

RESOLUTION NO. 244

WHEREAS, the Le Bow Equipment Company has refused to execute the agreement for the City Jail kitchen project awarded by the City Council to said company as low bidder on September 11, 1973; and

WHEREAS, the City's Instructions to Bidders provides that any bidder, whose proposal is accepted, shall execute the agreement within ten (10) days after notice of award; and further that failure or neglect to execute this document shall constitute a breach of the agreement affected by the acceptance of the proposal; and

WHEREAS, such breach of the agreement shall entitle the City to liquidate damages in the amount of the Bid Bond provided by the bidder; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA:

1. The award to the Le Bow Equipment Company be determined to be abandoned by Le Bow by virtue of said company's refusal to execute the agreement within the time limit prescribed by the City's Instructions to Bidders; and

2. The City Manager be instructed to notify Le Bow Equipment Company and that the Surety Bid Bond, dated August 2, 1973 is deemed to be forfeited to the City as prescribed by the City's Instructions to Bidders, and that the City Attorney be requested to take any legal action necessary to recover the amount of said Bid Bond if not honored.

3. That the City Attorney be requested to take such other legal action against Le Bow as may be appropriate to protect the City against financial loss as a result of Le Bow's failure to abide by its original bid.

Adopted October 9, 1973

Mrs. Helen Vickers, City Clerk and
Clerk of Council