



MINUTES
July 1, 2011, 6:40 PM
SPECIAL MEETING
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444

Call to order: Time: 6:40PM

1. The pledge of allegiance

2. Roll Call:

	Present	Absent
Mayor James Wernicke	X	
Council Position #1 Jeff Crook	X	
Council Position #2 Larry Brennan	X	
Council Position #3 Brice Gregory	X	
Council Position #4 Doug Brand	X	
Council Position #5 Tamie Kaufman		X
City Administrator Ellen Barnes	X	
Student Liaison		

3. Special Orders of Business:

There were no special orders of business

4. Consent Calendar

There were no consent calendar items

5. Citizens Comments

There were no citizen comments from the audience.

6. Public Hearing

There were no public hearings

7. Citizen/Agency Requested Agenda Items

There were no citizen/agency requested agenda items

8. Public Contracts and Purchasing

There were none scheduled

9. Ordinances & Resolutions

a. Resolution R1112-01 accepting apparent low bidder for wastewater treatment plant project

MOTION

Councilor Jeff Crook made a motion to approve R1112-01, a resolution accepting nine bids for the waste water treatment plant improvement project and tentatively awarding contract to apparent low bidder. Councilor Larry Brennan seconded.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nayes	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	Absent		
MOTION CARRIES UNANIMOUSLY			

10. Miscellaneous Items (including policy discussions and determinations)

There were none Scheduled

11. City Administrator's Report

No report this meeting

12. Mayor and Council Member Comments

- a. Mayor James Wernicke
- b. Councilors
 - 1) Jeff Crook
 - 2) Larry Brennan
 - 3) Brice Gregory
 - 4) Doug Brand
 - 5) Tamie Kaufman
- c. Student Liaison

No comments this meeting

13. Citizens Comments

There were no written requests as presented to the Mayor at the beginning of the meeting

14. Executive Session

No executive session was scheduled

The next regularly scheduled meeting of the Gold Beach City Council is Monday, July 11, 2011, at 6:30PM in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon

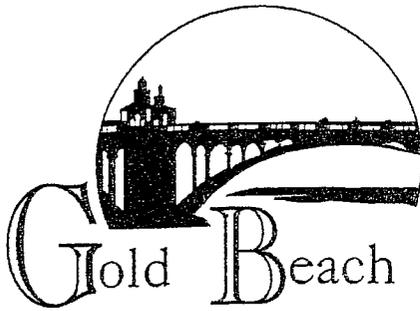
MOTION

Councilor Larry Brennan made a motion to adjourn. Councilor Jeff Crook seconded.

Mayor Wernicke called for discussion or debate, hearing none, he called the vote.

Record of Vote	Ayes	Nays	Abstain
Council Position #1 Jeff Crook	X		
Council Position #2 Larry Brennan	X		
Council Position #3 Brice Gregory	X		
Council Position #4 Doug Brand	X		
Council Position #5 Tamie Kaufman	Absent		
MOTION CARRIES UNANIMOUSLY			

15. Adjourn Time: 6:47PM



AGENDA
July 1, 2011, 6:40 PM
SPECIAL MEETING
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444

Call to order: Time: _____

1. **The pledge of allegiance**

2. **Roll Call:**

	Present	Absent
Mayor James Wernicke		
Council Position #1 Jeff Crook		
Council Position #2 Larry Brennan		
Council Position #3 Brice Gregory		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
City Administrator Ellen Barnes		
Student Liaison Alayna Brand		

*****NOTE:** If you would like to address this governing body, please present a completed "Business from the Audience" request to the Mayor at this time. Your request will be added under the CITIZEN COMMENTS section of our agenda. Comments and participation from the audience will be limited to 5 minutes without redundancy.*

