



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

EAGLE POINT CITY COUNCIL

Council Chambers
17 Buchanan Ave. South, Eagle Point, Oregon
May 26, 2015

REGULAR MEETING AGENDA

1. CALL TO ORDER – 7:00 P.M.
2. FLAG SALUTE AND INVOCATION
3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA
4. PRESENTATIONS
5. PUBLIC HEARINGS
6. CONSENT CALENDAR
 - 6.1 Presentation of Regular Meeting Minutes of May 12, 2015.
7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR
8. PRESENTATION OF BILLS TO BE PAID
9. OLD BUSINESS
10. NEW BUSINESS
 - 10.1 Resolution No. 2015-25. A Resolution authorizing the selection of consultant(s) for Engineering Services for USDA Water System Improvements.

If a physical accommodation is needed to participate in this meeting, please contact the City Recorder at 541-826-4212 ext. 106 or TTY/TDD 711 or 800-735-2900. Notification of at least 48 hours prior to the meeting will assist the City in providing reasonable accommodations. (28 CFR 35.102-35.104 ADA Title II).

City Council Agenda

May 26, 2015

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10.2 Resolution No. 2015-26. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with Kunert Electric LLC for the Main Street Lighting Phase II.

10.3 Resolution No. 2015-27. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with Crater Landscape Management for 2015 On-Call Park Mowing Services.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

12. STAFF REPORTS

12.1 Planning Department.

12.2 Financial Department.

12.3 Public Works Department.

12.4 Police Department.

13. INFORMATION

14. ADJOURN

AGENDA AND COUNCIL PACKETS ALSO AVAILABLE ON WEBSITE

www.cityofeaglepoint.org



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

EAGLE POINT CITY COUNCIL
17 BUCHANAN AVE. SOUTH, EAGLE POINT, OREGON

May 12, 2015

REGULAR MEETING MINUTES

1. CALL TO ORDER – 7:00 P.M.

Mayor Russell called the meeting to order at 7:00 p.m.

Council Members Present: Bob Russell, Jonathan Bilden, Bill Fierke, Kathy Sell, Wayne Brown, and Aaron Prunty.

Council Members Absent: Ruth Jenks.

Staff Members Present: Henry Lawrence, City Administrator; Robert Miller, Public Works Director; Melissa Owens, Finance Officer; Vern Thompson, Police Chief; Mike Upston, Planning Director; and Cindy Hughes, City Recorder.

Guests: County Commissioner Roberts; Suzi Collins, Planning Commissioner; Millie Wewerka, Budget Committee Member and Planning Commissioner; Jerry Zieman, Budget Committee Member; and members of the public and press.

2. FLAG SALUTE AND INVOCATION

Mayor Russell led the Pledge of Allegiance and Jerry Zieman offered an invocation.

3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA

Marcia Polacek of Eagle Point spoke to the Council about the small town America feel of Eagle Point that drew her family to this area. However, she also discussed concerns about litter and undesirable youth behavior at Centennial Plaza and the Covered Bridge Area. Ms. Polacek, a retired teacher and school councilor, who volunteers at a Railroad Park, proposed a no smoking ban for all city parks to enhance safety. Ms. Polacek further noted the possibility of marijuana use in the parks. Chief Thompson shared Ms. Polacek's concerns and discussed efforts such as the recent tree trimming near the bridge, an exclusion Ordinance, and vacating parks at dusk to remedy those concerns. Mr. Lawrence plans to bring the smoking issue before the Council at a future meeting. A brief discussed followed about loitering not being illegal, the age of smokers, and an existing Ordinance that bans smoking on the bridge.

City of Eagle Point Council Meeting Minutes
May 12, 2015
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Lynn Leisler made a citizen comment about removing an empty alcohol bottle from the Centennial Plaza. It was noted there are observation cameras at the plaza and Public Works has been working hard to keep the area as clean as possible.

4. PRESENTATIONS

There were no presentations.

5. PUBLIC HEARINGS

There were no Public Hearings.

6. CONSENT CALENDAR

6.1 Presentation of Regular Meeting Minutes of April 28, 2015.

Mayor Russell announced the Consent Calendar and asked for a motion. Council President Bilden moved to approve the Consent Calendar as presented and Councilor Brown seconded the motion. Cindy Hughes, City Recorder, explained that a scrivener's error had been corrected in the attendance section of the Minutes. There was no further discussion regarding the Consent Calendar. Roll call: Kathy Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Aaron Prunty, aye; Bob Russell, aye; and Ruth Jenks, absent. The motion passed unanimously by those present.

7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items considered for removal from the Consent Calendar.

