

RESOLUTION NO. 965

A RESOLUTION DECLARING AN EMERGENCY TO EXEMPT A CONTRACT WITH ROY L. HOUCK CONSTRUCTION FROM COMPETITIVE BIDDING REQUIREMENTS

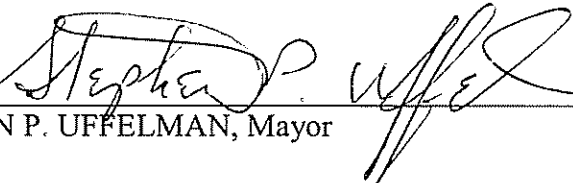
The Prineville City Council Acting as the Public Contract Review Board for the City of Prineville Finds as Follows:

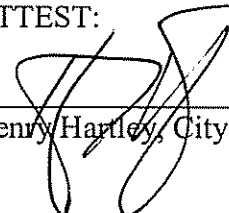
1. The city is being awarded OTIA III funds to replace the North Main Street Bridge. Work is anticipated to begin in late July which will require shut down of the wooden water main in that area. Said water main is fragile, unable to withstand overloading, and may be harmed if it is not replaced before the North Main Street Bridge is replaced.
2. The city has caused the replacement of the wooden water main on North Main to be designed and is in the bidding process. Said bids to be opened, a contract awarded and the line replaced by June 4, 2004.
3. North Main in the above area is scheduled for overlay after completion of the water main. Early profiling (grinding) of the existing roadbed prior to construction of the new water main will eliminate expensive traffic control required to negate the 4-lane striping section. Profiling would remove stripes and allow low cost traffic control during construction of the water main. In addition, trench patching of the water main would be reduced, resulting in additional savings to the City. The savings for these items is estimated at \$22,000. Profiling must occur prior to April 30, not leaving enough time to prepare plans and bid the work. Repaving must occur immediately following completion of the water main installation.
4. Profiling of the existing pavement requires specialty equipment not usually available without additional mobilization costs within Central Oregon. The Oregon Department of Transportation has awarded a contract to Roy L. Houck Construction for profiling and repaving of South Main immediately adjacent to the city's need. Houck Construction is immediately available and has made a proposal of similar pricing as the bid project to provide the city with profiling and repaving.
5. The city is not aware of any comparable profiling machines within Central Oregon or that are available in the time frame required.
6. Prineville City Council authorized the City of Prineville to seek a change order to Oregon Department of Transportation's contract with Roy L. Houck Construction to allow the construction company to profile and repave that part of North Main Street where the wooden water main is located. The Oregon Department of Transportation had advised the city's representative that such a change order could be done immediately and had agreed to initiate such a change order. The Oregon Department of Transportation representative has now advised the City that it will take several months because a reimbursement agreement between the City of Prineville and the Oregon Department of Transportation needs to be prepared and signed.
7. Because of the timing of the project, the risk that the wooden water main may fail and the substantial cost savings to the City of Prineville if the profiling of the existing pavement is done immediately, an emergency exists necessitating exemption of the contract with Roy L. Houck Construction for the profiling and repaving of South Main Street, from competitive bidding requirements.

BASED UPON THE above findings as to an emergency, it is hereby resolved as follows:

- A. The contract between the City of Prineville and Roy L. Houck Construction in the estimated amount of \$101,000 is exempt from competitive bidding.
- B. The above emergency conditions necessitate the prompt execution of the above described contract.
- C. The above contract must be executed within 60 days from the date of this resolution.

Passed by the City Council this 13th day of April, 2004
Signed by the Mayor this 13th day of April, 2004


STEPHEN P. UFFELMAN, Mayor

ATTEST:

Henry Hartley, City Manager/Recorder