

MEMORANDUM

To: Cindy Gagné, Mayor

From: Todd McDaniel, City Administrator

Date: May 2, 2022

Subject: **Resolution No. 31-2022** Approving an Award of contract for 2022 Sewer and Water System Improvement Project G&O #21832

The Attached Resolution: **31-2022, A RESOLUTION OF THE OMAK CITY COUNCIL, APPROVING AWARD OF THE CONTRACT FOR 2022 SEWER AND WATER SYSTEM IMPROVEMENTS PROJECT G&O #21832**

is forwarded for your consideration.

This project will upgrade our water and sewer lines in the area of Hemlock St and a water line on Dewberry St.

The city received two bids. JR Construction was the lowest responsive responsible bidder. Based on the evaluation and recommendation from G&O and City staff we recommend approval of the contract with Burly Products Inc. dba JR Construction. The project is fully funded in the 2022 budget.

Today, May 2nd we received a formal bid Protest from Selland Construction. Gray & Osborne, the City and Attorney and Staff have reviewed the protest and have determined no basis to disqualify JR Construction as the lowest responsive, responsible bidder. The Memo and Resolution contained within the May 2, 2022, agenda packet has been changed to clarify the Mayor authority to execute the contract with JR Construction upon the resolution of the bid protest, in accordance with RCW 39.04, Public Works.

We are requesting approval of this resolution.

RESOLUTION NO. 31-2022

A RESOLUTION OF THE OMAK CITY COUNCIL APPROVING AWARD OF THE CONTRACT FOR 2022 SEWER AND WATER SYSTEM IMPROVEMENTS PROJECT G&O #21832

WHEREAS, the 2022 Sewer and Water System Improvements Project was advertised for bids in the Daily Journal of Commerce and the Omak Chronicle, April 6, 2022 and again in the Omak Chronicle on April 13, 2022; and

WHEREAS, bids were received until 2:00 pm on Wednesday, April 27, 2022 and then opened and publicly read aloud; and

WHEREAS, a total of two bids were received; and

WHEREAS, the Cities Consulting Engineers, Gray & Osborne, have reviewed the submittals for the correctness of extensions of prices per unit and total cost, and it is their recommendation to award the contract to, Burly Products, Inc. dba JR Construction, as the low, responsive, responsible bidder for the contract work to be done, and

WHEREAS, a formal bid protest was received on May 2, 2021.

NOW, THEREFORE BE IT RESOLVED by the Omak City Council, that the Contract for 2022 Sewer and Water System Improvements Project G&O #21832, a copy of which is available for inspection in the Clerk's Office, be awarded to Burly Products, Inc. dba JR Construction, in the amount of \$2,352,691.92. The Mayor is authorized and directed to execute all necessary contract documents in compliance with Revised Code of Washington, Chapter 39.04.

PASSED AND APPROVED BY THE OMAK CITY COUNCIL this _____ day of _____, 2022.

SIGNED:

Cindy Gagné, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael Howe, City Attorney