

R. 76-2605

216286

RESOLUTION NO. _____

JUN 23 1976

WHEREAS, on November 8, 1973, The City of San Diego entered into an agreement with Atlantic Engineering, Inc. (Atlantic) for the design and furnishing of equipment for a system of vapor recovery for fourteen (14) City gasoline stations and three (3) mobile trucks; and

WHEREAS, Atlantic has completed the engineering design and has been paid \$8,887.50 for the design work pursuant to said agreement; and

WHEREAS, the City then called for bids for installation of the necessary piping for the vapor recovery systems and such piping has now been installed; and

WHEREAS, subsequent to the installation of the necessary piping, Atlantic was unable to deliver the required equipment because Atlantic had sold its manufacturing facilities to Intermarket Industries and Intermarket Industries had filed a petition for bankruptcy in federal district court; and

WHEREAS, the City has repeatedly notified Atlantic that the City intended to require performance by Atlantic as contemplated by the agreement; and

WHEREAS, a period of two and one-half (2 1/2) years has elapsed since said agreement was entered into by the City and Atlantic with still not a single vapor recovery system having been installed by Atlantic; and

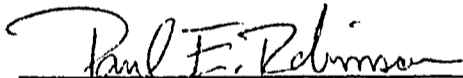
WHEREAS, the City has been forced to seek extensions to its current permit from the Air Pollution Control District; and

WHEREAS, it now appears that in order for the City to comply with the regulations of the Air Pollution Control District the most expeditious manner in which to proceed is cancellation of the agreement with Atlantic and the seeking of bids from new prospective vendors; NOW, THEREFORE,

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

That the City Manager be and he is hereby directed to declare Atlantic Engineering, Inc. in default of its agreement with The City of San Diego in accordance with the terms and conditions of said agreement, and to seek bids from new prospective vendors for the installation of a gasoline vapor recovery system at each of fourteen (14) City gasoline stations and each of three (3) mobile trucks.

APPROVED: JOHN W. WITT, City Attorney

By 
Paul E. Robinson
Deputy City Attorney

PER:k:150, 841
6-8-76
Or.Dept.: Purchasing

JUN 23 1976

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<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"/>
Jess D. Haro	<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.

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

By *Kathleen Martinez*, Deputy.

(Seal)

RECEIVED
CITY CLERK'S OFFICE
1976 JUN 14 PM 4:17
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **216286** Adopted **JUN 23 1976**