

RESOLUTION No. 2014-3158

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONSTRUCTION CONTRACT WITH K&E EXCAVATING, INC. FOR THE 11TH AND 12TH STREET SEWER PROJECT IN THE AMOUNT OF \$1,292,729.25, AND TO ALSO NEGOTIATE AND APPROVE ANY NEEDED CONSTRUCTION CHANGE ORDERS NOT TO EXCEED 15 PERCENT OF THE PROPOSED CONTRACT AMOUNT.

RECITALS:

1. On February 20, 2014, Oregon Department of Transportation (ODOT) informed the city that they had identified two wastewater pipeline conflicts, based on the most recent design for the proposed overpass at River Street. The two new conflict areas are located at Pacific and 11th Streets, and at 12th and River Streets.
2. In March, 2014, the city executed contract amendment no. 2 by Resolution No. 2014-3120 for \$160,080.00 with Parametrix, Inc. to design plans for the additional work related to the new utility conflicts on 11th and 12th Streets.
3. In May, 2014, ODOT informed the city to implement design option G, rerouting the wastewater to 11th Street from Pacific to River, thence down River Street, passing under the elevated portion of the proposed bypass. The design and construction costs are fully reimbursable by ODOT, except the cost for pipe upsizing from 30 inch to 36 inch diameter, following the city's current sewerage master plan.
4. The City of Newberg advertised the 11th and 12th Street Sewer Project and received five qualified bids for the project on September 3, 2014. The lowest qualified bid at \$1,284,800.00 was submitted by K&E Excavating, Inc.
5. Upon the city's request, K&E Excavating, Inc. submitted the cost for an additional 48 inch diameter sewer manhole at \$7,929.25. The added item increases the proposed contract amount from \$1,284,800.00 to \$1,292,729.25. The Engineer's estimate for the construction is in the range of 1.1 to 1.4 million dollars.
6. ODOT will issue a Notice to Proceed (NTP) for the construction project, concurrent with the Council's bid award. The project is scheduled to commence in October, 2014, and is proposed to be completed in January, 2015.

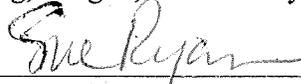
THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as contract review board for the city, does hereby affirm the bid submitted by K&E Excavating, Inc. for the 11th and 12th Street Sewer Project, and authorize the City Manager to enter into contract with K&E Excavating, Inc. for an amount of \$1,292,729.25.

2. The City Council, acting as contract review board for the city, also authorizes the City Manager to negotiate and approve any future construction change orders not to exceed 15 percent of the proposed construction contract of \$1,292,729.25.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: September 16, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 15th day of September, 2014.



Sue Ryan, Interim City Recorder

ATTEST by the Mayor this 22nd day of September, 2014.



Bob Andrews, Mayor