

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY ACCEPTING THE WORK BY RADIUS EARTHWORK, INC. FOR THE STREET REHABILITATION PROJECT (CIP 301-697) AND DIRECTING THE CITY CLERK TO FILE THE NOTICE OF COMPLETION

CITY OF FOSTER CITY

WHEREAS, the Public Works Director/City Engineer has filed with the City Clerk the Notice of Completion for the work known as the Street Rehabilitation Project (CIP 301-697) located in the City of Foster City, situated in San Mateo County, California; provided to be done under and pursuant to the contract documents and agreement between the City of Foster City and Radius Earthwork, Inc. dated June 20, 2022; and

WHEREAS, it appears to the satisfaction of the City Council that said work has been completed in an acceptable manner.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Foster City hereby authorizes:

1. The adoption of this Resolution accepting the work by Radius Earthwork, Inc. and directing the City Clerk to file the Notice of Completion is categorically exempt under the California Environmental Quality Act pursuant (CEQA) pursuant to CEQA Guidelines Section 15301(b) (Existing Facilities), in that the project consists of the operation, repair, and maintenance of existing facilities; and
2. The acceptance of said work subject to reservation of all City's rights arising from any defective workmanship and/or materials not observed during construction being hereafter discovered and becoming known to City; and
3. The City Clerk to notarize and file for record with the County Recorder of the County of San Mateo the Notice of Completion thereof, as required by law, and file a conformed, recorded copy of said notice with the Finance Director and Public Works Director/City Engineer; and
4. The City Clerk to notify Radius Earthwork, Inc. that the Construction Performance Bond No. 70217323 from The Ohio Casualty Insurance Company may be released one year following the recordation of the Notice of Completion; and
5. The City Clerk to release the Labor and Material Bond No. 70217323 from The Ohio Casualty Insurance Company, thirty-five (35) days after the date

of recording of the Notice of Completion if no claims or Stop Notices have been received.

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 20<sup>th</sup> day of March, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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JON FROOMIN, MAYOR

ATTEST:

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PRISCILLA SCHAUS, CITY CLERK