



COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL
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November 21, 2019

Mr. Nandy Kumar, Partner
Sand Hill Construction Management, LLC
965 Page Mill Road
Palo Alto, CA 94304

Mr. Clint Magill, Superintendent
Devcon Construction, Inc.
690 Gibraltar Drive
Milpitas, CA 95035

Vallco Town Center Project Demolition Permits: Building Official Order

Mr. Kumar and Mr. Magill,

Thank you for working with the City to ensure that all demolition activities are in compliance with the approved set of plans and state and local regulations.

The following is a list of items and/or documentations that are required to be submitted to the City prior to resuming any further demolition activity. In addition, no demolition activity may resume adjacent to Wolfe Road until the City has issued required the encroachment permits noted below. Debris screening shall be provided for any demolition activities adjacent to the public right-of-way to keep falling and/or flying debris inside the limits of the work area. This order is based on my review of the November 14 demolition and related documentation.

- 1) As Vallco work is actively being conducted in the public right-of-way on the west side of Wolfe Rd south of the Wolfe pedestrian bridge, an encroachment permit application for that portion of public right-of-way is required no later than Friday, November 22nd. The application shall include, but not be limited to, a site plan that clearly defines the sidewalk closure limits with necessary signage, a traffic control plan that delineates the closure of the outside through traffic lane anytime demolition in excess of 36' occurs adjacent to the public right-of-way, and evidence of required insurance. Upon receiving the application, Public Works Department will provide the encroachment fee and bond information. Additionally, the Public Works Department will calculate and provide the permit cost for working in this area without an encroachment permit.

- 2) Submit a request with a written explanation to Public Works Department no later than Friday, November 22nd, if any sidewalk closures or other encroachment of the public right-of-way at the area of the old Dynasty Building require extension of the Encroachment permit PW-2019-0197.
- 3) A new encroachment permit application is required no later than Friday, November 22nd to replace the expired encroachment permit (P2019-00055), including a plan for the traffic control measures to prevent vehicles from being directed into the closed entrance at Wolfe Rd & Vallco Parkway, an engineer's cost estimate, and an insurance certificate. Upon receiving the application, Public Works Department will provide the encroachment fee and bond information upon submission of the application. Additionally, the Public Works Department shall calculate and provide the permit cost for working in this area without an active encroachment permit.
- 4) The anticipated demolition schedule for the remainder of the demolition activities shall be provided.
- 5) Confirmation that Vallco Property Owner LLC (Vallco) has agreed to pay for a full-time third-party building inspector to monitor activities for the remainder of the demolition phase.
- 6) Confirmation that Vallco agrees to pay for an independent peer reviewer to be hired by the City to review both letters submitted by the Structural Engineer verifying the stand-alone Wolfe bridge is structural stable and verifying the demolition of the portion of the mall west of the Wolfe bridge did not impact or change the structural stability of the bridge.
- 7) Provide a copy of the CalOSHA permit and the demolition plan reviewed and approved by CalOSHA.
- 8) Provide a copy of a report, if available, from the most recent inspection performed by Bay Area Air Quality Management District.

Please provide a response letter that you are in receipt of this order and will work with the City to provide the necessary documentation for review accordingly. Several of these items have already been agreed upon at our initial meeting on November 18th and we have received the Engineer letters since then. I will notify you when these conditions have been satisfied and demolition activities may resume. The City may provide additional conditions if warranted by any new information.

Regards,



Albert Salvador
Building Official, Asst. Director of Community Development Dept
City of Cupertino

Cc: Valentino Pena, Project Manager, Ferma/Silverado, a Joint Venture
Deborah Feng, City Manager
Ben Fu, Director of Community Development Dept
Roger Lee, Public Works Director
Reed Moulds, Managing Director, Sand Hill Property Company