

A RESOLUTION of the Board of Commissioners of Water District No. 125, King County, Washington, approving and confirming termination of Contract 80-1 with Pengar Development, Inc., d/b/a Olympic Utilities, and authorizing the hiring of B & B Backhoe Service to complete the work under Contract 80-1.

WHEREAS, the Board of Commissioners, by Resolution No. 80 04 09 - 53 (April 9, 1980) awarded Contract 80-1 (1980 Water Main Revisions -- South 144th Street) to Pengar Development, Inc., d/b/a Olympic Utilities of Bellevue, Washington; and

WHEREAS, Philip M. Botch & Associates, Inc., the district's consulting engineers have advised and certified to the Board of Commissioners that the contractor has persistently and repeatedly refused and failed to supply enough properly skilled workmen and proper materials, has failed to make proper payments to suppliers of materials, and has persistently and repeatedly refused and failed instructions of the consulting engineers and is accordingly guilty of a substantial violation of the provisions of Contract 80-1; and

WHEREAS, the district's consulting engineers, pursuant to Article 24, General Conditions of Contract 80-1, have given due notice to the contractor of termination of the contractor's employment; and

WHEREAS, B & B Backhoe Service, the next lowest bidder on Contract 80-1, is a responsible contractor able to finish the work of Contract 80-1 in an expeditious and economical manner; now, therefore,

BE IT RESOLVED by the Board of Commissioners of

Water District No. 125, King County, Washington, as follows:

1. Pengar Development, Inc., d/b/a Olympic Utilities, of Bellevue, Washington, contractor on Contract 80-1 (1980 Water Main Revisions -- South 144th Street) is found in substantial violation of the provisions of the contract and is hereby terminated as the contractor under said contract, pursuant to Article 24, General Conditions of said contract.
2. The Board of Commissioners hereby authorizes the hiring of B & B Backhoe Service to complete the work under Contract 80-1; and B & B Backhoe Service shall be paid for its services in accordance with an Agreement to be executed for such work.
3. Payment to B & B Backhoe Service shall be from funds previously authorized for Contract 80-1, in accordance with Article 24, General Conditions thereof.

ADOPTED at a regular open public meeting of the Board of Commissioners of Water District No. 125, King County, Washington, held on the 14th day of May, 1980.

WATER DISTRICT NO. 125

ATTEST:

C. H. Walmer
Secretary,
Board of Commissioners

James D. P... ..
President, Board of Commissioners
C. H. Walmer
Secretary, Board of Commissioners
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Member, Board of Commissioners