

RESOLUTION #09-25

**A RESOLUTION OF THE ALBANY CITY COUNCIL ACCEPTING
IMPROVEMENTS AS COMPLETE AND DIRECTING FILING OF THE
NOTICE OF COMPLETION FOR CONTRACT NO. C08-28
POLK STREET AND MADISON STREET SEWER REPLACEMENT PROJECT**

WHEREAS, by agreement dated February 23, 2009, the City of Albany contracted with McNamara & Smallman Construction Inc., to construct Contract No. C08-28 (Polk St. and Madison St. Sewer Replacement Project), in accordance with the official plans and specifications prepared therefor, copies of which are on file in the Community Development Department offices; and,


WHEREAS, a Notice of Completion has been prepared, a copy of which is attached hereto, marked Exhibit "A," and included herein by reference; and,

WHEREAS, an inspection of the project construction was completed on May 8, 2009, and at that time, all items were found to be complete and all work was found to be in compliance with the approved drawings and specifications.

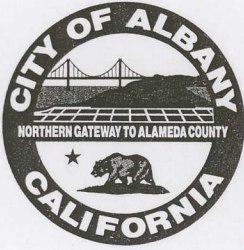
NOW, THEREFORE, BE IT RESOLVED

1. The work described as Contract No C08-28, Polk Street and Madison Street Sewer Replacement Project, is hereby accepted.

2. The City Clerk is authorized and directed to file the original of Notice of Completion in the office of the Alameda County Recorder.



Vice Mayor Marge Atkinson



City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

CITY ADMINISTRATOR
PH. (510) 528-5710
FAX (510) 528-5797

CITY ATTORNEY
PH. (510) 524-9205
FAX (510) 526-9190

CITY CLERK
PH. (510) 528-5720
FAX (510) 528-5797

CITY COUNCIL
PH. (510) 528-5720
FAX (510) 528-5797

**COMMUNITY DEVELOPMENT &
ENVIRONMENTAL RESOURCES**
• Building
• Engineering
• Environmental Resources
• Maintenance
• Planning
PH. (510) 528-5760
FAX (510) 524-9359

**FINANCE & ADMINISTRATIVE
SERVICES**
CITY TREASURER
PH. (510) 528-5730
FAX (510) 528-2743

**FIRE & EMERGENCY MEDICAL
SERVICES**
PH. (510) 528-5771
FAX (510) 528-5774

PERSONNEL
PH. (510) 528-5714
FAX (510) 528-5797

POLICE
PH. (510) 525-7300
FAX (510) 525-1360

**RECREATION & COMMUNITY
SERVICES**
1249 Marin Avenue
PH. (510) 524-9283
FAX (510) 528-8914
• Friendship Club/
Childcare Program
PH. (510) 524-0135
• Senior Center
PH. (510) 524-9122
FAX (510) 524-8940
• Teen Center
PH. (510) 525-0576

RESOLUTION NO. 09-25

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

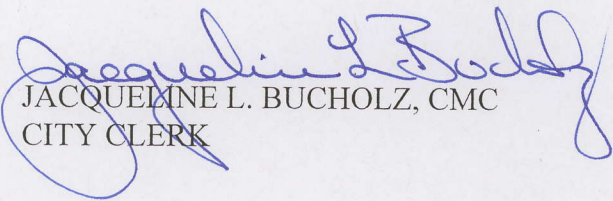
this 1st day of June, 2009, by the following votes:

AYES: Council Members Javandel, Lieber, Thomsen & Vice-Mayor Wile

NOES: None

ABSENT: Mayor Atkinson

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 2nd
day of June, 2009.


JACQUELINE L. BUCHOLZ, CMC
CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community,
and providing a safe, healthy environment now and in the future.*



PRINTED ON RECYCLED PAPER

Recorded at the request of:
CITY OF ALBANY

When Recorded, Mail to:
City Clerk
City of Albany
1000 San Pablo Avenue
Albany, CA 94706

(Space Above for Recorder's Use)

EXHIBIT "A"

NOTICE OF COMPLETION AND ACCEPTANCE OF PUBLIC WORK

Notice is hereby given by the City of Albany, a municipal corporation, located in Alameda County, State of California, with its principal offices at City Hall, 1000 San Pablo Avenue, Albany, CA 94706, of the following:

That it has caused the construction and installation of the following described public work upon the following described real property; and the furnishing of all labor, materials, methods or processes, implements, tools, machinery, equipment, transportation, and services necessary to accomplish same, to wit: **Polk St. and Madison St. Sewer Replacement Project, Contract No. C08-28, Sewer Replacement of sewers located on the 900 block of Polk Street between Solano Avenue and Buchanan Avenue and the 800 and 900 block of Madison Street between Washington Avenue and Buchanan Avenue.**

That said City of Albany is in possession of said real property and owns a fee simple estate or an easement for public use therein;

That said work was done in accordance with plans and specifications therefore approved and adopted by said City of Albany, and said work was done pursuant to a public works contract dated **February 23, 2009**, duly awarded by said City of Albany to **McNamara & Smallman Construction Inc., 1756 Holmes Street, Livermore, California 94550**, and was accepted by the City Council of the City of Albany as complete on June 1, 2009.

That the undersigned certifies that she is authorized to and does make this verification on behalf of the City of Albany; that she has read the foregoing notice and knows the contents thereof; and that the undersigned declares under penalty of perjury that the foregoing is true and correct to the best of his knowledge.

Executed on _____, 2009, at Albany, California.

CITY OF ALBANY
A Municipal Corporation

By _____
Ana Bernardes, Project Manager
City of Albany