

**RESOLUTION NO. 2361**

**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 BRIX PAVING, THE LOWEST RESPONSIBLE BIDDER; AND VERIFYING FUND AVAILABILITY FOR THE PROJECT TITLED 2012 STREET MAINTENANCE.**

WHEREAS, the City Council serves as the City's Contract Review Board, 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; and

WHEREAS, the Street Maintenance Program for road repair work for the 2012-2013 construction season was duly advertised for pre-qualification to competitively bid in the Daily Journal of Commerce on February 23 and March 1, 2012; and

WHEREAS, the foregoing bid advertisement and invitation to bid included a Request for Qualifications that established a qualification process under which prospective bidders must be qualified in order to be considered a responsive bidder and six potential bidders were deemed pre-qualified; and

WHEREAS, a complete Specifications and Contract Documents for the 2012 Street Maintenance Program ("Contract Documents") was assembled and mailed by staff to all prequalified bidders on or about April 11, 2012 and notice of the same was published in the Daily Journal of Commerce on April 11, 2011; and

WHEREAS, from the qualified bidders, four sealed bids were received prior to 2 p.m. local time, April 24, 2012, at the City Hall, 29799 SW Town Center Loop East, Wilsonville, OR, 97070 (the deadline time and place set for bid submission); and

WHEREAS, the four bids were then opened individually, and separately read aloud at 4:00 p.m., local time, April 24, 2012. The Summary of Bids is marked Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the four bids were found to be from pre-qualified responsive bidders, as defined under the Request for Qualifications; and

WHEREAS, the Brix Paving bid of \$502,527.18, which includes the base contract and Alternates 2, 3, & 4 was the low bid; and

WHEREAS, the City therefore desires to execute a contract to perform the work described in the Contract Documents in a timely manner; and

WHEREAS, the City's FY11-12 budget includes a \$615,000 appropriation, which has a balance of \$224,224, for the Street Maintenance, which is Project #4014 in the budget; and

WHEREAS, the currently proposed FY12-13 budget includes \$650,000 for Street Maintenance.

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 set forth above are incorporated by reference herein.
  - b. The bid from Brix Paving, in the amount of a \$502,527.18 for the Contract, including and Alternates 2, 3, & 4, is deemed responsive and is the lowest bid received from the pre-qualified responsive bidders..
2. Subject to the final review and approval of the Contract Documents by Brix and City staff, 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 Brix Paving in the amount of \$502,527.18 ("Contract Amount").
3. Should Brix Paving fail to execute the Contract Documents in a timely manner, City staff is hereby authorized to negotiate with the next lowest bidder and come back to City Council for approval of an award to the next lowest bidder.
4. Subject to final completion of all improvements specified in the Contract Documents and any supplementary changes, the City staff person designated as the Project Manager is authorized to certify the required improvements complete and make final payment, including release of retainage once the Project Manager is satisfied that all work has been satisfactorily completed.
5. The Project Manager is authorized to approve change orders to the Contract Documents, as reasonably required provided, however, that the total cost of all Change Orders does not exceed 15% of the Contract Amount, which 15% is referred to herein as the Contingency..
6. The City Council hereby authorizes an expenditure not to exceed the Contract

Amount bid plus a 15% Contingency:

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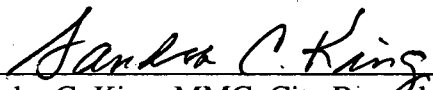
<u>Project</u>	<u>Amount (including Contingency)</u>
.4014-30-40	\$577,906.26

7. This Resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a special meeting thereof this 7<sup>th</sup> day of May 2012, and filed with the Wilsonville City Recorder this date.

  
TIM KNAPP, MAYOR

ATTEST:

  
Sandra C. King, MMC, City Recorder

SUMMARY of Votes:

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

<b>BID SUMMARY</b>					
<b>2012 STREET MAINTENANCE</b>					
<b>OWNER: CITY OF WILSONVILLE</b>					
<b>OPENING DATE: APRIL 24, 2012 4:00PM</b>					
Order Opened	Bidder	Bid Amount	Base + Alternate #1, 3, & 4	Base + Alternate #2, 3, & 4	Base + All Alternates
1	<b>BRIX PAVING</b>				
	<b>Base Bid</b>	<b>\$299,376.50</b>	\$607,475.98	\$502,527.18	\$775,251.06
	Alternate #1	\$272,723.88			
	Alternate #2	\$167,775.08			
	Alternate #3	\$7,038.60			
	Alternate #4	\$28,337.00			
2	<b>EAGLE-ELSNER</b>				
	<b>Base Bid</b>	<b>\$340,166.20</b>	\$609,739.60	\$561,927.00	\$800,000.40
	Alternate #1	\$238,073.40			
	Alternate #2	\$190,260.80			
	Alternate #3	\$15,000.00			
	Alternate #4	\$16,500.00			
3	<b>KNIFE RIVER</b>				
	<b>Base Bid</b>	<b>\$325,626.01</b>	\$575,162.01	\$541,293.61	\$730,829.61
	Alternate #1	\$189,536.00			
	Alternate #2	\$155,667.60			
	Alternate #3	\$18,000.00			
	Alternate #4	\$42,000.00			
4	<b>S-2 CONTRACTORS</b>				
	<b>Base Bid</b>	<b>\$365,645.30</b>	\$721,333.02	\$544,988.80	\$872,676.52
	Alternate #1	\$327,687.72			
	Alternate #2	\$151,343.50			
	Alternate #3	\$6,000.00			
	Alternate #4	\$22,000.00			