8. PRESENTATION OF BILLS TO BE PAID

Mayor Russell asked if there were any questions regarding the bills to be paid. There being none, Council President Bilden moved to approve the bills to be paid. Councilor Prunty seconded the motion. There was no discussion. Roll call: Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Aaron Prunty, aye; Kathy Sell, aye; Bob Russell, aye; and Ruth Jenks, absent. The motion passed unanimously by those present.

9. OLD BUSINESS

There was no Old Business to discuss.

10. NEW BUSINESS

10.1 Resolution No. 2015-20. A Resolution proclaiming May 15, 2015 as "National Peace Officers Memorial Day" and May 10-16, 2015 as "National Police Week" in the City of Eagle Point.

Chief Thompson announced May 10-16, 2015 as "National Police Week". Enacted

in 1962 by President Kennedy, "National Peace Officers Memorial Day" and May 10-16, 2015 as "National Police Week" honors and recognizes all law enforcement officers. Chief Thompson discussed being very proud of the officers in the Police Department and further explained about the life of an officer. Officers go to work each day not knowing what will happen, work irregular shifts at all hours, and miss holidays and family vacation. The good side of their job is when they make someone's day but there are hard days too that personally take a toll. Chief Thompson wore a band in recognition of officers who had sacrificed their lives in the line of duty as well as all police officers serving their communities.

Mayor Russell asked for a motion to approve Resolution No. 2015-20. Councilor Fierke made a motion to approve Resolution No. 2015-20 and Councilor Sell seconded the motion. A brief discussion followed in support and appreciation of recognizing Eagle Point's officers and those across the nation. Roll call: Wayne Brown, aye; Bill Fierke, aye; Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; Bob Russell, aye; and Ruth Jenks, absent. The motion passed unanimously by those present.

- 10.2 Resolution No. 2015-21. A Resolution declaring certain property as surplus and authorizing its transfer, sale or other disposition.

Chief Thompson reported the Department regularly takes in evidence, and confiscated and found items. Property that is of no value is disposed of within 90 days. State law and City Municipal Code 3.08.070 gives the authority to declare surplus property and dispose of it. Public notice had been properly made. Chief Thompson further explained that some of the items had value, such as firearms that could be sold by reputable gun dealers and a credit given to the Police Department for equipment. Unclaimed cash amounts would be deposited to the General Fund. Councilor Fierke asked for clarification about the origins of the firearms. Some had been confiscated while others had been department firearms. Chief Thompson further noted the items needed to be purged to make room for evidence.

Mayor Russell asked for a motion to approve Resolution No. 2015-21. Councilor Sell made a motion to approve Resolution No. 2015-21 and Councilor Fierke seconded the motion. There was no discussion. Roll call: Bill Fierke, aye; Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bob Russell, aye; and Ruth Jenks, absent. The motion passed unanimously by those present.

- 10.3 Resolution No. 2015-22. A Resolution of the City of Eagle Point, Oregon, authorizing a borrowing to provide interim financing in an aggregate principal amount not to exceed \$2,823,000.

Melissa Owens, Finance Officer, explained about receiving notification of funding being set aside by USDA Rural Development; however, the funding can only be used when the project is completed. Until then, another financing mechanism is needed. Resolution No. 2015-22, gives authority to the City to borrow in the amount

of not more than \$2,823,000. Ms. Owens went on to explain that the Resolution is intentionally designed to cover various possibilities although the amount is specific.

A brief discussion followed about the purpose of Resolution No. 2015-21 and No. 2015-22 being separate Resolutions. Ms. Owens explained that the first Resolution allowed the borrowing while the second one allowed the selection of the bank and gives greater flexibility in the process. Mr. Lawrence added that in the private sector, this item would be a construction loan.

Mayor Russell asked for a motion to approve Resolution No. 2015-22. Councilor Fierke made a motion to approve Resolution No. 2015-22 and Councilor Prunty seconded the motion. There was no discussion. Roll call: Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye; Wayne Brown, aye; Bill Fierke, aye; Bob Russell, aye; and Ruth Jenks, absent. The motion passed unanimously by those present.

- 10.4 Resolution No. 2015-23. A Resolution authorizing the City Administrator to negotiate rate covenants and fees with selected commercial banks and execute all documents which are required in order to issue, sell and deliver Bond Anticipation Note not to exceed \$2,823,000.

Melissa Owens, Finance Officer, explained that the prior Resolution allowed the interim financing to happen, and this Resolution had more to do with selecting a bank(s) and ranking the bank(s). Each banking proposal was very different with important factors to consider. Ms. Owens went on to explain that in a previous borrowing situation, the City was able to earn enough interest on the loan to actually make the interest only payments. Although that is not the current market, staff had spent a considerable amount of time reviewing the proposals and discussed the options in great detail with bond counsel.

Discussion ensued about the pros and cons of each proposal. Mr. Lawrence clarified the intent of the item was to allow the Council to rank the proposals. After a lengthy discussion, it was determined that Columbia Bank and Washington Federal would be the top two choices and a third could be selected by staff.

