

RESOLUTION NO. 2075

A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING THE CONTRACT TO KERR CONTRACTORS INC., THE LOWEST RESPONSIBLE BIDDER; VERIFYING FUND AVAILABILITY; FOR THE PROJECT KNOWN AS THE BOECKMAN CREEK CULVERT REPLACEMENT PROJECT – UPPER CREEK PHASE II PROJECT # 570.950.45030.00000.7020.

WHEREAS, on June 4, 2007, the Wilsonville City Council adopted a Capital Improvement Program for the City that included a FY 2007/08 appropriation of \$570,000 to fund the design and construction of the Boeckman Creek Culvert Replacement Project – Upper Creek Phase II (Project No. 570-950-45030-00000-7020); and

WHEREAS, the Boeckman Creek Culvert Replacement Project– Upper Creek Phase II was duly advertised for competitive bids in the Daily Journal of Commerce, a newspaper of general circulation; and

WHEREAS, three (3) sealed bids were received on September 6, 2007, prior to 2:00 p.m., local time, at the City of Wilsonville Community Development Department, 29799 SW Town Center Loop East, Wilsonville, Oregon. Bids were then opened individually and separately read aloud after 2:00 p.m., local time, September 6, 2007. The City's staff recommendation and summary of bids is marked "Exhibit A", attached hereto and incorporated herein; and

WHEREAS, the lowest bid of \$324,161.40 by Kerr Contractors 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 Notice To Bid; and

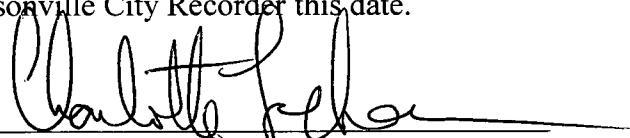
WHEREAS, the City of Wilsonville desires to execute a Construction Contract Agreement in a timely manner.

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 recitals of findings above are incorporated by reference herein.
 - b. The bid of \$324,161.40 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 the 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 Local Contract Review Board hereby awards the contract for the Boeckman Creek Culvert Replacement Project to Kerr Contractors, Inc., the lowest responsible bidder in the amount of \$324,161.40
3. Subject to final completion of all improvements specified in the contract documents and any supplemental 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 budget amount.
5. Authorize the expenditure of project funds as budgeted or amended from:

<u>ACCOUNT</u>	<u>AMOUNT</u>
570-950-45030-00000-7020	\$570,000
6. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 17th day of September, 2007, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:


Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor Kirk	<u>Excused</u>
Councilor Knapp	<u>Yes</u>
Councilor Ripple	<u>Yes</u>
Councilor Nunez	<u>Yes</u>

Boeckman Creek Stream Improvement Project

September 6, 2007, 2:00 pm

Engineer's Estimate = \$345,400.50

Order Opened	Bidder Pg. I-3	Total Bid Amount (Pg. I-17)	Status
1	Kerr Contractors	\$ 324,161.40	***
2	Elting Northwest	\$ 436,921.00	
3	BCI Contracting	\$ 509,305.00	

*** Apparent Low Bidder

ENGINEERING DEPARTMENT
STAFF REPORT & RECOMMENDATION

DATE: September 17, 2007

TO: Honorable Mayor and City Councilors

FROM: Michael A. Stone, City Engineer

SUBJECT: Recommendation for Award: Boeckman Creek Culvert Replacement Project
– Upper Creek Phase II (Project No. 570-950-45030-00000-7020)

SUMMARY

Erosion in Boeckman Creek between Wilsonville Road and the Willamette River was identified as a significant problem in the June 2001 Stormwater Master Plan. The Stormwater Master Plan included Project BC1 – Boeckman Creek Erosion Improvements to provide erosion protection at two culverts on Boeckman Creek: at Kolbe Lane and in Memorial Park at Rose Lane. Phase I of the total project – Memorial Park, was completed last year. The 2007/08 budget included Project #7017 – Boeckman Creek Culvert Replacement – Upper Creek, at a total cost of \$570,000 and \$75,000 from a grant. This award recommendation is for construction of the upper site – Kolbe Lane

At 2 p.m. on Thursday, September 6, 2007, three (3) formal bid proposals were received from qualified contractors in response to public advertisement. The bids were opened, inspected for completeness, and thereafter read aloud. Staff desires to issue a Notice to Proceed by September 18, 2007.

RECOMMENDATION

Staff respectfully recommends that the City Council adopt the attached Resolution No. 2075 approving the bid process, accepting the lowest responsible bid and awarding the contract to Kerr Contractors, Inc.

DISCUSSION

Three (3) formal proposals were received (bid tabulation is attached):

- | | |
|--------------------------|--------------|
| 1. Kerr Contractors, Inc | \$324,161.40 |
| 2. Elting Northwest Inc. | \$436,921.00 |
| 3. BCI Contracting, Inc. | \$518,305.00 |

The Engineers Estimate was \$345,400.50. Analysis of the bid tabulation shows minor differences between the Engineer's Estimate and the itemized bid prices: temporary features (environmental controls necessitated by a fish habitat) and sanitary sewer.

Work at the site includes the removal of 48-inch corrugated metal culvert and associated fill, restoration of the stream channel, banks, and surrounding riparian area. Installation of a 75-foot wood pedestrian bridge capable of supporting an emergency vehicle in conjunction with this project will be under a separate bridge contract, currently out to bid. Stream restoration will include realigning the channel, grade control log weirs, and slope bio-restoration techniques. The design for the site will pass a 100-year event, allow a natural streambed to form, and eliminate the problems associated with the culvert. Stream diversion will be required to de-water the work zone. The stream will be seined to remove all aquatic life prior to diverting water for construction. The City, and/or consultant, and the Student Watershed Research Project will monitor for turbidity and other water quality parameters. Bio-restoration techniques will be used in the restoration effort, as well as extensive plantings of native trees and shrubs along the stream banks and riparian area.

The bids were reviewed by City staff and Kpff Consulting Engineers, the design engineers. Kerr contractors Inc. is the recommended contractor with a bid that has been found to be both responsive and responsible. Therefore, staff recommends that the Boeckman Creek Culvert Replacement Project – Upper Creek Phase II be awarded to Kerr Contractors Inc., in the amount of \$324,161.40.