

## **RESOLUTION NO. 2424**

**A RESOLUTION OF THE CITY OF WILSONVILLE ACTING AS THE LOCAL CONTRACT REVIEW BOARD APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING A CONSTRUCTION CONTRACT TO S-2 CONTRACTORS, THE LOWEST RESPONSIBLE BIDDER; AND VERIFYING FUND AVAILABILITY FOR THE PROJECT TITLED 2013 STREET MAINTENANCE.**

WHEREAS, in accordance with the provisions of Oregon Revised Statutes, Chapter 279, Public Bids and Contracting; 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 Wilsonville City Council serves as the city's Contract Review Board; and

WHEREAS, the City does not employ the extra personnel necessary to perform the specialized maintenance services called for in the bid solicitation documents nor is it feasible to train and divert existing employees from needed and assigned job duties; the City does not have the specialized equipment necessary to perform the type and kind of pavement maintenance called for in the bid solicitation; the City does not have the ongoing resources to employ personnel and acquire and maintain specialized equipment in order to perform the amount and level of work with completion within six months after the date on which the contract for services is executed; and historically, the City has recognized that competitively bidding this type of work was the more fiscally prudent approach of allocating resources among the various programs, funds, and policy objectives set forth in the City's budget document; and

WHEREAS, the Street Maintenance program was duly advertised for pre-qualification and competitive bids in the Daily Journal of Commerce on February 27 and March 6, 2013; and

WHEREAS, the bid advertisement and invitation to bid included a Request for Qualifications and established a qualification process under which prospective bidders must be qualified in order to be considered a responsive bidder and 6 potential bidders were qualified; and

WHEREAS, from the qualified bidders, 5 sealed bids were received prior to 2 p.m. local time, May 14, 2012, at the City Hall, 29799 SW Town Center Loop East, Wilsonville, OR, 97070; and

WHEREAS, the five bids were then opened individually, and separately read aloud at 4:00 p.m., local time, May 14, 2013. The Summary of Bids is marked Exhibit "A", attached hereto and incorporated herein; and

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WHEREAS, the five bids were found to be from responsive bidders as defined under the Request for Qualifications; and

WHEREAS, the City will be performing work adjacent to Washington County facilities which need repair; and

WHEREAS, the City identified work for Washington County in the bid as Alternate 1, which was separated from the City work in the base bid; and

WHEREAS, Washington County has determined not to perform the work at this time; and

WHEREAS, the S-2 Contractors bid of \$536,016.00 for the base contract; and

WHEREAS, the City desires to execute a Construction Contract Agreement in a timely manner; and

WHEREAS, the City's FY12-13 budget includes a \$650,000 appropriation, which has a balance of \$197,093, for the Street Maintenance, which is Project #4014 in the budget; and

WHEREAS, the currently proposed FY13-14 budget includes \$670,000 for Street Maintenance.

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 from S-2 Contractors in the amount of a \$536,016.00 for the base contract, is deemed responsive. S-2 Contractors is the lowest responsible bidder and is qualified for the work.
2. Subject to the final review and approval of the Project Manager and in accordance with the provisions of Oregon Revised Statutes, Chapter 279, Public Bids and Contracting; 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 construction to S-2 Contractors in the amount of \$536,016.00.
3. Subject to final completion of all improvements specified in the contract documents and any supplementary changes, the Project Manager is authorized to certify the required improvements complete and make final payment including release of retainage.

4. The Project Manager is authorized to approve change orders to this contract as required provided, however, that the total cost does not exceed 15% of the contract award.

5. The City Council hereby authorizes the expenditures for this contract not to exceed the contract bid plus 15% contingency:

<u>Account</u>	<u>Amount</u>
540.950.45030.4041	\$616,418.40

6. This Resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a special meeting thereof this 3<sup>rd</sup> day of June 2013, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY of Votes:

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Goddard	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

Attachment:

Exhibit A - Summary of Bids

