

RESOLUTION NO. 2135

A RESOLUTION OF THE CITY OF WILSONVILLE, ACTING IN CAPACITY OF LOCAL CONTRACT REVIEW BOARD, APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING A CONSTRUCTION CONTRACT TO CANBY EXCAVATING, INC. THE LOWEST RESPONSIBLE BIDDER; VERIFYING FUND AVAILABILITY; FOR THE SEELY DITCH SANITARY SEWER REPLACEMENT (#2044), WATER TREATMENT PLANT STORM IMPROVEMENTS (#7018), AND RIVERGREEN STORM OUTFALL IMPROVEMENTS (#7012) COMBINED PROJECT.

WHEREAS, Staff has combined three capital projects, Seely Ditch Sanitary Sewer Replacement (#2044), Water Treatment Plant Storm Improvements (#7018), and Rivergreen Storm Outfall Improvements (#7012) to gain economy of scale savings in both bid prices and construction administration; and

WHEREAS, the Seely Ditch Sanitary Sewer Replacement (#2044), Water Treatment Plant Storm Improvements (#7018), and Rivergreen Storm Outfall Improvements (#7012) combined project was duly advertised for competitive bids in the Daily Journal of Commerce on August 21, 2008, a newspaper of general circulation; and

WHEREAS, four (4) sealed bids were received prior to 2:00 p.m., local time, September 4, 2008, at the City Hall, Wilsonville, Oregon 97070. Bids were then opened individually and separately read aloud. A summary of bids are marked "Exhibit A", attached hereto and incorporated herein; and

WHEREAS, the lowest bid of \$324,259.75 was submitted by Canby Excavating, Inc and they are considered the apparent low bidder; and

WHEREAS, the bid of \$324,259.75 by Canby Excavating, Inc 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 September 17th, 2008, and a Substantial Completion date of November 21st, 2008; and

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 \$324,259.75 by Canby Excavating, Inc is deemed responsive. Canby Excavating, 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 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 Seely Ditch Sanitary Sewer Replacement (#2044), Water Treatment Plant Storm Improvements (#7018), and Rivergreen Storm Outfall Improvements (#7012) combined project to Canby Excavating, Inc, the lowest responsible bidder, in the amount of \$324,259.75.
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.(Fifteen percent contingency is included in the budgeted costs.)
5. Also authorized in the approved 08-09 capital projects budget are expenditures necessary for the engineering design, permitting, and easement acquisition necessary for the construction of these respective projects. Including \$116,000 for Rivergreen project no 7012, \$80,000 for Seeley Ditch, project No. 2044, and \$15,000 for water treatment plant drainage project 7018, for a total cost of \$211,000.

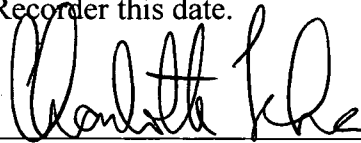
6. Authorize the expenditure of project funds (including costs enumerated in 5 above) subject to supplemental budget authorization of Fiscal Year 2008-09 CIP budget as follows:

<u>ACCOUNT</u>	<u>FY 08-09 Approved</u>	<u>FY 08-08 Supplemental</u>
510.950.45030.00000.7012	\$200,000	\$363,000
510.950.45030.00000.2044	\$250,000	\$231,000
510.950.45030.00000.7018	\$0*	\$27,000
	Total \$450,000	Total \$621,000

*project budgeted in FY 07-08

7. This resolution is effective upon adoption

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 15th day of September, 2008, and filed with the Wilsonville City Recorder this date.



