



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING THE NOTICE OF ACCEPTANCE AND COMPLETION OF THE CONTRACT BETWEEN THE COUNTY OF NEVADA AND CLIMATEC LLC ENTITLED NON-SOLAR INSTALLATION AGREEMENT TO PROVIDE AN ENERGY CONSERVATION AND SOLAR ENERGY GENERATION PROGRAM AND TO IMPLEMENT ENERGY CONSERVATION MEASURES AT VARIOUS COUNTY FACILITIES WITH CONTRACT COSTS TOTALING \$2,361,991 AND DIRECTING THE CLERK OF THE BOARD TO RECORD THIS NOTICE IN ACCORDANCE WITH CIVIL CODE SECTION 9208

WHEREAS, Resolution 16-175 authorized an Energy Performance Master Contract with Climatec LLC and SunPower Corporation, Systems, to implement an Energy Conservation and Solar Energy Generation Program at various Nevada County facilities; and

WHEREAS, the County of Nevada entered into an Agreement with Climatec LLC (2851 W Kathleen Road, Phoenix, AZ 85053), authorized through Resolution 16-176 and subsequently amended through Resolutions 16-382 and 18-355 for installation of energy efficiency improvements at various Nevada County Facilities and to oversee a program of energy conservation measures and solar energy generation for a total fixed price of \$2,385,597 including required taxes and Performance Bond; and

WHEREAS, said improvements were completed to the satisfaction of the Nevada County Chief Information Officer and the Nevada County Building Department on August 14, 2018 with contract costs totaling \$2,361,991; and

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

1. Accepts the work as being completed.
2. Directs the Clerk of the Board to release the Bond for Labor and Materials on December 30, 2018 and the Bond of Faithful Performance on October 1, 2019.
3. 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.