

SECTION 2

RESPONSIBILITIES AND REQUIREMENTS (RR)

- 2-1 GENERAL** - All improvements within the City of Grass Valley right-of-way shall be approved and permitted by the City and shall conform to the City of Grass Valley Design Standards. All work within the City's right-of-way shall be installed in strict accordance with the approved project improvement plans and specifications, these City of Grass Valley Construction Standards and the Caltrans Standard Specifications and Standard Plans. Developers and their contractors shall follow all applicable City, County, State and Federal laws and regulations relating to construction of the improvements.

If it is determined that any work on private or public property is in disagreement with the approved plans or specifications, performed in a un-permitted or unlawful manner, or constitutes a hazard to the public, the City Engineer may issue a stop work notice to the owner of the property upon which the condition is located, or other person or agent in control of such property. Upon receipt of such stop work notice, the recipient shall, within the period specified therein, stop all work, obtain any necessary permits, and conform to the requirements identified in the stop work notice. The City Engineer may require the submission of plans or other reports, detailed construction recommendations, studies, or other engineering data prior to and in connection with any corrective or proposed work or activity.

- 2-2 DEVELOPER'S RESPONSIBILITY** - It shall be the Developer's responsibility for:

- A. Consulting Engineer Changes** - If the Developer elects to have a registered civil engineer or licensed land surveyor, other than the engineer who prepared the plans, provide the construction staking, then the Developer or the contractor shall provide the City Engineer the name of the individual or firm, in writing, one (1) week prior to the staking of the project for construction.

The Developer's notification of a change in the firm providing construction staking shall include a statement accepting responsibility for design changes and record drawings, as described in "Plan Revisions During Construction" and "Record Drawings," of this section.

- B. Inspection and Other Fees** - The fees shall be in accordance with the latest fee schedule as adopted by City Council resolution. Before permits are issued, the Developer shall deposit with the City of Grass Valley, a check or cash in a sufficient sum to cover the estimated fees for issuance of permits, charges for review of plans, specifications and reports, other engineering services, field investigations, necessary inspection or other work, and routine laboratory tests of materials and compaction.

Should the actual cost of City services exceed the amount of fees on deposit, the Developer will be notified in writing to deposit additional fees necessary to complete the project.

Should the fees on deposit exceed the actual cost of City services, the excess fees shall be refunded to the Developer at time of release of the Warranty and Guarantee Security.

If any work is done in violation of any laws or rules, or not performed in accordance with approved permits, plans, or specifications, a fee covering investigation of any violation and inspection and plan checking of work required to correct such violation shall be charged to the violator to cover all actual costs and fees.

- C. Overtime Inspection Fees** - If permission is received for any inspection services performed beyond normal working hours, or on weekends or holidays, either at the request of the Developer/Contractor, or

at the discretion of the City Engineer, there will be overtime rates charged for this inspection work. Payment of the overtime charges shall be in addition to the normal plan checking and inspection fees. The amount of the additional fees shall conform to the fee schedule for plan checking and inspection fees as adopted by City Council.

If the overtime services are desired, payment shall be made at least 48-hours in advance, unless the amount currently on deposit for plan checking and inspection fees is determined to be sufficient by the City Engineer.

- D. Plan Revisions During Construction** - The Developer shall be responsible for providing all professional engineering services that may be required during construction, the preparation of revised plans for construction changes, and the timely preparation of record drawings upon completion of the construction.

Minor changes not affecting the basic design of the improvements may be made without formally revising the plans. The requested change shall be provided to the Public Works Department in writing, and approval shall be in writing from the City Engineer. These changes shall appear in the record drawings.

