

**RESOLUTION NO. 1421**

**A RESOLUTION MODIFYING RESOLUTION NO. 1407 AND  
AUTHORIZING OREGON ASPHALTIC PAVING CO. TO OVERLAY ARBOR  
LAKE DRIVE.**

WHEREAS, the City of Wilsonville enacted Ordinance No. 484 at a meeting on July 21, 1997, creating a Road Maintenance Program; and

WHEREAS, on October 20, 1997, the City of Wilsonville will act upon a proposed supplemental budget authorizing and approving budget appropriations for the 1997-98 fiscal year from the Road Maintenance Fund; and

WHEREAS, the City advertised for competitive bids to repair Arbor Lake Drive; and

WHEREAS, Oregon Asphaltic Paving Co. was the only bidder to respond, with a bid of \$140,850 for repairs along Arbor Lake Drive with a budget of only \$74,838; and

WHEREAS, the City Engineer rejected the sole bid for exceeding the allowed budget, then met with Oregon Asphaltic Paving Co. to determine ways to change the scope of the project and reduce the overall cost; and

WHEREAS, Oregon Asphaltic Paving Co. submitted a new proposal to overlay then entire nine-tenths of a mile of Arbor Lake Drive for a base price of \$46,219; and

WHEREAS, additional allowances have been made in the budget to cover contingencies, including the placement of reinforcing fabric under areas of badly damaged asphalt; and

WHEREAS, the City Council adopted Resolution No. 1407 at its regular meeting of August 18, 1997, awarding the contract for Town Center Loop West Reconstruction to Oregon Asphaltic Paving Co.; and

WHEREAS, the City Council adopted Resolution No. 1415 at its regular meeting of September 15, 1997, approving Change Order No. 1 and awarding road maintenance work for Serenity Way, Tranquil Way, Serene Place and Pleasant Place; and

WHEREAS, Staff recommends that Oregon Asphaltic Paving Co. be awarded additional road maintenance work to overlay Arbor Lake Drive as Change Order No. 2 to the Town Center Loop West Reconstruction project, which is exempt from further public bidding, based on the following:

(1) Under the circumstances, it is unlikely that such exemption will encourage favoritism in the awarding of public contracts or substantially diminish contracts or substantially diminish competition for public contracts, and

(2) Exemption of this award of contract from further bidding will result in substantial cost savings to the City especially considering no other bidders responded to the contract bid; and

WHEREAS, the City of Wilsonville desires to execute a Construction Contract Agreement in a timely manner given the lateness of the construction season,

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. Based upon the findings recited above, the award of the contract for the Arbor Lake Drive overlay project to Oregon Asphaltic Paving Co., is exempt from further public bidding.

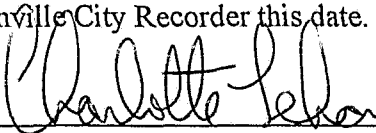
2. Subject to the final review and approval of the City Engineer, the City Council awards the Arbor Lake Drive Overlay project to Oregon Asphaltic Paving Co., in the amount of \$46,219.

3. Subject to the final completion of all improvements specified in the contract documents and any supplementary changes, the City Engineer is authorized to certify the required public improvements complete and make final payment including release of all retainage.

4. Authorized the expenditure of funds for this contract from:

<u>ACCOUNT NO.</u>	<u>AMOUNT</u>
760-43230-3510-712	\$74,838

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of October, 1997, and filed with the Wilsonville City Recorder this date.

  
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CHARLOTTE LEHAN, Mayor

ATTEST:

  
\_\_\_\_\_  
SANDRA C. KING, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Kirk	Yes
Councilor Helser	Yes
Councilor Barton	Yes
Councilor Luper	Excused