

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 13/14-31 ACCEPTANCE AND
RETENTION**

**BERKELEY CITY COLLEGE BUILD-OUT
PHASE 3 (BID No. 11-12/19)**

E.F. Brett & Company Inc.

WHEREAS, E.F. Brett & Company 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 Berkeley City College Build-Out Phase 3 Project, has made application for acceptance of the work; and

WHEREA, 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 SEVENTEEN THOUSAND FIVE HUNDRED TWENTY SIX AND 75/100 DOLLARS (\$117,526.75), which is 4.94 percent (4.94%) of said contract price, 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 10th day of December, 2013. The full Board has voted in support of this resolution, unless the Board meeting minutes reflect otherwise.

José M. Ortiz
Chancellor and Secretary
Board of Trustees
Peralta Community College District