

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 10/4/2016	(3) CONTACT/PHONE Jeff Werst, Design Division Manager (805) 781-4480	
(4) SUBJECT Submittal of resolutions authorizing the Director of Public Works and the Deputy Director of Public Works to execute notices of completion for District and County construction contracts. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board, acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District): 1. Adopt the attached resolution to authorize the Director of Public Works and the Deputy Director of Public Works to execute notices of completion for District works of improvement. Acting as the Board of Supervisors for the County of San Luis Obispo (County): 1. Adopt the attached resolution to authorize the Director of Public Works and the Deputy Director of Public Works to execute notices of completion for County works of improvement.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) All Districts			

Reference: 16OCT04-C-3

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Jeff Werst, Design Division Manager

VIA: Dave Flynn, Deputy Director of Public Works

Wade Horton, Director of Public Works

DATE: 10/4/2016

SUBJECT: Submittal of resolutions authorizing the Director of Public Works and the Deputy Director of Public Works to execute notices of completion for District and County construction contracts. All Districts.

RECOMMENDATION

It is recommended that the Board, acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District):

1. Adopt the attached resolution to authorize the Director of Public Works and the Deputy Director of Public Works to execute notices of completion for District works of improvement.

Acting as the Board of Supervisors for the County of San Luis Obispo (County):

1. Adopt the attached resolution to authorize the Director of Public Works and the Deputy Director of Public Works to execute notices of completion for County works of improvement.

DISCUSSION

The District and County undertake a variety of construction contracts for capital improvement and maintenance projects. In accordance with public contract code requirements and county policy, the Board of Supervisors for the District and County authorize the advertisement for bids and the award of such construction contracts, typically on the Board's consent agenda. Upon completion of project construction for such contracts, it has been the general practice of the Public Works Department to bring notices of completion to the Board for authorization to execute and file the notice of completion with the Clerk of the Board. While this has been the Department's practice, the California Civil Code does not require such notices to be approved by the public entity – in this case the Board – and appears to indicate that filing of a notice of completion would be at the discretion of the Board.

Though discretionary and not required by law, Public Works recommends continuance of the practice of executing and filing of notices of completion as part of our procedure and requirements for final project acceptance and closeout for construction projects. However, in order to expedite project closeout procedures and reduce staff time required for Board letter preparation and processing, it is recommended that the Board delegate authority to the Public Works Director and Deputy Public Works Director to execute such notices. Upon transmittal by the Director of Public Works or his designee of the executed notice of completion, the Clerk of the Board would be authorized and directed to record said notice. Preparation, execution and recordation of such notices would be subject to the requirements of Title 3 "Public Work of Improvement" of the California Civil Code.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed the District Resolution and County Resolution as to legal form and effect.

FINANCIAL CONSIDERATIONS

Delegation of authority for execution of notices of completion for county construction contracts, with the corresponding elimination of an additional Board letter for such routine action, will allow for more efficient closeout of construction contracts, as well as result in a reduction in staff time for preparation and processing of such Board letters.

RESULTS

Approval of the recommended action will delegate authority for execution of notices of completion for District and County construction contracts, allowing more efficient closeout of construction contracts, thereby contributing to a healthy, livable, and prosperous community.

ATTACHMENTS

1. Resolution Authorizing the Director of Public Works and Deputy Director of Public Works to Execute Notices of Completion for District Works of Improvement
2. Resolution Authorizing the Director of Public Works and Deputy Director of Public Works to Execute Notices of Completion for County Works of Improvement

File: 280.10.01 General

Reference: 16OCT04-C-3

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