

Introduced by: Mayor
Date: August 4, 1981
Vote: Unanimous
Action: Adopted 3/4/81

KENAI PENINSULA BOROUGH

RESOLUTION #81-126

AUTHORIZING THE RELEASE OF MR. GEORGE ROBINSON AND ROBINSON CONSTRUCTION FROM THE CONTRACT FOR MAINTENANCE OF THE HOMER LANDFILL AND ACCEPTING THE BID OF HERNDON AND HERNDON CONSTRUCTION FOR THE INTERIM MAINTENANCE OF THE HOMER LANDFILL.

WHEREAS, Mr. George Robinson of Robinson Construction Company has requested to be released from the contract for maintaining the Homer Landfill due to economic difficulties; and

WHEREAS, the Department of Public Works recommends releasing Robinson Construction from this contract; and

WHEREAS, Herndon and Herndon Construction was the next low bidder when this project was bid in 1980; and

WHEREAS, the Borough is in the process of establishing a baler at the landfill which will substantially alter the nature and cost of maintaining the Homer Landfill; and

WHEREAS, the Department of Public Works has recommended awarding an interim contract to Herndon and Herndon Construction for the maintenance of the Homer Landfill until such time as the baler is in operation in the amounts previously bid and the contractor has affirmed his willingness to perform this work upon the terms of the bid;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1: That Robinson Construction is released from any and all contractual obligations regarding the maintenance of the Homer Landfill provided that;

1. All retainage held against the contract is forfeited to the Borough.
2. Robinson Construction releases and agrees to hold harmless the Borough for any and all losses he has sustained as a result of his request.

Section 2: That the proposal of Herndon and Herndon Construction to maintain the Homer Landfill for the period

August 5, 1981 through October 1, 1981, and continuing month to month thereafter until the baler is operational, for the prorated annual amount of \$91,188.00, is accepted and that the Mayor is authorized to negotiate a contract with Herndon and Herndon Construction for this maintenance. All expenditures will be charged to Homer Landfill Account No. 01-41723-3400.

Section 3: That the Mayor is authorized to effectuate this resolution immediately upon its adoption.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 4 DAY OF August, 1981.

Paul A. Fischer
Paul Fischer
Assembly President

ATTEST:

Francis Bryner
Borough Clerk