- E. Plans and Permits** - The following plans, notices, and permits shall be on site or accomplished prior to beginning any construction on-site:

1. Approved project improvement plans shall be identified by placement of the City Engineer's signature on the cover sheet. No construction shall be authorized until the project improvement plans are approved in this manner. Any construction prior to approved project improvement plans shall be done at the risk of work being rejected and removed.
2. Approval and necessary permits from any and all jurisdictional agencies whose facilities are involved, or whose approval is required. The Developer/Contractor shall file a request for permit forms. The City Engineer may refer an application to other interested public agencies for their recommendations.
3. If the project area results in the disturbance of one-acre or more of total land area, or is part of a larger common area of development or sale, a copy of the landowner's filed Notice of Intent (NOI) and attached acceptable Storm Water Pollution Prevention Plan (SWPPP) with WDID number shall be available on site at all times. The SWPPP shall comply with Section A of the Statewide National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activity.

The site-specific SWPPP, if required, shall be submitted concurrently with the grading plans or project improvement plans, and shall be an integral part of the requirements for development. The SWPPP shall be implemented at the appropriate level to protect water quality at all times throughout the life of the project. The Developer shall also inform the lot/home buyers of appropriate BMPs after purchase.

4. Application for permit and payment of required fees for sewer taps and water connections.
5. Any areas identified on the plans as "no grading" areas shall be designated as such with appropriately placed signs, notices and fencing.
6. A Tree Removal Permit shall be onsite.

7. Approved permits by a State agency where required, including but not limited to, the State Department of Transportation, Department of Fish and Game, etc.

F. Record Drawings - The Developer/Contractor shall keep an accurate record of all approved deviations from the plans before and during construction. One complete set of the record civil plans, plotted on "Mylar" film (or equivalent), shall be submitted to the Public Works Department after project completion.

2-3 CONTRACTOR'S RESPONSIBILITY - It shall be the Contractor's responsibility for:

A. Blasting and Explosive Requirements - The Contractor shall have a valid California State Blasting License issued from the State of California, Department of Industrial Relations, Occupational Safety and Health Administration. Additionally, the Contractor shall obtain a City of Grass Valley "Blasting Permit" from the City's Fire Department prior to any and all blasting within the limits of the City of Grass Valley. The Contractor shall have on file, and keep current, all required insurance documents as established by the City's Fire and Public Works Departments. The Contractor shall notify the following City Departments 72 hours in advance of blasting (if the blasting event involves a street closure or public safety concern, the City reserves the right to require more notification time):

Fire Department	274-4370
Police Dispatch:	477-4600
Public Works Department, Engineering Division	274-4373

B. Cultural Resources - If signs of cultural resources or an archeological site, such as any unusual amounts of stone, bone or shell, are uncovered during grading or other construction activities, work shall be halted at once within 100-feet of the find and the Grass Valley Community Development Department shall be notified immediately. A qualified archaeologist shall be consulted for an on-site evaluation. Additional mitigation may be required by the archaeologist.

C. Concrete Truck Washout Areas - The Contractor shall use precautions, and/or devices, for the protection of storm drain inlets, wetlands, vernal pools and sensitive open space areas, which may border the respective project during all concrete pouring operations. A concrete washout area shall be provided that is confined to the respective project site.

D. Construction Safety - Construction safety within the City of Grass Valley shall be governed by the Construction Safety Orders of the Occupational Safety and Health Standards of Title 8 of the California Code of Regulations.

E. Contractor Employee Vehicle Parking - The Contractor's employee parking shall be limited to designated areas on-site, and shall not encroach into designated wetland areas, tree protected zones or any other areas protected by jurisdictional boundaries, Conditions of Approval or City ordinances.

F. Dust Control – All dust resulting from the performance of the work shall be controlled, either inside or outside the City's right-of-way. No dust shall leave the project site at any time. Appropriate measures such as watering exposed earth surfaces during clearing, grading, earth moving, other site preparation, and project activities shall be taken throughout the day to minimize dust and provide appropriate air quality. Work shall be curtailed when wind exceeds 15-miles per hour, and at the direction of the City Engineer if adequate air quality cannot be maintained.

G. Emergency Contact Person - Prior to the commencement of project construction, the Public Works Inspector shall be furnished with the name and telephone number of a contact person who can be reached 24 hours per day regarding problems or emergencies at the site.

