



TAMALPAIS COMMUNITY SERVICES DISTRICT

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RESOLUTION NO. 2022-38

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT AUTHORIZING THE GENERAL MANAGER TO EXECUTE AND RECORD THE PHASE C SEWER IMPROVEMENT PROJECT NOTICE OF ACCEPTANCE OF COMPLETION AND THE RELEASE OF THE PROJECT RETENTION AMOUNT OF \$125,276.92

WHEREAS, the Tamalpais Community Services District (TCSD) is responsible for the collection of wastewater from homes and businesses in Tam Valley and pumping it to treatment plants located in Sausalito and Mill Valley; and

WHEREAS, the District maintains approximately thirty miles (30) of pipeline, various manholes and cleanouts, and several pump stations, to convey effluent for treatment; and

WHEREAS, at their August 2020 meeting, the TCSD Board approved an updated sewer Capital Improvement Program (CIP) to meet its commitment to repair and replace its sewer collection system; and

WHEREAS, the approved CIP is comprised of four (4) phases; and

WHEREAS, in June 2021, the TCSD Board approved Nute Engineering to manage the CIP Phase C design, bid and construction process in the amount of \$178,000; and

WHEREAS, in November 2021, the TCSD Board approved D'Arcy & Harty Construction as the lowest apparent bidder for CIP Phase C, up to the amount of \$2.7M, including the Base Bid and Alternate Additive Bid; and

WHEREAS, the work of the Phase C included internal pre- and post-televising of sewer mains, rehabilitating gravity sewers, connecting sewers to existing manholes and new rod holes, plug holes and seal all leaks in all manhole joints, reconnecting lower laterals, spot repairs, replacing pavement and improvements, replacing and raising manhole castings, disposal of asbestos cement pipe, backfill, connections and testing, and repaving roads per County of Marin specifications; and

WHEREAS, Phase C completed approximately 14,500 linear feet of sewer main repairs and facilitated several lateral repairs with extra sections and repairs, with total

construction costs of \$2,505,538.42, which included four change orders totaling \$89,414.28; and

WHEREAS, per the attached Statement of Completion, Nute Engineering states that as of November 18, 2022, D'Arcy & Harty has completed work on Sewer Improvement Project Phase C and recommends filing and recording the Notice of Acceptance and Completion with the County and to release the retention payment of \$125,276.92 after the requisite 35-day lien period from the recording date.

THEREFORE, BE IT RESOLVED that the Tamalpais Community Services District authorizes the General Manager to 1) execute and record the Phase C Sewer Improvement Project Notice of Acceptance of Completion, and 2) release the project retention of \$125,276.92 thirty-five (35) days after the recording date with the County Recorder and pay said retention to Darcy & Harty Construction at that time.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Tamalpais Community Service District at a duly noticed meeting held in said District on the 14th day of December 2022 by the following vote:

AYES: JEFF BROWN, JIM JACOBS, STEVE LEWNE, MATT McMAHAN, STEFFEN BARTSCHAT

NAYS:

ABSENT:



Steffen Bartschat, President

ATTEST:


Secretary, Tamalpais Community Services District

Recorded at the Request of:
Tamalpais Community Services District
305 Bell Lane
Mill Valley, CA 94941

When Recorded Mail to:
Tamalpais Community Services District
305 Bell Lane
Mill Valley, CA 94941

Space above this Line for Recorder's Use

NOTICE OF ACCEPTANCE OF COMPLETION

***TAMALPAIS COMMUNITY SERVICES DISTRICT
SEWER IMPROVEMENT PROJECT – PHASE C***

NOTICE IS HEREBY GIVEN, pursuant to Section 3093 of the Civil Code of the State of California:

- 1) That the Tamalpais Community Services District (District/TCSD), Marin County, California, finds that the project known as Sewer Improvement Project Phase C, the contract for doing which was awarded to D'Arcy & Harty Construction and entered into on December 13, 2021, was completed on November 15, 2022.
- 2) That said work and improvements are public improvements owned and held by said District for the benefit of the public.
- 3) That said work and improvements consisted of the performing of all work and furnishing of all labor, materials, equipment and all utility and transportation services required for the installation of the Sewer Improvement Project Phase C, all as more particularly described in the plans and specifications approved by the Board of Directors of said District.
- 4) That the site of the construction and improvements was in and around Shoreline Hwy, Tennessee Ave, Morning Sun Ave, Dolan Ave, Lowell Ave, Sheffield Ave, Greene Street, Carrera Drive and Ashton Lane.
- 5) That the name of the surety on the contractor's faithful performance bond for said project is Everest Reinsurance Company.
- 6) That the acceptance of completion of said work was ordered by the District Board of the Tamalpais Community Services District on the 14th day of December, 2022 and authorized the General Manager to prepare and sign on behalf of the District the Notice of Acceptance of Completion.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

OWNER: Tamalpais Community Services District
305 Bell Lane
Mill Valley, CA 94941

Dated: _____, 2022

By: _____

Garrett Toy
General Manager
Tamalpais Community Services District