During the discussion, Councilor Prunty disclosed that his employer had a sizeable loan with Washington Federal. Mr. Lawrence determined this was not an actual conflict.

Mayor Russell asked for a motion to approve Resolution No. 2015-23. Councilor Prunty made a motion to approve Resolution No. 2015-23, a Resolution authorizing the City Administrator to negotiate rate covenants and fees with Washington Federal Bank, Columbia Bank, and give a third option to staff, and execute all documents which are required in order to issue, sell and deliver Bond Anticipation Note not to exceed \$2,823,000. Councilor Bilden seconded the motion. There was no discussion. Roll call: Aaron Prunty, aye; Kathy Sell, aye; Jonathan Bilden, aye;

Wayne Brown, aye; Bill Fierke, aye; Bob Russell, aye; and Ruth Jenks, absent. The motion passed unanimously by those present.

- 10.5 Resolution No. 2015-24. A Resolution authorizing the loan of funds from the General Fund to the Water Fund and from the Street SDC Fund to the Water Fund for the purposes of retiring Capital Water Debt.

Melissa Owens, Finance Officer, explained that as the City worked through the financing of water projects, it also looked at other ways to refinance debt and benefit the Water Fund. After checking with banking institutions, staff determined it would be more beneficial to make an internal loan from the Street SDCs Fund and General Fund to the Water Fund than to obtain a standard loan. However, it was noted that this internal loan would need to be repaid within the required 10 year period, at an interest rate of what the City would earn in a Local Government Investment Pool. The goal is to pay back the loan sooner than the required 10 year period.

Mr. Lawrence added that the cost of water repairs caused the need for the loan and discussions of such had been going on for about two years. Further, the goal is to get projects completed while helping the City's fiscal position. Mr. Lawrence clarified that authorizing the Resolution did not authorize a rate increase.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

Councilor Fierke announced an upcoming School District 9 Board meeting, and reported a recent quarterly meeting with D9 representatives was focused on the topic of youth recreation. Additionally, the date for a joint meeting with the School Board had been set for the first Council meeting in August at 6:00 p.m.

Council President Bilden announced the next Economic Development Commission meeting will be held in June. A new discussion item for the Commission is preservation of the historical downtown area. Council President Bilden reported attending a SOREDI meeting, and announced an upcoming ACCESS (The Community Action Agency of Jackson County) Board retreat. Further, priorities in the Governor's office had changed from Economic Development to Community Development.

Councilor Brown reported receiving a notification card from Rogue Valley Sewer Services (RVSS) regarding a rate increase; however, RVSS plans to be more prudent in forecasting to cover debts.

Councilor Sell reported attending the Vintage Faire, and commented about the beauty of the flower baskets.

Mayor Russell reported favorably on the success of the Vintage Faire, and encouraged support of the Circus scheduled on May 20.

12. STAFF REPORTS

Mike Upston, Planning Director, reported on upcoming discussion items with the Economic Development Commission. Mr. Upston also reported attending a Southern Oregon Regional Economic Development Inc. (SOREDI) meeting wherein a consultant discussed how to be competitive with national site selectors. Regarding development, permitting has increased and is anticipated to increase into the summer months.

Melissa Owens, Finance Officer, reported the majority of work is focused on budget preparation. The first Budget Committee meeting is scheduled on May 28th, and if necessary, a second will be held on June 2. Work is continuing on the USDA loan and insurance renewal coverage.

Robert Miller, Public Works Director, reported on multiple upcoming projects. Most notable were engineering service proposals, bids for seasonal mowing, Phase II Lighting – Main Street, and the Lucas Park Playground. Mr. Miller also reported attending a drought summit; however, this area is not as susceptible as other areas in the State but water conservation is encouraged. Compliments regarding tree trimming near the Covered Bridge and assistance with chairs for the Vintage Faire will be passed on to Public Works Staff.

Vern Thompson, Chief of Police, announced he will attend a Peace Officers Ceremony in Medford related to National Peace Officers Memorial Day.

Henry Lawrence, City Administrator, relayed Attorney Kellerman's apologies for being out of town during the meeting although he had reviewed the Agenda Packet and did not note any problems. The Friday Letter had gone out earlier in the day, and coordination efforts were being made with Alan Currison for the Tour de Eagle Point.

Cindy Hughes, City Recorder, reported recruitment for the Economic Development Commission.

13. INFORMATION

There were no information items for discussion.

14. ADJOURN

There being no further business, Mayor Russell closed the meeting at 8:08 p.m.

