BOARD OF WATER COMMISSIONERS RESOLUTION

WHEREAS, Purchase Order No. 8-1505-1 which incorporates by reference such plans and specifications as may be referred to constitute the contract for the reconditioning of the West Saint Paul Water Tower located at 161 Marie Avenue East ("Water Tower") in the City of West Saint Paul was approved March 14, 2018; and WHEREAS, the Vendor of said Purchase Order (Osseo Construction Co. LLC) has failed to complete the project within their contractually obligated timeline which has directly caused the need for extended use by Vinco, Inc. of property owned by J.H.S., LLC for the temporary relocation of telecom equipment that was located on the Water Tower; and WHEREAS, per the tower reconditioning contract with Osseo Construction Co., LLC, liquidated damages in the amount of \$900 per calendar day started accruing as of September 28, 2018 and these funds will be used to reimburse the Board for the costs of this Agreement; and WHEREAS, the Board of Water Commissioners of the City of Saint Paul wishes to pay rent, on behalf of Vinco, Inc., of up to \$2,000 per month payable to J.H.S., LLC in return for the continued use by Vinco, Inc. of property owned by J.H.S., LLC; and WHEREAS, staff has negotiated a License Agreement to provide for continuation of such use commencing November 16, 2018 and terminating on the date the reconditioning and repainting of the Water Tower is complete in consideration of rent payment of up to \$2,000 per month payable to JHS, LLC; now, therefore, be it RESOLVED, that the License Agreement between the Board of Water Commissioners of the City of Saint Paul, Vinco, Inc., and J.H.S. LLC for the continued temporary relocation of telecom equipment during the reconditioning of the Board's Marie Avenue Water located at 161 Marie Avenue Water located at 161 Marie Avenue Cast in the City of West Saint Paul is hereby approved in substantially the form submitted, and that the proper officers are hereby authorized and directed to execute said License Agreement on behalf of the Board, following approval b	PRESENTED BY COMMISSIONER		Γ	DATE	No. 18-1910 November 13, 2018	
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Yeas Nays November 13, 2018	Water Commissioners		Adopted by the Boa	rd of Wa	nter Commissioners	
	Yeas	Nays	Nove	ember 13	3, 2018	

ORIGINAL

Opposed

In favor

Secretary