## RESOLUTION REQUESTING AUTHORITY TO ADVERTISE with Contingency

**Port responsible for engineering**

STATE PROJECT NO \_\_\_\_\_\_\_\_\_

PARISH OF \_\_\_\_\_\_\_

RESOLUTION

(Public Entity)

WHEREAS, (Public Entity) has submitted an application for funding of the (Project Name) port improvement project under the Port Construction and Development Priority Program; and

WHEREAS, the State’s share of the project funds have been made available and the (Public Entity) has available its local matching share of the project funds in an amount of not less than ten (10%) percent; and

WHEREAS, at the request of this (Public Entity), (Consulting Engineer) has prepared plans and specifications for said project, which plans and specifications are designated by State Project No. ; and

WHEREAS, this (Public Entity) has reviewed the plans, specifications and cost estimate and has submitted them to the Department of Transportation and Development. The (Public Entity) will accept the final plans and specifications **contingent** on the Department of Transportation and Development’s final approval inasmuch as they comply with the requirements of the Port Construction and Development Priority Program; and

WHEREAS, all necessary servitudes, rights-of-way, spoil disposal areas, rights of ingress and egress and the means thereof have been acquired by this (Public Entity), and the titles thereto are valid and indefeasible; and

WHEREAS, this (Public Entity) has obtained all necessary permits required for the construction of this project; and

WHEREAS, (Public Entity) has agreed to accomplish all necessary utilities, fence and other facilities relocations and alterations made necessary by this project; and

WHEREAS, the Official Journal for the (Public Entity) is (Official Journal), whose mailing address is (Mailing Address including City, State & Zip code), and whose telephone number is (Area Code & Telephone Number); and

WHEREAS, this (Public Entity) desires to advertise for competitive bids, in accordance with LRS 38:2212, et seq., for the award of a contract in the name of the (Public Entity), and furnish engineering services during the progress of the work.

NOW, THEREFORE, BE IT RESOLVED by the (Public Entity), in (Regular) or (Special) session assembled on this day of , 20 , that the Department of Transportation and Development be and hereby is requested to authorize the (Public Entity) to advertise for competitive bids in accordance with LRS 38:2212, et seq., for the award of a contract in the name of (Public Entity), covering the aforesaid improvements.

BE IT RESOLVED that the Department of Transportation and Development be and hereby is assured that all necessary servitudes, rights-of-way, rights of ingress and egress and the means thereof have been obtained by (Public Entity), and the titles thereto are valid and indefeasible and (Public Entity) expressly agrees to defend any action for the failure of any servitude, right-of-way, right of ingress or egress, and (Public Entity) does hereby assume complete responsibility for providing engineering services during construction and the maintenance and upkeep of the project after construction.

BE IT RESOLVED that the Department of Transportation and Development be and hereby is assured that all required permits have been obtained by (Public Entity).

BE IT RESOLVED that the Department of Transportation and Development be and hereby is assured that (Public Entity) has available its local matching funds in an amount not less than ten (10%) percent of the total project cost to insure construction of this project.

BE IT RESOLVED that (Public Entity) will and hereby does assume complete responsibility for all utilities, fence, and other facilities relocations and alterations made necessary by this project.

BE IT RESOLVED THAT (Public Entity) does hereby save and hold harmless the Department of Transportation and Development against any loss or damage of any kind incident to or occasioned by Activities undertaken in pursuance of this agreement and expressly agrees to defend any suit brought against the Department of Transportation & Development, and pay any judgment which may result from said suit as it relates to this project.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(SECRETARY OR CLERK) (MAYOR), (CHAIRMAN) OR (PRESIDENT)

# CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of a resolution adopted at a (Regular) or (Special) Meeting of The (Public Entity) Held on the Day of , 20 In which a quorum was present and voting and that the resolution adopted is still in effect and has not been rescinded or revoked.

Signed at On the Day of , 20 .

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(SECRETARY) OR (CLERK)