

When Recorded Mail to:

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

***RA8**

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

RESOLUTION NO. _____

**A JOINT RESOLUTION OF THE MILPITAS REDVELOPMENT AGENCY AND THE CITY OF MILPITAS
APPROVING INITIAL ACCEPTANCE AND REDUCING PERFORMANCE BOND OF SIDEWALK
WIDENING OF CALAVERAS BLVD BRIDGES, PROJECT NO. 4202**

WHEREAS, the Redevelopment Agency and City of Milpitas have heretofore entered into a contract with Joseph J. Albanese, Inc. for the subject project, and the City Engineer of the City of Milpitas has recommended acceptance of said improvement as completed in accordance with plans, specifications, approved change orders and correction lists, and in accordance with the final inspection of said City Engineer.

NOW, THEREFORE, the Board of the Redevelopment Agency and the City Council of the City of Milpitas hereby find, determine, and resolve as follows:

1. The Board and the City Council have considered the full record before them, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to them. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The Milpitas Redevelopment Agency and the City of Milpitas do hereby accept said improvement as completed on this 2ND day of February 2010, and do 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 do 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 \$12,600 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 _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, Agency Secretary/City Clerk

Robert Livengood, Chair/Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, Agency Counsel/City Attorney

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CITY OF MILPITAS

NOTICE OF COMPLETION

(Civil Code Section 3093)

NOTICE IS HEREBY GIVEN:

1. On or about August 4, 2009, the Redevelopment Agency of the 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: **sidewalk improvement at Calaveras Blvd. Bridges.**
2. A description of the site of which the City is co-owner for said work of improvement is: **Calaveras Blvd between Abel St and Milpitas Blvd in the City of Milpitas, Santa Clara County, California, more particularly described on the plans.**
3. The nature and interest or estate of the City as owner of said site is: **encroachment permittee with the State of California (Caltrans).**
4. The name and address of the original contractor is: **Joseph J Albanese, Inc., 986 Walsh Ave, Santa Clara, California, 95050.**
5. A general statement of the kind of work done or materials furnished to the City is as follows: **installation of sidewalk widening and highway striping to accommodate the widening.**
6. The name of the sureties upon the bond of the Contractor for said work of improvement is: **Travelers Casualty and Surety Company of America, 225 W Santa Clara St, #1150, San Jose, California, 95113; Bond # 105296156**
7. Said work of improvement was accepted by the Milpitas City Council as completed on: February 2, 2010.

 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