

RESOLUTION 2019-93

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR AND THE CITY ATTORNEY TO MODIFY THE CURRENT ON-CALL ANNUAL CONTRACTS FOR ASPHALT WORK (COF CONTRACT NO. 2018-0037) AND CONCRETE WORK (COF CONTRACT NO. 2018-0038) TO BETTER REFLECT THE ON-CALL USE OF THESE CONTRACTS SPECIFICALLY RELATING TO RETAINAGE

WHEREAS, June 26, 2019, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, approved Resolutions 2018-49 and 2018-50 to award the On-Call Annual Contracts for Asphalt Work (COF Contract No. 2018-0037) and Concrete Work (COF Contract No. 2018-0038) to Four Star Paving, LLC and a Joint Venture between M.A.Y. Construction Company, Inc. and Tennessee Valley Paving Co., Inc., respectively; and

WHEREAS, the On-Call Annual Contracts may be utilized by any City department for the maintenance, modification, or construction of City infrastructure; and

WHEREAS, the City utilized the same contract language for the On-Call Annual Contracts, which consist of multiple work orders throughout the contract period, as it does for a single capital project; and

WHEREAS, both the Contractors and the City mutually agree that some of the contract language requires modifications to better reflect the intended use of an on-call style contract, specifically how retainage is handled per work order.

NOW THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that:

Section 1. The City Administrator and the City Attorney are hereby authorized to modify the current On-Call Annual Contracts for Asphalt Work (COF Contract No. 2018-0037) and Concrete Work (COF Contract No. 2018-0038) to better reflect the on-call use of these contracts, specifically requiring retainage only under certain circumstances rather than for all work orders.

Section 2. The City Administrator is hereby authorized to execute the modified On-Call Annual Contracts for Asphalt Work (COF Contract No. 2018-0037) and Concrete Work (COF Contract No. 2018-0038) on behalf of the Board of Mayor and Aldermen of the City of Franklin, Tennessee.

IT IS SO RESOLVED AND DONE on this ____ day of _____, 201__.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric S. Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to Form:

By: _____
Shauna R. Billingsley, City Attorney