said improvement as completed on this 3RD day of February 2009, and does hereby authorize and direct the City Engineer of the City of Milpitas to file a Notice of Completion in accordance with the provisions of Section 3093 of the Civil Code of the State of California, and does hereby authorize and direct the City Engineer to file a Certificate of Completion in accordance with the provisions of Section 4005 of the Government Code of the State of California, if said work was by day’s labor or force account. The penal sum of the faithful performance bond securing said improvement may be reduced to the sum of \$947,066. upon request of principal and surety, said penal sum as reduced to apply from the date of completion and acceptance of said improvements and to extend for the balance of the term of said bond, provided that said term shall not be less than one year.

PASSED AND ADOPTED this _____ day of _____ 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Robert Livengood, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

When Recorded Mail to:

City of Milpitas
455 East Calaveras Boulevard
Milpitas, CA 95035
Attention: Office of the City Clerk

Record without fee under
Section 6103 – Government Code
State of California

CITY OF MILPITAS

NOTICE OF COMPLETION
(Civil Code Section 3093)

NOTICE IS HEREBY GIVEN:

1. On or about December 5, 2006, City of Milpitas, a municipal corporation of the State of California, whose address is City Hall, 455 East Calaveras Boulevard, Milpitas, California, 95035 (as owner) entered into a contract for work of improvement, to wit:
2. A description of the site of which the City is owner for said work of improvement is City of Milpitas, Santa Clara County, California, more particularly described as: **Main Pump Station CIP 6103**
3. The nature and interest or estate of the City as owner of said site is in fee: **1425 N. McCarthy Blvd. Milpitas, CA 95035**
4. The name and address of the original contractor is: **Anderson Pacific Engineering Construction, Inc. 1390 Norman Avenue Santa Clara, CA 95054**
5. A general statement of the kind of work done or materials furnished to the City is as follows: **New underground wet well with submersible pumps and inline grinders, a new control building with electrical room, site improvements including drainage, parking areas, perimeter fencing, landscaping and lighting**
6. The name of the sureties upon the bond of the Contractor for said work of improvement is: **Safeco 1001 4TH Street Seattle WA 98154**
7. Said work of improvement was accepted by the Milpitas City Council as completed on **February 3, 2009**

