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CITY COUNCIL

AGENDA REPORT

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**TO:** Honorable Mayor and Members of the City Council

**VIA:** James DeStefano, City Manager

**TITLE:** **APPROVAL OF NOTICE OF COMPLETION FOR THE RESIDENTIAL AREA 2 (BOUNDED BY GRAND AVE. TO THE NORTH, GATEWAY CORPORATE CENTER TO THE WEST, DIAMOND BAR BLVD. TO THE EAST AND PATHFINDER TO THE SOUTH) AND ARTERIAL ZONE 1 (DIAMOND BAR BLVD. BETWEEN SUNSET CROSSING ROAD AND GOLDEN SPRINGS DRIVE) ROAD MAINTENANCE PROJECT**

**RECOMMENDATION:**

Approve and file.

**FINANCIAL IMPACT:**

There is no financial impact.

**BACKGROUND/DISCUSSION:**

The City Council awarded a construction contract to Hardy & Harper, Inc. on May 20, 2014 in an amount not to exceed \$1,797,000 with a contingency amount of \$134,774 for a total authorization amount of \$1,931,774. The City authorized the Notice to Proceed for the construction project on June 25, 2014.

Hardy & Harper, Inc. has completed all work required of this project. The final construction cost of the project is \$1,822,309.64 which includes \$25,309.64 in change orders for additional slurry seal, localized removals and replacements of asphalt on residential roadways and replacement of traffic signal loops on Diamond Bar Blvd. Additionally, the City received a credit in the amount of 2,808 for crack fill deficiencies along Diamond Bar Blvd. The project was completed \$109,464.36 under the overall authorized project budget.

**PREPARED BY:**  
Kimberly M. Young, Senior Civil Engineer

**DATE PREPARED:**  
January 23, 2015

**REVIEWED BY:**

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David G. Liu, Director of Public Works

Attachments:        Notice of Completion

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO**

**CITY OF DIAMOND BAR  
21810 COPLEY DRIVE  
DIAMOND BAR, CALIFORNIA 91765**

**ATTENTION: CITY CLERK**

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**NOTICE OF COMPLETION**

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

Notice is hereby given that:

1. The undersigned is the owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is City of Diamond Bar
3. The full address of the owner is 21810 Copley Drive  
Diamond Bar, CA 91765
4. The nature of the interest or estate of the owner is; "In fee"

(If other than fee, strike "In fee" and insert, for example, "purchaser under contract of purchase," or "lessee")

5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:  
NAMES ADDRESSES

- 
6. A work of improvement on the property hereinafter described was completed on October 31, 2014. The work done was:  
Residential/Collector Area 2 and Arterial Zone 1 Road Maintenance Project

7. The name of the contractor, if any, for such work of improvement was Hardy & Harper, Inc.

June 12, 2014

(If no contractor for work of improvement as a whole, insert "none")

(Date of Contract)

8. The property on which said work of improvement was completed is in the City of Diamond Bar, County of Los Angeles, State of California, and is described as follows. Residential/Collector Area 2 and Arterial Zone 1 Road Maintenance Project

9. The street address of said property is "none"

(If no street address has been officially assigned, insert "none")

CITY OF DIAMOND BAR

Dated: \_\_\_\_\_  
Verification for Individual Owner

\_\_\_\_\_  
Signature of owner or corporate officer of owner named in paragraph 2 or his agent

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**VERIFICATION**

I, the undersigned, say: I am the Director of Public Works the declarant of the foregoing  
("resident of", "Manager of," "A partner of," "Owner of," etc.)  
notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, 20\_\_\_\_, at Diamond Bar, California.  
(Date of signature) (City where signed)

\_\_\_\_\_  
(Personal signature of the individual who is swearing that the contents of  
the notice of completion are true)

**DO NOT RECORD**

## REQUIREMENTS AS TO NOTICE OF COMPLETION

A notice of completion must be filed for record WITHIN 10 DAYS after completion of the work of improvement (to be computed exclusive of the day of completion), as provided in Civil Code Section 3093.

The "owner" who must file for record a notice of completion of a building or other work of improvement means the owner (or his successor in-interest at the date the notice is filed) on whose behalf the work was done, though his ownership is less than the fee title. For example, if A is the owner in fee, and B, lessee under a lease, causes a building to be constructed, then B, or whoever has succeeded to his interest at the date the notice is filed, must file the notice.

If the ownership is in two or more persons as joint tenants or tenants in common, the notice may be signed by any one of the co-owners (in fact, the foregoing form is designed for giving of the notice by only one covenant), but the names and addresses of the other co-owners must be stated in paragraph 5 of the form.

Note that any Notice of Completion signed by a successor in interest shall recite the names and addresses of his transferor or transferors.

In paragraphs 3 and 5, the full address called for should include street number, city, county and state.

As to paragraphs 6 and 7, this form should be used only where the notice of completion covers the work of improvement as a whole. If the notice is to be given only of completion of a particular contract, where the work of improvement is made pursuant to two or more original contracts, then this form must be modified as follows:

(1) Strike the words "A work of improvement" from paragraph 6 and insert a general statement of the kind of work done or materials furnished pursuant to such contract (e.g., "The foundations for the improvement");

(2) Insert the name of the contractor under the particular contract in paragraph 7.

In paragraph 7 of the notice, insert the name of the contractor for the work of improvement as a whole. No contractor's name need be given if there is no general contractor, e.g., on so-called "owner-builder jobs."

In paragraph 8, insert the full legal description, not merely a street address or tax description. Refer to deed or policy of title insurance. If the space provided for description is not sufficient, a rider may be attached.

In paragraph 9, show the street address, if any, assigned to the property by any competent public or governmental authority.