

RESOLUTION NO. 1791

A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING A CONSTRUCTION CONTRACT TO RUTAN CONSTRUCTION, INC. THE LOWEST RESPONSIBLE BIDDER; AND VERIFYING FUND AVAILABILITY FOR THE PROJECT KNOWN AS THE MEMORIAL DRIVE AND WILSONVILLE STREET IMPROVEMENTS AND CIVIC CENTER PARK INFRASTRUCTURE PROJECT.

WHEREAS the City approved a motion at a regular meeting on June 3, 2002, for the 2002/03 fiscal year, adopting an appropriation of \$757,400 for the design and construction of street improvements on Memorial Drive west of and adjacent to the site known as the Boozier property and on Wilsonville Road from Towncenter Loop East to Boeckman Creek Bridge, north of and adjacent to the Boozier property, and an appropriation of \$1,175,000 for the design and construction of park and infrastructure improvements on the Boozier property, which improvements hereinafter collectively shall be referred to as "the Project"; and

WHEREAS, the Urban Renewal Agency has subsequently determined on June 3, 2002 by UR Resolution No. 81, 2002-03 budget adoption, inclusive of capital projects, to also fund the Project; and

WHEREAS, City staff is providing the bidding services for the City and the Agency for the project, and since the Project is jointly funded by the City and the Agency, that the Agency has the largest portion of the funding, staff recommends that the City award the contract as set forth below and that the Agency also approve and ratify the award of contract; and

WHEREAS, a Request for Qualifications for the Project was duly advertised in the Daily Journal of Commerce, a newspaper of general circulation, on June 18 & 25, 2002; and

WHEREAS, fifteen (15) contractors submitted Statements of Qualification which were evaluated by a staff technical review committee and all fifteen (15) contractors were considered responsible bidders and invited to bid on the Project; and

WHEREAS, seven (7) sealed bids were received on August 6, 2002, prior to 10 a.m., local time, at the Community Development Department, 8445 SW Elligsen Road, Wilsonville, Oregon. Bids were then opened individually and separately read aloud after 2 p.m., local time,

August 6, 2002. The design engineer's summary of bids is marked "Exhibit A", attached hereto and incorporated herein; and

WHEREAS, the lowest bid of \$505,199.02 by Rutan Construction, Inc. is, upon recommendation of the City Engineer, responsive and balanced, satisfactory in all respects; and

WHEREAS, in the public interest the City Council acting as the Local Contract Review Board may exercise its rights to reject any bids and waive informalities 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 \$505,199.02 by Rutan Construction, Inc. is deemed responsive. Rutan Construction, 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 Project to Rutan Construction, Inc. the lowest responsible bidder, in the amount of \$505,199.02.
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:

ACCOUNT	AMOUNT
540-49130-5000-546 (Road project, Street SDCs)	\$160,500
900-49130-5000-546 (Road project, Urban Renewal) (To be funded through the Urban Renewal Agency)	\$609,740
900-49130-5000-937 (Park project, Urban Renewal)* (To be funded through the Urban Renewal Agency)	<u>\$90,000</u>
Total Appropriation	\$860,240

* The adopted budget for Civic Center Park (project 937) is \$1.175 million, but only \$90,000 is authorized at this time for installation of the water main, fire hydrants and construction access.

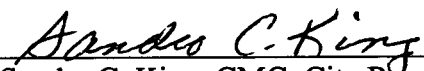
6. This resolution shall be effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 19th day of August, 2002, 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	No
Councilor Barton	Yes
Councilor Kirk	No
Councilor Holt	Yes