

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2023-

RESOLUTION TO APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A CONSULTING SERVICES AGREEMENT WITH WHITEWATER WESTERN INDUSTRIES, LTD TO FURNISH AND INSTALL A NEW PLAY STRUCTURE FOR \$416,204 FOR THE WASHNIGTON MANOR POOL RENOVATION PROJECT, PROJECT NO. 2023.3400; AND TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND APPROVE CHANGE ORDERS UP TO 10% (\$41,620) OF THE ORIGINAL CONTRACT AMOUNT

WHEREAS, a draft agreement between the City of San Leandro and Whitewater Western Industries, Ltd was presented to this City Council; and

WHEREAS, the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of said agreement; and

WHEREAS, change orders to clarify the work or respond to unusual existing conditions are a normal aspect of public contracting and construction; and

WHEREAS, in order to expedite the delivery of public projects on schedule and on budget, provide that subcontractors and workers are paid in a timely fashion, avoid as much as possible costly delay claims, and insure that the City completes projects and products that are to the City's highest standards, the City Council finds that providing authorization to negotiate and approve change orders is in the best interest of public health, safety and welfare.

NOW, THEREFORE, the City Council of the City of San Leandro does **RESOLVE** as follows:

1. That said agreement substantially in the form presented is hereby approved and execution by the City Manager is hereby authorized; and
2. That the City Manager or her designee is authorized to negotiate and approve change orders up to a maximum of 10% of the original contract amount, or \$41,620; and
3. That the City Manager is authorized to make non-substantial revisions to said agreement, subject to the approval of the City Attorney; and
4. That an original executed agreement shall be attached to and made a part of this resolution.

Introduced by Councilmember _____ and passed and adopted this 15th day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST: _____
Kelly B. Clancy, City Clerk

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