

**RESOLUTION NO. 18-025**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 160103, NORTH STATE STREET TRAFFIC SIGNAL MAINTENANCE, NORTH STATE STREET, COUNTY ROAD 104 AT MILEPOST 0.18, 0.29, 1.85 & 1.98 (UKIAH AREA)**

WHEREAS, by Resolution Number (No.) 17-054 adopted April 18, 2017, the Mendocino County Board of Supervisors authorized the Department of Transportation (DOT) to advertise and award DOT Contract No. 160103; and

WHEREAS, on May 25, 2017, DOT awarded DOT Contract No. 160103 to DC Electric Group Incorporated (Inc.), of Cotati, California, for Traffic Signal Maintenance on North State Street, County Road (CR) 104, at the intersections of Ford Road, CR 250, Kuki Lane, CR 250A, West Lake Mendocino Drive, CR 227B, and Lake Mendocino Drive, CR 227B; and

WHEREAS, final inspection and submission of contract records for the construction activity on the project was made pursuant to the Recommendation for Acceptance and filing of Notice of Completion accompanying this resolution; and

WHEREAS, Section 9204 of the California Civil Code provide that a public entity may record a notice of completion on or within 15 days after the date of completion of a work of improvement, and Section 9200 provides that completion of a work of improvement occurs at the earlier of the acceptance of the work of improvement by the public entity or the cessation of labor on the work of improvement for a continuous period of 60 days; and

WHEREAS, Section 9356 of the California Civil Code provides that a stop payment notice is not effective unless given before the expiration of 30 days after the recordation of a Notice of Completion; and.

WHEREAS, Section 9558 of the California Civil Code provides that a claimant may commence an action to enforce the liability on a payment bond no later than six months after the period in which a stop payment notice may be given under Section 9356 of the Civil Code.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors.

1. Accepts the completed work, approves the form of Notice of Completion, and authorizes the Director of Transportation to execute the Notice of Completion for DOT Contract 160301 and file it with the County Recorder; and
2. Authorizes and directs the Director of Transportation to release, in accordance with the following schedule, the contract bonds filed by the contractor, DC Electric Group Inc., 8023 Gravenstein Highway South, Cotati, California 94931, pursuant to the provisions of DOT Contract No. 160103 executed May 25, 2017; and
3. Authorizes and directs the Director of Transportation to release, thirty days from the date of recordation of Notice of Completion, upon confirmation with the Clerk of the Board and the Auditor, no claims or lawsuits have been filed against same, the Performance Bond (No. 57BCSHR8659) in the amount of \$90,785.00 issued by Hartford Fire Insurance Company, One Hartford Plaza, Hartford, Connecticut 06155; and
4. Authorizes and directs the Director of Transportation to release, thirty days plus six months from the date of the recordation of Notice of Completion, providing no claims or lawsuits have been filed against same, the Payment Bond (No. 57BCSHR8659) in the amount of \$90,785.00 issued by Hartford Fire Insurance Company, One Hartford Plaza, Hartford, Connecticut 06155.

The foregoing Resolution introduced by Supervisor Brown, seconded by Supervisor Croskey, and carried this 6<sup>th</sup> day of February, 2018, by the following vote:


AYES: Supervisors Brown, McCowen, Croskey, Gjerde, and Hamburg  
NOES: None  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

  
Deputy

APPROVED AS TO FORM:  
KATHARINE L. ELLIOTT  
County Counsel



  
DAN HAMBURG, Chair  
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO  
Clerk of the Board

  
Deputy