



McCleary City Council

PROPOSED AGENDA

Wednesday October 13th, 2010

7:00 Council Meeting

Flag Salute
Roll Call
Minutes (Tab A)
Public Comment
Mayor's Report

Staff Reports:

Dan Glenn, City Attorney (Tab B)
Nick Bird, Director of Public Works (Tab C)
Staff Reports (Tab D)
Financial Report (Tab E)

Old Business: Review of Shut off procedures and charges (Tab F)

New Business: Simpson Avenue Final Progress Estimate (Tab G)
Reservoir Interior Painting Bid Results / Recommendation of Award (Tab H)
Asphalt Patching Bid Award (Tab I)
Stormwater Pipe Cleaning Bid Award (Tab J)
Public Works Bid Regulations (Tab K)
Glass Recycling Facilities (Tab L)
2011 Budget Schedule (Tab M)

Ordinances:

Resolutions:

Vouchers
Mayor/Council Comments
Public Comment
Executive Session
Adjournment

Americans with Disabilities Act (ADA)
Accommodation is Provided Upon Request

Please Turn Off Cell Phones – Thank You

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, August 11, 2010

FLAG SALUTE	The meeting was called to order at 7:00 PM with the Flag Salute.
ROLL CALL	Councilmember's Boling, Geer, Lant, Schiller, and Ator. All present.
ABSENT	None
STAFF PRESENT	City Attorney Dan Glenn, City Clerk/Treasurer Collins, Public Works Director Nick Bird, Police Chief George Crumb, Public Facilities Manager Todd Baun, and staff member's Mick Schlenker and Jennie Reed.
MINUTES APPROVED	It was moved by Councilmember Boling, seconded by Councilmember Geer to approve the minutes from the August 11, 2010 meeting. Motion carried.
PUBLIC COMMENT	None.
SIMPSON PROGRESS ESTIMATE NO. 6	Progress Estimate No. 6 includes work completed by the Contractor between August 1 and August 31, 2010, which was work that was limited to Schedule B-2. It was moved by Councilmember Lant, seconded by Councilmember Boling to authorize the Mayor to pay Progress Estimate No. 6, when reimbursement has been provided by WSDOT and/or TIB. The amount to be paid is \$29,356.43 and the amount to be deposited in the Retainage Account is \$1,545.08. Motion carried.
CHANGE ORDER NO. 8	Asphalt peeled off during the removal and sub grade preparation on the Simpson Sidewalk Project. The asphalt is 9 inches thick in some areas and has been overlaid so many times that the top course is only 1/2 inch thick and does not bond well with the asphalt below it, causing it to peel off. The solution staff is recommending is to grind a transition strip along the edge of the existing asphalt to provide a suitable transition to the existing asphalt, which would require the addition of a new line item in the bid schedule. It was moved by Councilmember Schiller, seconded by Councilmember Geer to authorize the Mayor to execute Change Order No. 8, when prepared, for an amount not to exceed \$4,000. Motion carried.
RESERVOIR ADVERTISEMENT	Staff would like to move forward with advertising for the reservoir repainting project. It was moved by Councilmember Boling, seconded by Councilmember Ator to authorize the Mayor to advertise the Call for Bids for the Reservoir Repainting Project. Motion carried.
INFILL/SHORT PLAT	The Planning Commission has made a recommendation in regards to existing Municipal Code and Development Standards, which are vague and general as it relates to frontage improvements when a parcel is developed. The Planning Commission's construction standard recommendation is: Infill Lot Construction Standard - Modified Frontage Improvements (three for and one absent) and Short Plat Construction Standard - Modified Frontage Improvements (three for and one absent). Council will review and discuss the recommendation of the Planning Commission and will report back to staff if this is the direction they would like to take.
FLOAT SHED	Nick Bird and an Engineer from G & O recently visited the float shed located in the alley adjacent to 10th street. They found the roof and the building to be unsafe to be around. Todd Baun is getting quotes for temporary fencing to keep people away from the building. Mr. Gill, the Engineer from G & O and Nick believe the site is a valuable asset to the City and can be repaired at a fraction of the cost it would take to construct a new facility of similar size. Staff is asking Council to consider discussing this issue.
INCENTIVE PROGRAM	A potential developer presented to Nick Bird an idea of incentives for building in McCleary. He suggested the City offer bulk price or discount for purchasing bulk connections charges for water, sewer and storm connection fees. Other jurisdictions provide this type of program and Mr. Glenn suggested we bring the idea in front of the Mayor and Council prior to completing the research. Staff is requesting Council to discuss and consider an incentive program like this before we put time and resources toward working on the details.