H. Fluid Discharge - Utilizing the City's drainage system for residual discharge from boring equipment, flushing or other operations without the required measures is prohibited. This discharge is a violation of the Clean Water Act. Discharge shall not be allowed into an open area without the written approval of the property owner, or into a wetlands or creek area prior to approval by the California State Department of Fish and Game.

All activities generating fluids shall include adequate measures to mitigate muddy or other fluid discharge as directed by the project's SWPPP. Proposed mitigation measures should be presented to the City Engineer in writing if they deviate from the acceptable SWPPP. Removal of any residual material is the responsibility of the contractor.

I. Hazardous Materials - Should the contractor encounter hazardous materials, or materials which the Contractor believes may be hazardous waste, as defined in Section 25117 of the Health and Safety Code, the City of Grass Valley Fire Department and the Nevada County Department of Environmental Health shall be contacted immediately. This material is required to be removed to a Class I, Class II or Class III disposal site in accordance with provisions of existing law. The area which contains the hazardous materials shall be marked off and securely protected until an investigation by a member of the Fire Department is conducted.

J. Inspection Requirements - Inspection shall be required for any improvement constructed to the City Construction Standards for which it is intended that the City will assume maintenance responsibility. Inspection is also required for private on-site improvements for conformance with the approved Grading Plans.

1. Adequate access to the site for inspection shall be provided at all times during the construction phase and for a minimum period of one year after completion of the work.
2. Private on-site grading and improvements shall be inspected during construction by the Public Works Inspector for conformance with the Grading Plans.
3. Any improvements constructed without inspection as provided above, or constructed contrary to the order or instructions of the City Engineer, shall be deemed as not complying with the City Construction Standards, and shall not be accepted by the City. Written notice of non-compliance shall be given to the developer and the contractor. All non-compliant work shall be at the Developer's and/or Contractor's risk, and subject to rejection and removal. When the City Engineer deems the improvements may proceed, a written notice shall be provided by the City Engineer.
4. Within ten days after receiving the request for final inspection, the Public Works Inspector shall inspect the work. A written notice ("punch list") shall be provided to the Contractor, Consulting Engineer, and Developer listing any particular defects or deficiencies that must be remedied. The Contractor shall proceed to correct any such defects or deficiencies at the earliest possible date.
5. When the punch list work has been completed, a second inspection shall be made by the Public Works Inspector to determine if the previously mentioned defects have been repaired, altered, and completed in accordance with the plans. After the City Engineer approves the work and the City

Council has accepted the work, the Contractor, Consulting Engineer, and/or Developer shall be notified in writing of the date of final approval and acceptance.

6. On assessment districts and projects where the City participates in the costs, quantities shall be measured in the presence of the Public Works Inspector, Consulting Engineer, and Contractor, and witnessed accordingly.

K. Interruption of Parking Areas - Where parking needs to be interrupted by construction work, the Contractor shall obtain and comply with the conditions of an Encroachment Permit. Type II barricades shall be placed with "No Parking" notices behind the curb, adjacent to the respective parking area, a minimum of 24 hours prior to the start of construction. Information on the notice shall include the date and times that parking is prohibited and shall be legible from a distance of 25 feet. Barricades/notices shall be placed at a minimum interval of one for each parking space and shall not obstruct pedestrian use of any sidewalk.

L. Material Disposal – All material removed from a project shall be disposed of properly. Special attention shall be given to planning for recycling of material whenever feasible. For material to be disposed of on other property, approval shall be obtained from the applicable property owner or responsible entity. A written authorization of this approval shall be provided to the City Engineer, upon request.

M. Materials Approval - To illustrate conformance with the plans and these Construction Standards, the Contractor shall provide the Public Works Inspector with formal submittals for all materials planned to be used that are not specifically listed in the latest Construction Standards as approved materials and for all aggregate, concrete and asphalt concrete.

The submittals shall be delivered to the Public Works Department a minimum of 7 calendar days prior to delivery and installation. The City shall review the submittals and any comments on the returned submittals shall be addressed by the Contractor, to the satisfaction of the City Engineer, prior to the delivery and installation of submitted materials.

Materials not approved for use on the project shall be removed from the site within 24 hours if requested by the City Engineer.

