

**RESOLUTION OF THE CITY OF OKLAHOMA CITY RESCINDING THE FINAL ACCEPTANCE OF PROJECT PC-0855, ARTERIAL STREET RESURFACING, SOUTH MORGAN ROAD FROM SW 104<sup>TH</sup> STREET TO SW 89<sup>TH</sup> STREET, AMENDING PROJECT PC-0855 TO APPROVE THE ATTACHED CLAIM IN THE AMOUNT OF \$33,901.06, AND THEREUPON APPROVING FINAL ACCEPTANCE OF PROJECT PC-0855, AS AMENDED, AND REAFFIRMING THE MAINTENANCE BOND EFFECTIVE DATE AS OCTOBER 24, 2023.**

**WHEREAS**, Project PC-0855, Arterial Street Resurfacing, South Morgan Road From SW 104<sup>th</sup> Street To SW 89<sup>th</sup> Street, is a general obligation bond project under the 2017 General Bond Authorization, Proposition 1; and

**WHEREAS**, Project PC-0855 was completed by Ellsworth Construction OKC dba A-Tech Paving; and

**WHEREAS**, on October 24, 2023, the City accepted Project PC-0855 and put the maintenance bond into effect; and

**WHEREAS**, the attached unpaid claim in the amount of \$33,901.06 for work performed has subsequently been located; and

**WHEREAS**, the claim and the work performed related to such claim and the amount due and owing has been verified; and

**WHEREAS**, to pay a claim, subsequent to the acceptance of the project, the action accepting the project must be rescinded, the claim must be approved and then the project, as amended, may once again be accepted; and

**WHEREAS**, as the project would be amended to correct a clerical error and to pay a claim due and owing under the contract, the maintenance bond obligation should be deemed to have become effective as of October 24, 2023, the date the project was initially accepted by previous City Council action.

**NOW, THEREFORE BE IT RESOLVED** by the City of Oklahoma City to rescind the final acceptance of Project PC-0855, Arterial Street Resurfacing, South Morgan Road From SW 104<sup>th</sup> Street to SW 89<sup>th</sup> Street, amending Project PC-0855 by approving the attached claim in the amount of \$33,901.06, and thereupon approving the final acceptance of Project PC-0855, as amended, and reaffirming the maintenance bond effective date as October 24, 2023.

**ADOPTED** by the Council and signed by the Mayor of the City of Oklahoma City this 9TH day of APRIL, 2024.

ATTEST:

Amy K Simpson  
CITY CLERK



David Holt  
MAYOR

Reviewed for form and legality.

Patrick Mann  
DEPUTY MUNICIPAL COUNSELOR