WEBSITE SURVEY

An ad hoc group of Grays Harbor residents and service providers have put together an extensive community needs survey that will be launching county wide in the next week or two and will be open until the end of November. They have requested permission to publish this survey on our website. **It was moved by Councilmember Boling, seconded by Councilmember Ator to authorize staff to place the survey on the City's website. Motion carried.**

LANDLORD ISSUE

The City has had a few incidents with landlords who have been left with enormous outstanding utility bills when their tenants have moved out. The landlords were not notified there were outstanding bills for their tenants, which left them bills ranging from \$800 to over \$1,000. Staff is recommending the Clerk/Treasurer be allowed enter into 6-month agreements at 3% interest to help the landlords pay off the large back bills. **It was moved by Councilmember Boling, seconded by Councilmember Lant to allow the Mayor to authorize the Clerk/Treasurer to enter into six-month agreements with landlords at 3% interest. Motion carried.**

RESOLUTION NO. 619 -
RELATING TO PUBLIC
SERVICES & FEES,
CORRECTING RES. NO. 614

Previously introduced Resolution No. 619 related to public services; establishing and confirming fees; and providing for effective dates was reviewed by the Council and staff is requesting they vote to adopt it. **It was moved by Councilmember Lant, seconded by Councilmember Boling to adopt Resolution 619. Roll call taken in the affirmative. Resolution adopted.**

RESOLUTION NO. 621 -
CEMETERY RATES

Since Resolution 472 was adopted in 2002, the operations of the cemetery, as well as the potential costs related to the development of additional plots, have increased. To maintain charges and continue to be consistent with the cost of providing the services without burdening the families utilizing the services of the community's cemetery, staff is recommending clarification of the City's fees and charges. **It was moved by Councilmember Lant, seconded by Councilmember Boling to authorize the Mayor to repeal Resolution No. 472 and adopt Resolution No. 621 allowing adjusted cemetery fees to commence. Roll call taken in the affirmative. Resolution adopted.**

APPROVAL OF VOUCHERS

It was moved by Councilmember Boling, seconded by Councilmember Ator to approve the vouchers. Motion Carried

PUBLIC COMMENT

Councilmember Boling thanked everyone for attending the meeting.

EXECUTIVE SESSION

None.

MAYOR/COUNCIL COMMENTS

Councilmember Boling thanked everyone for attending the meeting.

ADJOURNMENT

At 7:47 pm, it was moved by Councilmember Boling, seconded by Councilmember Ator to adjourn the meeting. Motion Carried.

Mayor Gary Dent:

Clerk-Treasurer Wendy Collins:

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: October 8, 2010
RE: LEGAL ACTIVITIES as of OCTOBER 13, 2010

THIS DOCUMENT is prepared by the City Attorney for utilization by the City of McCleary and its elected officials and is subject to the attorney-client privileges to the extent not inconsistent with laws relating to public disclosure.

1. SSB 6846/COMMUNICATION CENTER FUNDING RESOLUTION:

It is my understanding the matter will be before you for action tonight. This is a situation which the Communication Center management has been bringing to the attention of the various cities since it ties to its funding. I referenced the matter to you orally and in the Report at the last meeting. (A copy of the analysis of the Bill was attached to that report.)

As you are aware, McCleary is a member of the Administrative Board and contracts with the entity for dispatch service. As a result of requests which were directed to the other cities through their respective chiefs, I have provided a draft resolution requesting the County Commissioners, who constitute the legislative body which must implement the new provisions, do so. There are time frames involved as to how long in advance the local implementation must be adopted before the actual billing of the new rates may be implemented so timing of the Commissioners' action is important from the standpoint of avoiding income loss for the Center's funding.

As previously noted, it must be recognized this funding source is not in place of any amount paid directly by the City and the other member's of the Center each year, but is in addition to that source. Chief Crumb can likely tell you how much you are paying for the service this year and what indication, if any, has been received as to the anticipated amount for 2011.

