

**ORDINANCE NO. 2009-10-061**

**AN ORDINANCE RELATING TO THE 2009 BUDGET AUTHORIZING ADDITIONAL EXPENDITURES IN THE AMOUNT OF \$93,016.70 FOR UNANTICIPATED EXPENSES RELATING TO THE CIVIC FIELD IMPROVEMENT PROJECT.**

**WHEREAS**, the City of Bellingham contracted with Matia Contractor's Inc. to replace the drainage, soil mix, and irrigation at Joe Martin Field, and;

**WHEREAS**, the contract ended with an arbitration payment award of \$244,715.89 to Matia Contractor's Inc., as follows:

**Summary of Payment**

Direct Job Costs Including Overhead & Profit	\$164,368.00
Sales Tax Owed	\$ 16,642.00
Prejudgment Interest	\$ 22,130.00
Post-judgment Interest	\$ 1,327.09
Statutory Costs	\$ 3,949.00
Arbitration Fees	\$ 5,362.50
Retainage Account Principle	<u>\$ 30,937.30</u>
<b>Total</b>	<b><u>\$244,715.89</u></b>

**WHEREAS**, the funds will be paid from the following sources:

Civic Field Improvement Fund 341	
Budgeted Capital Expenditures	\$120,761.89
Remaining Balance	\$ 19,136.68
Interest bearing retainage account	\$ 30,937.30
First Quarter REET	<u>\$ 73,880.02</u>
<b>Total</b>	<b><u>\$244,715.89</u></b>

**NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

Section 1. The sum of \$19,136.68 is hereby appropriated in the Civic Field Improvement Fund. The source of funding will be credited from:

<u>341</u>		<u>CIVIC FIELD IMPROVEMENT</u>	
5 000		<u>PARKS &amp; RECREATION</u>	
341-50000000840	EST END RESTRICT RSRV-CAPITAL		\$ 19,136.68

To be debited as follows:

<u>341</u>		<u>CIVIC FIELD IMPROVEMENT</u>	
5 472		<u>PARKS CAPITAL IMPROVEMENT</u>	
619		<u>PARK FACILITIES - CAPITAL</u>	
341-54726196563	CONSTRUCTION-ATHLETIC FIELDS		\$ 19,136.68

Section 2. The sum of \$73,880.02 is hereby appropriated in the First Quarter Real Estate Excise Tax Fund. The source of funding will be credited from:

<u>141</u>	<u>1ST 1/4%REAL ESTATE EXCISE TAX</u>		
5 000	GENERAL		
141-50000000840	EST END RESTRICT RSRV-CAPITAL	\$	73,880.02

To be debited as follows:

<u>141</u>	<u>1ST 1/4%REAL ESTATE EXCISE TAX</u>		
5 472	PARKS CAPITAL IMPROVEMENT		
141-54726199107	ENGINEERING	\$	73,880.02

**PASSED** by the Council this 5th day of October, 2009.

  
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Council President

**APPROVED** by me this 8th day of October, 2009.

  
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Mayor

**ATTEST:**   
\_\_\_\_\_  
Finance Director

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Office of the City Attorney

Published:

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