

**ORDINANCE NO. 1533**

**AN ORDINANCE AUTHORIZING THE MAYOR AND INTERIM CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH D & I EXCAVATING, INC. IN THE AMOUNT OF \$856,364.00 FOR CONSTRUCTION OF THE SOUTH IVY STREET SANITARY SEWER REPLACEMENT.**

**WHEREAS**, the City of Canby has heretofore advertised and received thirteen (13) bids for the South Ivy Street Sanitary Sewer Replacement; and

**WHEREAS**, the notice of call for bids was duly and regularly published in the Oregon Daily Journal of Commerce on July 13, 2020; and

**WHEREAS**, bids were received electronically and opened on July 30, 2020 at 2:00 PM:

**WHEREAS**, the bidders are as listed below and a detailed tabulation of all items is attached herein and summarized as follows:

The summary of cost from each of the thirteen (13) bidders is shown on the attached tabulation and listed below:

1.	D & I Excavating, Inc.	\$856,364.00
2.	The Saunders Company	\$898,682.00
3.	Rotschy, Inc.	\$911,522.00
4.	Lee Contractors, LLC	\$960,000.00
5.	CivilWorks NW, Inc.	\$981,960.00
6.	Emery & Sons Corporation, LLC	\$1,032,332.00
7.	Canby Excavating, Inc.	\$1,041,911.00
8.	Landis & Landis Construction	\$1,056,460.00
9.	Kerr Contractors Oregon, Inc.	\$1,156,724.00
10.	Pacific Excavation, Inc.	\$1,282,000.00
11.	North Santiam Paving Company	\$1,338,843.00
12.	C & M Excavation & Utilities	\$1,436,365.00
13.	Moore Excavation, Inc.	\$1,567,310.00

**WHEREAS**, the Canby City Council, acting as the City’s Contract Review Board, met on Wednesday, August 19, 2020, and considered the bids and reports and recommendations of the City staff, including the staff recommendation that the low responsive bid be selected; and

**WHEREAS**, the Canby City Council determined that the low responsive bid was that of D & I Excavating, Inc.;

**WHEREAS**, this project arose due to an aged and deteriorated sewer main line; and

**WHEREAS**, the City has budgeted from the Sanitary Sewer Capital Reserves with System Development Charge Revenues in order to have sufficient budget authority in this category to fund the entire project including the contract recommended for approval herein in accordance with local budget law; the now therefore

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

Section 1. The Mayor and/or Interim 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 D & I Excavating, Inc. for the S Ivy Street Sanitary Sewer Replacement in the amount of \$856,364.00. A copy of the construction contract with D & I Excavating, Inc. is attached and incorporated herein as Exhibit “A”.

Section 2. Inasmuch as it is in the best interest of the citizens of Canby, Oregon, to complete this project as soon as possible, an emergency is hereby declared to exist and this ordinance shall therefore 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, August 19, 2020 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, September 2, 2020, commencing at the hour of 7:00 PM in the Council Meeting Chambers located at 222 NE 2<sup>nd</sup> Avenue, Canby, Oregon.

  
\_\_\_\_\_  
Melissa Bisset, CMC  
City Recorder

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd day of September 2020, by the following vote:

YEAS 5

NAYS 0

  
\_\_\_\_\_  
Brian Hodson, Mayor

ATTEST:

  
\_\_\_\_\_  
Melissa Bisset, CMC  
City Recorder

**AFFIDAVIT OF POSTING**

STATE OF OREGON        )  
                                          )  
County of Clackamas    )        ss:  
                                          )  
CITY OF CANBY            )

I, Melissa Bisset, being first duly sworn, depose and say that I am the City Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon.

That on the 19<sup>th</sup> day of August, 2020 the Council for said City of Canby held a Regular City Council Meeting, at which meeting Ordinance No. 1533 was read for the first time and passed by the vote of said Council and was then and there ordered posted in at least three (3) public and conspicuous places in said City for a period of five (5) days prior to the second reading and final vote on said Ordinance, as provided in Section 2 of Chapter 8 of the Charter of the City of Canby, and

Thereafter, on the 19<sup>th</sup> day of August, 2020, I personally posted said Ordinance in the following three (3) conspicuous places, all within the said City of Canby, to wit:

- 1. Canby Civic Building – Front Doors
- 2. Canby Post Office
- 3. City of Canby Web Page

That since said posting on the date aforesaid, the said Ordinance will remain posted in the said three (3) public and conspicuous places continuously for the period of five (5) days and until the very 2<sup>nd</sup> day of September, 2020.

Melissa Bisset  
Melissa Bisset, City Recorder

Subscribed and sworn to before me this 21<sup>st</sup> day of August, 2020.

Erin Elizabeth Burckhard  
Notary Public for Oregon  
My Commission Expires: 9/4/2022

