

**CITY OF WESTWOOD HILLS, KANSAS
RESOLUTION NO. 2019-1**

A RESOLUTION AUTHORIZING THE LETTING OF BIDS AND THE EXECUTION OF A CONTRACT FOR CERTAIN STREET REPAIRS WITHIN THE CITY OF WESTWOOD HILLS, EXCLUSIVE OF RAINBOW BOULEVARD AND STATE LINE ROAD; AUTHORIZING A CO-BID PROCESS WITH THE CITY OF ROELAND PARK, KANSAS; AUTHORIZING THE MAYOR TO NEGOTIATE AND APPROVE CERTAIN DOCUMENTS IN CONNECTION WITH THE STREET REPAIRS; AND AUTHORIZING THE MAYOR TO EXECUTE CONTRACT DOCUMENTS.

WHEREAS, Westwood Hills, Kansas, (the "City") is a Kansas municipality which operates a public street system within the geographic boundaries of the City; and,

WHEREAS, the City caused an assessment of the street system condition to be conducted and the assessment dated April 6, 2017, and authored by Larkin, Lampe, Rynearson, an engineering firm, (the "Assessment") determined that all City streets exclusive of State Line Road and Rainbow Boulevard have aged to the point of requiring extensive maintenance; and,

WHEREAS, subsequent to the Assessment, the City determined an approach to conducting required infrastructure repairs, including storm water system repairs which have now been funded and completed; and,

WHEREAS, the City also decided to repair all City streets, exclusive of State Line Road and Rainbow Boulevard, selecting as its preferred approach to street resurfacing an ultrathin bonded asphalt surface ("UBAS") treatment with certain accompanying repairs to select sidewalks and curbs, demarcation of no parking areas by painting of curbs, and painting of speed-tables and one or more crosswalks (collectively, "the Project"); and,

WHEREAS, the City wishes to proceed with the Project now by letting a co-bid for UBAS work and the Project with additional work to be conducted on behalf of the City of Roeland Park in an effort to achieve economies of scale for both cities.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

Section 1. Authorization of the Bid Letting. The City is hereby authorized to let bids individually or in cooperation with the City of Roeland Park and to accept the lowest, responsive and responsible bidder in accord with the requirements of Section 2 hereof and to reject any and all bids if necessary, all as determined by the Mayor.

Section 2. Establishment of Source of Revenue for Payment. The City has heretofore established a Capital Improvement Fund, and the City hereby establishes the current full amount of such Fund, including any 2018 budget carryover to be added to the Fund no later than February 2019, as the source of revenue for payment of the costs of the Project. The City also delegates to the Mayor the authority to reduce the scope of work of the Project if needed to assure the Project can be funded as a "Pay-As-You-Go" or cash-funded project.

Section 3. Further Authority. The Mayor and the Clerk are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and to make alterations, changes or additions in any construction agreement, instruments and other documents as required, all in accord with the terms of this Resolution. The execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 5. Effective Date. This Resolution shall take effect and be in full force from and after its passage by the governing body of the City.

PASSED by the governing body of the City on January 14, 2019, and signed and **APPROVED** by the Mayor.



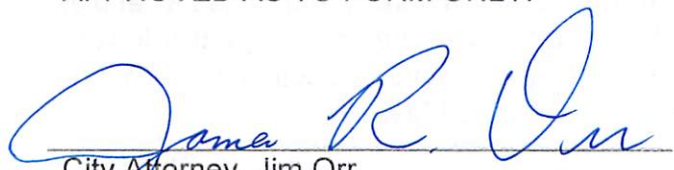


Mayor, Paula L. Schwach



City Clerk, Beth O'Bryan

APPROVED AS TO FORM ONLY:



City Attorney, Jim Orr