N. Notification/Preconstruction Meeting - The Contractor shall schedule a preconstruction meeting with the Public Works Department and any other City departments reviewing and inspecting the improvements. The meeting shall not be scheduled prior to the City departments' receipt of approved plans and shall take place a minimum of 48 hours prior to the start of construction.

Minimum advance notice to the Public Works Inspector for inspection shall be 48 hours. The Public Works Inspector shall have the opportunity to inspect all underground/subsurface improvements prior to backfill or cover.

O. Personnel - Only personnel competent in the particular trade undertaken shall be employed for the construction work.

P. Plans - Perform construction as specified on the approved project plans, the Design Standards, these Construction Standards, and any and all laws pertaining to the project work. Any additions, deletions or changes to the approved plans shall be submitted for review and approval prior to construction.

- Q. Preservation of Property** - The Contractor shall take extreme care to protect existing site and adjacent improvements from damage. The Contractor shall be responsible for any damage resulting from the construction and shall be responsible for repair or replacement conforming to the latest standards.
- R. Record Drawing Plans** - A set of project plans shall be kept on-site and updated regularly. These are to be coordinated with the Public Works Inspector's set of plans for preparing a complete and accurate set of record drawings for the permanent records of the City.
- S. Staking** - The Consulting Engineer shall notify the Public Works Inspector when the Contractor first calls for grades and staking and shall provide the Inspector with a copy of all cut sheets.
- T. Storm Water Pollution Prevention Plan (SWPPP)** - The SWPPP shall be implemented at the appropriate level to protect water quality at all times throughout the life of the project. Non-storm water BMPs must be implemented throughout the year. The dynamic nature of construction allows for, and may require, changes to the SWPPP based on the particular nature of the storm should the Plan not be effective. Any deviation from the approved SWPPP shall be reported in writing to the project Developer so the appropriate notice can be sent to the Regional Water Quality Board and a copy sent to the City Engineer.
- U. Street Cleaning** - Where dirt, mud, rock, sand or other foreign material are tracked onto public street pavement, the Contractor shall clean the streets daily, or as directed by the Public Works Inspector. If the Contractor fails to keep the streets clean, the City may clean the areas and bill the Contractor. Streets shall be cleaned with a power broom or hand brooms and shall not be washed with water without the approval of the Public Works Inspector. Any mud displaced into the City storm drain system by the Contractor shall be removed at the discretion of the Public Works Inspector.
- V. Survey Monuments** - All existing monuments and/or other survey markers shall be protected, and the Contractor shall notify the City Engineer of any damaged or removed private, City, County, State, or Bureau of Land Management monuments.
- W. Temporary Fencing** - Any excavation exceeding two feet in depth, left unattended outside project work hours, within a close proximity or within a City right-of-way or easement, as determined by the Public Works Inspector, shall be enclosed with a six foot high temporary fence.

Where temporary fencing is placed along the street in the gutter pan or at the back of a City sidewalk, a delineator or cone shall be placed at a maximum 50 foot interval along the outside of the fence.

- X. Trenching Safety** - Prior to excavation of trenches 5 feet or deeper, the Contractor shall submit the following to the Public Works Inspector:
1. A copy of the company's annual CALOSHA trenching permit.
 2. A copy of the company's letter informing CALOSHA of the time the trenching is commencing and the location of the work.

An encroachment permit shall be obtained from the Public Works Department, Engineering Division prior to trenching within any City right-of-way or easement.

Following trenching and pipe laying, backfill shall be accomplished immediately unless approved otherwise by the Public Works Inspector. Any excavation left open over night and the method of protection shall be approved by the Public Works Inspector.

- Y. Traffic Control** – A construction area traffic control plan shall be provided whenever traffic flow is impacted by the project or as required by the City Engineer. Traffic control plans may not be required, when in the opinion of the Public Works Inspector, the situation is adequately covered by the MUTCD.