3. **Special Orders of Business:**

No special orders of business

4. **Consent Calendar**

No consent calendar

5. **Citizens Comments**

Citizen comments from the audience as presented to the Mayor

6. **Public Hearing**

No public hearings

7. **Citizen/Agency Requested Agenda Items**

No citizen/agency requested agenda items

8. **Public Contracts and Purchasing**

None scheduled

9. **Ordinances & Resolutions**

- a. **Resolution R1112-01 accepting apparent low bidder for wastewater treatment plant project**

10. **Miscellaneous Items (including policy discussions and determinations)**
None Scheduled
11. **City Administrator's Report**
12. **Mayor and Council Member Comments**
 - a. Mayor James Wernicke
 - b. Councilors
 - 1) Jeff Crook
 - 2) Larry Brennan
 - 3) Brice Gregory
 - 4) Doug Brand
 - 5) Tamie Kaufman
 - c. Student Liaison, Alayna Brand
13. **Citizens Comments**
Written requests as presented to the Mayor at the beginning of the meeting
14. **Executive Session**

The next regularly scheduled meeting of the Gold Beach City Council is Monday, July 11, 2011, at 6:30PM in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon

15. **Adjourn** **Time:** _____

The location of the hearing/meeting is accessible to the disabled. Advance notice is requested if special accommodations are needed. Call 541-247-7029 so that appropriate assistance can be provided. The City of Gold Beach is an affirmative action EEOE and complies with section 504 of the rehab act of 1973. Complaints of discrimination should be sent to: USDA, Attention Director, Office of Civil Rights, Washington, D.C. 20250-9419

POST: City Hall
 Post Office

EMAILED: Media

www.goldbeachoregon.gov

RESOLUTION R1112-01

**RESOLUTION ACCEPTING NINE BIDS FOR THE WASTE WATER TREATMENT
PLANT IMPROVEMENT PROJECT AND TENTATIVELY AWARDED CONTRACT
TO APPARENT LOW BIDDER**

WHEREAS: The City solicited interested bidders for the proposed improvements to the wastewater treatment plant; and

WHEREAS: The City accepted bids for the project until 2PM June 16, 2011; and

WHEREAS: Nine individual bidders submitted bids for the project; and

WHEREAS: The City is required to accept the low bidder for the project contingent upon approval from USDA Rural Development and the Department of Environmental Quality; and

WHEREAS: The City intends to award the bid to the low bidder that meets the requirements of the funding agencies; and

WHEREAS: Stellar J Corporation submitted the apparent low bid of: \$250,000 for Schedule 1, and \$7,920,427 for Schedule 2, for a total bid of: \$8,170,427.

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach, Oregon, intends to award the project to Stellar J Corporation, the apparent low bidder, contingent upon approval by USDA Rural Development and the Department of Environmental Quality.

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 1st day of July 2011.

Larry Brennan, Mayor Pro-Tem

ATTEST:

Jodi Fritts, City Recorder

Local Government Law Group ^{PC}

a member of SPEER HOYT LLC

J. Kenneth Jones*
Carolyn H. Connelly
Christy K. Monson
Ross M. Williamson*
Lauren A. Sommers
Teresa J. Wilson, *Of Counsel*
Russell D. Poppe, *Of Counsel*
John A. Wolf, *Of Counsel*
*Admitted in Washington

RECEIVED

JUN 29 2011

CITY OF GOLD BEACH

June 28, 2011

Via Email To: cityadministrator@goldbeachoregon.gov
And First Class Mail

Ellen Barnes
City Administrator
City of Gold Beach
29592 Ellensburg Avenue
Gold Beach, OR 97444

Re: City of Gold Beach
Wastewater Treatment Plant
Bidding Recommendation Legal Opinion

Dear Ellen:

The City of Gold Beach asked me to offer my legal opinion in support of the City and Engineer's recommendation for the bid award for the City's wastewater treatment plant project. I have reviewed the City and Engineer's recommendations, the bidding documents, and the bids received on June 16, 2011 for the three lowest bidders. It is my opinion that there is no legal reason to deviate from the City and Engineer's recommendation that Stellar J Corporation is the lowest responsive bidder and should be the subject of a notice to award.

