

RESOLUTION NO. 15-84

A RESOLUTION ACCEPTING COMPLETION, UPON CONDITION,
AND DIRECTING FILING OF NOTICE OF COMPLETIONWATER 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, pursuant to Resolution No. 11-82, adopted May 10,
1982, this Board 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 have filed with the
Secretary a Statement of Completion of the work and improvements
provided to be done; however said statement sets forth, as Exhibit
A, thereto, certain deficiencies in the work and improvements;

WHEREAS, the Plant Superintendent has advised that those
deficiencies that were matters to be accomplished by the Contractor
have been accomplished with the exception of the removal of the
Contractor's construction spider from the project site;

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

WHEREAS, it appears to the satisfaction of this Board that
said work and improvements under said contract have been fully
completed and done in accordance with the plans and specifications
therefor with the exception of the removal of the construction
spider from the project site; and that the deficiencies noted by the

Consulting Engineers in the Statement of Completion have, to the extent that they are matters that were to be accomplished by the Contractor, been completed with the exception of the removal of the Contractor's construction spider from the project site; and

WHEREAS, the Contractor, by acceptance of the conditions set forth in SAM's letter, dated August 20, 1984, has agreed to assume full responsibility to fully and completely remove the spider from the project site within a time period anticipated to be prior to the release of retention monies as herein contemplated;

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That acceptance of completion of said work and improvements made and done by Contractor pursuant to said contract be, and it is hereby, made and ordered, conditioned upon the Contractor's removal of the construction spider as per his agreement so to do.

2. Such 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 the period set forth in said specifications, resulting from or caused by, defective materials or faulty workmanship in the work and improvements.

3. That 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 Completion thereof, pursuant to Section 3093 of the Civil Code of the State of California.


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I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by the Board of Directors of the Sewer Authority Mid-Coastside at a regular meeting thereof held on the 13th day of August, 1984, by the following vote:

AYES, and in favor thereof, Directors: Shapira, Leger,
Bedesem, Eriksen, Crawford, Schuetrum

NOES, Directors: None

ABSENT, Directors: None



Chairman
Sewer Authority Mid-Coastside

COUNTERSIGNED:



Secretary
Sewer Authority Mid-Coastside