



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING THE NOTICE OF ACCEPTANCE AND FINAL COMPLETION OF THE CONTRACT WITH SUNPOWER CORPORATION, SYSTEMS FOR THE NEVADA COUNTY ENERGY CONSERVATION PROJECT WITH CONTRACT COSTS TOTALING \$10,365,691 AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE THE CERTIFICATES OF FINAL SYSTEM COMPLETION FOR THE SOLAR ENERGY SYSTEMS LOCATED AT THE NEVADA COUNTY LAKE OF THE PINES WASTEWATER TREATMENT PLANT AND THE HIGHWAY 49 RANCH PROPERTY AND DIRECTING THE CLERK OF THE BOARD TO RECORD THIS NOTICE IN ACCORDANCE WITH CIVIL CODE SECTION 9208

WHEREAS, the County of Nevada entered into an Agreement with SunPower Corporation, Systems (1414 Harbour Way South, Richmond, CA 94804) per Resolution 16-177 in a contract amount not to exceed \$10,399,154 that includes a provision for contingency of \$700,000; and

WHEREAS, said Agreement was for the Nevada County Energy Conservation and Generation Project to engineer, procure, and construct five solar energy generation projects at the Eric Rood Administration Center, the Wayne Brown Correctional Facility, the Carl F. Bryan II Juvenile Hall, the Lake of the Pines Wastewater Treatment Plant, and the Highway 49 Ranch Property; and

WHEREAS, the Eric Rood Administration Center, the Wayne Brown Correctional Facility, the Carl F. Bryan II Juvenile Hall have been completed and the Certificates of System Completion authorized through Resolution 18-038; and

WHEREAS, the final two systems have been completed to the satisfaction of the Nevada County Chief Information Officer and the Nevada County Building Department and that the Close-out Documentation has been received from SunPower in accordance with Section 4.2 (*Final Completion*) of the Agreement; and

WHEREAS, said construction at all five sites have been completed to the satisfaction of the Nevada County Chief Information Officer and the Nevada County Building Department on August 1, 2018 with contract costs totaling \$10,365,691.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors:

1. Accepts the work at the following sites as complete and authorizes the Chair of the Board to sign the System Completion Notices for the following locations:

Lake of the Pines Wastewater Treatment Plant Solar Photovoltaic Facility

10984 Riata Way

Auburn, California

Date of Final Completion: June 14, 2018

System Project Cost: \$1,810,021.45

Highway 49 Ranch Property Solar Photovoltaic Facility

16782 State Hwy 49

Nevada City, California

Date of Final Completion: August 1, 2018

System Project Cost: \$4,615,334.44

2. Directs the Auditor Controller to release the final payment for these two sites as invoiced according to Section 5.5 (*Final Payment*) of the Agreement.
3. Accepts the work at all five sites as being completed.
4. Directs the Clerk of the Board to release the Bond for Labor and Materials in December 30, 2018 and the Bond of Faithful Performance on October 1, 2019.
5. Directs the Clerk of the Nevada County Board of Supervisors to record this Notice in accordance with Civil Code Section 9208.

BE IT FURTHER RESOLVED THAT the Auditor-Controller is hereby authorized and directed to release and pay the 5% retention thirty-five (35) days after the recording of the Notice of Completion, and no later than sixty (60) days after completion of the project as defined in PCC Sec. 7107, to assure that there are no Stop Payment notices filed against the project.