

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**  
**RESOLUTION NO: 2012-31**

---

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“CITY”) APPROVING AND ADOPTING THE CHIP SEAL AWARD TO WESTERN EMULSIONS [“CONTRACTOR”] IN THE AMOUNT OF \$37,886.20 (+) \$85.00 FOR TANKER UNLOADING FOR THE PATTI ROAD IMPROVEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**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 A.R.S. § 9-240 (B) to exercise exclusive control over the streets, alleys, avenues and sidewalks of the city and to improve same; 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 \$37,886.20 (+) \$85.00 [unload hourly charge after 1.5 hrs free time]; and

**WHEREAS**, CITY staff is recommending awarding the Bid Award to CONTRACTOR to perform the required Chip Seal at the Patti Road location; 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 and its citizens to approve the Bid Award with CONTRACTOR; and

**WHEREAS**, the Mayor and Council desire to have this item presented at the next Council Meeting on April 16<sup>th</sup>, 2012; 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 Bid Award with 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 grants the Bid Award to CONTRACTOR as presented, 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 16<sup>th</sup> day of April, 2012

**APPROVED/EXECUTED**

/S/ GERALD W. LINDSEY  
MAYOR, GERALD W. LINDSEY (or)  
VICE-MAYOR, MONIKA S. CRONBERG  
Signed: 04-26-2012

ATTEST:

APPROVED AS TO FORM:

/s/ Cristina Garcia Whelan, CMC  
City Clerk, Cristina Garcia Whelan, CMC

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

**RESOLUTION NO: 2012-31**