

**RESOLUTION 2012-26**

**A RESOLUTION OF THE GARIBALDI CITY COUNCIL ACTING AS LOCAL CONTRACT REVIEW BOARD ADOPTING FINDINGS AND AUTHORIZING THE CITY MANAGER AND THE MAYOR TO CONTRACT WITH DAVID ROBERTS CONTRACTING FOR THE CONSTRUCTION OF THE “OREGON COAST HIGHWAY 101 (GARIBALDI AVENUE) SIDEWALK AND BICYCLE LANE IMPROVEMENTS 12TH TO 10TH STREET” PROJECT**

**WHEREAS**, the City of Garibaldi has received a grant from the Oregon Department of Transportation (ODOT) for the purpose of a public works project constructing sidewalks, a bicycle lane, storm water infrastructure and other utility improvements along Hwy 101 (Garibaldi Ave.) between 12th and 10th Streets in Garibaldi, also known as the “Oregon Coast Highway 101 (Garibaldi Avenue) Sidewalk and Bicycle Lane Improvements 12th to 10th Street Project” (Project); and

**WHEREAS**, the City Manager has issued an invitation to bid on Project per the requirements of Garibaldi Municipal Code (GMC) §3.10, providing a process for the competitive bidding of public works construction projects; and

**WHEREAS**, David Roberts Contracting has submitted the lowest qualified bid to construct Project to the City of Garibaldi following all the requirements of the bid process established by the City; and,

**WHEREAS**, the City Council acting as the Garibaldi Contract Review Board has reviewed the information presented by the City Manager on this bidding process and accepts the bid as the lowest responsive and responsible bid from David Roberts Contracting for construction of Project

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

**Section 1.** The Council finds the recitals to this Resolution are relevant facts and incorporated herein as findings for this Resolution.

**Section 2.** The Bid Tabulation Sheet as presented by the City Manager is attached and made part of this resolution hereto as *Exhibit A*.

**Section 3.** The Council hereby awards a contract to David Roberts Contracting (Contractor) for the construction of Project, and directs the City Manager to finalize an agreement based on the Invitation to Bid documents approved by Council Resolution 2012-19.

**Section 4.** The City Manager is hereby directed to notify all bidders of the City’s decision to contract Contractor, and to provide a five (5) business day period to notify the City of protest.

**Section 5.** The City Manager and Mayor are hereby authorized to enter into the agreement prepared by the City Manager as per Section 3. with Contractor, provided the City is not notified of a protest within five business days.

**Section 6.** The City Manager is hereby directed to issue a “Notice to Proceed” to Contractor at the earliest opportunity.

**Section 7.** The City Manager is authorized to expend funds up to \$130,000 in payments to Contractor for work and products included in agreement with Contractor, and for the duration of the City’s agreement with Contractor.

**Section 8.** The City Manager is authorized and directed to act as the Owners Representative and Project Manager for the duration Project and the agreement with Contractor, to make all decisions regarding changes and modifications to the scope of Project that are deemed necessary by the City Manager to ensure timely completion of Project.

**Exhibit A** -- A RESOLUTION ADOPTING FINDINGS AND AUTHORIZING THE CITY TO CONTRACT WITH DAVID ROBERTS CONTRACTING FOR THE CONSTRUCTION OF THE "OREGON COAST HIGHWAY 101 (GARIBALDI AVENUE) SIDEWALK AND BICYCLE LANE IMPROVEMENTS 12TH TO 10TH STREET" PROJECT

**CITY OF GARIBALDI  
OREGON COAST HIGHWAY 101 (GARIBALDI AVENUE) SIDEWALK AND  
BICYCLE LANE IMPROVEMENTS 12<sup>TH</sup> TO 10<sup>TH</sup> STREET**

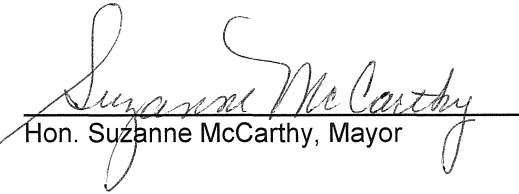
**BID TABULATION SHEET**

Bids Opened - August 14<sup>th</sup> 2012, at 2:00 p.m. (corrected after bid tabulation)

No.	Bidders Name	Total Base Bid
1	David Roberts Contracting	\$129,812.00
2	Clean Sweep	\$136,050.00
3	Frank Construction	\$148,709.50
4	Lyda Excavating, Inc.	\$161,579.00
5	Crestview Construction	\$169,189.00
6	Pacific Timber	\$174,953.75

**Section 9.** This resolution is effective as of the date of its adoption by the City Council.

**PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR**, this 20<sup>th</sup> day of August 2012.

  
Hon. Suzanne McCarthy, Mayor

ATTEST.

  
John O'Leary, City Manager

Attached – **Exhibit A** – Bid Tabulation Sheet