Respectfully submitted,

Cindy Hughes, City Recorder

ATTEST:

Robert E. Russell, Mayor

Chapman 5-22-15

BILL LIST
5/26/2015

CHECK #	VENDOR	DESCRIPTION	AMOUNT
35703	ALADDIN LOCK & SAFE INC	SUPPLIES	\$ 357.00
35704	BIG R	SUPPLIES	\$ 19.99
35705	CIVIL WEST CONTRACT	MAIN STREET	\$ 2,672.00
35706	COSTCO	SUPPLIES	\$ 123.32
35707	CRATER CHAIN SAW COMPANY	SMALL TOOLS AND EQUIPMENT	\$ 303.96
35708	DAILY JOURNAL OF COMMERCE	ADVERTISING	\$ 213.90
35709	DEPT. OF MOTOR VEHICLE	SUSPENSION PACKETS	\$ 26.00
35710	EWING IRRIGATION	LUCAS PARK	\$ 304.00
35711	H D FOWLER	SUPPLIES	\$ 340.58
35712	HARDEY ENGINEERING AND ASSOC. INC	COTTONWOOD DEV. VA CEMETERY	\$ 1,155.00
35713	HARNEY CONCRETE	STREET MAINTENANCE	\$ 1,423.50
35714	HAYS OIL COMPANY	FUEL/DIESEL	\$ 1,211.70
35715	HD SUPPLY WATERWORKS, LTD	SUPPLIES	\$ 636.72
35716	HUNTER COMMUNICATIONS	UTILITY	\$ 695.75
35717	JACKSON COUNTY AIRPORT	ECONOMIC DEV EXP	\$ 281.96
35718	LITHIA DODGE CHRYSLER JEEP	VEHICLE MAINT/REPAIR	\$ 192.02
35719	MT SHASTA SPRING WATER	SUPPLIES	\$ 78.35
35720	NEILSON RESEARCH CORPORATION	WATER SAMPLE TEST	\$ 280.00
35721	OFFICE DEPOT	SUPPLIES	\$ 160.60
35722	OFFICE MAX	SUPPLIES	\$ 511.98
35724	PACIFIC OFFICE AUTOMATION	COPIERS	\$ 931.61
35725	PACIFIC POWER	UTILITIES	\$ 170.21
35726	PERSONNEL SOURCE, INC	TEMP SERVICES CODE, HARN, MUSEUM	\$ 1,800.55
35727	PITNEY BOWES	POSTAGE	\$ 2,062.72
35728	PRO TIME LAWN SEED	LUCAS PARK IMPROV	\$ 3,639.00
35729	RH2 ENGINEERING INC	SHASTA/ALTA VISTA/ARROWHEAD	\$ 747.23
35730	ROGUE VALLEY COUNCIL OF GOVERNMENTS	BIOLOGICAL STUDY USDA IMPROV	\$ 703.00
35731	ROGUE VALLEY COUNCIL OF GOVERNMENTS	FOOD/FRIENDS	\$ 12,000.00
35732	SAN DIEGO POLICE EQUIP CO	SUPPLIES	\$ 719.20
35733	SCOTT WALTER LANDSCAPE	RIGHT OF WAY CLEANING	\$ 568.00
35723	STATE OF OREGON - OHA CASHIER	CROSS CONNECTION LICENSE~ SHIPLEY, JOHNSON, KINYON	\$ 122.50
35734	STOEL RIVES LLP TRUST ACCOUNT	DELTA WATERS LLC	\$ 5,000.00
35736	TEKMANAGEMENT, INC	SUPPLIES	\$ 40.00
35736	TEKMANAGEMENT, INC	COMPUTER SOFTWARE MAINTENANCE	\$ 356.04
35735	T-MOBILE	UTILITY	\$ 25.00
35737	TYLER TECHNOLOGIES	COMPUTER SOFTWARE MAINTENANCE	\$ 3,310.67
35738	US BANK	CITY CARD PURCHASES	\$ 1,789.73
35739	VERIZON WIRELESS	UTILITY	\$ 240.12
35740	WCP SOLUTIONS	SUPPLIES	\$ 294.56
DRAFT	WELLS FARGO	GENERAL OBLIGATION BOND	\$ 400.00
			\$ 45,908.47
REFUNDS			
35701	ROGER KEPFORD	COST INCURRED PERMIT # 14150351	\$ 356.50
35702	ROGER KEPFORD	SIDEWALK PERMIT REFUND	\$ 6.00
35742	ALLEN CARLSON		\$ 28.83
35747	BETTY POTEET		\$ 47.78
35746	HERMAN PETERS		\$ 18.75
35741	KEN BASSETT		\$ 16.33
35744	LORI MAGEL		\$ 53.58
35743	TERRY KEATON		\$ 28.46
35745	TROY OWEN		\$ 74.14
35748	METAL MASTERS	PERMIT REFUND	\$ 54.88
SUBTOTAL			\$ 685.25
TOTAL			\$ 46,593.72

**BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON**

AGENDA STATEMENT

Item Number: 10.1

Meeting Date: May 26, 2015

ITEM TITLE: Resolution No. 2015-25. A Resolution authorizing the selection of consultant(s) for Engineering Services for USDA Water System Improvements.

