

RESOLUTION NO. 1842

A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING A CONSTRUCTION CONTRACT TO EAGLE-ELSNER, INC., THE LOWEST RESPONSIBLE BIDDER; VERIFYING FUND AVAILABILITY; FOR THE PROJECT KNOWN AS WILSONVILLE ROAD PHASE 3A.

WHEREAS, on June 2, 2003, the Wilsonville City Council adopted a Capital Improvement Program for the City that includes a FY 2003/04 appropriation of \$7,100,000 to fund the design and construction of the Wilsonville Road Phase 3 Project; and

WHEREAS, the first phase of construction, Wilsonville Road Phase 3A, was duly advertised for competitive bids in the Daily Journal of Commerce, a newspaper of general circulation; and

WHEREAS, two (2) sealed bids were received prior to 10 a.m., local time, June 18, 2003, at the Community Development Department, 8445 SW Elligsen Road, Wilsonville, Oregon 97070. Bids were then opened individually and separately read aloud after 2 p.m., local time, June 18, 2003. A summary of bids is marked "Exhibit A", attached hereto and incorporated herein; and

WHEREAS, the lowest bid of \$1,286,759.35 by Eagle-Elsner, Inc. is, upon recommendation of the City Engineer, responsive and balanced, satisfactory in all respects; and

WHEREAS, the City of Wilsonville reserves the right to reject any bid and to waive all informalities, or to accept any bid which appears to serve the best interests of the City Council, acting as the Local Contract Review Board, as reserved in its Invitation To Bid; and

WHEREAS, the City of Wilsonville desires to execute a Construction Contract Agreement in a timely manner.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council acting as the Local Contract Review Board finds and concludes:
 - a. The recital of findings above are incorporated by reference herein.
 - b. The bid of Eagle-Elsner, Inc. is deemed responsive. Eagle-Elsner, Inc. is the lowest responsible bidder and is qualified for the work.

2. Subject to the final review and approval of the City Engineer and in accordance with the provisions of Oregon Revised Statutes, Chapter 279, Public Bids and Contracting and Wilsonville Code 2.3.14, Contracts with the City, and the Attorney General's Model Rules which the City has adopted as its contracting rules; the City Council acting as the Contract Review Board hereby awards the contract for the Wilsonville Road Phase 3A project to Eagle-Elsner, Inc., the lowest responsible bidder, in the amount of \$1,286,759.35.
3. Subject to final completion of all improvements specified in the contract documents and any supplementary changes, the City Engineer is authorized to certify the required improvements complete and make final payment including release of retainage.
4. The City Engineer is authorized to approve change orders to this contract so long as total project costs do not exceed the budgeted amounts.
5. Authorize the expenditure of project funds as budgeted or amended from:

<u>ACCOUNT</u>	<u>AMOUNT</u>
900-49130-5000-552	\$7,100,000
6. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7th day of July, 2003, and filed with the Wilsonville City Recorder this date.



 CHARLOTTE LEHAN, MAYOR

ATTEST:



 Sandra C. King, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Helser	Yes
Councilor Scott-Tabb	Yes
Councilor Kirk	Yes
Councilor Holt	Yes

