



CITY COUNCIL AGENDA REPORT

MEETING DATE: FEBRUARY 5, 2008

ITEM NUMBER: _____

SUBJECT: RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS03-00300 FOR STREET LOCATED AT 940 SOUTH COAST DRIVE, COSTA MESA, CALIFORNIA

DATE: JANUARY 24, 2008

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: PETER NAGHAVI, ACTING DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUNOZ, CITY ENGINEER, 714-754-5343

RECOMMENDED ACTION

Release the Performance and Labor and Material Bonds (Certificate No. 014-012-216/08697161) in the amount of \$10,600 for street improvements to Sully Miller Contracting Company (Contractor), 100 E. Orangethorpe Avenue, Suite 200, Anaheim, California 92801.

BACKGROUND

On May 19, 2003, the Engineering Division issued Encroachment Permit No. PS03-00300 to Sully Miller Contracting Company (Contractor) for the construction of street improvements within South Coast Drive. The Encroachment Permit allowed the installation of two new street lights and reconstruction of sidewalk. The Performance and Labor and Materials Bonds in the amount of \$10,600 each were received and accepted by the Public Services Department as a guarantee for the construction of the improvements.

ANALYSIS

All conditions of the Encroachment Permit have been met and the work has been completed and accepted by the Public Services Department.

ALTERNATIVES CONSIDERED

The alternative to this Council action would be to retain the Performance and Labor and Material Bonds. Costa Mesa Municipal Code Section 15-32 states, "The condition of said bond shall be that the applicant will perform the work authorized by any permit issued pursuant to this chapter in a good and workmanlike manner and to the satisfaction of the City Engineer." These conditions have been met; therefore, retention of the bonds would be in violation of the Municipal Code.

FISCAL REVIEW

There is no fiscal impact to the City relative to this item.

LEGAL REVIEW

There is no legal review required relative to this item.

CONCLUSION

All of the required conditions of the Encroachment Permit have been completed by the Contractor. Therefore, staff recommends that the Performance and Labor and Material Bonds in the amounts of \$10,600 each be released to Sully Miller Contracting Company (Contractor).

ERNESTO MUNOZ
City Engineer

PETER NAGHAVI
Acting Director of Public Services

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ReleaseBonds940SouthCoastDriveReport

1/22/08

11:00 a.m.