

**CITY MANAGER'S REPORT  
FEBRUARY 11, 2019 CITY COUNCIL REGULAR MEETING**

**ITEM:** **ACCEPT GRAVITY SEWER MAIN CONSTRUCTED BY TEICHERT & SONS, DBA TEICHERT CONSTRUCTION, AT 2131 & 2301 E. LOUISE AVENUE**

**RECOMMENDATION:** **Adopt a Resolution Accepting Gravity Sewer Main Improvements Constructed by Teichert Construction Under Contract with Developer DPIF CA 1 Lathrop, LLC, at 2131 & 2301 E. Louise Avenue and Authorize the Release of the Performance Bond and the Filing of a Notice of Completion**

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**SUMMARY:**

DPIF CA 1 Lathrop, LLC, the developer for the Logisticenter (formerly Exel Warehouse Distribution Center) project located at 2131 & 2301 E. Louise Avenue, contracted Teichert & Sons, DBA Teichert Construction (Teichert), to construct a 1196-foot, 10-inch gravity sewer main on E. Louise Avenue from the Logisticenter to McKinley Avenue and a 1364-foot, 12-inch gravity sewer main from the intersection of E. Louise and McKinley to the McKinley Sewer Pump Station to accommodate their needs as well as future flows. Teichert has completed construction of the gravity sewer main in accordance with their encroachment permit, No. 16-36, as shown on the Sewer Improvement Plans for Logisticenter dated August 2016, by Kier & Wright Civil Engineers and Surveyors, Inc. The gravity sewer main was inspected by City Staff and has been deemed complete and ready for acceptance.

DPIF CA 1 Lathrop, LLC, confirmed it has been paid in full for the off-site work and has paid all supplier and subcontractors on this project. Staff therefore recommends that City Council accept these improvements and authorize City staff to release the performance bond for DPIF CA 1 Lathrop, LLC, in the amount of \$460,000 in association with the encroachment permit and file a Notice of Completion with the San Joaquin County Clerk.

**BACKGROUND:**

On May 11, 2016, the City's Planning Commission approved the developer's site plan for the development of the Logisticenter project by Resolution 16-10. The project site is located at 2131 & 2301 E. Louise Avenue. A condition of the project was to construct an off-site gravity sewer main from the project location to the McKinley Sewer Pump Station. The sewer main was sized to accommodate the ultimate flows from the surrounding areas as shown on the Sewer Improvement Plans for Logisticenter. Staff has inspected the improvements and confirmed that they were completed in a satisfactory manner.

**FEBRUARY 11, 2019 CITY COUNCIL REGULAR MEETING**

**ACCEPT GRAVITY SEWER MAIN CONSTRUCTED BY TEICHERT & SONS, INC,  
DBA TEICHERT CONSTRUCTION, AT 2131 & 2301 E. LOUISE AVENUE AND  
AUTHORIZE THE RELEASE OF THE PERFORMANCE BOND AND THE FILING  
OF A NOTICE OF COMPLETION**

**REASON FOR RECOMMENDATION:**

Since the developer has completed its obligation to construct the sewer facility, staff requests that the City Council accept the sewer improvements and authorize staff to release the performance bond for DPIF CA 1 Lathrop, LLC, in association with the encroachment permit.

**COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:**

This agenda item promotes Economic Growth by accepting infrastructure improvements for public use.

**FISCAL IMPACT:**

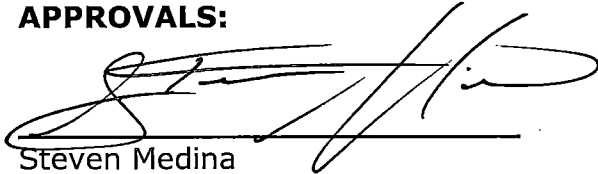
The City's maintenance costs for the new gravity sewer main are included in the sewer operating budget.

