

RESOLUTION NO. 210501

R-74-163
MAY 2 1974

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, DIRECTING THE CITY CLERK TO GIVE NOTICES INVITING SEALED BIDS FOR THE PURCHASE OF IMPROVEMENT BONDS, AND FOR THE CONVERSION OF EXISTING OVERHEAD ELECTRIC AND COMMUNICATION FACILITIES TO UNDERGROUND LOCATIONS

(Amalfi Street Assessment District)

WHEREAS, the City Council adopted its resolution, Resolution No. 210500, approving a Report of the City Engineer under the Municipal Improvement Act of 1913 and Resolution of Intention No. 210499, and provided for a hearing thereon; and

WHEREAS, it is desirable that bids be received prior to the hearing for the purchase of bonds to be issued to represent unpaid assessments, and also received for the work of converting existing overhead electric and communication facilities on private property to underground locations; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

Section 1. Sealed bids for the underground conversion work on private property as described in the Report

shall be received by the Purchasing Agent up to 11:00 A.M.,
MAY 31, 1974. The City Clerk is directed
to give notice inviting such bids, substantially in the form
of Exhibit "A" attached hereto, such notice to be given in
the manner provided by law.

Section 2. Sealed bids for the purchase of the
bonds shall be received at the time and in the manner stated
in the notice, substantially in the form of Exhibit "B"
attached hereto. The City Clerk is directed to publish said
notice once in The San Diego Daily Transcript.

APPROVED: JOHN W. WITT, City Attorney

By

H. Valdehans
Deputy

NOTICE INVITING SEALED PROPOSALS

IN THE MATTER OF THE IMPROVEMENT OF AMALFI STREET
IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA.

(Amalfi Street Assessment District)

Pursuant to the provisions of the Municipal Improvement Act of 1913, the City Council hereby invites sealed proposals for doing the work and improvement described in those certain plans, specifications and drawings contained in the City Engineer's Report as ordered by Resolution of Intention No. 210499 and other contract documents duly adopted therefor by the City Council, to which report and documents reference is hereby made for a description of the work and improvement. The Resolution of Intention is hereby referred to for a description of the work and improvement, the grades to which it is to be done, a description of the district to be assessed to pay the costs and expenses thereof, and for all further particulars contained in the Resolution of Intention.

NOTICE IS FURTHER GIVEN that the Council has ascertained and declared by the adoption of Resolution No. 208705 on August 28, 1973 and on file in the Office of the City Clerk, the prevailing rate and scale for wages in accordance with law to be paid in the construction of the above-entitled improvement. Said rates and scales are by reference incorporated herein and made a part of this notice.

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The City Council reserves the right to reject any and all proposals and to the extent permitted by law, to waive any irregularity in any proposal.

Each proposal shall be accompanied by a check payable to the order of The City of San Diego, certified by a responsible bank or a cashier's check or bond as required by law for an amount not less than ten percent (10%) of the aggregate of the proposal.

The proposals shall be presented to the Purchasing Agent of The City of San Diego at his office in the City Operations Building, 1222 First Avenue, in the City of San Diego, on or before 11:00 a.m. on MAY 31, 1974.

Bids will be opened by the Purchasing Agent in the Conference Room No. 2, on the second floor of said City Operations Building, at the hour of 11:00 a.m. on MAY 31, 1974.

Dated: May 2, 1974.

JOHN A. MATTIS

Purchasing Agent
of The City of San Diego,
California

By CYNTHIA E. HILL,
Deputy

NOTICE INVITING BIDS ON
1911 ACT BONDS OF THE
CITY OF SAN DIEGO,
CALIFORNIA

(Amalfi Street Assessment District)

NOTICE IS HEREBY GIVEN that pursuant to the Municipal Improvement Act of 1913 (commencing with Section 10000, Streets and Highways Code) sealed bids for improvement bonds of The City of San Diego are invited and will be taken as herein provided.

TIME AND PLACE FOR FILING AND OPENING OF BIDS. Bids must be sealed and filed with the Purchasing Agent of The City of San Diego at his office in the City Operations Building, 1222 First Avenue, in The City of San Diego, California, up to, but not later than, 11:00 A.M. on JUNE 12, 1974. Bids may be delivered personally or mailed to the Purchasing Agent at his office at his office at the above address. All bids so filed will be immediately opened, examined and declared by the Purchasing Agent in Conference Room No. 2 on the second floor of the said City Operations Building. The Purchasing Agent will thereafter report the results of said bidding to the Council.

BID FORM. Forms of bids for the purchase of the bonds are provided by and may be obtained from the Purchasing Agent. All bids shall be submitted in substantially the same form as that provided by the Purchasing Agent.

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THE PROJECT AND ASSESSMENT DISTRICT. The project generally consists of the removal of existing overhead electric and communication facilities and the replacement thereof by the construction of underground electric and communication facilities.

Said improvements and the district to be assessed to pay the costs and expenses thereof are located in the La Jolla area of The City of San Diego, all as more particularly described in the Report of the City Manager on file in the office of the City Clerk.

ESTIMATED ASSESSMENT. The estimated cost of the project as shown on the Report of the City Manager is:

Estimated cost of conversion of
electric and communication
facilities on private property \$ 9,500

Estimated cost of utility's work
for conversion of electric facilities
located in public rights-of-way. 14,602

Estimated cost of utility's work
for conversion of communication facilities
located in public rights-of-way. 3,000

Estimated incidental expenses. \$ 2,600

Estimated bond discount. 1,400

Total estimated costs and expenses
to be assessed upon property
within the assessment district \$31,102

Until the approval of said Report and the confirmation of the diagram and assessment contained therein, the Council of said city has the power and reserves the right to make changes in the proposed assessment district, the improvements, the assessment and diagram and any other act, determination or provision made, or permitted to be made, by the Council under the Municipal Improvement Act of 1913. Changes may be made in the amount of the assessment, as may be required, should the actual costs differ from the foregoing estimates.

