

RESOLUTION NO. 1443

A RESOLUTION EXEMPTING FROM COMPETITION A CONTRACT FOR THE CONSTRUCTION AND INSTALLATION OF THE CITY OF PRINEVILLE'S BARNES BUTTE PEDESTRIAN BRIDGE

RECITALS:

A. City of Prineville Resolution No. 1266 authorizes the City Council acting as the Contract Review Board for the City to exempt from competition the award of a specific contract or class of contracts based upon a record before the Council making specific findings regarding exempting the Contract from competitive bidding.

B. A public notice was published in the April 29, 2020 edition of the Daily Journal of Commerce and in the May 5, 2020 edition of the Central Oregonian setting the May 12, 2020 Prineville City Council meeting as the time and place to comment on the City's draft findings for exempting a contract from competition for a contract for the Barnes Butte Pedestrian Bridge and for directly contracting with Marcum and Son's, LLC, ("Marcum") for such construction and installation.

C. A public hearing was held May 12, 2020, at the Prineville City Council meeting to allow an opportunity for any interested person to appear and present comment. No interested person was present nor were any comments made.

D. Pursuant to City Resolution No. 1266, the City Council makes the following findings as their basis for exemption from City's competitive bidding requirements the award of a contract for construction and installation of the City of Prineville's Barnes Butte Pedestrian Bridge

1. The nature of the contract for which the exemption is requested:

- Contract for the construction of a pedestrian bridge. This is considered a public improvement project.

2. The estimated contract price is \$150,000.00.

3. Findings to support the substantial costs savings, enhancement in quality or performance, or other public benefit anticipated by the exemption from competitive solicitation:

- The quality of Marcum's previous work product has been excellent. They have completed their work in a timely manner and at a reasonable cost to the City. Marcum recently completed the reconstruction of the Elm Bridge and a pedestrian bridge over Ochoco Creek. The project was completed on time, under budget with excellent workmanship.
- Marcum is in good standing with regulatory agencies which should make it easier to complete the project without delays.

- Marcum has agreed to the project in consideration of the purchase of real property and therefore no City funds would be expended for the project.

4. Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or would otherwise substantially promote the public interest in a manner that could not practically be realized by complying with the solicitation requirements that would otherwise be applicable:

- In addition to findings in Section 3 above, Marcum has agreed to the project on the contingency of being sold City property valued at the amount of the Contract. As such, the City is able to utilize surplus property to accomplish a public need, which is required to complete the project based on budget considerations.

5. A description of the proposed alternative contracting methods to be employed:

- Directly contracting with Marcum for the construction of a pedestrian bridge for the Barnes Butte Recreational Area.

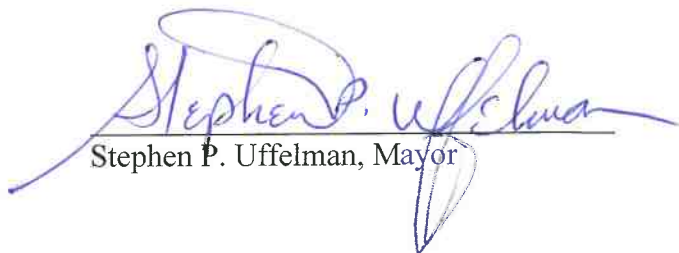
6. The estimated date by which it would be necessary to let the contract is September 1, 2021.

NOW, THEREFORE, based on the above Recitals and findings of fact, the Prineville City Council, sitting as the Contract Review Board for the City of Prineville, hereby resolves as follows:

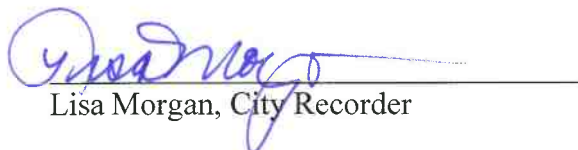
1. The contract for the construction and installation of the City of Prineville's Barnes Butte Pedestrian Bridge is hereby exempt from competitive bidding.

2. Appropriate City officials are authorized to sign the contract with Marcum and Sons, LLC, for the construction and installation of the City of Prineville's Barnes Butte Pedestrian Bridge.

Passed by the City Council this 26th day of May, 2020.


Stephen P. Uffelman, Mayor

ATTEST:


Lisa Morgan, City Recorder