

RESOLUTION NO. 440-R

A RESOLUTION DECLARING AN EMERGENCY AND AUTHORIZING THE SUBSTITUTION OF A REVISED PAYMENT SCHEDULE IN LIEU OF A PERFORMANCE SECURITY FOR THE CONSTRUCTION OF WELL NO. 6 PUMP HOUSE.

WHEREAS, the low bidder for the subject project was found to be a responsible bidder but was unable to acquire a conventional performance bond, and

WHEREAS, a declaration of default of the low bidder would require rebidding and the necessary time delay and increase in cost, and

WHEREAS, such delay would prevent the use of the newly constructed Strebin Road Reservoir for more than six months and would represent a material loss to the City,

AND, NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

An emergency is found to exist and that the requirement for a performance guarantee shall be deleted and a revised payment schedule shall be substituted specifying that the Contractor shall receive payment for no more than 60% of the work completed until the entire project is accepted by the City and FmHA.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 28th DAY OF July, 1981.


YEAS 6

NAYS 0



Robert M. Sturges, Mayor

ATTEST:



City Recorder

CHANGE ORDER NO. 1

The parties to Change Order No. 1 agree to the following:

1. Paragraph 22.1 of Guide 19, FmHA General Conditions, and Article 5, Section 5.1, NSPE General Conditions shall be deleted.
2. A revised payment schedule shall be substituted which establishes a retainage of 40% of the amount of the work completed, which sum shall not be released until the project is accepted by the City and FmHA.
3. A "Certificate of Compliance" will be submitted to show evidence that the Contractor's obligation for both performance and payment have been satisfied before the project is recommended for acceptance.
4. A maintenance bond in the amount of 15% of the completed work will be required to satisfy the provision of Article V of the contract.
5. No claim will be made for an increase in cost due to the delay in approval of the contract.
6. A reduction in the amount of the lump sum bid will be made as a result of the deletion of the performance/payment bond requirement.