

RESOLUTION No. 2011-2944

A RESOLUTION AUTHORIZING COMPETITIVE BIDS FOR THE IMPROVEMENT OF CRESTVIEW DRIVE THROUGH THE OXBERG LAKE ESTATES SUBDIVISION AND RESCINDING RESOLUTION NO. 2008-2810 WHICH AUTHORIZED THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE IMPROVEMENT USING A SOLE-SOURCE EXEMPTION FROM NORMAL COMPETITIVE BIDDING

RECITALS:

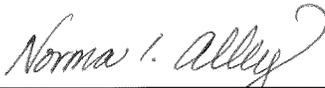
1. Resolution No. 2008-2810 authorized the city manager to enter into a contract with The Saunders Company, Inc. (Saunders) for the improvement of Crestview Drive through the Oxberg Lake Estates Subdivision.
2. The contract promoted quality control and efficiency as Saunders also planned to construct an adjacent private "Crestview Crossing Subdivision" for its developer, J.T. Smith Companies (Smith) in 2008. However, the construction and installation of the infrastructure for Crestview Drive was shelved due to the current economic crisis.
3. Saunders had entered into a design-build agreement with Smith for the improvements, which included both Crestview Crossing Subdivision and Crestview Drive through the Oxberg Lake Estates Subdivision with the City reimbursing the developer for all costs outside the development obligations.
4. The City made full payment to Saunders for all work done by Saunders pursuant to the improvement, which included costs of survey and engineering design. Such payment was made in February of 2009.
5. It was determined that it would be better practice to have the City enter into a separate agreement with Saunders for the construction of the improvement of Crestview Drive through the Oxberg Lake Estates because that improvement would take place in the county and was clearly a public improvement. In order to accomplish this, the previous Resolution No. 2008-2810 was passed. All work was placed on hold due to the economic crisis, as indicated in paragraph 2.
6. The city manager did not enter into a contract with Saunders pursuant to his authority in Resolution No. 2008-2810 when the work was placed on hold.
7. The current economic crisis has created construction savings for public agencies as bids are reported to be much lower than engineer's estimates.
8. It is to the advantage of the City that the Crestview Drive project be advertised for construction bids with bids closing in May 2011. The City will use the design work prepared by Saunders.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as Contract Review Board for the City, does hereby rescind the authority granted to the city manager in Resolution No. 2008-2810 to enter into a contract for the improvement of Crestview Drive through the Oxberg Lake Estates Subdivision.
2. The City Council, acting as Contract Review Board for the City, authorizes the city manager to obtain competitive bids through a public solicitation process and present a recommendation to award the project for a construction in summer 2011.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: May 3, 2011.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of May 2011.



Norma I. Alley, City Recorder

ATTEST by the Mayor this 5th day of May 2011.


Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through _____ Committee at ____ / ____ / ____ meeting. Or, None.
(committee name) (date) (check if applicable)