



Legislation Details (With Text)

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Type: Agenda Item **Status:** Approved

File created: 7/11/2008 **In control:** Board Of Supervisors

On agenda: 8/5/2008 **Final action:** 8/5/2008

Title: Transportation Department recommending the following pertaining to Lakehills Community Covenant Church:
(1) Accept as complete the constructed improvements;
(2) Reduce the Performance Bond No.104840806 from \$365,676.08 to \$36,567.61, which is 10% of the total cost of improvements to guarantee against defective work, labor done, or defective materials furnished and release after one year if no claims are made; and
(3) Hold Labor and Materialmens Bond No. 104840806 in the amount of \$551,757.69 to guarantee payment to persons furnishing labor, materials, or equipment and release in six months if no claims are made.
RECOMMENDED ACTION: Approve.

FUNDING: Developer Funds.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Lakehills Church Imprvmnts Agmt w-Bonds, 2. Minutes of 01-09-07 Lakehills Church agmt apprvl

Date	Ver.	Action By	Action	Result
8/5/2008	1	Board Of Supervisors	Approved	Pass

Transportation Department recommending the following pertaining to Lakehills Community Covenant Church:
(1) Accept as complete the constructed improvements;
(2) Reduce the Performance Bond No.104840806 from \$365,676.08 to \$36,567.61, which is 10% of the total cost of improvements to guarantee against defective work, labor done, or defective materials furnished and release after one year if no claims are made; and
(3) Hold Labor and Materialmens Bond No. 104840806 in the amount of \$551,757.69 to guarantee payment to persons furnishing labor, materials, or equipment and release in six months if no claims are made.
RECOMMENDED ACTION: Approve.

FUNDING: Developer Funds.

BUDGET SUMMARY: N/A		
Total Estimated Cost		\$
Funding		
Budgeted	\$	
New Funding	\$	

Savings	\$	
Other	\$	
Total Funding Available	\$	
Change To Net County Cost		\$

Fiscal Impact/Change to Net County Cost: NONE

Background: Under the Conditions as approved by the Planning Commission on September 22, 2005 concerning Lakehills Community Covenant Church P03-0015/PD03-0007, the Developer was required to enter into an Improvement Agreement with the County and provide security to guarantee performance of those improvements. On January 9, 2007, the Board of Supervisors approved Parcel Map Improvements Agreement #06-1157 with the Lakehills Community Covenant Church.

RECOMMENDED ACTIONS:

1. Accept as complete, the constructed improvements concerning the Lakehills Community Covenant Church project.
2. Authorize the Clerk of the Board to reduce Performance Bond No. 104840806 from \$365,676.08 to \$36,567.61. The reduced amount, which is 10% of the total cost of improvements, is held to guarantee against defective work, labor done or defective materials furnished. Also, authorize the Clerk of the Board to release reduced Performance Bond No. 104840806 in one year if there are no defects found or warranty claims made.
3. Direct that Laborers and Materialmens Bond No. 104840806 in the amount of \$551,757.69 be held to guarantee payment to persons furnishing labor, materials, or equipment, and authorize the Clerk of the Board to release said bond in six months if no claims are made.

Reason for Recommendation: The required road improvements were substantially completed as of February 7, 2008, per the approved plans and specifications, the requirements of the stated Parcel Map Improvement Agreement, and the Conditions of Approval for Parcel Map P03-0015 and Planned Development PD03-0007, known as Lakehills Community Covenant Church.

Action to be taken following Board approval:

1. The Clerk of the Board will reduce Performance Bond No. 104840806 to \$36,567.61.
2. The Department will request the Clerk of the Board release the referenced Performance Bond and Laborer and Materialmens Bond after the required time periods, if the listed conditions are met.

Contact: Richard W. Shepard
Director of Transportation

Concurrences: