

**RESOLUTION NO. 2021**

**A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE BID; AWARDING THE CONTRACT TO ELTING NORTHWEST INC., THE LOWEST RESPONSIBLE BIDDER; VERIFYING FUND AVAILABILITY; FOR THE BOECKMAN CREEK CULVERT REPLACEMENT PROJECT.**

WHEREAS, on June 2, 2006, the Wilsonville City Council adopted a Capital Improvement Program for the City that included a FY 2006/07 appropriation of \$564,300 to fund the design and construction of the Boeckman Creek Culvert Replacement Project (Project No. 570.900.45030.00000.7016); and

WHEREAS, the Boeckman Creek Culvert Replacement Project was duly advertised for competitive bids in the Daily Journal of Commerce on July 25, 2006, a newspaper of general circulation; and

WHEREAS, three (3) sealed bids were received on August 3, 2006, prior to 2:00 p.m., local time, at the Community Development Department, 8445 SW Elligsen Road, Wilsonville, Oregon. Bids were then opened individually and separately read aloud after 2:00 p.m., local time, August 3, 2006. The City's staff recommendation and summary of bids is marked "Exhibit A", attached hereto and incorporated herein; and

WHEREAS, the lowest bid of \$284,400 by Elting Northwest Inc. is, upon recommendation of the City Engineer, responsive and balanced, satisfactory in all respects; 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

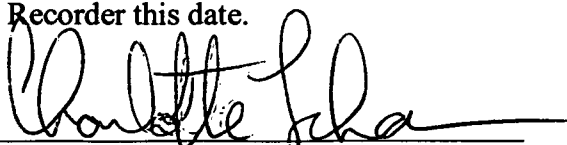
WHEREAS, the City of Wilsonville desires to execute a Construction Contract Agreement in a timely manner.

**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 are incorporated by reference herein.

- b. The bid of Elting Northwest Inc. is deemed responsive. Elting Northwest 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 Boeckman Creek Culvert Replacement Project to Elting Northwest, Inc, the lowest responsible bidder, in the amount of \$284,400.00.
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. The City Council hereby authorizes the expenditures for this contract from the Fiscal Year 2006-07 budget as follows:
- | <u>ACCOUNT</u>           | <u>AMOUNT</u> |
|--------------------------|---------------|
| 570.900.45030.00000.7016 | \$564,300.00  |
6. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21st day of August, 2006, and filed with the Wilsonville City Recorder this date.

  
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CHARLOTTE LEHAN, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor President Kirk	<u>Yes</u>
Councilor Holt	<u>Yes</u>
Councilor Knapp	<u>Yes</u>
Councilor Ripple	<u>Yes</u>

**ENGINEERING DEPARTMENT**  
**STAFF REPORT & RECOMMENDATION**

**DATE:** August 14, 2006  
**TO:** Honorable Mayor and City Councilors  
**FROM:** Michael A. Stone, City Engineer  
**SUBJECT:** Boeckman Creek Culvert Replacement (Project No. 570.900.45030.00000.7016)

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**SUMMARY**

Erosion in Boeckman Creek between Wilsonville Road and the Willamette River was identified as a significant problem in the development of the June 2001 Stormwater Master Plan. The Stormwater Master Plan included Project BC1 – Boeckman Creek Erosion Improvements to provide erosion protection at two (2) culverts on Boeckman Creek, at Kolbe Lane and in Memorial Park at Rose Lane. The 2006/07 budget included Project #7016 – Boeckman Creek Culvert Replacements at a total cost of \$564,300.00. This award recommendation is for construction of the lower site – Memorial Park at Rose Lane.

**RECOMMENDATION**

Staff respectfully recommends that the City Council adopt the attached Resolution No. 2021, approving the bid process, accepting the lowest responsible bid and awarding the contract to Elting Northwest Inc.

**DISCUSSION**

At 2 p.m. on Thursday, August 3, 2006, 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.

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

- |                                  |              |
|----------------------------------|--------------|
| 1. Elting Northwest Inc.         | \$284,400.00 |
| 2. Henderson Land Services, Inc. | \$310,968.00 |
| 3. BCI Contracting, Inc.         | \$343,740.00 |

The Engineers Estimate was \$202,751.75. Analysis of the bid tabulation shows that the difference between the Engineer's Estimate and the itemized bid prices lies in mainly in the temporary features (environmental controls necessitated by a fish habitat) and base rock. Other items were comparable to low bid sets from the contractors.

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 in conjunction with this project is under separate contract to Western Wood Structures, the firm who built and had previously moved the bridge. 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 OBEC Consulting Engineers the design engineers. Elting Northwest Inc. is recommended with a bid that has been found to be both responsive and responsible. Therefore, staff recommends that the Boeckman Creek Culvert Replacement Project be awarded to Elting Northwest Inc., in the amount of \$284,400.00. Staff desires to issue a Notice to Proceed by August 22, 2006 due to the October 15 deadline for the in-water work schedule to protect fish and habitat.

In addition to the culvert replacement, the City will erect the salvaged pedestrian wood bridge. The bridge was originally moved from Wilsonville Road, at Arrowhead Creek, in 2003. Due to the complexity of disassembly, moving and reassembly of the wood bridge, City staff recommends that a contractor have specific wood bridge construction expertise. Therefore, a separate contract has been solicited, to ensure the qualifications of the wood bridge construction company.

According to City Code 2.314 for Public Improvement Contracts, the contracting agency may use competitive quotes for contracts less than \$100,000. On August 10, 2006, the Engineering Division received two (2) competitive quotes, to relocate a pedestrian bridge to Boeckman Creek, in support of the Boeckman Creek Culvert Replacement Project. Initially four (4) contractors, who in Staff's opinion possessed the necessary experience and qualifications, were contacted to gauge overall interest in the bridge relocation project. Four (4) copies of the Request for Quotation (RFQ) were delivered to the respective firms. These firms are: Skanska USA Building, Inc., Western Wood Structures, Inc., Benchmark Industrial Services, Inc., and Woodlam Structures. Formal project discussions concerning scope and site conditions were conducted with all four (4) firms. Skanska and Woodlam declined to participate, due to their busy schedules. Two (2) formal proposals were received by the proposal submission deadline of 5:00 p.m. on August 10, 2006. Western Wood Structures, Inc., proposal was for \$27,582.00. Benchmark Industrial Services, Inc. proposal was for \$27,872.00. The two (2) competitive quotes were opened and evaluated according to experience, qualifications, overall cost and demonstrated ability to complete like improvements in a timely manner. The overall difference between the proposal amounts indicates that the proposals were responsive and competitive. Upon examination by Staff, the firms accounted for all of the site conditions and the lump sum amounts are representative of current construction costs. Western Wood Structures, Inc., has been selected to provide the work.