

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO. 2010-07**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING A CHANGE ORDER UNDER THE CONTRACT AGREEMENT BETWEEN THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] AND WOODS CONSTRUCTION, INC. [“CONTRACTOR”] FOR THE PURPOSE OF APPROVING THE ADDITION OF A VESTIBULE AT THE EXISTING LIBRARY BUILDING AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is authorized pursuant to A.R.S. §§ 9-413 and 9-419 to establish a Library fund and to authorize the use of land and structures for a public library; and

WHEREAS, the CITY is empowered pursuant to A.R.S. § 9-240 (A) and (B) to control the finances and property of the corporation; and

WHEREAS, the CITY is authorized, pursuant to the adopted City of Willcox Procurement Policy, to procure contracts for construction work on City facilities utilizing a bid process, to select a successful bidder, to award a contract, to enter into a contract agreement for the work to be done, and to approve change orders; and

WHEREAS, CONTRACTOR submitted its base bid of \$133,000.00 with Alternate bids for various phases of remodeling; and

WHEREAS, CITY staff is recommending awarding the change order to Woods Construction, Inc. for \$30,800.00 on Alternate #2 (the Vestibule add Alternate); and

WHEREAS, the Mayor and Council of the City of Willcox, Cochise County, Arizona have determined that it is in the best interest of the CITY, the LIBRARY and its citizens to approve the change order with CONTRACTOR; and

WHEREAS, the Mayor and Council and the LIBRARY desire to have this item presented at the next Council Meeting on January 19th, 2010; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely and immediate implementation of the Change Order with the CONTRACTOR, and that this Resolution be effective immediately upon its passage and adoption.

BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and accepts the Change Order under the Contract Agreement authorizes the Mayor to execute this Resolution and directs and authorizes the City Manager to take necessary action to carry out the intent of this Resolution.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this 19th day of January, 2010

APPROVED/EXECUTED

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY

ATTEST:

APPROVED AS TO FORM:

/s/ Cristina G. Whelan, CMC
City Clerk, Cristina G. Whelan, CMC

/s/ Hector M. Figueroa
City Attorney, Hector M. Figueroa

RESOLUTION NO. 2010-07