SUBMITTED BY: Robert Miller, Public Works Director (541) 826-4212 ext. 105

SUMMARY EXPLANATION: The City of Eagle Point contracted with Civil West Engineering Services, Inc., to update the Water System Master Plan in 2013 to provide a current, prioritized list of water capital improvements. The Water System Master Plan identified a number of short term improvements to update and correct the deficiencies in the existing water system. Over the last year, Civil West Engineering Services has been working with USDA to complete the Preliminary Engineering Report, required by USDA - Rural Development for funding.

The Preliminary Engineering Report refined the short term improvements described in the Water Master Plan to propose the following project, estimated at \$2,823,100:

- 1) Completion of a new 1.6 MG tank in the high pressure zone adjacent to the existing 200,000 tank to improve fire flow capabilities, allow ongoing expansion, and provide for additional overall 3-day emergency water supply for the City. Transmission water mains will be constructed to Riley Road.
- 2) Relocate the existing Bellerive Pump Station to near the existing 4.0 MG tank to provide a direct connection to the tank, upgrade the existing pumps, and isolate the pump station. The Bellerive Pump Station relocation and pump upgrades will allow increased water supply to the high pressure zone and correct the pressure deficiencies experienced after rezoning of the system. Associated transmission mains to the 4.0 MG Tank and Riley Road are included with the relocated pump station.
- 3) Provide emergency backup power to the Bellerive Pump Station.
- 4) Provide emergency backup power to the Highway 62 Pump Station.
- 5) An analysis of the water system and installation of in line pressure reducing valve stations between the high pressure zone and lower pressure zones.

The key components of the project are construction on the new tank and relocation/upgrades of the Bellerive Pump Station. The other projects are considered additive, as funding allows.

A Request for Proposals for Engineering Services - USDA Water System Improvements was advertised in the Daily Journal of Commerce on April 10, 2015, Medford Builders Exchange, and provided to several consultant firms. Several meetings and field reviews were conducted with staff prior to the release of the Request for Proposals, including follow up field visits by consultant teams to clarify the proposed project.

Agenda Item No. 10.1

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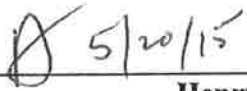
Five firms submitted proposals for Engineering Services by April 28, 2015:

- Civil West Engineering Services, Inc.
- Murray Smith & Associates, Inc.
- HDR, Inc.
- RH2 Engineering, Inc.
- Century West Engineering.

The Review Committee (City Administrator, Public Works Director, and Public Works Supervisor) ranked the firms based upon the proposals submitted and the evaluation criteria in the Request for Proposals with the top three ranked firms:

- 1) Murray, Smith & Associates, Inc.
- 2) Civil West Engineering Services, Inc.
- 3) HDR, Inc.

Any of the proposed firms are qualified to complete the project. The City Council has the authority to revise the rankings and select the top ranked firm. The proposals submitted by each firm were provided to the City Council prior to the meeting for review.

APPROVED FOR SUBMITTAL:  5/20/15
Henry Lawrence, City Administrator

STAFF RECOMMENDATION: Authorize the City Administrator to negotiate a contract with the first ranked team for Engineering Services. In the event the terms and conditions for the first ranked firm cannot be reached, the City Administrator is authorized to negotiate a contract with the second ranked firm, and continuing until an acceptable contract is reached.

RESOLUTION NO. 2015-25

A RESOLUTION AUTHORIZING SELECTION OF CONSULTANTS(S) FOR ENGINEERING SERVICES FOR USDA WATER STSTEM IMPROVEMENTS.

WHEREAS, the City is seeking responses from qualified firms to provide engineering services for the USDA Water System Improvements; and

WHEREAS, the Request for Proposals for Engineering Services - USDA Water System Improvements was advertised in the Daily Journal of Commerce on April 10, 2015, Medford Builders Exchange, and provided to several consultants firms, upon request; and

WHEREAS, Civil West Engineering Services, Inc. prepared the Preliminary Engineering Report, Water System Improvements, approved by USDA for funding of the Project, at a total cost of \$2,823,100; and

WHEREAS, the Preliminary Engineering Report outlined the proposed project: construction of a new 1.6 MG tank and associated water system, upgrades and relocation of the Bellerive Pump Station and associated water system, Highway 62 emergency power, Bellerive Pump Station emergency power, and construction of pressure reducing valve station(s); and

WHEREAS, five proposals were received by the 2:00 p.m. deadline on April 28, 2015: Civil West Engineering Services, Inc.; Murray Smith & Associates, Inc.; HDR, Inc.; RH2 Engineering, Inc.; and Century West Engineering; and

WHEREAS, any of the consultant firms are qualified to complete the project; and

WHEREAS, the Review Committee (City Administrator, Public Works Director, and Public Works Supervisor) ranked the consultant firms based upon the proposals submitted and evaluation criteria in the Request for Proposals with the top three ranked firms: 1) Murray, Smith & Associates, Inc.; 2) Civil West Engineering Service, Inc.; and 3) HDR, Inc.; and

WHEREAS, the City Council has the authority to revise the rankings and select the top ranked firm.

