

RESOLUTION NO. 4190

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH
SUAREZ & MUNOZ CONSTRUCTION INC. FOR A COST NOT TO EXCEED
\$218,234.05 FOR THE CONSTRUCTION OF SOLEDAD PARK**

WHEREAS, the City Council adopted the Capital Improvement Program that includes the Construction of Soledad Park; and

WHEREAS, plans and specifications were completed for the Construction of Soledad Park and advertised on February 6 and 14, 2008 for bidding; and

WHEREAS, the City received and opened sealed bids for the Construction of Soledad Park at 2:00 pm on March 10, 2008; and

WHEREAS, Staff reviewed the bids and has determined that the lowest bidder, Suarez & Munoz Construction Inc., is responsive and is qualified to perform the desired work; and

WHEREAS, based on the bid price and work history, Staff recommends the bid be awarded to Suarez & Munoz Construction Inc., in the amount of \$218,234.05 for the Construction of Soledad Park; and

WHEREAS, the proposed project has been determined to be exempted from analysis under the California Environmental Quality Act, pursuant to California Code of Regulations Section 15301.

NOW THEREFORE the City of Soledad as follows

*Need Signed
exh "A"*

RESOLVED by the City Council of

Section 1. and correct.

is that the foregoing recitals are true

Section 2. The City Council hereby awards the bid for the Construction of Soledad Park to the lowest responsible bidder, Suarez & Munoz Construction Inc., in an amount not to exceed \$218,234.05.

Section 3. The City Council hereby authorizes the City Manager, or her designee, to enter into a Contract with Suarez & Munoz Construction Inc. in the form attached hereto as Exhibit "A," and by this reference incorporated herein.

Section 4. The City Council hereby directs the City Manager, or her designee, to reject all other bids in writing.

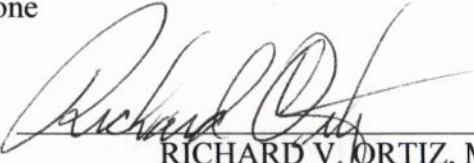
PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 2nd day of April 2008, by the following vote:

AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra,
Mayor Pro Tem Christopher Bourke, Mayor Richard Ortiz

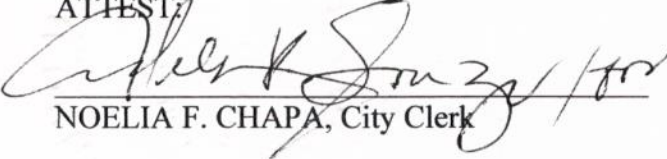
NOES, Councilmembers: None

ABSENT, Councilmembers: Patricia Stephens

ABSTAIN, Councilmembers: None



RICHARD V. ORTIZ, Mayor

ATTEST:


NOELIA F. CHAPA, City Clerk

Exhibit "A"

AGREEMENT

THIS AGREEMENT, made and entered into this 3rd day of April, 2008, by and between City of Soledad, a municipal corporation of the State of California, hereinafter called "City", and Suarez & Munoz Construction Inc. of Marina, hereinafter called "Contractor",

WITNESSETH

FIRST: Contractor hereby covenants and agrees to furnish and provide all labor, materials, tools, appliances, equipment, plant and transportation, and all other things required or necessary to be furnished, provide or done, and build, erect, construct and complete the work at the time and in the manner provided, and in strict accordance with, the Plans and Specifications therefore, for

CONSTRUCTION OF SOLEDAD PARK

SECOND: It is expressly understood and agreed that this contract consists of the following documents, all of which are incorporated into this agreement and made a part hereof as fully and completely as if set forth herein verbatim, to wit:

- a. **Instructions to Bidders and General Conditions**
- b. **Advertisement for Bids (Notice to Contractors)**
- c. **Signed and executed Proposal (BID) of Contractor**
- d. **Bid Bond**
- e. **This Agreement.**
- f. **Performance Bond**
- g. **Payment Bond**
- h. **Notice of Award**
- i. **Notice to Proceed**
- j. **Any Mutually Executed Change Orders**
- k. **The aforesaid Specifications**
- l. **ADDENDA**
Nos. 1, dated March 3, 2008 respectively.
- m. **Design Standards and Standard Specifications, Department of Public Works, City of Soledad, October 2007 Edition, or as amended;**

THIRD: That said Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work embraced and contemplated in this Agreement as set forth in the Proposal, a true copy thereof hereto attached; also, for all loss or damage arising out of the nature of said work or from the action of the elements or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until the acceptance thereof by the City of Soledad and for all risk connected with the work, and for well and faithfully completing the work, and the whole thereof, in the manner and according to the said Plans and Specifications and the provisions of this Agreement, and the requirements of the Director of Public Works under them, to wit: The prices as set forth in the Proposal of said Contractor for the work to be constructed under this Agreement, which prices should be considered as though repeated herein.