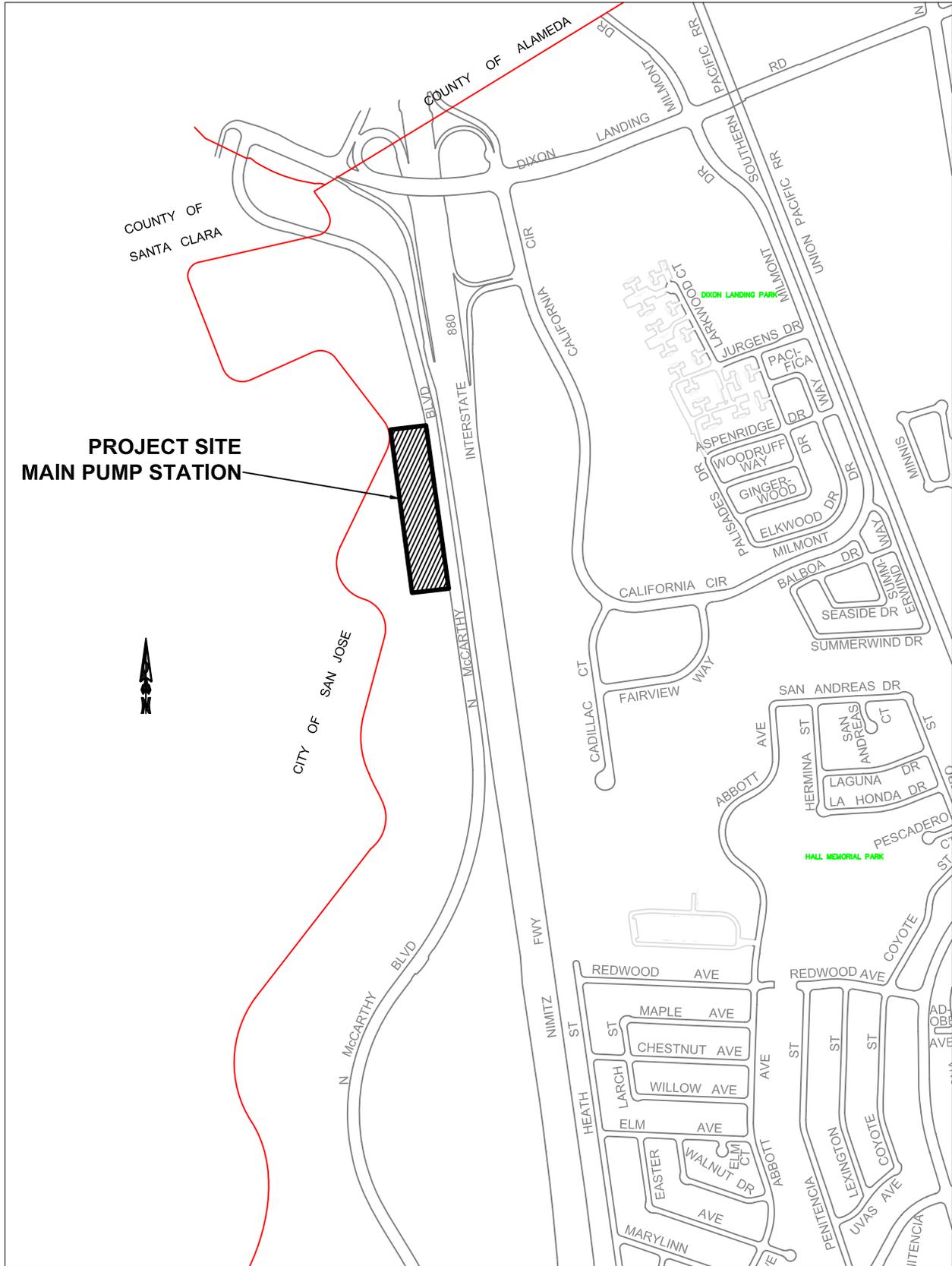
I, the undersigned, declare that I am the City Engineer of the City of Milpitas and am authorized to execute the foregoing Notice of Completion and this Verification thereof. I have read the foregoing Notice of Completion. I declare under penalty of perjury that the foregoing Notice of Completion is true and correct. Executed on _____ at Milpitas, California.

Greg Armendariz, City Engineer / PW Director
City of Milpitas

NOTE: RECORD WITHIN 10 DAYS OF ACCEPTANCE WITH COUNTY RECORDER OF SANTA CLARA COUNTY

CITY OF MILPITAS

MAIN SEWAGE PUMP STATION PROJECT NUMBER 6103



LOCATION MAP



CONTRACT CHANGE ORDER

Date: February 3, 2009

To: Anderson Pacific Engineering Construction, Inc.
1390 Norman Ave.
Santa Clara, Ca 95054
Attn.: Matt Mirenda

Project: Main Sewage Pump Station, Project No. 6103
Contract Change Order No. 13

You are hereby authorized to proceed with the following work in connection with the subject project:

Item No. 1- Furnish and install irrigation control wire per City inspector's directive in the field. The total cost of this item is \$2,630, and include full compensation for all materials and labor to complete work listed above, complete in place.

TOTAL: \$2,630

INCREASE IN CONTRACT TIME: 0 working days.

No claims for additional compensation or damages for delay under any theory whatsoever, submitted by the contractor or any subcontractor, will be allowed by the City for any delay arising from, or associated with this change order. The extension of the time for completion and the compensation specified in this change order shall be the contractor's sole remedy.

This change order constitutes full and complete compensation for all labor, equipment, materials, overhead, extended overhead and profit required to perform the changes described above in accordance with the applicable provisions of the contract documents. This change order is not effective until approved by owner.

Accepted By: _____ Date: _____
Contractor

Project Manager: _____ Date: _____

City Approval: _____ Date: _____
City Engineer