MEMORANDUM - 1

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

Based upon discussions at the last meeting, I have provided two drafts for your review. The only difference between the "A" and "B" drafts is found in the last sentence of Section I. The Elma Council did not like the idea of increasing taxes at a time like this, even if it is a somewhat hidden tax. The draft in which that limitation request is not present basically would be viewed as supporting the imposition of the full seventy cents per line, regardless of whether such imposition is required to receive state funding.

I would note that Ms. Fouts, the Center's Director, is of the opinion the Commissioners must enact a resolution implementing the full possible taxation per line, rather than maintaining the current fifty cents per line, or the county will lose some state funding. Bluntly, I do not read the statute the same way, but it will be interesting as to how the Department of Revenue reads the language as they implement the disbursements of funds. (One of the impacts of the statutory change was that the taxed entities will pay the moneys to DOR rather than the respective counties. DOR will then disburse the funds to the counties based upon the criteria in the statute and DOR's records as to taxed "lines".

II. GRAVATT STORMWATER CLAIM: As you are aware, the Gravatts filed a claim alleging damage to a rental property they own due to alleged defects in a stormwater line which goes under the residence. So far as can be determined, it is a line which was installed by the Timber Company prior to the incorporation of the City. Thus, no easement shows of record in terms of the placement of the line. However, City Staff have determined its location and sought to make the line as secure as possible. Unfortunately, the property owners have not yet been willing to grant a City request to allow installation of a new line.

In any event, Mr. Myers, counsel assigned by WCIA, and myself will be working with Mr. Bird in an attempt to develop a solution on an interim basis. We will keep you informed.

III. BUDGET PROCESS: The process is laid out in a publication issued by Municipal Research and Services. It can be found online or the material can be obtained from Ms. Collins. The applicable process is laid out in Chapter 35A.33, primarily at .050 and thereafter. There is no question that 2011 will be a fiscally challenging year for McCleary, just as it is being shown through the reports appearing on the AWC website. One of the aspect with which one must deal is the establishment of the tax amount upon real property. Unfortunately, it has been a historical reality that the final figures, as to assessed valuation and levy amounts, will not be available until after the date by which the ordinance setting the levy must be adopted and

MEMORANDUM - 2

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

provided to the County Commissioners.

Wendy and I will be in contact with the appropriate staff member at the Assessor's Office with the hope that technology will have improved the access timing this year.

As always, this is not meant to be all inclusive. If you have any questions or comments, please direct them to me.

DG/le

MEMORANDUM - 3

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: October 8, 2010
Re: Current Non-Agenda Activity

Simpson Avenue Sidewalk Project

The Sidewalk Project is Complete! We were 4% over the contract amount, but all the eligible expenses were covered under the TIB and ARRA grants.

Stormwater Management Plan

Gray & Osborne has placed a flow monitoring device in one of our storm manholes to take some data and calibrate their model. The draft copy of the Stormwater Plan has been pushed back a couple weeks, so I expect a copy here in the first couple weeks of October.

Well 2 & 3 Pre-Design Report

I have not coordinated a time for the review meeting to take place yet.

Cemetery

The Public Facilities crew is in the process of staking all the plots in the cemetery, and it is my understanding that some additional grading work still needs to be completed.

I apologize for the short non-activity report this month, but it seems that most of my time has been spent on the items that we are addressing as agenda items.

Should you have any questions about any items that have not been addressed, please feel free to let me know!

STAFF REPORT

To: Mayor Dent
From: Paul Nott, Light & Power
Date: October 8, 2010
Re:



	Monthly Statistics;	YTD Totals;
New Services;	1	11
System Outages;	1	15
Pole Replacements;	0	30
Maintenance Work Orders;	5	34
Billable Work Orders;	2	9

This last month we had one underground fault that took exceptionally longer than usual. Once we confirmed that we had another underground fault we contacted Mason Co PUD 1 to come assist us with finding the fault. While the lineman was en-route to McCleary to help us, he got dispatched to another underground fault in their service territory. At that point we had to decide whether to wait possibly 6 hrs for them to make their repair or contact another utility. We then decided to contact Mason 3 to get another lineman with their "thumper" to come assist us. That increased the outage time by probably 2 hrs. After we located the location of the fault, we were digging it up and found a water line (at least that's what we thought). But, with further investigation, we realized that when the contractor installed the primary wire years ago, they put the wire in the white water pipe. Anyways, once again, the length of the outage to our customers was extended due to the fact of our reliability on other utilities to assist us in locating underground faults. I have made another request for a "thumper" with radar for the 2011 budget. Copies of past requests and outage reports are available.

