

**Agenda No. #4203**

**Sponsor: Council Member Shabazz**

**AN ORDINANCE TO AUTHORIZE CONTRACT 17004PW B BITUMINOUS CONCRETE B WITH DIAMOND MATERIALS, LLC.**

**WHEREAS**, pursuant to Section 2-308 and Section 8-200 of the City Charter, City Council may, by Ordinance, authorize contracts for the supply of property or the rendering of services for more than a period of one year; and

**WHEREAS**, the City publicly advertised the specifications for Contract 17004PW B Bituminous Concrete (Athe Contract@) B in accordance with Section 8-200 of the City Charter, and subsequently awarded the Contract, a copy of which is attached hereto and incorporated by reference herein as Exhibit AA,@ to Diamond Materials, LLC (Athe Contractor@), the lowest responsible bidder; and

**WHEREAS**, the term of the Contract is for a period of one (1) year beginning on or about July 1, 2016, with the possibility of two, one-year extensions, on the same terms and conditions, at the option of the City, at a cost of Ninety Two Thousand Three Hundred Seventy Five Dollars (\$92,375.00); and

**WHEREAS**, it is the recommendation of the Department of Public Works that the City enter into the Contract with the Contractor as stated above, a copy of which Contract, in substantial form, is attached hereto as Exhibit "A."

**THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:**

**SECTION 1.** Contract 17004PW B Bituminous Concrete B between the City and Diamond Materials, LLC, a copy of which Contract is attached hereto as Exhibit "A," for a period of one (1) year beginning on or about July 1, 2016, with the possibility of two, one-year

extensions, on the same terms and conditions, at the option of the City, at a cost of Ninety Two Thousand Three Hundred Seventy Five Dollars (\$92,375.00), is hereby approved, and the Mayor, or his designee, and the City Clerk are hereby authorized to execute as many copies of the Contract, as well as all additional undertakings related thereto, as may be necessary.

**SECTION 2.** This Ordinance shall be effective upon its passage by City Council and approval of the Mayor.

First Reading . . . . May 5, 2016  
Second Reading. . .May 5, 2016  
Third Reading . . .

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved as to form this  
\_\_\_\_\_ day of \_\_\_\_\_ 2016

\_\_\_\_\_  
First Assistant City Solicitor

Approved this \_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Mayor

**SYNOPSIS:** This Ordinance authorizes the City to enter into Contract 17004PW B Bituminous Concrete B between the City and Diamond Materials, LLC, for a period of one (1) year beginning on or about July 1, 2016, with the option of two, one-year extensions, on the same terms and conditions, at the option of the City, at a cost of Ninety Two Thousand Three Hundred Seventy

Five Dollars (\$92,375.00).

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**IMPACT STATEMENT**

This Ordinance authorizes the City to enter into Contract 17004PW B Bituminous Concrete B between the City and Diamond Materials, LLC, for a period of one (1) year beginning on or about July 1, 2016, with the option of two, one-year extensions, on the same terms and conditions, at the option of the City, at a cost of Ninety Two Thousand Three Hundred Seventy Five Dollars (\$92,375.00).