When the Public Works Inspector has determined a TCP is required, the Contractor shall submit the plan to the Public Works Inspector for review. A minimum review time of 72 hours should be allowed prior to the start of the activity causing traffic disturbance, with more complex TCP's requiring additional time. The plan shall include at a minimum: The project title, the encroachment permit number if applicable, the requested traffic alteration specifics and the requested working hours.

Upon approval, the TCP shall be available at the site at all times during the work. The contractor shall assure that the traffic control equipment is erected prior to the work beginning and that it is removed immediately when appropriate.

All traffic control measures shall be installed in accordance with the City approved project specific traffic control plan, the approved improvement plans and specifications, these Construction Standards, the City Design Standards and the California Manual on Uniform Traffic Control Devices. In addition to these manuals, the following measures shall apply:

- 1. Start of Construction** - Construction within City right-of-way shall not start until all equipment required by the Caltrans Manual of Traffic Controls for Construction and the accepted Traffic Control Plan has been erected, all required permits from other agencies have been obtained and the Contractor has obtained approval from the Public Works Inspector. Parties not obtaining prior approval shall be subject to a stop-work order from the City. The Traffic Control Plan shall be the primary governing traffic document.
- 2. Access** - All residences and businesses shall be notified by the Contractor 48 hours prior to site access being affected. At no time shall any occupant be restricted from access to their property without written permission from the City Engineer and the affected entity/owner.
- 3. Lane Changes and Closures** - Lanes shall be closed or transitioned conforming to the Caltrans Traffic Control Manual, or the approved TCP. Lane closures shall not be allowed when the visibility is less than 1/4 mile due to fog, dust or rain.

A lighted arrow board may be employed as an additional lane change measure and shall always be used for lane changes and closures 1/2 hour after sunset to 1/2 hour before sunrise.

Lane closures/transitions are only permitted from 9:00 AM to 4:00 PM unless otherwise noted on the approved traffic plan.

Traffic control devices/equipment setup/placement shall be accomplished in a manner which renders the safest condition for drivers, pedestrians and workers. As examples, warning signs should be erected prior to erection of cones or delineators.

4. **Flag persons** - Flag persons shall be equipped as required in the governing manual with bright colored or fluorescent vests or clothing, flags and/or stop/slow paddles and other equipment as needed. During darkness, clothing shall be reflectorized and shall be visible for one thousand feet and the flag person shall be equipped with a flashlight with an orange or lime green cone. During darkness, flag persons' stations shall be illuminated per the State Traffic Manual.
5. **Temporary Transitions** - A W8-8 ("Rough Road") or W8-1 ("Bump") sign shall be installed 200 feet ahead of any steel plates or temporary pavement transitions in the roadway. The sign may be mounted to an operable, lighted barricade for a maximum of 24 hours. The sign shall be mounted to a 4" x 4" post if the placement exceeds 24 hours.
6. **Sidewalk Removal** - Barricades are required where construction requires the removal of sidewalk or curb and gutter. Wooden lathe with flagging or cones shall not be allowed. Signs indicating "Sidewalk Closed" shall be installed at the ends of construction areas, or where required by the Public Works Inspector.
7. **Barricades** - Barricades shall be Type 2 per Caltrans Specifications. Barricades shall only be used where collision with an object would be more severe than collision with the barricade and as approved by the Public Works Inspector. Barricades shall not be used to channelize or route traffic. All barricades shall include operable warning lights. Barricades placed in an excavated street section adjacent to a traffic lane shall be placed at a maximum 50 feet interval.
8. **Warning Signs** - All traffic warning signs shall be a minimum 36 inches square, shall be mounted on a metal flag tree assembly, and shall include two flags each, fully exposed above the sign. The sign shall only be metal, fabric or as approved by the Public Works Inspector. The top of the sign shall be a minimum six feet high. No sign shall be placed on a barricade unless specifically allowed by the Public Works Inspector or specified by the Traffic Control Plan.

Upon the approval of the Public Works Inspector, signs may be placed on a 4" x 4" wood post for long durations. Clearance shall be seven feet from finish grade to bottom of sign.

Signs which are prefabricated to be site specific which may specify detour routing and street names shall be steel or aluminum, 0.080 gauge.

