

**RESOLUTION NO. 2068**

**A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING A CONSTRUCTION CONTRACT TO KNIFE RIVER, THE LOWEST RESPONSIBLE BIDDER; VERIFYING FUND AVAILABILITY; FOR THE 2007 STREET MAINTENANCE PROGRAM PROJECT.**

WHEREAS, on June 4, 2007, the Wilsonville City Council adopted a Capital Improvement Program for the City that includes a FY 2007/08 appropriation of \$540,000.00 for the Street Maintenance Project #540.950.45030.00000.4014; and

WHEREAS, a supplemental budget will transfer \$205,200.00 from the Road Maintenance Regulatory Fund Contingency, so that the FY 07/08 appropriated Street Maintenance Project is \$745,200.00; and

WHEREAS, the Street Maintenance Program is an annual project to maintain the street infrastructure supported by the monthly road maintenance fee; and

WHEREAS, the 2007 Street Maintenance Program project was duly advertised for competitive bids in the Daily Journal of Commerce on June 8, 2007, a newspaper of general circulation; and

WHEREAS, two (2) sealed bids were received prior to 2:00 p.m., local time, June 28, 2007, at the City Hall, Wilsonville, Oregon 97070. Bids were then opened individually and separately read aloud. A summary of bids showing streets scheduled for completion under this construction contract are marked "Exhibit A", attached hereto and incorporated herein; and

WHEREAS, the lowest bid of \$559,930.45 was submitted by Knife River and they are considered the apparent low bidder; and

WHEREAS, the bid of \$559,930.45 by Knife River is, upon recommendation of the City Engineer, responsive and balanced, satisfactory in all respects; and

WHEREAS, the contract has a Notice to Proceed date of August 6<sup>th</sup>, 2007, and a Substantial Completion date of October 15<sup>th</sup>, 2007.

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 Knife River is deemed responsive. Knife River 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 for the 2007 Street Maintenance Program project to Knife River, the lowest responsible bidder, in the amount of \$559,930.45.
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 subject to supplemental budget authorization of Fiscal Year 2007-08 CIP budget as follows:

<u>ACCOUNT</u>	<u>AMOUNT</u>
540.950.45030.00000.4014	\$745,200.00

6. This resolution is effective upon adoption

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 16<sup>th</sup> day of July, 2007, and filed with the Wilsonville City Recorder this date.

  
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CHARLOTTE LEHAN, MAYOR

ATTEST:

  
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Starla J. Schur, Deputy City Recorder

SUMMARY OF VOTES:

Mayor Lehan	Yes
Council President Kirk	Yes
Councilor Núñez	Yes
Councilor Knapp	Yes
Councilor Ripple	Yes