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| <b>Policy No.:</b> P200-23-3  | <b>Type of Policy:</b> General               |
| <b>Policy Title:</b> Construction Project Acceptance by the General Manager           |  |
| <b>Policy Description:</b> Allows the General Manager to accept construction projects |  |
| <b>Approval Date:</b> 8/7/2018  | <b>Last Review Date:</b> 2023                |
| <b>Approval Resolution No.:</b> 41-18   | <b>Next Review Date:</b> 2027                |
| <b>Rescinded Resolution No.:</b> 71-14  | <b>Rescinded Resolution Date:</b> 10/21/2014 |

It is the policy of the Board of Directors of Dublin San Ramon Services District:

Upon determining that a particular project has satisfied the provisions of this Construction Project Acceptance policy, the General Manager is authorized and may accept Capital Improvement Program (CIP) construction projects and developer dedicated construction projects in accordance with this policy. Further, the General Manager is authorized to execute a Certificate of Acceptance, in a form substantially in conformance with "Attachment A," to memorialize the acceptance of the project for purposes of Civil Code Section 9200. As is set forth in the form of the Certificate of Acceptance, upon execution thereof, the General Manager is further authorized to cause to be recorded, in the Official Records of each County in which work on the project was performed under contract with the District, a Notice of Completion in accordance with Civil Code Section 9204.

Within 15 days of receipt of written verification from the District Engineer that a project has satisfied the conditions of this Construction Project Acceptance by the General Manager policy described below, the General Manager will either accept the project or refer the project to the Board at the next available opportunity for a decision on acceptance.

### **Capital Improvement Program (CIP) Construction Projects – Conditions for Acceptance**

All of the following conditions must be satisfied for a CIP Construction Project to be considered for acceptance. Within 10 days of completion of all the conditions, the District Engineer shall provide the General Manager written notification with a recommendation to accept the project.

1. The contractor has submitted a written request for final payment and release of all retentions, which request is accompanied by a duly executed conditional waiver and release upon final payment in the then-current statutory form releasing the District from all existing and/or future claims against the District for the work.
2. The contractor has completed all punch list items.

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3. The contractor has completed all required submittals.
4. The contractor has provided a warranty bond in conformance with contract requirements.
5. The total amount of final compensation to be paid to the contractor does not exceed the amount authorized by the Board for the construction contract.

**Developer Dedicated Construction Projects – Conditions for Acceptance**

All of the provisions of District Code Section 3.50.120 must be satisfied for a Developer Dedicated Construction Project to be considered for acceptance. Within 10 days of completion of all the conditions, the District Engineer shall provide the General Manager written notification with a recommendation to accept the project.

The General Manager shall develop comprehensive rules and procedures in furtherance of this policy.

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| Policy is current and no changes need to be adopted by the Board of Directors.<br><u>Status Quo Chronology:</u> |                          |
| <b>Date Adopted:</b>  |                          |
| <b>August 7, 2018</b>   |                          |
| Reviewed by<br>Committee or Board:  | Date:                    |
| <b>Board</b>  | <b>September 5, 2023</b> |

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**Attachment A**

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the project specified herein:

*[For developer dedicated projects: list project name, description and location of facilities, developer name and address.]*

*[For CIP projects: list project name and CIP number, description and location of facilities, date of completion, contractor name and address.]*

is hereby accepted by the General Manager of Dublin San Ramon Services District (District) on behalf of said District pursuant to authority conferred by Resolution No. \_\_\_\_\_ of the governing Board of the District adopted on August 7, 2018. *[For CIP projects only: The District Secretary is hereby ordered to file a Notice of Completion in the office of the County Recorder within ten (10) days of the date of this acceptance.]*

\_\_\_\_\_  
[NAME]  
General Manager

\_\_\_\_\_  
Acceptance Date

ATTEST:

\_\_\_\_\_  
[NAME]  
District Secretary