

(R-93-289)

RESOLUTION NUMBER R- 280778

ADOPTED ON SEP 29 1992

WHEREAS, the Council of the City of San Diego adopted Resolution No. R-277423 on February 25, 1991 declaring W.E. Walters and Sons to be a non-responsive contractor, and directing the Purchasing Agent not to consider any bids from that company for a period of three years; and

WHEREAS, it has come to the attention of the Purchasing Agent that since the adoption of Resolution No. R-277423, a company doing business as Architectural and Industrial Coatings Enterprises ("AICE") has solicited and obtained City subcontract work; and

WHEREAS, there exists evidence that AICE is substantially the same company as W.E. Walters and Sons; and

WHEREAS, said evidence in part reflects that the two companies have substantially identical principals and employees; that AICE has made written subcontract submissions on forms representing itself to be W.E. Walters and Sons; that said forms set forth the tax identification number of W.E. Walters and Sons; that AICE uses equipment owned by W.E. Walters and Sons; that the qualifying licensee for AICE's contractor's license is a principal of W.E. Walters and Sons; and that AICE was formed subsequent to the debarment of W.E. Walters and sons; and

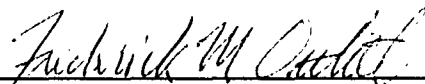
WHEREAS, said evidence supports the reasonable conclusion that the debarment of W.E. Walters and Sons has been circumvented by the participation of AICE in City bidding; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that AICE, its principals, and responsible managing employees, are declared to be non-responsible bidders.

BE IT FURTHER RESOLVED, that on account of the effective circumvention by W.E. Walters and Sons of its debarment through continued participation in City contracting as the substantially identical AICE, that debarment of W.E. Walters and Sons effected by Resolution No. R-277423 is hereby renewed, and shall be effective for a three year period prospectively from the date of this Resolution.

BE IT FURTHER RESOLVED, that the Purchasing Agent is hereby directed to not consider any future bids submitted by W.E. Walters and Sons, nor AICE, nor their principals and managing employees, for a period of three years.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick M. Ortlieb
Deputy City Attorney

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R-93-289
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Passed and adopted by the Council of The City of San Diego on SEP 29 1992
by the following vote:

Council Members	Yeas	Nays	Not-Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Bryanne Olin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution R-080778
Number..... Adopted SEP 29 1992

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