

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 11/12-16
ACCEPTANCE AND RETENTION**

**EXTERIOR LIGHTING IMPROVEMENTS AT MERRITT COLLEGE
JOHN PLANE CONSTRUCTION, INC.**

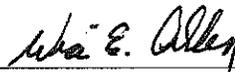
WHEREAS, John Plane Construction, Inc., a corporation existing under and by virtue of the laws of the State of California, the contractor under that certain contract with the Peralta Community College District, Alameda County, State of California, for all labor, materials, mechanical workmanship, transportation, equipment and services necessary for the Exterior Lighting Improvements at Merritt College, has made application for acceptance of the work; and

WHEREAS, the Project Manager employed by the Board to supervise the completion of said work, has certified in writing to this Board that said contractor completed the work heretofore described and has recommended to this Board the final acceptance of the project; and

NOW, THEREFORE, BE IT RESOLVED that said work of said contract be and the same is hereby accepted; and

BE IT FURTHER RESOLVED that the retention payment in the amount of ONE HUNDRED FORTY-SIX THOUSAND NINE HUNDRED NINETY-SIX AND 10/100 (\$146,996.10), which is ten percent (10%) of said contract price, as modified by Change Order Nos. 1, 2 and 3, shall be made thirty-five (35) calendar days calendar days from and after the filing of the Notice of Completion at the Alameda County Recorder's Office, provided no withhold notices requesting the withholding of any monies from said contractor have been filed with this Board of Trustees in accordance with the provisions of Title 15 of Part 4, Division 3, of the Civil Code of the State of California.

PASSED AND ADOPTED by the following called vote this 27th day of September, 2011. The full Board has voted in support of this resolution, unless the Board meeting minutes reflect otherwise.



Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California