

RESOLUTION NO. 14-83A RESOLUTION ACCEPTING PARTIAL COMPLETION AND  
DIRECTING FILING OF NOTICE OF PARTIAL COMPLETION NO. 1WATER POLLUTION CONTROL FACILITIES - 1979  
PROJECT UNIT 4 - OCEAN OUTFALL AND PUMPING FACILITIES  
(PROJECT NO. C-06-1022-140)

RESOLVED, by the Board of Directors of the Sewer Authority  
Mid-Coastside, San Mateo County, California that

WHEREAS, this Board has, by its Resolution No. 11-82, adopted on  
May 10, 1982, awarded a contract to HEALY TIBBITTS CONSTRUCTION CO.,  
for the construction and installation of the work and improvements  
therein more particularly described;

WHEREAS, the Consulting Engineers anticipate filing with the  
Secretary a Statement of Partial Completion of the work and  
improvements provided to be done;

WHEREAS, Contractor has requested that this Authority accept  
said portion of said work and improvements as completed; and

WHEREAS, it appears to the satisfaction of this Board that upon  
the Engineer's filing of its statement of Partial Completion, that  
portion of said work and improvements under said contract will have  
been fully completed and done in accordance with and the plans and  
specifications therefor;

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That partial acceptance of completion of said work and  
improvements made and done by Contractor pursuant to said contract, to  
wit: those items identified on Exhibit "A" attached hereto, except as  
therein noted, be, and it is hereby, made and ordered.

2. That such partial acceptance shall not be construed by the Contractor or its surety as a waiver of the obligation to complete the remainder of said work and improvements in accordance with the plans and specifications therefor.

3. Such partial acceptance on behalf of this Authority is not to be construed by either the contractor or its surety as a waiver of their obligation to repair and replace and totally protect the Authority from loss or damage made evident, for a one year period from the date hereof, resulting from or caused by defective materials or faulty workmanship in the completed work and improvements, and is not to be construed by either the contractor or its surety as a waiver of any of their obligations with respect to the work and improvements not hereby accepted.

4. Such partial acceptance shall, for the purpose of making payments to the contractor under the contract, not be deemed acceptance of completion; retention monies on the work and improvements hereby accepted as complete shall be retained by the Authority until 35 days after the final acceptance of completion of all work and improvements under said contract.

5. Such partial acceptance shall in no way effect the surety's obligations under the payment bond heretofore provided by the contractor. Except as to that portion of the work and improvements herein expressly accepted, such partial acceptance shall in no way effect the surety's obligations under the faithful performance bond heretofore provided by the contractor. Said bonds shall remain in effect until expressly released by this Authority.

6. That this Resolution shall become effective upon the filing by the Consulting Engineers of a Statement that said portion of the work and improvements has been completed to their satisfaction, and upon execution of the consent and agreement to the terms and conditions of this Resolution by the Contractor and its surety.

7. That upon the satisfaction of all of the conditions herein specified, the Manager be, and he is hereby, directed to execute and file for record with the County Recorder of the County of San Mateo, Notice of Partial Completion thereof, pursuant to Section 3093 of the Civil Code of the State of California.

\* \* \* \* \*


I hereby certify the foregoing to be a true copy of a resolution adopted by the Board of Directors of the Sewer Authority Mid-Coastside, San Mateo County, California, at a regular meeting thereof held on the 10th day of October 1983, by the following vote of the members thereof:

AYES, and in favor thereof, Directors: Bishop, Schuetrum, Leger, Moulton, Mello, Shapira


NOES, Directors: None

ABSENT, Directors: None

(SEAL)

  
\_\_\_\_\_  
Chairman  
Sewer Authority Mid-Coastside

COUNTERSIGNED:

  
\_\_\_\_\_  
Secretary  
Sewer Authority Mid-Coastside

We hereby consent and agree to the above.

HEALY TIBBITTS CONSTRUCTION CO.  
(Contractor)

THE AMERICAN INSURANCE COMPANY  
(Surety)

By   
\_\_\_\_\_  
JOHN F. SEERY VICE PRESIDENT

By   
\_\_\_\_\_  
DAVID W. SING ATTORNEY-IN-FACT

By   
\_\_\_\_\_

By \_\_\_\_\_