

## **ORDINANCE NO. 1198**

### **AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CANBY EXCAVATING, INC., OF CANBY, OREGON FOR THE PAVING OF A PORTION OF NE 22<sup>ND</sup> AVENUE IN CANBY; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby wishes to pave a portion of NE 22<sup>nd</sup> Avenue from N Maple Street west approximately 300 feet to connect with a paving project being installed by further west on NE 22<sup>nd</sup> Avenue to N Locust Street, and

**WHEREAS**, Canby Excavating, Inc. has offered to pave the 300 foot portion of NE 22<sup>nd</sup> Avenue west from N Maple for the cost of materials only at an agreed upon price of \$20,099.88 since it is already on site for the remaining paving project, and

**WHEREAS**, in accordance with Canby Municipal Ordinance No. 1170 and Resolution 897 of the Public Purchasing Rules, an exemption from bidding requirements exists under paragraph 17 of Exhibit "B" of Resolution 897 for "Ancillary Public Improvements" when the contract amount is less than \$50,000.00, and

**WHEREAS**, the City of Canby Street Department has reviewed the quote and recommends the City accept the offer from Canby Excavating, Inc., and

**WHEREAS**, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed the quote and believes it to in the best interest of the City to accept the offer from Canby Excavating, Inc., now therefore

### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

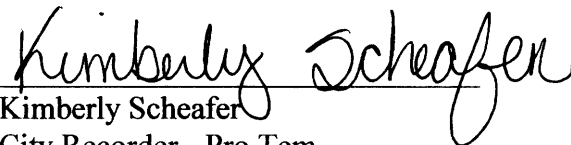
**Section 1.** The Mayor and City Administrator are hereby authorized and directed to make, execute and declare in the name of the City of Canby and on its behalf, an appropriate contract with Canby Excavating, Inc., of Canby, Oregon, to reimburse it for the materials necessary for street improvements on NE 22<sup>nd</sup> Avenue from N. Maple west approximately 300 feet to its connection with additional paving

of NE 22<sup>nd</sup> Avenue west to N. Locust Street for the quoted amount of \$20,099.88.

Section 2. Emergency Declared.

It being necessary for the health, safety and general welfare of the citizens of Canby, that these public improvements be completed as soon as possible to allow use of the Park, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its enactment after final reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, January 4, 2006 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, January 18, 2006 commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

  
\_\_\_\_\_  
Kimberly Scheafer  
City Recorder - Pro Tem

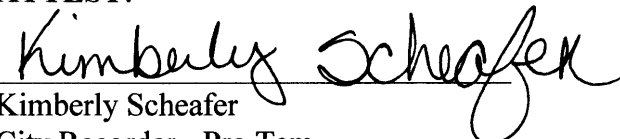
**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 18<sup>th</sup> day of January, 2006, by the following vote:

YEAS 6

NAYS 0

  
\_\_\_\_\_  
Melody Thompson, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kimberly Scheafer  
City Recorder - Pro Tem