

RESOLUTION NO. 2318

A RESOLUTION OF THE CITY OF WILSONVILLE ACTING AS THE LOCAL CONTRACT REVIEW BOARD APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING A CONSTRUCTION CONTRACT TO K&E EXCAVATING, INC., THE LOWEST RESPONSIBLE BIDDER; AND VERIFYING FUND AVAILABILITY FOR THE PROJECT COMMONLY REFERRED TO AS SMART OPS/FLEET MAINTENANCE FACILITY EARTHWORK IMPROVEMENTS.

WHEREAS, in accordance with the provisions of Oregon Revised Statutes, Chapter 279, Public Bids and Contracting; 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 Wilsonville City Council serves as the city's Contract Review Board; and

WHEREAS, the SMART Ops/Fleet Maintenance Earthwork Improvements Project was duly advertised for pre-qualification and competitive bids in the Daily Journal of Commerce on August 19, 2011 and August 22, 2011; and

WHEREAS, the bid advertisement and invitation to bid included a Request for Qualifications established a qualification process under which prospective bidders must be qualified in order to be considered a responsive bidder; and

WHEREAS, five sealed bids were received prior to 1 p.m. local time, September 1, 2011, at the City Hall, 29799 SW Town Center Loop East, Wilsonville, OR, 97070; and

WHEREAS, all five of these bids were from qualified, responsive bidders as defined under the Request for Qualifications; and

WHEREAS, the five responsive bids were then opened individually, and separately read aloud at 3:30 p.m., local time, September 1, 2011. The Summary of Bids is marked Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, K&E Excavating, Inc. submitted the lowest responsible bid; and

WHEREAS, the K&E bid of \$162,650.00 for earthwork improvements and \$1,500 for a compost berm bid alternate was less than the project cost estimate of \$345,044.00; and

WHEREAS, the City desires to execute a Construction Contract Agreement in a timely manner; and

WHEREAS, the City's FY11-12 budget includes a \$4,100,000 appropriation for the SMART Ops/Fleet Maintenance Facility Project, which is Project #8083 in the budget.


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 K&E Excavating, Inc. is deemed responsive. K&E Excavating, Inc. is the lowest responsible bidder and is qualified for the work.
2. Subject to the final review and approval of the Project Manager and in accordance with the provisions of Oregon Revised Statutes, Chapter 279, Public Bids and Contracting; 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 construction to K&E Excavating, Inc. in the amount of \$164,150 and authorizes expenditure of an additional 15% of the contract award or \$24,622 as project contingency and \$25,000 for necessary fees including permitting and special inspections testing.
3. Subject to final completion of all improvements specified in the contract documents and any supplementary changes, the Project Manager is authorized to certify the required improvements complete and make final payment including release of retainage.
4. The Project Manager is authorized to approve change orders to this contract as required provided, however, that the total cost does not exceed the approved budget for this project.
5. The City Council hereby authorizes the expenditures for this contract not to exceed the total FY11-12 budget amount:

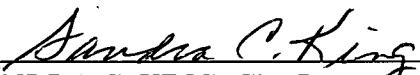
<u>Account</u>	<u>Amount</u>
260.950.45030.8083	\$4,100,000

6. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a special meeting thereof this 7th day of September, 2011, and filed with the Wilsonville City Recorder this date.


Tim Knapp, Mayor

ATTEST:


SANDRA C. KING, City Recorder

SUMMARY of Votes:

Mayor Knapp	Yes
Council President Núñez	Yes
Councilor Hurst	Yes
Councilor Goddard	Yes
Councilor Starr	Yes