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE POINT, OREGON, THAT:

1. The City Administrator is authorized to negotiate a contract with the first ranked team for Engineering Services. In the event the terms and conditions for the firm ranked first cannot be reached, the City Administrator is authorized to negotiate a contract with the second ranked firm, and continuing until an acceptable contract is reached.

Passed in open session on the 26th day of May, 2015.

Robert E. Russell, Mayor

ATTEST:

Cindy Hughes, City Recorder

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**BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON**

AGENDA STATEMENT

Item Number: 10.2
Meeting Date: May 26, 2015


ITEM TITLE: Resolution No. 2015-26. A Resolution authorizing a City of Eagle Point Personal/Professional Services Contract with Kunert Electric LLC for the Main Street Lighting Phase II.

SUBMITTED BY: Robert Miller, Public Works Director (541) 826-4212 ext. 105

SUMMARY EXPLANATION: The Town Center Plan includes installation of black pedestrian lights on Main Street to match Centennial Plaza and the lighting installed on Main Street in 2014. A total of six lights and eight electrical tree well outlets are planned from Centennial Plaza to the Old Fire Station property. LED lights are desired for energy savings of the proposed lights. The electrical outlets in each light fixture and at each tree well will accommodate downtown special events such as 4th of July, Vintage Faire, and Street Dance. The sidewalk adjacent to the curb will be replaced (two feet in width) to allow for the new conduit as needed, to match the previous projects. Civil West Engineering Services, Inc. prepared plans for the project.

The budgeted \$78,500 includes the Main Street Lighting - Phase II project (\$74,500), and the project to install three Loto Street Lights (\$4,000). The 2014/2015 budget includes the following breakdown: Street Fund – Main Street Improvements \$35,000, General Fund (Non Departmental) – Downtown Street Lights \$26,000, and Street SDC – Street Lights \$17,500. The City purchased the streetlights separately at a cost of \$21,474.

The Main Street Lighting - Phase II was advertised in the Daily Journal of Commerce on April 15, 2015, and in the Medford Builder's Exchange. The project was rebid to clarify prevailing wage and design revisions recommended with bids due at 2:00 p.m. on May 19, 2015. Two contractors bid on the project: Kunert Electric, LLC in the amount of \$42,620.00, and Pacific Electrical Contractors in the amount of \$46,403.54. Both bids were responsive. Staff recommends a contract to the lowest responsive, responsible bidder. Bid results attached as Attachment No. 1.

APPROVED FOR SUBMITTAL:  5/20/15
Henry Lawrence, City Administrator

STAFF RECOMMENDATION: Staff recommends approval of this item.

ATTACHMENTS: Attachment No. 1 – Bid Results

Item No. 10.2 - Attachment No. 1
Page 1 of 1

Main Street Lighting - Phase II
Bid Results
May 19, 2015

Bid Item	Item Description	Estimated Quantity	Unit of Measure	Kunert Electric, LLC		Pacific Electrical Contractors	
				Unit Price	Extended Unit Price	Unit Price	Extended Unit Price
1	Mobilization, Bonds, Insurance	1	LS	\$3,000.00	\$3,000.00	\$3,991.00	\$3,991.00
2	Temporary Traffic Control/ Temporary Signage	1	LS	\$1,500.00	\$1,500.00	\$1,900.00	\$1,900.00
3	Demolition and Site Preparation	1	LS	\$1,200.00	\$1,200.00	\$14,335.00	\$14,335.00
4	Install Electrical	1	LS	\$2,900.00	\$2,900.00	\$3,945.00	\$3,945.00
5	Install lights (supplied by City)	6	EA	\$250.00	\$1,500.00	\$480.00	\$2,880.00
6	Remove and Replace Sidewalk	600	SF	\$15.00	\$9,000.00	\$13.92	\$8,352.00
7	Pull Boxes	10	EA	\$300.00	\$3,000.00	\$40.00	\$400.00
8	Light Pole Foundation	6	EA	\$600.00	\$3,600.00	\$550.00	\$3,300.00
9	2" Electric Sch 40 PVC Conduit - Installed	620	LF	\$16.00	\$9,920.00	\$5.65	\$3,503.00
10	1" to 1 1/2" Electric Sch 40 PVC Conduit - Installed	350	LF	\$16.00	\$5,600.00	\$4.55	\$1,592.50
11	Heavy Duty GFCI Weatherproof Electrical Outlets	8	EA	\$175.00	\$1,400.00	\$275.63	\$2,205.04
TOTAL PROPOSAL					\$42,620.00		\$46,403.54

RESOLUTION NO. 2015-26

A RESOLUTION AUTHORIZING A CITY OF EAGLE POINT PERSONAL/ PROFESSIONAL SERVICES CONTRACT WITH KUNERT ELECTRIC LLC FOR THE MAIN STREET LIGHTING PHASE II.

