

## ORDINANCE No. 189716

\*Amend Ordinance to authorize a competitive solicitation, contract with the lowest responsible bidder and provide payment for construction of the South Portland – Burlingame Phase 1 Sewer Rehabilitation Project No. E10680 in the amount of \$2,235,000 (Ordinance; amend Ordinance No. 189490)

The City of Portland ordains:

### Section 1. The Council finds:

1. On May 8, 2019, the Council passed Ordinance No. 189490 to authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for the construction of the South Portland – Burlingame Phase 1 Sewer Rehabilitation Project, BES Job No. E10680, in the amount of \$2,112,000.
2. On August 20, 2019, bids were received and the lowest responsive and responsible bidder is James W. Fowler Co. with a bid amount of \$2,235,000.
3. Additional authorization is needed to enter into a contract at the cost of \$2,235,000. The proposed cost has been assigned a high confidence level and funds are available in the Sewer System Operating Fund, FY 2019-20 Capital Improvement Program, Bureau of Environmental Services, WBS Element E10680.C60.

NOW, THEREFORE, the Council directs:

- a. Upon the Council's acceptance of the Chief Procurement Officer's report recommending the lowest responsible bidder, the Chief Procurement Officer is authorized to negotiate and execute a contract with James W. Fowler Co. in the amount of \$2,235,000 provided the contract has been approved as to form by the City Attorney's office.
- b. The Mayor and Auditor are hereby authorized to pay for the contract from the Sewer System Operating Fund Budget, WBS Element E10680.C60 when demand is presented and approved by the proper authority.

### Section 2.

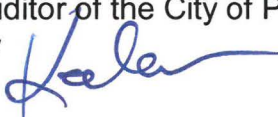
The Council declares an emergency exists to avoid delays in project construction. Therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:  
Commissioner Nick Fish

Prepared by: Joe Dvorak, P.E.  
Date prepared: 8/27/19

E10680.C60 - ord

SEP 25 2019

**Mary Hull Caballero**  
Auditor of the City of Portland  
By 

Deputy

Agenda No.  
**ORDINANCE NO. 189716**  
 Title

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<p><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>Fish</b></p>	<p>CLERK USE: DATE FILED <u>SEP 17 2019</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>smg</i></p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p>	<p>Mary Hull Caballero          Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u>          Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Environmental Services          Bureau Head: Michael Jordan <i>[Signature]</i></p> <p>Prepared by: Joe Dyorak, P.E. <i>JD</i>          Date Prepared: 8/27/19</p> <p>Financial Impact &amp; Public Involvement Statement          Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document          If "Yes" requires City Policy paragraph stated in document.          Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p><b>ACTION TAKEN:</b></p> <p><b>SEP 25 2019</b>      Rescheduled to September 25, 2019 at 2:00 PM</p>
<p><b>City Auditor Office Approval:</b></p> <p><b>City Attorney Approval:</b> <i>WB</i></p> <p>Council Meeting Date  <b>September 25, 2019</b></p>	

<p><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/>          Start time: _____</p> <p><b>Total amount of time needed:</b> _____          (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input type="checkbox"/></p> <p><b>REGULAR</b> <input checked="" type="checkbox"/>  <b>Total amount of time needed: 10 min</b>          (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 35%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td></td> <td></td> </tr> <tr> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Hardesty</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz			2. Fish	✓		3. Hardesty	✓		4. Eudaly	✓		Wheeler	✓	
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