

**RESOLUTION NO: 2012-66**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND AWARDING THE RAILROAD LIFT STATION (“RLS”) BID TO BESTWAY ELECTRIC MOTOR SERVICE, CO, INC. (“BESTWAY”), AUTHORIZING THE EXECUTION OF THIS RESOLUTION AND CONTRACT DOCUMENTS 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 empowered pursuant to A.R.S. §§ 9-240 and 9-276 to establish and define sewer districts and construct sewers therein; to regulate, build and repair sewers, tunnels and drains; and

**WHEREAS**, the CITY is empowered pursuant to A.R.S. § 9-511 to engage in any business or enterprise which may be engaged in by persons by virtue of a franchise from a municipal corporation, and may construct, purchase, acquire, own and maintain within and without its corporate limits any such business or enterprise, including plants and pipelines for sewage; and

**WHEREAS**, the CITY issued its Invitation to Bid and received three (3) Bid responses for the Railroad Lift Station Renovations and desires to award the Bid to BESTWAY; and

**WHEREAS**, the City of Willcox Mayor and Council, desire to have this item presented at its next Council meeting on July 16, 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 approval of the bid award to BESTWAY, and that this Resolution be effective immediately upon its passage and adoption.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves the bid award to BESTWAY for the Railroad Lift Station Renovations.

**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 July, 2012.

**APPROVED/EXECUTED:**

/s/ Robert A. Irvin  
MAYOR, ROBERT A. IRVIN  
Signed: 07/18/2012

ATTEST:

APPROVED AS TO FORM:

/s/ Virginia A. Mefford  
City Clerk, Virginia A. Mefford

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

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