

Recording Requested by and
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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING
INITIAL ACCEPTANCE OF THE SANTA CLARA VALLEY TRANSPORTATION
AUTHORITY (VTA) SILICON VALLEY BERRYESSA EXTENSION PROJECT, WATER,
STORM, AND SEWER UTILITY RELOCATION AT PIPER DRIVE, VTA PROJECT NO. C610**

WHEREAS, the City of Milpitas has heretofore entered into a Master Agreement with the Santa Clara Valley Transportation Authority (VTA) for work including the subject project; and

WHEREAS, VTA contracted with Con-Quest Contractors, Inc. to complete this work of VTA Project C610, consisting of relocation of City water, sewer and storm drain utilities in Piper Drive; and

WHEREAS, the City issued an encroachment permit to Con-Quest Contractors, Inc. to construct the work of VTA Project C610 in accordance with the approved VTA plans and specifications; and

WHEREAS, Con-Quest Contractor has completed the work in accordance with the approved VTA C610 Project plans and specifications, and

WHEREAS, 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, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, 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 it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

2. The City of Milpitas does hereby accept said improvement as constructed in accordance with the approved plans and specifications upon recommendation of the City Engineer.

PASSED AND ADOPTED this _____ day of _____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney