

ORDINANCE NO. 132

AUTHORIZING CONTRACT FOR CONSTRUCTION OF BOECKMAN CREEK TRUNK SEWER IN LID #3; AUTHORIZING ISSUANCE OF GENERAL OBLIGATION WARRANTS FOR INTERIM FINANCING PENDING COLLECTION OF SPECIAL ASSESSMENTS OR SALE OF BANCROFT BONDS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Wilsonville has heretofore advertised for and received bids for the construction of public improvements which are generally known and commonly referred to as "BOECKMAN CREEK TRUNK SEWER" in the Boeckman Creek Sewer Improvement District (LID #3); and

WHEREAS, the plans and specifications for said project were prepared by the City's Engineers, Westech Engineering, Inc., of Salem, Oregon, and calls for bids were duly and regularly published in the Tigard Times, Tigard, Oregon, the Statesman Journal, Salem, Oregon, and the Daily Journal of Commerce, Portland, Oregon, in three (3) successive issues of each of those papers, on July 13, 16 and 18, 1979; and

WHEREAS, bids were publicly opened and read aloud at the Wilsonville City Hall at 3:00 o'clock P.M. on August 2, 1979, and the results of the bidding was reported to the Wilsonville City Council at its regular meeting on August 6, 1979. There were a total of seventeen (17) bids received as follows:

<u>BIDDERS</u>	<u>AMOUNT OF BIDS</u>
K & R Plumbing Clackamas, Oregon	<u>\$201,128.00</u>
Artco Construction Portland, Oregon	262,319.36
Salem Sand and Gravel Salem, Oregon	265,333.00
R. T. Robertson Vancouver, Washington	289,825.05
Marshall Assoc. Contractors Tualatin, Oregon	291,295.60
Dale's Sand and Gravel Sherwood, Oregon	298,165.00

<u>BIDDERS</u> (Continued)	<u>AMOUNT OF BIDS</u>
Bonstan Construction	\$302,868.56
System Construction Portland, Oregon	306,527.00
Stadeli Pump and Construction Silverton, Oregon	307,633.50
Kurt Kimsey Construction Milwaukie, Oregon	323,891.30
R.N. Thomas and Sons Roseburg, Oregon	331,920.00
Steve Smith Contracting Vancouver, Washington	374,331.90
Don McLaughlin Construction	440,137.50
Schrader Construction Portland, Oregon	462,368.00
Bunyard and Pettit Portland, Oregon	466,072.20
Cascade Ditching Salem, Oregon	564,885.27
Bryan Morrison Forest Grove, Oregon	436,684.00

WHEREAS, the Wilsonville City Council as the City's contract review board considered the bids, the plans and specifications for said project, the reports and recommendations of its engineers and City staff, and determined that the low bid of K and R Plumbing and Construction was unreasonably qualified and therefore unacceptable and the next lowest and best bid was that of Artco Construction for the bid amount of \$262,319.36, which was less than the estimate of the engineers of \$317,650. By motion duly made, seconded and unanimously adopted, the Wilsonville City Council/Contract Review Board approved the acceptance of the next lowest bid, the award of the contract to such bidder, and authorized this ordinance as required by the City Charter; now therefore,

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: The bid of Artco Construction of Portland, Oregon,

in the total amount of \$262,319.36 is hereby approved as the amount of the contract for the construction of the Boeckman Creek Trunk Sewer according to the plans and specifications for said project as prepared by Westech Engineering, Inc.

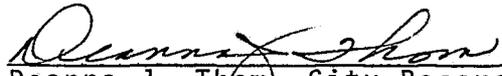
Section 2: The Mayor and City Recorder are authorized and directed to make, execute and deliver in the name of the City of Wilsonville and on its behalf, a contract with Artco Construction for its construction of the improvement project according to the plans and specifications therefor, and any changes or modifications of those plans and specifications as may be approved by the City Council, and which said plans and specifications are now on file in the office of the City Recorder.

Section 3: The City of Wilsonville is authorized to issue, and the Mayor and City Recorder are authorized to execute and deliver in the name of the City, GENERAL OBLIGATION IMPROVEMENT WARRANTS for interim financing and evidencing an indebtedness for construction of the public improvements in the Boeckman Creek Sewer Improvement District (LID #3). Such warrants shall be in the aggregate amount of Three Hundred Thousand Dollars (\$300,000) payable on or before two (2) years after the date thereof to the order of the FIRST NATIONAL BANK OF OREGON, Wilsonville Branch, Wilsonville, Oregon, together with interest thereon from the date of issue to the time when called for payment, at a rate not exceeding seven (7) percent per annum. The GENERAL OBLIGATION IMPROVEMENT WARRANTS hereby authorized are pursuant to the provisions of ORS 287.502 to 287.510, inclusive, and shall constitute a general obligation of the City of Wilsonville.

Section 4: The warrants issued as herein authorized shall be called for payment by the City Recorder in the order of their issuance as funds become available from the proceeds from collection of unbonded assessments, the sale of improvement bonds, and/or the foreclosure of improvement liens for unbonded assessments.

Section 5: In order that the construction work for the improvement project may be commenced as soon as possible and before the onset of winter weather, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its enactment after final reading.

Submitted to the Council and read the first time at a regular meeting thereof on Monday, August 20, 1979, and scheduled for second reading at a *regular* meeting of the council on the 4th day of September, 1979, commencing at the hour of 7:30 o'clock P.M. at the Wilsonville City Hall.


Deanna J. Thom, City Recorder

ENACTED by the Council on the 4th day of September, 1979, by the following vote: YEAS 4 NAYS 0


Deanna J. Thom, City Recorder

Dated and signed by the Mayor this 5th day of Sept, 1979.


William G. Lowrie, Mayor