

County of Yolo Administrative Policies and Procedures Manual

TITLE: Policy on Completion of Public Works Projects

Department: General Services

TYPE: POLICY

DATE: July 11, 2023

A. PURPOSE

This policy establishes the County's delegated authority for the acceptance of a public works project or to determine that there is a cessation of work on a public works project. The County desires timely filing of notices of completion or notices of cessation of work on public works projects to limit the County's potential liability to any unpaid subcontractors or material suppliers.

B. APPLICABILITY

This policy applies to all public works projects conducted by the County when a payment and/or performance bond is required.

C. BACKGROUND

A public works project is complete when the public work is accepted by the County or there is a cessation of labor on the public work for a continuous period of 60 days, whichever is earlier, pursuant to California Civil Code §9200.

A notice of completion may be recorded on or within 15 days after such completion, pursuant to California Civil Code §9204.

A notice of cessation may be recorded if there is a continuous cessation of labor for at least 30 days prior to the recordation that continues through the date of the recordation, pursuant to California Civil Code §9202.

California Civil Code §9356 allows a contractor of a public works project to serve a stop notice on the County before the expiration of 30 days after the recording of the notice of acceptance, notice of completion, or notice of cessation. If such notices are not filed within the required time period, the contractor must serve any stop notice on the County before the expiration of 90 days after the cessation or completion of the public works project.

D. POLICY

The Director of General Services and the Director of Community Services, or their respective designee, are authorized to:

1. Accept the public work, or to determine there has been a continuous cessation of labor for 30 days.
2. File with the County Clerk-Recorder a notice of completion upon accepting the public work as complete.
3. File with the County Clerk-Recorder a notice of cessation.