

RESOLUTION NO. 359

A RESOLUTION RESCINDING RESOLUTION NO. 355 OF
AWARD OF CONTRACT AND OF AWARD OF CONTRACT

RIDGEMARK RESERVOIR

SUNNYSLOPE COUNTY WATER DISTRICT

RESOLVED, by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, that

WHEREAS, said Board did in open session on the 14th day of March, 1985, at 4:00 p.m., publicly open, examine and declare and report to the Board at its regular meeting on March 14, 1985, at 7:30 p.m., all proposals or bids for the work to be done and improvements to be made as described and specified in the plans and specifications adopted by the Board of Directors of the District pursuant to Resolution No. 350 on February 14, 1985, to which plans and specifications reference is hereby made for a description of the work and improvements to be done;

WHEREAS, immediately following the bid opening, the apparent low bidder notified the District that his bid contained a substantial error and said bidder, consequently, requested relief from said bid, which was granted by the Board;

WHEREAS, the public interest will be served by the award of the contract for the project to the lowest remaining bidder; and

WHEREAS, the public interest, convenience and necessity will be served by the execution of a contract for the construction of the Ridgemark Reservoir at the earliest possible time;

NOW, THEREFORE, THE BOARD HEREBY FINDS, DETERMINES and ORDERS, as follows:

1. That the apparent low bid has been withdrawn pursuant to the statutory process of Section 5100 et seq. of the Public Contract Code of the State of California which provides for the relief to bidders upon findings that

- a) A mistake was made,
- b) The bidder gave the District written notice of the mistake within five (5) calendar days following the opening of bids and specifying in detail how the mistake occurred,
- c) The mistake made the bid materially different than intended, and
- d) The mistake was made in filling out the bid and not due to error in judgment or to calculations in inspecting the site or in reading the plans or specifications.

The Board of Directors does hereby make the findings hereinabove stated and grants to said bidder the relief from its bid in accordance with the bidder's request.

2. That Resolution No. 355, "A Resolution of Award of Contract," adopted March 14, 1985, shall be, and it is hereby, rescinded.

3. That said Board hereby rejects all of said proposals or bids for the grading, piping and installation of one storage tank for Ridgemark Reservoir, together with connection to existing facilities and all appurtenances thereto, in accordance with the plans and specifications therefor, except that hereinafter mentioned, and hereby awards the contract for doing the work and improvements to the lowest remaining bidder, to wit:

TRUSCO TANK, INC.

at the lump-sum price named in its bid.

4. That the President of said Board is hereby authorized to make and enter into a written contract with said successful bidder and to receive and approve all bonds in connection therewith, and the Secretary of said District is hereby directed to attest his signature and affix thereto the corporate seal of said District.

5. The Secretary shall, within five (5) days of the adoption of this resolution, transmit an Extract of Public Works Contract Award to the Department of Industrial Relations, Division of Apprenticeship Standards, P. O. Box 603, San Francisco, California, 94101. Should a finding of any discrepancy regarding the ratio of apprentices to journeyman be made, the Secretary shall notify the Division of Apprenticeship Standards of such findings.

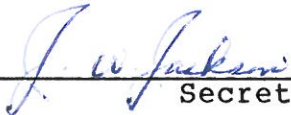
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I hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Board of Directors of the Sunnyslope County Water District at a special meeting thereof held on the 26 day of March, 1985, by the following vote:

AYES, and in favor thereof, Directors: Blaettler, Churchill,
Hailstone, Renz, Williams

NOES, Directors: None

ABSENT, Directors: None


Secretary

APPROVED:


President