

**RESOLUTION NO. 2302**

**A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING A CONSTRUCTION CONTRACT TO KERR CONTRACTORS, INC. THE LOWEST RESPONSIBLE BIDDER; VERIFYING FUND AVAILABILITY; FOR THE COFFEE LAKE DRIVE SEWER IMPROVEMENT PROJECT #2077.**

WHEREAS, on June 7th, 2010, the Wilsonville City Council adopted a Capital Improvement Program for the City that includes a FY 2010/2011 appropriation of \$1,128,600.00 for the Coffee Lake Drive Sewer Improvement Project #520.950.45030.000002077; and

WHEREAS, the Coffee Lake Drive Sewer Improvement Project is part of the overall sanitary sewer system to serve the Lowrie Primary School Site, as well as much of the east, central and north portions side of the Villebois Development, and unincorporated lands lying north of Tooze Road as identified in the Wastewater Collection System Master Plan and

WHEREAS, the Coffee Lake Drive Sewer Improvement Project was duly advertised for pre-qualifications of general contractors on the City of Wilsonville Web Site and in the Daily Journal of Commerce on March 11th and March 18th, 2011, a newspaper of general circulation; and

WHEREAS, the Coffee Lake Drive Sewer Improvement Project was duly advertised for competitive bids from the pre-qualified general contractors on the City of Wilsonville Web Site and in the Daily Journal of Commerce on April 29<sup>th</sup> and May 6th, 2011, a newspaper of general circulation; and

WHEREAS, eight (8) sealed bids were received from the list of pre-qualified General Contractors prior to 2:00 p.m., local time, May 23, 2011, at the City Hall, Wilsonville, Oregon 97070. Bids were then opened individually and separately read aloud. A summary of bids under this construction contract are marked "Exhibit A", attached hereto and incorporated herein; and

WHEREAS, the lowest base bid of \$467,773.00 was submitted by Kerr Contractors, Inc. and they are considered the apparent low bidder; and

WHEREAS, this construction contract has a bid alternative option that would allow full depth road construction across a section of designated wetland; and

WHEREAS, a portion of the sanitary sewer line and the entire bid alternative option benefits private development, the City will require partial reimbursement of these costs by the West Linn / Wilsonville School District and by future developers when development occurs; and

WHEREAS, the Alternate bid of \$571,761.00 submitted by Kerr Contractors, Inc. is, upon recommendation of the City Engineer, responsive and balanced, satisfactory in all respects; and

WHEREAS, the contract has an anticipated Notice to Proceed date of June 24, 2011, and a Substantial Completion date of August 29th, 2011; 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 is incorporated by reference herein.
  - b. The bid of Kerr Contractors, Inc. is deemed responsive. Kerr Contractors, 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 279C, Public Contracting – Public Improvements and Related Contracts 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 with the bid alternative option for the Coffee Lake Drive Sewer Improvement Project to Kerr Contractors Inc., the lowest responsible bidder, in the amount of \$571,761.00.
3. Subject to final completion of all improvements specified in the contract documents, 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 budget authorization of Fiscal Year 2010/2011 CIP budget as follows:

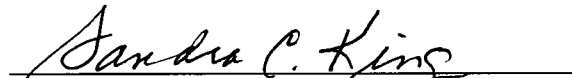
<u>ACCOUNT</u>	<u>AMOUNT</u>
520.950.45030.00000.2077	\$1,128,600.00

6. This resolution is effective upon adoption

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 20<sup>th</sup> day of June, 2011, and filed with the Wilsonville City Recorder this date.

  
TIM KNAPP, MAYOR

ATTEST:

  
Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Nunez	Yes
Councilor Hurst	Yes
Councilor Goddard	Excused
Councilor Starr	Yes

Attachment: Exhibit "A" Summary of Bids

**EXHIBIT "A"**

**SUMMARY OF BIDS  
FOR  
COFFEE LAKE DRIVE SEWER IMPROVEMENTS  
CIP #2077**

1. Kerr Contractors	\$467,773.00
2. K & E Excavating	\$495,877.05
3. Canby Excavating	\$498,816.33
4. Landis & Landis	\$511,169.90
5. Westech Construction	\$516,026.30
6. Gelco Construction	\$545,622.10
7. Emery & Sons	\$594,714.80
8. Jim Smith Excavating	\$599,895.00