WHEREAS, the Town Center Plan specifies black pedestrian lights on Main Street to match the lights at Centennial Plaza and Main Street Lights installed in 2014; and

WHEREAS, additional downtown lighting is needed for safety; and

WHEREAS, LED lights are desired for energy savings of the proposed lights; and

WHEREAS, Civil West Engineering Services, Inc. prepared plans for the project; and

WHEREAS, the Main Street Lighting – Phase II was advertised in the Daily Journal of Commerce on April 15, 2015, and in the Medford Builder's Exchange; and

WHEREAS, two bids were received on May 19, 2015 by the 2:00 p.m. deadline from Kunert Electric, LLC in the amount of \$42,620.00, and Pacific Electrical Contractors in the amount of \$46,403.54; and

WHEREAS, the City purchased the streetlights separately at a cost of \$21,474.00; and

WHEREAS, the project desires to install six lights and eight tree well outlets on Main Street from Centennial Plaza to the Old Fire Station property at a total estimated cost for streetlights, electrical service connection, engineering and construction \$74,500; and

WHEREAS, a separate project is installing the Loto Street lights at an estimated \$4,000; and

WHEREAS, the 2014/2015 budget for the Main Street Lighting and Loto Street Lighting projects is \$78,500 (Street Fund – Main Street Improvements \$35,000, General Fund (Non Departmental) – Downtown Street Lights \$26,000, and Street SDC – Street Lights \$17,500, and includes installation of Loto Street lights.

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE POINT, OREGON, THAT:

1. The City Administrator is authorized to execute a City of Eagle Point Personal/ Professional Services Contract with Kunert Electric LLC for the Main Street Lighting Phase II.

Passed in open session on the 26th day of May, 2015.

Robert E. Russell, Mayor

ATTEST:

Cindy Hughes, City Recorder

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CITY OF EAGLE POINT PERSONAL/PROFESSIONAL SERVICES CONTRACT

Project: Main Street Lighting – Phase II
Amount: \$42,620.00

Project No.: 14/15-11d

This contract is between the City of Eagle Point hereafter called CITY and Kunert Electric, LLC., hereafter called CONTRACTOR. City's supervising representative for this contract is Henry Lawrence.

- 1. Effective Date and Duration.** This contract shall become effective on the date on which it has been signed by every party hereto. Unless earlier terminated or extended, this contract shall expire when Contractor's completed performance has been accepted by the CITY or one year from the effective date of this contract. However, such expiration shall not extinguish or prejudice CITY's right to enforce this contract with respect to: (i) any breach of a Contractor warranty; or (ii) any default or defect in Contractor performance that has not been cured.
- 2. Statement of Work.** Contractor will provide: See Attached or Contractor's statement of work, including the delivery schedule for the work, is contained in Exhibit A, attached hereto and by this reference made a part hereof.
- 3. Consideration.** (A) CITY agrees to pay Contractor, from available and authorized funds, a sum set forth in Exhibit A for accomplishing the work required by this contract. (b) Such payments shall be made only in accordance with the schedule and requirements in Exhibit A.
- 4. Terms and Conditions.** The terms and conditions of this contract are contained on the following page titled, "City of Eagle Point Standard Personal/Professional Contract Provisions".
- 5. Travel and Other Expenses.** Reimbursement of travel and other expenses is allowed only as provided in Exhibit A.
- 6. Contract Documents.** This Contract consists of the following documents which are listed in descending order of precedence and are attached and incorporated by reference: the Personal/Professional Services Contract including contract provisions, Exhibits A, and B.

CONTRACTOR DATA AND CERTIFICATION

Name (tax filing): Kunert Electric, LLC. **Phone** 541 672-3333
Address: P. O. Box 1729/200 NE Channon Ave, Roseburg, OR 97470 **Fax No.** 541 440-1009
Citizenship, if applicable: Non-resident alien YES NO
Business Designation: (Check one):
 Corporation Partnership Limited Partnership Limited Liability Partnership Sole Proprietorship
 Governmental/Non-Profit Limited Liability Company
Federal Tax ID#: _____ or **SSN#:** _____ **CCB#:** 94510 **Electrical#:** _____

Above payment information must be provided prior to contract approval. This information will be reported to the Internal Revenue Service (IRS) under the name and taxpayer ID number submitted. (See IRS 1099 for additional instructions regarding taxpayer ID numbers.) Information not matching IRS records could subject Contractor to 31% backup withholding.