**ATTACHMENTS:**


- A. A Resolution of the City Council of the City of Lathrop Accepting Gravity Sewer Main Improvements Constructed by Teichert & Sons, Inc, DBA Teichert Construction, in Conjunction With DPIF CA 1 Lathrop, LLC, at 2131 & 2301 E. Louise Avenue
- B. GASB 34 Report
- C. Notice of Completion

**CITY MANAGER'S REPORT**  
**FEBRUARY 11, 2019 CITY COUNCIL REGULAR MEETING**  
**ACCEPT GRAVITY SEWER MAIN CONSTRUCTED BY TEICHERT**  
**CONSTRUCTION AT 2131 & 2301 E. LOUISE AVENUE AND AUTHORIZE THE**  
**RELEASE OF THE PERFORMANCE BOND AND THE FILING OF A NOTICE OF**  
**COMPLETION**


**APPROVALS:**

  
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Steven Medina  
Assistant Engineer

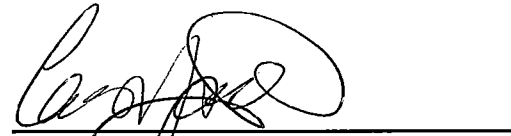
2-4-19  
Date

  
\_\_\_\_\_  
Michael King  
Assistant Director of Public Works

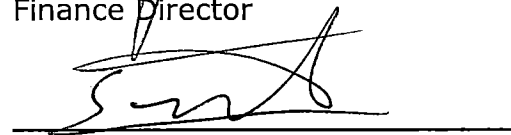
2-5-19  
Date

  
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Glenn Gebhardt  
City Engineer

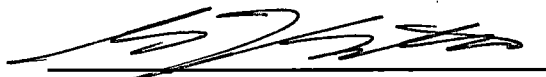
2/4/19  
Date

  
\_\_\_\_\_  
Cari James  
Finance Director

2/4/19  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

2-5-19  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

2.6.19  
Date

**RESOLUTION NO. 19-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP  
ACCEPTING GRAVITY SEWER MAIN IMPROVEMENTS CONSTRUCTED BY  
TEICHERT & SONS, INC, DBA TEICHERT CONSTRUCTION, UNDER  
CONTRACT WITH DEVELOPER DPIF CA 1 LATHROP, LLC, AT 2131 & 2301 E.  
LOUISE AVENUE AND AUTHORIZE THE RELEASE OF THE PERFORMANCE  
BOND AND THE FILING OF A NOTICE OF COMPLETION**

**WHEREAS**, on May 11, 2016, the City's Planning Commission approved the developer's site plan for the development of the Logistcenter (formerly Exel Warehouse Distribution Center) project by Resolution No. 16-10; and

**WHEREAS**, a condition of the project was to construct an off-site gravity sewer main at 2131 & 2301 E. Louise Avenue; and

**WHEREAS**, DPIF CA 1 Lathrop, LLC, the developer for the Logistcenter project, has contracted with Teichert Construction to construct a 1196-foot, 10-inch gravity sewer main on E. Louise Avenue from the Logistcenter to McKinley Avenue and a 1364-foot, 12-inch gravity sewer main from the intersection of E. Louise and McKinley to the McKinley Sewer Pump Station; and

**WHEREAS**, the facilities were built as shown on the Sewer Improvement Plans for Logistcenter dated August, 2016, by Kier & Wright Civil Engineers and Surveyors, Inc.; and

**WHEREAS**, the improvements have been inspected by City staff and have been deemed complete and ready for acceptance; and

**WHEREAS**, City staff recommends Council accept the gravity sewer main improvements for maintenance and authorize City staff to release the performance bond submitte by DPIF CA 1 Lathrop, LLC, in the amount of \$460,000 in association with the encroachment permit, EP 16-36;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Lathrop accepts the gravity sewer main improvements and authorizes the City Clerk to release the performance bond in association with the encroachment permit and file a Notice of Completion with the San Joaquin County Clerk.