HEARING ON REPORT, CONFIRMATION AND RECORDATION OF ASSESSMENT AND AWARD OF BONDS. The above-mentioned Report and the proposed assessment contained therein has been set for hearing by the Council of the City at 8:30 A.M. on JUNE 13, 1974. Upon the conclusion of the hearing the Council, in its discretion, may abandon the proceedings, make changes therein or may confirm said assessment as filed with the City Clerk or as modified or corrected by the Council. The award of the bonds, if any, will be made following the conclusion of said hearing

and the confirmation of said assessment. The assessment will be recorded not later than the day following its confirmation.

DESCRIPTION OF BONDS. Pursuant to the Municipal Improvement Act of 1913, the Council has determined that bonds are to be issued under the Improvement Act of 1911 (commencing with Section 5000, Streets and Highways Code). The bonds are to be issued to represent each assessment of \$50.00 or over remaining unpaid for thirty (30) days after the date of recordation of the assessment. The bonds will be dated the thirty-first day after such recordation. The bonds will be serial bonds and will extend over a period ending nine (9) years from the second day of January next succeeding the next September 1st following their date. Pursuant to Section 6464, Streets and Highways Code, the Council has elected to have the redemption provisions of the bonds provide for a premium of five percent (5%) of the unmatured principal of the bonds.

It is expected that the bonds will be dated on or about July 14, 1974. The bonds will be payable in ten (10) annual installments represented by principal coupons payable on January 2 of the years 1975 to 1984, inclusive. The first interest coupon will represent interest from the date of the bonds to January 2, 1975 and thereafter interest coupons will represent semiannual interest on the unpaid balance.

PRINCIPAL AMOUNT OF BONDS. The principal sums of the individual bonds will vary in amounts. The aggregate principal amount of bonds to be issued cannot, and will not, be determined until after the expiration of thirty (30) days from the date of recording the assessment.

INTEREST RATE. The interest rate may not exceed seven percent (7%) per annum, payable semiannually. The interest rate must be a multiple of 1/100th of 1%. Only a single interest rate shall be bid for all of the bonds to be issued.

AWARD. The bonds will be sold for cash only. All bids must be for not less than all of the bonds to be issued, and any bid for less than all of the bonds or for varying rates of interest will be rejected. The bonds will be awarded to the highest responsible bidder, considering the interest rate specified and the premium or discount, if any, designated by the bidder. For the purpose only of comparing bids it will be assumed (i) that bonds will be issued in a principal amount equal to the total estimated amount to be assessed upon property within the assessment district, namely, the sum of \$ 31,102 and (ii) that the bonds will be dated July 14, 1974. The highest bid will be determined by deducting the premium from, or adding the discount to, the total amount of interest which would be required to be paid from the date of the bonds on the

decreasing balances thereof to July 14, 1984 at the coupon rate specified in the bid. The award will be made on the basis of the lowest net interest cost. If there shall be tie bids, the highest bid will be determined by lot.

TIME OF AWARD. The city will take action awarding the bonds or rejecting the bids not later than 72 hours after the time above specified for the filing of bids; provided, that the award may be made after the expiration of such time if the successful bidder shall not have given the Council notice in writing of the withdrawal of his bid.

GOOD FAITH CHECK. A certified or cashier's check on a responsible bank or trust company in the amount of \$ 1,000.00 payable to the order of the city must accompany each proposal as a guarantee that the bidder, if successful, will accept and pay for the bonds in accordance with the terms of his bid. The proceeds of the check accompanying any accepted proposal will be applied on the purchase price; provided, that if the successful bidder fails to perform in accordance with the terms of this notice and of his bid said proceeds will then be retained by the city. The check accompanying each unaccepted proposal will be returned promptly.

DELIVERY. Delivery of said bonds will be made to the successful bidder at the office of the Treasurer, City

Administration Building, 202 "C" Street, San Diego, California. It is expected that the bonds will be delivered within 75 days from the date of sale thereof. The successful bidder shall have the right, at his option, to cancel the contract of purchase if the Treasurer shall fail to execute the bonds and tender them for delivery within said 75-day period, in which event the successful bidder shall be entitled to the return of the good faith check accompanying his bid. At the time of delivery the purchaser must pay accrued interest from the date of the bonds to the date of delivery, computed on a 360-day year basis.

LEGAL OPINION; COST OF PRINTING BONDS. The unqualified opinion of Richard A. Burt, attorney, of the firm of Gray, Cary, Ames and Frye, San Diego, approving the validity of said bonds will be furnished to the successful bidder at or prior to the date of delivery of the bonds at the expense of the city. The cost of printing bonds will be borne by the city and will not be payable by the successful bidder.

RIGHT OF REJECTION. The Council reserves the right in its discretion to reject any and all bids and, to the extent authorized by law, to waive any irregularity or informality in any bid.

GIVEN BY ORDER of the Council of The City of San Diego,
California, on May 2, _____, 1974.

EDWARD NIELSEN,

City Clerk of The City of
San Diego, California
EXHIBIT B
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MAY 2 1974

Passed and adopted by the Council of The City of San Diego on
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By *LaVerne E. Miller* Deputy.

RECEIVED
CITY CLERK'S OFFICE
1974 APR 17 PM 2:32
SAN DIEGO, CALIF.

CC-1276 (REV. 11-73)

Office of the City Clerk, San Diego, California	
Resolution Number	210501
Adopted	MAY 2 1974