

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

Adopted this Resolution on 12/08/2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2009/562

Accepting completion of the Improvement Warranty Agreement and release of cash deposit for faithful performance, RA 99-01089 (cross-reference SD 98-08166 and SD 98-08167), for project being developed by Hofmann Land Development Company, Inc., as recommended by the Public Works Director, Discovery Bay area.

On November 30, 2004, this Board resolved that the improvements for RA 99-01089 (cross-reference SD 98-08166 and SD 98-08167) were completed as provided in the Road Improvement Agreement with Hofmann Land Development Company, Inc.

On November 30, 2004, upon recommendation of the Public Works Director, this Board approved an Improvement Warranty Agreement to warranty and maintain the curbs, along with adjacent pavement and sidewalks, installed on profile slopes less than 1% for five years, and now on the recommendation of the Public Works Director;

The Board hereby FINDS that the improvements have satisfactorily met the guaranteed performance standards and extended maintenance period following completion and acceptance of the road improvements. NOW THEREFORE BE IT RESOLVED that the Public Works Director is AUTHORIZED to:

- REFUND the \$1,000.00 cash deposit (Auditor's Deposit Permit No.430541, dated August 31, 2004) plus interest to Hofmann Land Development Company, Inc. in accordance with Government Code Section 53079 (if appropriate), Ordinance Code Section 94-4.406, and the Improvement Warranty Agreement.

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: December 8, 2009

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

Contact: J. LaRocque - 3-2315

By: , Deputy

cc: D. Favero, Engineering Services,, - E. Sanders, M&T Lab, , A. Bell, Construction, , H. Finch, Maintenance, , - P. Edwards, Engineering Services,

BE IT FURTHER RESOLVED that the warranty and maintenance period has been completed and the Improvement Warranty Agreement and surety bond, Bond No.070000624, dated August 23, 2003, issued by Liberty Mutual Insurance Company, are exonerated.