

RESOLUTION NO. 220493

MAR 20 1978

WHEREAS, COLWELL-WINDSOR DEVELOPMENT CO., a joint venture, subdivider of Del Cerro Heights Unit No. 2 under an agreement filed in the office of the City Clerk as Document No. 746964 was required to install certain improvements in said subdivision; and

WHEREAS, said subdivider was unable to complete said improvements in said subdivision which resulted in the granting of a one-year continuance, ending November 10, 1977, as set forth in Resolution No. 217111, adopted November 10, 1976; and

WHEREAS, concurrent with the above-described one-year continuance, subdivider, its surety, Surety Company of the Pacific, and City entered into an agreement on file in the office of the City Clerk as Document No. 757376 by which City was to provide funds, to advertise for competitive bids and to award a contract for the widening of Camino Rico from Camino Estrellado to Ridge Manor as shown on City Improvement Drawing No. 15762-6-D; and

WHEREAS, subdivider had provided an estimate of costs to be \$40,000 for said road widening which was a material factor in City's decision to agree to proceed with the road construction; and

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WHEREAS, the sole bid received after competitive bidding was in an amount of \$185,657 from the Daley Corporation, which was predicated on extensive blasting required to remove subsurface rock, a fact unknown to City at the time it agreed to complete the improvements; and

WHEREAS, said subdivider has requested an additional one year in which to complete all required work, including the construction work associated with the widening of Camino Rico; and

WHEREAS, the Transportation Department and the City Manager have recommended that such extension of time be granted said subdivider in which to complete all of the required improvements; and

WHEREAS, subdivider's surety, Surety Company of the Pacific, has agreed to said continuance of one year on the original bond;
NOW, THEREFORE,

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

1. That the sole bid heretofore received on May 16, 1977 pursuant to publication of notice calling for bids for the IMPROVEMENT OF CAMINO RICO AND CAMINO ESTRELLADO ADJACENT TO DEL ARRO HEIGHTS UNIT NO. 2 be and is hereby rejected.

2. That the agreement between The City of San Diego and Colwell-Windsor Development Co. on file in the office of the City Clerk as Document No. 757376, be and it is hereby rescinded.

(REV. 3-1-78)

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3. That Colwell-Windsor Development Co., a joint venture, subdivider of Del Cerro Heights Unit No. 2, under that certain agreement made with The City of San Diego on file in the office of the City Clerk as Document No. 746964 be and is hereby granted a second extension to March 15, 1979 within which to complete the improvements required by said agreement.

APPROVED: JOHN W. WITT, City Attorney

By Eugene P. Gordon
Eugene P. Gordon, Deputy

EPG:db:151
2/22/76
Or.Dept.: Purch.

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Passed and adopted by the Council of The City of San Diego on MAR 20 1978,
 by the following vote:

| Councilmen | Yeas | Nays | Excused | Absent |
|---------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Bill Mitchell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Bill Lowery | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fred Schnaubelt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Gade | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Larry Stirling | <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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Allyn D. North*, Deputy.

(Seal)

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 CITY CLERK'S OFFICE
 1978 MAR 10 PM 4:23
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

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