Minimum six inch black letters shall be employed on a clean, traffic orange background. The signs shall be approved by the Public Works Inspector prior to erection.

9. **Cones and Delineators** - Cones shall be a minimum 28 inches in height and delineators a minimum 36 inches high by three inches in diameter. Delineators shall include white or yellow reflective stripe(s). Cones shall include a white or yellow reflective sleeve after dark. Yellow reflective material shall be used between opposing traffic and white at the side of the roadway. Only cones, delineators, k-rail, temporary striping, or temporary tape, shall be used to temporarily channelize traffic.
- Z. **Trailer and Material Storage** - Dumpsters, construction materials or equipment shall not be placed in the City of Grass Valley right-of-way without first obtaining an Encroachment Permit from the Public Works Department. As a minimum, two (2) operable, Type II, lighted barricades shall be placed at each end of the obstacle. The Encroachment Permit conditions may indicate additional reflectorization requirements.

- AA. U.S.A. Markings** - "Underground Service Alert" shall be contacted 48 hours prior to any excavation. Any areas not marked with white paint shall not be included in the U.S.A. and these areas shall not be excavated. The Contractor shall be responsible for any damage resulting from excavation in unmarked areas. The Applicant requesting the U.S.A. markings shall be responsible for the removal of the U.S.A. markings upon completion of the work, at the discretion of the City Engineer.

The location of storm drain lines and gravity sewer lines is not included within the U.S.A. markings. The contractor shall take routine precautions to ascertain the location of storm drain and sewer pipes prior to excavating around them. The contractor shall notify the Public Works Department when the storm drain or sewer system is affected.

- BB. Weather** - Construction work shall not commence or progress when the weather jeopardizes a safe working environment or the quality of the project in any manner.

Construction activities within or adjacent to the public right of way during inclement weather may be prohibited where the activity constitutes an unsafe condition for the public and/or the workers.

- CC. Working Hours** - In accordance with the City of Grass Valley's Municipal Code, the hours of project construction shall be limited to the following:

7:00 AM to 7:00 PM, Monday through Friday

Work between 8:00 AM and 5:00 PM on Saturday, Sunday and Holidays requires a written request to the City Engineer 72 hours prior to the desired construction. If work is allowed outside regular work hours, the Contractor shall have a copy of the written approval available at the work site. The Contractor shall be responsible for the cost of any City staff overtime charges necessitated by inspection requirements outside of the regular work hours.

There may be additional limitations placed on working hours specified on the project's approved plans, conditions of approval, special provisions, or encroachment permit.

- 2-4 RESIDENTIAL OCCUPANCIES DURING SUBDIVISION BUILDING** - Upon the occupancy of one or more homes in public or private subdivisions, the occupant(s) shall have a safe, clean, unobstructed travel way, including sidewalks, in accessing and exiting the area of their home. This applies to newly constructed streets within the subdivision and extends to the closest existing street. The following minimum standards are to be met:

- A. Barricades** - Unoccupied cul-de-sacs or other sections of streets for which there is no public access necessary shall be barricaded. Barricades shall be Type III (or fencing as approved by the City Fire Department), subject to the approval of the City Engineer.
- B. Debris** - No building materials, portable toilets or construction equipment shall be stored within the street right-of-way without a valid Encroachment Permit. Portable toilets shall be a minimum of 50 feet from drain inlets.
- C. Erosion Control** - Erosion control materials at drain inlets, such as gravel bags, shall be removed. Silt bags shall only be removed from drain inlets fronting homes with completed landscaping and for which there is no potential of silt runoff.

- D. Landscaping Materials** - Landscaping related materials (such as cobbles, bark or gravel) may be staged in the streets for immediate removal. If stored overnight, a lighted barricade shall be placed on each side of the pile, toward traffic. The pile shall not extend into the street from the curb further than the width of a parked car and shall not cover any portion of the sidewalk.
- E. Other Requirements** - All other requirements within the Subdivision Ordinance and Building Division regulations for approval of occupancy shall apply.
- F. Street Cleaning** - Streets shall be thoroughly cleaned from back of walk to back of walk at the end of each work day.
- G. Street Lighting** - Completion of the street lighting system shall be a condition of home occupancy and not a condition of building permit issuance.
- H. Street Parking** - A trailer with a valid California license may be parked along edges of the street within a subdivision for a period of 72 hours, provided the travel ways are unobstructed and each outside corner of the trailer has lighted barricades.