Certification: I, under penalties of perjury, do hereby certify that (a) the number shown on this form is my correct taxpayer ID (or I am waiting for the number to be issued to me), and (b) I am not subject to backup withholding because (i) I am exempt from backup withholding or (ii) I have not been notified by the Internal Revenue Service that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified me that I am no longer subject to backup withholding.

I, the undersigned also (a) agree to perform the work required by Exhibit A in accordance with the terms and conditions (as listed on the attached Exhibit B); (b) certify under penalty of perjury that I/my business am not/is not in violation of any Oregon tax laws; (c) certify that I am an independent contractor as defined in ORS 670.600; and (d) certify that I am authorized to act on behalf of Contractor.

Signed by Contractor: _____
Signature/Title

Date

Approved by CITY:

Henry Lawrence, City Administrator

Date

City of Eagle Point
P.O. Box 779
Eagle Point, Or. 97524

CITY OF EAGLE POINT
STANDARD PERSONAL/PROFESSIONAL CONTRACT PROVISIONS

1. ACCESS TO RECORDS. Contractor shall maintain books, records, documents, and other evidence and accounting procedures and practices sufficient to reflect properly all costs of whatever nature claimed to have been incurred and anticipated to be incurred in the performance of this contract. The City of Eagle Point, and its duly authorized representatives shall have access to the books, documents, papers, and records of Contractor which are directly pertinent to this contract for the purpose of making audit, examination, excerpts, and transcripts. Such books and records shall be maintained by Contractor for a minimum of three (3) years, or such longer period as may be required by applicable law, following final payment and termination of this Contract, or until the conclusion of any audit, controversy or litigation arising out of or related to this Contract, whichever date is later.

2. AVAILABILITY OF FUNDS. City certifies that sufficient funds are available and authorized for expenditure to finance costs of this contract within its current fiscal year appropriation or expenditure limitation, provided, however, that continuation of the contract, or any extension, after the end of the fiscal period in which it is written, is contingent upon a new appropriation or limitation for each succeeding fiscal period sufficient in amount, in the exercise of the City's reasonable administrative discretion, to continue to make payments under this Contract.

3. CAPTIONS. The captions or headings in this contract are for convenience only and in no way define, limit, or describe the scope or intent of any provisions of this contract.

4. COMPLIANCE WITH APPLICABLE LAW. Contractor shall comply with all federal, state, county, and local laws, ordinances, and regulations applicable to the work to be done under this contract. Contractor specifically agrees to comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations. Contractor also shall comply with the Americans with Disabilities Act of 1990 (Pub L No. 101-336), Title VI of the Civil Rights Act of 1964, Section V of the Rehabilitation Act of 1973, ORS 659.425, and all regulations and administrative rules established pursuant to those laws. Contractor further agrees to make payments promptly when due, to all persons supplying to such Contractor, labor or materials for the prosecution of the work provided in this contract; pay all contributions or amounts due the Industrial Accident Fund from such contractor incurred in the performance of this contract; not permit any lien or claim to be filed or prosecuted against the city on account of any labor or material furnished; pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167. If Contractor fails or refuses to make any such payments required herein, the appropriate City official may pay such claim. Any payment of a claim in the manner authorized in this section shall not relieve the Contractor or Contractor's surety from obligation with respect to any unpaid claims. Contractor shall promptly pay any person or entity that furnishes medical care to Contractor's employees those sums which Contractor agreed to pay for such services and all money Contractor collected or deducted from employee's wages to provide such services of the contractor.

5. DISCLOSURE OF SOCIAL SECURITY NUMBER. Contractor must provide Contractor's Social Security number unless Contractor provides a federal tax ID number. This number is requested pursuant to ORS 305.385 and OAR 150-305.100. Social Security numbers provided pursuant to this authority will be used for the administration of state, federal and local tax laws.

6. EXECUTION AND COUNTERPARTS. This contract may be executed in several counterparts, each of which shall be an original, all of which shall constitute but one and the same instrument.

7. GOVERNING LAW. This contract shall be governed and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, or suit between City and Contractor that arises out of or relates to performance of this contract shall be brought and conducted solely and exclusively within the Circuit Court for Jackson County, Oregon. Provided, however, that if any such claim, action, or suit may be brought only in a federal forum, it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. CONTRACTOR, BY EXECUTION OF THIS CONTRACT, HEREBY CONSENTS TO THE IN PERSONAM JURISDICTION OF SAID COURTS.