

ORDINANCE NO. 718

AN ORDINANCE AUTHORIZING CONTRACT FOR PURCHASE OF PRIMARY CLARIFIER-THICKENER MECHANISM FROM EIMCO DIVISION OF ENVIROTECH FOR SEWAGE TREATMENT PLANT.

WHEREAS, the City of Canby is in the process of making much needed and extensive improvements to its sewage treatment plant which is of an emergency nature, in order to meet discharge requirements imposed by the Oregon Department of Environmental Quality (DEQ); and

WHEREAS, the City Council previously authorized its engineering firm of Lee Engineering, Inc. to prepare specifications for required improvements and advertise for bids. Three bids were received and reported to and discussed by the Canby City Council as the City's Contract Review Board at a regular meeting on March 17, 1982. The City's engineers were present and explained irregularities in all of the bids which were received, and they further explained that none of the bidders were responsive because of deficiencies in prebid submittal packages or exceptions to the specifications which were attached to the bid documents. Accordingly, and on the advice of its engineers, the Canby City Council rejected all bids and authorized its engineers to make technical changes necessary for the specifications in order to meet the City's equipment needs and then negotiate with any bidders who could meet the qualifications and specifications and do so without a public bid call. This procedure is authorized in certain cases by the Canby City Charter Chapter XII, Section 5, and Section 279.075(2)(3) of Oregon Revised Statutes; and

WHEREAS, the City Council continued to discuss the matter and ultimately made the final determination that an emergency exists in the project underway for improvement and expansion of the City's sewage treatment plant and facilities and the emergency exists because:

- 1) Further delay will increase the City's costs of this project;

2) The City of Canby will be materially injured by further delay necessitated by public bid call;

3) It is unlikely that the exemption of public bidding will encourage favoritism, but in fact will not;

4) It will not substantially diminish competition for contracts for material and services of this nature and for this project; and

5) There will be substantial savings to the City by proceeding as planned, i.e., solicit quotes from qualified contractors and without a public bid call; and

WHEREAS, specifications for this phase of the improvement project were made and the City's engineers sent a letter dated March 19, 1982, to the three original bidders informing them of the Council's decision, the revised specifications, and invited them to negotiate with the City to supply a primary clarifier-thickener mechanism based upon the revised specifications. EIMCO Division of Envirotech was the only original bidder that responded to this request and has demonstrated to the satisfaction of the City's engineers that it meets the qualifications of the specifications and it submitted a negotiated bid price of \$51,975; and

WHEREAS, Canby City Council, as the City's Contract Review Board, considered this matter and the report and recommendations of its engineers at a regular meeting on April 7, 1982, and agreed to accept the quote of EIMCO Division of Envirotech and authorized this ordinance; now, therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

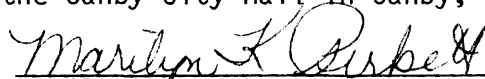
Section 1: The Mayor and City Recorder Pro-Tem are hereby authorized and directed to make, execute and deliver in the name of the City of Canby and on its behalf an appropriate contract for purchase by the City from EIMCO Process Machinery Division of Envirotech Corporation of Salt Lake City, Utah of one (1) Model C2T Primary Clarifier-Thickener Mechanism for the City's sewage treatment plant, and

for the quoted price of \$51,975.

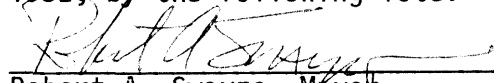
Section 2: The purchase contract authorized by Section 1 above is to be paid from the City's 1981-82 budget, line item number 18060000 in the sewer reserve fund and upon delivery of the equipment, receipt of billings, and approval of the City's engineers and City Council.

Section 3: An emergency is hereby declared to exist in order that the required improvements and work on the City's sewage treatment facilities can be started and completed as soon as possible and in order to avoid possible violation of DEQ discharge requirements and this ordinance shall therefore take effect immediately upon its enactment after final reading.

Submitted to the council and read the first time at a regular meeting thereof on Wednesday, April 21, 1982, and scheduled for second reading and action of the Canby City Council at a special meeting thereof on Wednesday, May 12, 1982, commencing at the hour of 7:30 o'clock P.M., Pacific Daylight Savings Time, at the Council Meeting Chambers at the Canby City Hall in Canby, Oregon.


Marilyn K. Perkett, City Recorder Pro-Tem

Passed on final reading of the Canby City Council at a special meeting thereof held on the 12th day of May, 1982, by the following vote: YEAS 6 NAYS 0


Robert A. Swayze, Mayor

ATTEST:


Marilyn K. Perkett, City Recorder Pro-Tem