

RESOLUTION NO. 4091

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS AWARDED
CONTRACT FOR CONSTRUCTION OF REDLANDS FIRE STATION NO. 3

WHEREAS, the City Council of the City of Redlands has adopted Resolution No. 4085 approving a Purchase Agreement and a Preliminary Official Statement with respect to the sale of Certificates of Participation (City of Redlands 1985 Projects) in an amount not to exceed \$12,000,000 (the "Certificates"), the proceeds of which are to be utilized as provided in the Lease Agreement and the Trust Agreement, both dated as of August 1, 1985, and the other agreements which have been approved and authorized by Resolution No. 4084 adopted by this City Council for, among other things, the construction of Redlands Fire Station No. 3; and

WHEREAS, pursuant to duly published notice, the City received bids for the construction of said fire station on July 23, 1985, which bids were publicly opened and reviewed, all in accordance with applicable legal requirements; and

WHEREAS, the City Council has determined that the responsible bidder submitting the bid or proposal for said project which will result in the lowest cost to the City is Ellis Construction Company, and that it is in the best interest of the City that the contract for the construction of said project be awarded to said firm;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF REDLANDS AS FOLLOWS:

1. The contract for the construction of the City of Redlands Fire Station No. 3 is hereby awarded to Ellis Construction Company subject to the receipt by Bank of America National Trust and Savings Association, as Trustee pursuant to the Trust Agreement (the "Trustee"), of the proceeds from the sale of the Certificates.
2. The award of said contract is specifically made contingent upon the Trustee being able to issue the Certificates on terms and conditions which are acceptable to the City and the receipt by the Trustee of the proceeds from the sale of the Certificates on or before September 30, 1985. Should the Trustee be unable to sell the Certificates on such terms and conditions and receive the proceeds thereof prior to said date, the award of said contract shall be nullified and of no further force or effect. Upon the receipt by the Trustee of the proceeds from the sale of the Certificates, the Mayor and City Clerk shall execute and deliver on behalf of the City the contract for the construction of said project.
3. The City Clerk is hereby authorized and directed to return to all bidders who submitted bids for the construction of said project, except the three lowest bidders therefor, the bid security which accompanied their bids. The City Clerk shall retain the bid security which accompanied the bid of the firm to which a contract has been awarded, pursuant to Section 1 hereof, and the bid security of the bidders which submitted the second and third lowest bids for said project until such time as the said firm to which said contract has been awarded executes and delivers, in satisfactory form pursuant to the plans and specifications for said project, a written contract for the construction of the project and the payment and performance bonds and insurance certificates and other documentation required

by said plans and specifications. At such time as said firm so satisfies the terms and conditions of the plans and specifications, the City Clerk shall return to the said second and third low bidders the bid security which accompanied their bids.

ADOPTED, SIGNED AND APPROVED this 30th day of July, 1985.

Carole Beswick
Mayor of the City of Redlands

ATTEST:

Lorrie Poyzer
City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, California, do hereby certify that the foregoing Resolution No. 4091 was regularly introduced and adopted by the City Council of the City of Redlands, California, at an adjourned regular meeting thereof held on the 30th day of July, 1985, by the following vote of the City Council:

AYES: Councilmembers Johnson, Larsen; Mayor Beswick

NOES: None

ABSENT: Councilmembers DeMirjyn, Martinez

ABSTAINED: None

and that said resolution has not been amended, superseded or repealed, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Redlands, California, this 30th day of July, 1985.

Lorrie Poyzer
City Clerk of the City of Redlands