 CHARLOTTE LEHAN, MAYOR

ATTEST:



 Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

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

Exhibit A

BID SUMMARY

RIVERGREEN STORM OUTFALL; SEELY DITCH SANITARY; WTP DRAINAGE IMPROVEMENTS BID OPENING

Owner: City of Wilsonville
September 4, 2008

Engineer's Estimate = \$275,000 - \$350,000

Order Opened	Bidder	Total Bid Amount Attachment A-2	Status
4	Canby Excavating	\$324,259.75	1
1	Landis & Landis Construction	\$342,891.50	2
2	Dunn Construction	\$346,380.00	3
3	Kerr Contractors	\$696,493.00	4

ENGINEERING DEPARTMENT

STAFF REPORT & RECOMMENDATION

DATE: September 8, 2008

TO: Honorable Mayor and City Councilors

FROM: Jadene Stensland, P.E.
Deputy City Engineer, Capital Projects

SUBJECT: Award of the Seely Ditch Sanitary, Water Treatment Plant Storm,
and Rivergreen Storm Outfall Combined Project
(Project Numbers 2044, 7018, & 7012)

SUMMARY

The attached Resolution No. 2135 awards the construction contract to Canby Excavating for the Seely Ditch Sanitary, Water Treatment Plant Storm, and Rivergreen Storm Outfall Combined Project.

RECOMMENDATION

Staff respectfully recommends that the City Council award the contract for the Seely Ditch Sanitary, Water Treatment Plant Storm, and Rivergreen Storm Outfall Combined Project in the amount of \$324,259.75 to Canby Excavating, Inc.

DISCUSSION

These three capital projects were combined into one project to achieve economy of scale in both bid prices and time spent administering the contract.

The Seely Ditch Sanitary Replacement project (#2044) will fix a belly and several obstructions in the sanitary sewer line that serves the homes along Montebello Road. Currently, maintenance crews must clean this section of line over Seely Ditch every six months to maintain the line's capacity. The existing 270 lf of 8" line will be replaced with the same size line since there are no future capacity issues anticipated.

The Water Treatment Plant Storm Improvements project (#7018) will add a perforated storm pipe system on the west and north sides of the clear well. In 2006, public works crews performing maintenance activities could not drive vehicles in this area due to extremely wet soil conditions. The new storm line will serve to collect surface and ground water in this area, making the soil suitable for maintenance vehicles to access the area. This project had been projected to be complete during FY 07/08 for \$68,400.

The Rivergreen Storm Outfall project (#7012) remedies a stream bank failure on the Willamette River at an existing storm outfall in the Southern portion of the Rivergreen subdivision. The existing storm outfall will be redirected approximately 350' to the east, to an existing drainage swale capable of handling the increased flows. The stream bank failure will be restored and replanted. All in-water work shall be completed by October 31st, according to ODF&W in-water work timing restrictions. Due to disruption of delineated wetlands, compensatory mitigation will occur on-site according to the conditions set forth in the DSL / Corps permits for the project. The City has entered into a Conservation Easement

with the Rivergreen HOA to formalize maintenance and use practices pursuant to the preservation of the wetland and mitigation areas.

Staff desires to issue a Notice to Proceed on September 17, 2008. The project is anticipated to be substantially complete on November 21st, 2008. .

Competitive bids for the Seely Ditch Sanitary, Water Treatment Plant Storm, and Rivergreen Storm Outfall Combined Project were received and opened on September 4, 2008 from pre-qualified contractors. A total of four (4) bids were received, all of which were determined to be responsive. The lowest responsible bid was \$324,259.75 submitted by Canby Excavating, Inc. The bids we received were about 14% higher than the engineer's estimate of \$284,748.

The overall bids for the combined project were 14% above the engineer's estimate. However, the individual projects, Rivergreen and Seely Ditch, were significantly higher and lower than the engineer's estimate, respectively. Specifically, the Rivergreen bid was 52% higher than the engineers estimate, and the Seely Ditch project was 31% less than the engineer's estimate.

The average of the three low bids for the Rivergreen project was \$203,480. Given that the three low bids were all within 10% of this average, we can say these bids represent a realistic price range for this project. Comparing the engineer's estimate to the bids received is difficult due to the variability in the individual bid item prices from one bid to the next. This variability is expected in a job like Rivergreen due to the nature of the work. Unlike more predictable road or utility style projects, Rivergreen contains some unusual work items, such as dewatering a portion of the Willamette River for access to construct a soil wrapped wall. This lack of predictability manifests itself in the form of contingency throughout the bid items. In this case, the bids received all contained higher contingency than the engineer's estimate accounted for.