The foregoing resolution was passed and adopted this 11<sup>th</sup> day of February 2019, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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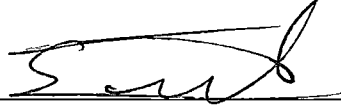
Sonny Dhaliwal, Mayor

**ATTEST:**

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Teresa Vargas, City Clerk

**APPROVED AS TO FORM:**



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Salvador Navarrete, City Attorney

**CITY OF LATHROP  
PROJECT ACCEPTANCE  
(GASB 34 REPORT)**

**Date 02/04/19**

Teichert			
<b>Invoice Item</b>	<b>Description</b>	<b>Cost</b>	
1.(a-n)	Off-site Sanitary Sewer Plans (Teichert)	\$	657,695.00
SCO #9	Sanitary Sewer Systems (Teichert)	\$	344,007.00
SCO #12	Sanitary Sewer Systems (Teichert)	\$	19,455.00
SCO #13	Sanitary Sewer Systems (Teichert)	\$	30,557.00
VI	Off-site Sanitary Sewer Plans (Kier & Wright)	\$	37,500.00
	<b>Total</b>	<b>\$</b>	<b>1,089,214.00</b>

RECORDING REQUESTED BY

CITY OF LATHROP

AND WHEN RECORDED MAIL TO

NAME City of Lathrop  
 City Clerk  
 STREET 390 Towne Centre Drive  
 ADDRESS Lathrop, CA 95330  
 CITY &  
 STATE  
 ZIP

### NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

- That the interest or estate stated in paragraph 3 herein in the real property herein described is owned by:  

NAME	STREET AND NO.	CITY	STATE
<u>City of Lathrop</u>	<u>390 Towne Centre Drive</u>	<u>Lathrop</u>	<u>California</u>

(If more than one owner of the interest stated, the name and address of each must be stated)
- That the full name and address of the owner of said interest or estate, if there is only one owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
- That the nature of title or the stated owner, or if more than one owner, then of the stated owner and co-owners is: Logisticenter Gravity Sewer Main 10" & 12" in diameter and 2,560 linear feet under EP 16-36 as shown on the Sewer Improvement Plans for Logisticenter dated August 2016, by Kier & Wright Civil Engineers and Surveyors, Inc. at 2131 & 2301 E. Louise Avenue constructed by Teichert & Son, Inc, DBA Teichert Construction, in conjunction with DPIF CA 1 Lathrop.
- That on the 11 day of February, 2019 a work of improvement on the real property herein described was completed.
- That the name of the original contractor, if any, for said work of improvement was: Teichert Construction.
- That the name and address of the transferor is:  

NAME	STREET AND NO.	CITY	STATE
<u>DPIF CA 1 Lathrop, LLC.</u>	<u>5500 Equity Avenue</u>	<u>Reno</u>	<u>Nevada</u>
<u>Teichert &amp; Sons, Inc.</u>	<u>8760 Kiefer Boulevard</u>	<u>Sacramento</u>	<u>California</u>
- That the real property herein referred to is situated in the City of Lathrop County of San Joaquin, State of California, and is described as follows:  
Logisticenter Gravity Sewer Main 10" & 12" in diameter and 2,560 linear feet under EP 16-36 as shown on the Sewer Improvement Plans for Logisticenter dated August 2016, by Kier & Wright Civil Engineers and Surveyors, Inc. at 2131 & 2301 E. Louise Avenue constructed by Teichert & Son, Inc, DBA Teichert Construction, in conjunction with DPIF CA 1 Lathrop.

By: \_\_\_\_\_  
City Manager

That the undersigned has knowledge of the contents herein and states under penalty of perjury that the foregoing is true and correct.

By: \_\_\_\_\_  
City Clerk



**CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest in real property conveyed by the NOTICE OF COMPLETION dated **February 11, 2019, from DFIP CA 1 Lathrop, LLC**, to the **City of Lathrop**, a political corporation and/or governmental agency, is hereby accepted by the undersigned officer or agent on behalf of the City Council pursuant to authority conferred by minute action of the City Council adopted on **February 11, 2019**, and the grantee consents to recordation thereof by its duly authorized officer.

Dated \_\_\_\_\_

By \_\_\_\_\_  
City Manager

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