

AGENDA
CITY COUNCIL ELECTRONIC/TELEPHONIC MEETING
CITY OF ONTARIO, OREGON
January 7, 2010
Office of the City Recorder

1) Call to order

A) Roll Call: Norm Crume _____ Charlotte Fugate _____ John Gaskill _____
Susann Mills _____ David Sullivan _____ Ron Verini _____
Mayor Joe Dominick _____

2) This agenda was noticed to the media on Tuesday, January 5, 2010. Copies are available on the City's website at www.ontariooregon.org

3) Consent Agenda:

A) Approval of the Bills
B) Award: Malheur River Bank Stabilization Adjacent to Wastewater Treatment Plant Project Phase 2

4) Adjourn

MISSION STATEMENT: TO PROVIDE A SAFE, HEALTHFUL AND SOUND ECONOMIC ENVIRONMENT, PROGRESSIVELY ENHANCING OUR QUALITY OF LIFE

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CONSENT AGENDA

January 7, 2010

TO: Mayor and City Council

FROM: Bret Turner, Operations Assistant

THROUGH: Henry Lawrence, City Manager
Chuck Mickelson, Public Works Director

SUBJECT: **Malheur River Bank Stabilization Adjacent to Wastewater Treatment Plant Project Phase 2 Award**

DATE: January 5, 2009

SUMMARY:

Bids were opened on October 1, 2009 at 2:00 PM for the Malheur River Bank Stabilization Project. The bidding documents included two phases of work, Phase 1 (Base Bid) and Phase 2 (Additive Alternate). The project was awarded to Steve Lindley Contracting from Union, OR, based on the low base bid. Steve Lindley Contracting has shown good progress on Phase 1. The Public Works staff would now like to add Phase 2 of this construction project to the contract via contract change order. OWEB (Oregon Water Enhancement Board) also agrees with our recommendations, please see the attached recommendation letter and spreadsheet showing the funding available for this project.

This change order will add \$91,982.00 to the latest approved contract amount.

Steve Lindley Contracting	Base Bid	\$78,890.00
	CO#1 – Change Rock Vane Type	\$7,400.00
	CO#2 – Additional Rock Hauling	\$17,050.00
	***CO#3 – Add Phase 2 + Vane Type	\$91,982.00
	Total Proposed Contract Amount	\$195,322.00

PREVIOUS COUNCIL ACTION:

March 3, 2008 City Council adopted Resolution No. 2008-109 for acceptance of OWEB Grant funds and transfer of Public Works Fund Sewer Contingency for City's In-Kind Match of \$68,300.00.

June 15, 2009 City Council adopts the 2009-11 budget, which includes funding for this project (SEW-6).

October 29, 2009 City Council approved contract agreement with Steve Lindley Contracting for Phase 1 of Malheur River Bank Stabilization Project.

BACKGROUND:

During the approval process for Phase 1 construction contract, it was discussed at the City Council meeting that if OWEB grant funding came available for the Phase 2 work that City staff would bring another Consent Agenda to the Council for approval of Phase 2 construction to the contract. OWEB has now made the commitment of funds for Phase 2 and the grant writer has given us a confirmation letter that these additional grant funds are approved for Phase 2 (see attached letter).

FINANCIAL IMPLICATIONS:

Project-Phase 1 & 2	Project Costs	Available Funds Budgeted	Variance
Malheur River Bank Stabilization Project 110-165-719215 Project SEW-6	\$299,115.00	\$325,975.00	\$26,860.00

The overall budget for this project is \$325,975.00, which includes local matching funds and OWEB grant money for Phase 1 and 2. The costs for engineering and archaeological services are around \$49,000.00 of these available funds. The rock hauling costs previous to awarding the construction contract are \$54,793.00. With the engineering and archaeological fees subtracted out of the total budget, the available funds for the construction budget are \$222,182.00.

RECOMMENDATION:

City Staff recommends the City Manager be authorized to be signatory to the Contract Change Order agreement to award Phase 2 work to the contract for the Malheur River Bank Stabilization project to Steve Lindley Contracting, (CCB # 170038).

Proposed Motion:

I MOVE THAT THE CITY COUNCIL AUTHORIZE THE CITY MANAGER TO SIGN A CONTRACT CHANGE ORDER WITH STEVE LINDLEY CONTRACTING OF UNION, OREGON FOR PHASE 2 CONSTRUCTION OF THE MALHEUR RIVER BANK STABILIZATION PROJECT.

Budgeted Amount:

Sewer Fund 025-065	In-Kind	\$68,300.00	Approved Res 2008-109
OWEB Grant Budgeted		<u>\$257,675.00</u>	
	Total Budget	<u><u>\$325,975.00</u></u>	

Actual plus Anticipated Costs

Steve Lindley Contracting

Phase 1 Construction		\$78,890.00
Vain Type Change	CO#1	\$7,400.00
Additional Rock Haul	CO#2 NTE	<u>\$17,050.00</u>
		\$103,340.00
Phase 2 Construction		\$82,982.00
Vain Type Change	CO#3	<u>\$9,000.00</u>
		\$195,322.00

Anderson-Perry & Assoc.

Design	\$28,000.00	
Archaeologist *	\$5,000.00	* Could possibly be more \$
Contract Admin	\$11,000.00	for Phase 2.
Add Contract Admi	<u>\$5,000.00</u>	
	\$49,000.00	

Rock Hauling

Donoho San & Gravel	\$42,718.00
Anderson Excavating	<u>\$12,075.00</u>
	\$54,793.00

Total Actual and Anticipated Costs \$299,115.00

Difference between Budget and Costs \$26,860.00

MALHEUR WATERSHED COUNCIL

Chairman: Jerry Erstrom

Coordinator: Kelly Weideman

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*Leading the effort to conserve, protect, and enhance all watershed resources for optimum economic and environmental benefits within the Malheur watershed.*

December 29, 2009

Bret Turner  
City of Ontario  
444 S.W. 4<sup>th</sup> Street  
Ontario, Oregon 97914

Re: OWEB Grant #210-5026  
Malheur River Bank Stabilization and Riparian Restoration - Phase 2

This letter serves as approval for the City of Ontario to add the restoration sites in the Phase 2 project to the existing contract with Steve Lindley Contracting.

Steve Lindley Contracting has made satisfactory progress with the restoration sites in the Phase 1 project and it is the opinion of the Council that they should continue with the next phase.

Thank you,



Kelly Weideman  
Coordinator