2-5 REQUIREMENTS FOR CERTIFICATE OF COMPLETION (C.O.C.) - Prior to acceptance of improvements by the City of Grass Valley, the following items must be completed and provided to the Public Works Department (Engineering Division):

- A. Landscaping** - All required irrigation and landscaping shall be in place and accepted.
- B. Final Inspection** - The Contractor or Developer shall request a final inspection and punch list for the improvements from the Engineering Division.
- C. Warranty and Guarantee** - The Developer shall post a Warranty and Guarantee Security to cover the one year maintenance warranty period, if required (as determined by the City Engineer).
- D. Fees** - All outstanding plan check, inspection and other fees shall be paid.
- E. Pad Certificates** - Lot pad elevation and compaction certifications (original stamped documents), shall be submitted to the Public Works Department, if applicable.
- F. Record Drawings** - One complete set of the record civil plans, plotted on "Mylar" film (or equivalent) and an electronic copy of the utility composite on CD/DVD in .dwg format shall be submitted to the Public Works Department after project completion.
- G. Certificate of Completion** - The Engineering Division will coordinate approval of all applicable City Departments and seek C.O.C. approval by the City Council, if required.

2-6 WARRANTY AND GUARANTEE - The Contractor/Developer shall warranty and guarantee all materials supplied as being fit for the purposes intended and that all work performed as having been accomplished in a proper and workman-like manner. The warranty and guarantee shall continue for a period of one year after the Certificate of Completion is accepted.

- A. Security** - A Warranty and Guarantee Security shall be submitted prior to the acceptance of improvements by the City of Grass Valley, if required (as determined by the City Engineer). The amount of the security shall be equivalent to ten (10) percent of the approved Engineer's cost estimate for the improvements.

- B. Repairs** - Should any failure of work occur within the warranty period, the Contractor shall promptly make the needed repairs at the Contractor's own expense. Should such failure of work result in excessive maintenance by the City, or in the opinion of the City, the failure is best left un-repaired, the Contractor shall incur the additional maintenance cost. The cost shall be equal to the annual maintenance cost divided by the current prime rate.

Should the Contractor not make or undertake the necessary repairs within 30 days of having received written notification from the City Engineer, the City may make the repairs and the Contractor shall pay the entire cost. If, in the opinion of the City Engineer, an emergency situation exists where a delay would cause serious loss or damages, or a serious hazard to the public, the repairs may be made without prior notice to the Contractor (provided a reasonable attempt has been made to notify the Contractor), and the Contractor shall pay the entire cost.

All repair work done as a result of the one year warranty and guarantee shall be completed in conformance with the City of Grass Valley Improvement Standards and as approved by the City Engineer.

- C. Obligations** - The warranty and guarantee obligations for the inspection and repair of warranted improvements shall be as follows:
- 1. City's Responsibility** - All necessary City departments shall complete their warranty and guarantee inspections during approximately the tenth month following the Certificate of Completion. The Public Works Department shall compile all outstanding issues and prepare and deliver a final punch list to the Contractor by approximately the end of the tenth month.
 - 2. Final Punch list Repairs** - Within 30 days of receipt of the final punch list, the Contractor shall repair or address all items indicated. The Public Works Department shall then be notified for re-inspection of repairs.
 - 3. Final Action** - Within 30 days of notifying the Contractor (by the end of the eleventh month), the City departments shall re-inspect the repaired improvements. If the Contractor does not complete the required work by the end of the eleventh month, the list of repairs will be referred to the City Attorney's office for further management.
- D. Release of Security** - At the conclusion of one year following the Certificate of Completion and upon the City's approval any warranted repair work, the Warranty and Guarantee Security will be released.