

Recorded at the request of: Clerk of the Board
Return To: J. Carlson, Engineering Services

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 04/07/2009 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2009/125

Accepting completion of improvements for Drainage Improvement Agreement for DG 06-00061, for project being developed by Lyon Vista Del Mar 553, LLC, as recommended by the Public Works Director, Bay Point area. (District V)

These drainage improvements generally consist of the storm drain improvements for Drainage Area 48B Line B, located along Alves Lane and DA 48B Line B1, located along Alberts Avenue and Hill Street approximately located north of State Highway 4, west of Bailey Road.

The Public Works Director having notified this Board that the off-site drainage improvements for DG 06-00061 have been completed as provided in the Drainage Improvement Agreement with Lyon Vista Del Mar 553, LLC, are heretofore approved by this Board;

NOW THEREFORE BE IT RESOLVED that the improvements have been COMPLETED as of April 7, 2009, thereby establishing the six month terminal period for the filing of liens in case of action under said Drainage Improvement Agreement:

DATE OF AGREEMENT: December 19, 2006 SURETY: Arch Insurance Company

Contact: J. LaRocque 313-2315

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 7, 2009

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: J. Carlson, Engineering Services, S. Francis, Finance, K. Guruwaya, Construction, H. Finch, Maintenance, J. Kao, Flood Control, C. Peccianti, Real Property, Tim Cotton, Lyon Vista Del Mar 553, LLC, M. Lopez, Arch Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$1,003,650.00, Bond No. SU5019478 issued by Arch Insurance Company be RETAINED for the six month lien guarantee period until October 7, 2009, at which time the Clerk of the Board is AUTHORIZED to release the surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the \$20,000.00 cash deposit (Auditor's Deposit Permit No.474308, dated November 29, 2006) made by Lyon Vista Del Mar 553, LLC, and the performance/maintenance surety rider for \$400,000.00, Bond No. SU5019478 issued by Arch Insurance Company be RETAINED pursuant to the requirements of Section 94-4.406 of the Ordinance Code until released by this Board.