

## **RESOLUTION NO. 22-\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUSA TO AUTHORIZE PROJECT ACCEPTANCE AND RELEASE OF RETENTION TO R & R HORN GENERAL CONTRACTOR, INC. FOR THE 2020 WASTEWATER IMPROVEMENT PROJECT, SRF LOAN PROJECT NO. C-06-7896-310, FOR THE TOTAL AMOUNT OF \$1,907,518.48.

**WHEREAS**, in May 2020 the City advertised for the construction of the 2020 Wastewater Improvement Project; and on July 30, 2020 received one bid from R & R Horn General Contractors, Inc, a California Corporation.

**WHEREAS**, on September 15, 2020, the City Council authorized staff to use California State Revolving Fund Grant/Loan for implementation of the City of Colusa 2020 Wastewater Improvement Project; and

**WHEREAS**, the City wishes to continue to pursue a combination of SRF Grants and Loans to implement implementation of the City of Colusa 2009 Sewer Collection System Master Plan and NPDES Permit; and

**WHEREAS**, the City wishes to stabilize rates for wastewater collection and treatment for the City's rate payers; and

**WHEREAS**, The Contractor has submitted a Final Invoice that will help meet the City goals to stabilize future rates; and

**WHEREAS**, the City is willing to amend the Agreement under the terms of the Negotiations and modified Contract; and

**WHEREAS**, the City and Contractor believe the Final Invoice to the Amended Contract is necessary to meet the goals of the City and is consistent with Section 25 B Amendments of the original Agreement be in writing and signed by both parties.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COLUSA DOES HEREBY RESOLVE:**

1. Recitals. The foregoing recitals are true and correct and made part of this Resolution.
2. Council Approval of Agreement. The City Council hereby approves Project Acceptance and Release of Retention between the City of Colusa and R & R General Contractors, Inc.
3. Authorization to City Manager. The City Council of the City of Colusa hereby authorizes the City Manager to proceed with Project Acceptance and Release of Retention, attached hereto and incorporated by reference, and also authorizes the City Manager to execute any further documentation in order to carry out the intent of this resolution. The City Manager is also hereby authorized to make any minor amendments, which do not alter the intent of the parties, to carry out the intent of this Resolution.
4. Effective Date. This Resolution shall be effective immediately.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED THIS 19<sup>TH</sup> DAY OF JULY, 2022 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
THOMAS REISCHE, MAYOR

\_\_\_\_\_  
Shelly Kittle, City Clerk

**City of Colusa**

**R & R Horn General Contractors, Inc.**

By: \_\_\_\_\_  
Jesse Cain,  
City Manager

By: \_\_\_\_\_  
Quin Hogan  
Vice President and Secretary

ATTEST:

\_\_\_\_\_  
Shelly Kittle, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ryan Jones, City Attorney