

**Report and Recommendation  
ITEM NO.3**

**To: Lemoore City Council**

**From: William Siegel, Mayor**

**Date: February 7, 2013**

**Subject: Approval – Appropriation of Funds for Electrical upgrades at 40 “G” Street to Lane Electric in the Amount of \$64,659.**

**Discussion:**

This item was originally on the January 15<sup>th</sup> 2013 agenda and as a result, a contract was awarded for the Electrical Upgrades at 40 “G” Street to Lane Electric in the amount of \$64,659 and authorized the City manager to sign.

However it has been determined by the City Attorney, citing Government Code 36936 that the motion to award the contract carried with a 2 to 1 vote and 2 abstentions and the contract must be awarded, however, the “order for payment of money” must have 3 votes and has to be considered separately.

**Budget Impact**

This project has been budgeted for in the Water Capital Improvement program in the amount of \$175,000 and would cost the fund \$64,659 barring any cost overruns.

**Recommendation**

It is recommended that Council by motion resolve one of the following options:

1. Approve the Appropriation of Funds for the Electrical upgrades at 40 “G” Street to Lane Electric in the amount of \$64,659 and authorize the City Manager to include within the contract the authorization of payment with the contract and authorize the City Manager to release the funds upon completion and inspection of the project.
2. Deny the Appropriation of Funds for the Electrical upgrades at 40 “G” Street to Lane Electric in the amount of \$64,659. Authorize the City Manager to not sign the contract and not allow work to begin without the intent to pay and allow Lane Electric to withdraw their bid if they wish to do so.
3. Deny the Appropriation of Funds for the Electrical upgrades at 40 “G” Street to Lane Electric in the amount of \$64,659.