

RESOLUTION NO. 2022-165

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, A PUBLIC IMPROVEMENT AGREEMENT FOR THE ESCONDIDO CREEK TRAIL FENCING PROJECT

WHEREAS the City Council has allocated funding in the 2018 and 2021 Annual Action Plans for Community Development Block Grant (“CDBG”) funds for the Escondido Creek Trail Fencing Project (“Project”); and

WHEREAS, a notice inviting bids for said improvements was duly published; and

WHEREAS, pursuant to said notice, five sealed bids for the project were opened and evaluated on October 20, 2022; and

WHEREAS, Lightning Fence Co., Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to authorize a Public Improvement Agreement with Lightning Fence Co., Inc. in the amount of \$324,400.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California as follows:

1. That the above recitations are true.
2. That the City Council authorizes the Mayor to execute, on behalf of the City, a Public Improvement Agreement with Lightning Fence Co., Inc. in a substantially similar form to that which is attached and incorporated to this Resolution as Exhibit “A,” and subject to final approval as to form by the City Attorney.

3. That the City Council authorize the Mayor to execute a change order to the agreement with Lighting Fence Co., Inc. in the amount of \$404,500.00 for the improvement of additional fencing between Rose Street and Midway Drive contingent on the programming of additional funding.

4. That the City Manager retains the authority to approve change orders up to 10% of the authorized contract total of \$728,900.