

**RESOLUTION 2015-15**

**A RESOLUTION OF THE GARIBALDI CITY COUNCIL ACTING AS THE CONTRACT REVIEW BOARD MAKING A SPECIFIC EXEMPTION OF THE GARIBALDI PUBLIC CONTRACTING ORDINANCE TO THE COMPETITIVE BID REQUIREMENTS OF THE GARIBALDI MUNICIPAL CODE SECTION 3.10. PUBLIC CONTRACTS, AND AUTHORIZING STAFF TO CONTRACT WITH M.L. HOUCK CONSTRUCTION CO., OF SALEM, OR, FOR CONSTRUCTION SERVICES**

**WHEREAS**, §3.10 of the Garibaldi Municipal Code (GMC) provides policies and procedures intended to foster competition to obtain the best possible products and services for the best price; and

**WHEREAS**, GMC §3.10.090(E), Special Exemptions, allows for the use of an alternate contracting method for a Public Works contract less than \$150,000 when the contractor possess a performance bond for said project, is properly licensed with the state and city for the work to be provided, and meets the prevailing wage requirements of the State of Oregon's Bureau of Labor and Industries (BOLI); and

**WHEREAS**, The City of Garibaldi's Engineer has determined that certain repairs must be made to city infrastructure in a report dated October 14, 2015, (report) attached to this resolution as *Exhibit A*; and

**WHEREAS**, the City Manager is recommending the use of a Special Exemption as described in GMC §3.10.090(E) to allow the city to address the issues described in the City Engineer's report in a timely manner; and,

**WHEREAS**, the Garibaldi City Council finds that contracting with M.L. Houck Construction does not encourage favoritism or substantially diminish competition for public contracts, and that the awarding of this contract will result in substantial cost savings to the city based on the information provided in the City Engineer's report;

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF GARIBALDI HEREBY RESOLVES AS FOLLOWS:**

**Section 1. Findings:** The Garibaldi City Council acting as the Garibaldi Contract Review Board finds that the recitals of this resolution warrant the use of a Special Exemption as described in GMC §3.10.090(E), and further incorporates the recitals into and as part of this resolution.

**Section 2. Use of Procurement Method:** The Garibaldi Contract Review Board hereby approves the use of an alternate contracting method as a specific exemption to public contracting competitive bid requirements, pursuant to GMC 3.10.090(E).

**Section 3. Authorization and Administration:** The Garibaldi Contract Review Board authorizes the City Manager to enter into a construction contract with M.L. Houck Construction Co., of Salem, Oregon, and to expend funds not to exceed \$43,470 for work necessary to address issues identified in the City Engineer's report. The City Manager is required to ensure that all the requirements of GMC 3.10.090(E) are met by the contractor.

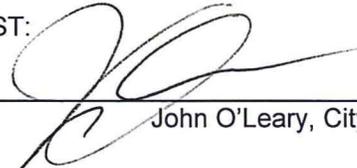
**Section 4. Effective Date:** This resolution shall be effective on the date of its passage by the Garibaldi City Council.

1 -- A RESOLUTION OF THE GARIBALDI CITY COUNCIL ACTING AS THE CONTRACT REVIEW BOARD MAKING A SPECIFIC EXEMPTION OF THE GARIBALDI PUBLIC CONTRACTING ORDINANCE TO THE COMPETITIVE BID REQUIREMENTS OF THE GARIBALDI MUNICIPAL CODE SECTION 3.10. PUBLIC CONTRACTS, AND AUTHORIZING STAFF TO CONTRACT WITH M.L. HOUCK CONSTRUCTION CO., OF SALEM, OR, FOR CONSTRUCTION SERVICES.

**PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR**, this 19<sup>th</sup> Day of October, 2015.

  
\_\_\_\_\_  
Hon. Suzanne McCarthy, Mayor

ATTEST:

  
\_\_\_\_\_  
John O'Leary, City Manager

Attached: ***Exhibit A – City Engineer Report Dated October 14, 2015, School Creek Storm Sewer Conveyance System Repair near 5<sup>th</sup> Street and Hwy 101.***

2 -- A RESOLUTION OF THE GARIBALDI CITY COUNCIL ACTING AS THE CONTRACT REVIEW BOARD MAKING A SPECIFIC EXEMPTION OF THE GARIBALDI PUBLIC CONTRACTING ORDINANCE TO THE COMPETITIVE BID REQUIREMENTS OF THE GARIBALDI MUNICIPAL CODE SECTION 3.10. PUBLIC CONTRACTS, AND AUTHORIZING STAFF TO CONTRACT WITH M.L. HOUCK CONSTRUCTION CO., OF SALEM, OR, FOR CONSTRUCTION SERVICES.