The Engineer noted one bidding irregularity from the third lowest bidder, Slayden Construction Group, Inc. (Slayden). Slayden did not fill-in the blanks in the bid form at Section 00410 3.01. While this was a technical error in Slayden's bid, it is my opinion that the mistake should be characterized as a minor informality because the error does not go to the bid amount and is not otherwise an error of substance. As a minor informality, the City would have the authority to waive the error and allow Slayden to correct the bid form. The Engineer also noted this same irregularity with the fifth lowest bidder, Schneider Equipment, Inc. As with the Slayden bid, I have the same opinion as to the Schneider Equipment bid - it is a minor informality.

Ellen Barnes, City Administrator
City of Gold Beach
June 28, 2011
Page 2 of 2

Feel free to contact me if you have any questions.

Sincerely,



Ross M. Williamson
ross@speerhoyt.com

RMW:cc

cc: Aaron Speakman (via email: aspeakman@dyerpart.com)

June 28, 2011

City of Gold Beach
29592 Ellensburg Avenue
Gold Beach, Oregon 97444

Attn: Ms. Ellen Barnes

RE: Wastewater System Improvements Phase II
Project No. 119.21

Dear Ellen:

This letter is to recommend action to be taken by the City in response to bids received on June 16, 2011 for the above referenced project. Nine bids were received:

1. \$8,170,427.00 - Stellar J. Corporation
2. \$8,338,822.00 - McClure and Sons, Inc.
3. \$8,407,000.00 - Slayden Construction Group, Inc.
4. \$8,477,000.00 - R&G Excavating, Inc.
5. \$8,634,000.00 - Schneider Equipment, Inc.
6. \$8,817,300.00 - Wildish Building Co.
7. \$8,825,526.00 - Laskey-Clifton Corporation
8. \$8,934,000.00 - James W. Fowler Co.
9. \$9,320,000.00 - Stanek Constructors, Inc.

DRAFT

We recommend the City take the following action:

1. Accept the nine bids that were received.
2. Award a contract for Schedule 1 and 2 to Stellar J Corporation, the lowest responsive bidder in the amount of \$8,170,427.00 contingent upon approvals from the Rural Development, DEQ, and OBDP.

It is our opinion that Stellar J. Corporation has sufficient experience and qualifications to satisfactorily construct the project.

Upon the City's acceptance of the apparent low bid, a Notice of Intent to Award will be sent to all the bidders.

Sincerely,

Aaron Spinkman, PE
City Engineer

TABULATION OF BIDS
The Dyer Partnership Engineers & Planners, Inc.

Wastewater System Improvements - Phase 2
City of Gold Beach
Project No. 119.21

Date: June 16, 2011
 Bids Received: 2 p.m.

Name of Bidder Schedule 1 Schedule 2 Total Schedules 1 & 2 Comments

Stellar J Corporation	\$250,000.00	\$7,920,427.00	\$8,170,427.00	
McClure and Sons, Inc.	\$250,000.00	\$8,088,822.00	\$8,338,822.00	
Slayden Construction Group, Inc.	\$240,000.00	\$8,167,000.00	\$8,407,000.00	Sec 00410 3.01 L&M not filled in
R & G Excavating, Inc.	\$187,000.00	\$8,290,000.00	\$8,477,000.00	
Schneider Equipment, Inc.	\$194,000.00	\$8,440,000.00	\$8,634,000.00	Sec 00410 3.01 L&M not filled in
Wildish Building Co.	\$158,200.00	\$8,659,100.00	\$8,817,300.00	
Laskey-Clifton Corporation	\$202,836.00	\$8,622,690.00	\$8,825,526.00	
James W. Fowler Co.	\$275,000.00	\$8,659,000.00	\$8,934,000.00	
Stanek Constructors, Inc.	\$180,000.00	\$9,140,000.00	\$9,320,000.00	