

RESOLUTION NO. 946

RESOLUTION OF THE BOARD OF UTILITIES OF THE CITY OF SANTA ROSA ACCEPTING BID AND AWARDING CONTRACT NO. 08-813 TO MIDSTATE CONSTRUCTION CORPORATION FOR WEST COLLEGE UTILITIES FACILITY PHASE 3

WHEREAS, bids have been invited for the performance of work for the City of Santa Rosa, generally described as West College Utilities Facility Phase 3, Contract Number 08-813; and

WHEREAS, bids were received and opened in accordance with law and the City Engineer has made his report thereon.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities has considered the report of the City Engineer and, as a result, has concluded that the bid of Midstate Construction Corporation, 1180 Holm Road, Petaluma, California 94954 (Midstate), was the lowest responsive bid received.

BE IT FURTHER RESOLVED that the Board finds that the Midstate's bid was made on the contract proposal form furnished by the City Engineer, and that even if the Board was to consider the fact that the contract proposal form submitted by Midstate was on white paper instead of green paper was irregular, the Board would waive such irregularity as minor.

BE IT FURTHER RESOLVED that the Board of Public Utilities of the City of Santa Rosa accepts the Midstate's bid in the amount of \$13,880,066.00 and awards Contract Number 08-813 to Midstate for the amount of \$13,880,066.00 and for performance in accordance with plans and specifications on file in the Office of the City Engineer.

BE IT FURTHER RESOLVED that the Board of Public Utilities approves and authorizes the Chair to execute the contract and the Director of Administrative Services to pay all proper claims for performance of the contract out of Account Numbers 7248 and 7249.

BE IT FURTHER RESOLVED that in accordance with City Council Policy No. 100-07, "Authorization of Contract Change Orders on Public Works Contracts," the Board of Public Utilities approves a total authorized contract amount of \$15,268,072.60, (the original contract amount plus a 10% contingency).

DULY PASSED this 18<sup>th</sup> day of December, 2008.

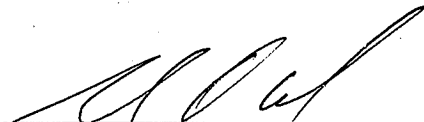
AYES: (4) DOWD, GALVIN, HOLT AND LINDSAY

NOES: (0)

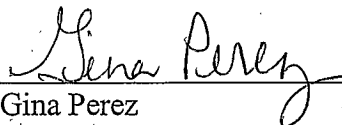
ABSENT: (3) LOWE, DOWNEY AND SWINTH

ABSTAIN: (0)


APPROVED:

  
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Chairman Richard Dowd

ATTEST:

  
\_\_\_\_\_  
Gina Perez  
Recording Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney