

RESOLUTION NO. 1247

A RESOLUTION OF THE CITY OF WILSONVILLE DECLARING AN EMERGENCY, EXEMPTING THE CITY FROM THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE CONSTRUCTION OF THE FOX CHASE AND COURTSIDE ESTATES NEIGHBORHOOD PARKS (PROJECTS NO. 590-49130-5000-910 AND 590-49130-5000-912)

WHEREAS, the City of Wilsonville adopted the 1995-96 City Budget which contains a Capital Improvement Program; and

WHEREAS, the Capital Improvement Program contains a projects described as the Fox Chase and Courtside Estates Neighborhood Parks (Projects No. 590-49130-5000-910 and 590-49130-5000-912) and \$100,000 to cover the costs associated with the design and construction of the projects; and

WHEREAS, the completion of the Fox Chase and Courtside Estates Neighborhood Parks are required to provide the citizens of the City within these particular areas with a properly developed open space for their enjoyment; and

WHEREAS, the City of Wilsonville Staff prepared design plans and specifications for the planned neighborhood parks; and

WHEREAS, the City duly advertised for competitive bids to construct the improvements in the Daily Journal of Commerce, a newspaper of general circulation; and

WHEREAS, sealed bids were received prior to 2:00 p.m. Pacific Daylight Time, August 17, 1995, at the Community Development Department, 8445 SW Elligsen Road, Wilsonville, Oregon 97070. Bids were then opened individually and separately read aloud after 2:00 p.m. Pacific Daylight Time on August 17, 1995; and

WHEREAS, because the bids received for the projects exceeded the budgeted funds for the projects, the City Council adopted Resolution No. 1216 rejecting the bids that were received and did not desire to enter into a Construction Contract Agreement for the projects at that time; and

WHEREAS, City Staff has been in contact with representatives of Pro-Grass, a landscape installation and maintenance firm located within the City of Wilsonville, regarding the possibility of completing the projects through a combination of direct costs to the City and contributed costs by Pro-Grass; and

WHEREAS, City Staff has determined that Pro-Grass, has the required experience and facilities to construct the improvements associated with the projects within the upcoming construction season; and

WHEREAS, under the usual bidding process followed by the City of Wilsonville, any project or service requested by the City in excess of \$ 15,000 requires a formal bidding procedure; and

WHEREAS, under certain circumstances ORS 279.015 allows for exemptions to the formal competitive bidding process; and

WHEREAS, Pro-Grass, has formally offered to construct the improvements at cost of \$98,065, with a contribution of \$ 11,000 by Pro-Grass, the net cost to the City to the complete the improvements would be \$87,065.

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

1. The City Council of the City of Wilsonville declares that the construction of the Fox Chase and Courtside Estates Neighborhood Parks is required to provide the necessary developed open space for the enjoyment and health of the adjacent residents.
2. The construction of Fox Chase and Courtside Estates are projects contained within the adopted Parks Master Plan of the City.
3. The City properly advertised for the construction of the Fox Chase and Courtside Estates in the Daily Journal of Commerce, a newspaper of general circulation.
4. The City properly received and read allowed the bids received for the construction of the Fox Chase and Courtside Estates Neighborhood Parks after 2:00 p.m. Pacific Daylight Time on August 17, 1995.
5. Having determined that the lowest responsible bid received for the construction of the Fox Chase and Courtside Estates Neighborhood Parks exceed the budgeted funds for the project, elected to reject the bids received and adopted Resolution No. 1216 so doing.
6. The contribution of \$11,000 by Pro-Grass to the construction of the park improvements is a significant amount that will not be incurred by the City in the construction of the projects.
7. Pro-Grass is a local business which by said contribution to the park improvements signifies a commitment to the citizens of the City and their well being.
8. The City Council of the City of Wilsonville authorizes City Staff to enter into an agreement with Pro-Grass, to construct the Fox Chase and Courtside Estates at a cost not to exceed \$87,065.
9. The City Council hereby declares that an emergency exists in the award of the construction of the Fox Chase and Courtside Estates Neighborhood Parks to fully utilize

the contribution and to allow the construction to be completed within the upcoming construction season.

10. Authorize the expenditures for this contract not to exceed budget amount from:

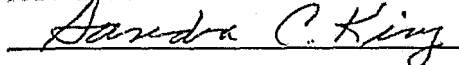
<u>Account</u>	<u>Budget Amount</u>
590-49130-5000-910	\$50,000
590-49130-5000-912	\$50,000

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof on the 5th day of February, 1996, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, MAYOR

ATTEST:



SANDRA C. KING, CITY RECORDER

SUMMARY OF VOTES:

MAYOR KRUMMEL	Yes
COUNCILOR HAWKINS	Absent
COUNCILOR LEHAN	Yes
COUNCILOR LEO	Yes
COUNCILOR LEAHY	Yes