

RESOLUTION NO. 6151

A RESOLUTION EXEMPTING THE CONSTRUCTION OF WWTP-13-01, WATER RECLAMATION FACILITY (WRF) SOLIDS PROCESSING IMPROVEMENTS PROJECT FROM THE COMPETITIVE BIDDING PROCESS AND APPROVING AN ALTERNATE CONTRACTING METHOD, REFERRED TO AS CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC).

WHEREAS, Albany Municipal Code 2.66.060 and Oregon Revised Statutes 279C.335 allow the City Council, acting as the Local Contract Review Board, to exempt a specific public improvement contract or class of public improvement contracts from competitive bidding and selection requirements; and

WHEREAS, such exemption shall be based on the approval of Findings submitted by the contracting agency seeking the exemption and as defined in OAR 137-049-0600 thru 137-049-0690 and as included herein; and

WHEREAS, this exemption is for a single project requiring a high level of construction knowledge, experience, and management expertise, and granting the exemption will not provide a basis for other similar exemptions or any pattern of exemptions; and

WHEREAS, no negative impact is expected regarding market place competition because significant portions of the work will be openly bid by the CM/GC contractor; and

WHEREAS, it is unlikely that this exemption will encourage favoritism in the awarding of public improvement contracts or substantially diminish competition for public improvement contracts; and

WHEREAS, the City is spending approximately \$50,000 monthly on sludge handling, hauling, and disposal; and

WHEREAS, the CM/GC contracting method offers a direct public benefit and affords the City the ability to select a qualified and experienced contractor; and

WHEREAS, the CM/GC contractor can aid in making design decisions that will improve the project quality, will result in faster project completion, and will reduce project risk; and

WHEREAS, this early involvement is critical to accelerating the schedule for completing the solids process improvements; and

WHEREAS, the CM/GC contracting method is anticipated to save months in the length of the project completion schedule; and

WHEREAS, the CM/GC selection procedure adheres to ORS 279C; and

WHEREAS, the City published a public notice on July 25, 2012, and held a public hearing on August 8, 2012, before adoption of these Findings in accordance with OAR 137-049-0630.

NOW, THEREFORE, BE IT RESOLVED, that each of the recitals set forth above are hereby adopted as Findings of fact; and

BE IT FURTHER RESOLVED that the Albany City Council, acting as the Local Contract Review Board finds that the awarding of a public improvement contract under this exemption using the CM/GC contracting method will provide the City with significant time and costs savings over a conventional design-bid-build process; and

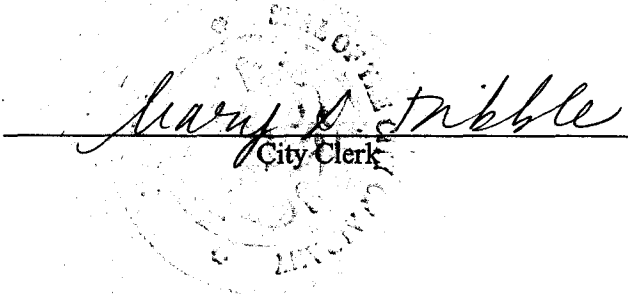
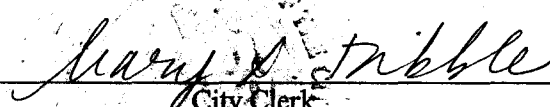
BE IT FURTHER RESOLVED that the Albany City Council acting as the Local Contract Review Board finds that it is unlikely the exemption of this contract from competitive bidding will encourage favoritism in the awarding of public contracts or substantially diminish competition for future public improvement contracts; and

BE IT FURTHER RESOLVED that the Albany City Council, acting as the Local Contract Review Board approves of the use of the alternative contracting method of CM/GC for this project.

DATED AND EFFECTIVE THIS 8TH DAY OF AUGUST 2012.


Mayor

ATTEST:



City Clerk