We are still assisting the front office in correcting some of the meter issues (AMR and billing) and it appears that we are making progress. The proof will be in the pudding next week when we read meters again. We are looking forward to getting these issues corrected so we can get back to converting the rest of our customers to the AMR system.

We have been also working on designing a half permanent and half temporary 3 phase line extension to the City reservoirs. This will serve the equipment that will be working on the maintenance project that will be occurring up there next month.

All of our trucks passed the dielectric testing we had performed this last month by Altec.

Brushing is still being accomplished at numerous locations in our service area.

Other than that it's been business as usual...

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Public Facilities Manager
Date: October 7, 2010
Re: September Report

The following items are the highlights of what I have been working on during the month of September.

- I still have received no contact from Mr. and Mrs. Gravatt on the storm water issue affecting their property located at 311 W. Simpson Ave. We are in a holding pattern until we receive the legal documents that have been given to them by the city.
- The last section of the Simpson Ave. Sidewalk project has been completed. The contractor raised all the “newly found” manholes and CB’s to grade so now we can maintain them.
- The Beerbower park grant is still ongoing. The storm drainage is in and basketball hoops have been installed. The last item to take care of is the park trail. We will work on the trail as soon as a couple weeks of nice weather is upon us again. That may be next spring, but I’m hoping that it will be sooner than that.
- I have submitted a reimbursement request for the Beerbower park project. If everything is in order we should be getting almost \$20,000.00 for the work that was completed this last summer.
- We have plotted the newer sections of the cemetery. We have marked the corners of each section with re-bar and caps. This will help us in the future with marking graves.
- I have gotten bids for storm water pipe cleaning. This is a yearly maintenance item that we do to improve our storm water system.
- I have also gotten bids for some asphalt patching. We have several areas identified for patching. Hopefully we will have a good weather window to complete this before winter.
- I have also been in contact with Day Wireless about switching our old city radios over to narrow band frequencies. We will be required to have all of our city radios running on narrow band by January 1, 2013.
- And as always, we are trying to keep up on all our routine and daily maintenance of the parks, cemetery, streets, water, sewer, storm and buildings.

If you have any questions, don’t be afraid to ask. If you see something that needs attention or have any ideas that you would like me to pursue, my door is always open, so please come and talk to me.

STAFF REPORT

To: Mayor Gary Dent
From: Mick Schlenker Building Official
Date: Oct 6, 12010
Ref: Staff Report Sep 30, 2010

Building Permit Activity

	September		Total 2010	
	Current	Fees	YTD	Fees
Customer Service	102		855	
Building Permits Issued	4	\$598.00	32	\$10,756.00
Nuisance Letters	2		33	
Inspections Performed	34		248	
Plan Reviews	2		24	
Stop Work Issued	0		4	
City Projects	0		2	
Complaints	8		37	
Demo Permits	0		5	
Court Issues	0		0	
Fire Projects	0		0	
Cars	0		8	
Abatements	0		0	
Elma Inspections	0		0	
Montesano	0		0	
Total	152	\$598.00	1248	\$10,756.00

Summit II

No action

McCleary School

Still working off temporay OC

Cedar Heights

No action

Simpson Door Plant

Exterior structural wall panels have been inspected

Projects

Nothing new to add about Mikes Market and buyers

Ftg's/End have been inspected for new SFR (7 Larson)


Continued work on nuisance in city

New day care up by school has submitted Conditional Use Permit for review

Building Department has a few remodels which are in the inspection process

The Energy Star BPA project has had (1) study class to date

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works 
Date: October 6, 2010
Re: FINAL Progress Estimate No. 7

I have attached one copy of Progress Estimate No. 7, which is the final progress estimate for this project. The amount now due the contractor and the amount to be deposited in the retainage account are as follows:

<u>Amount Now Due</u>	<u>Amount to be Deposited in Retainage Account</u>	<u>Total Retainage Amount</u>
\$58,365.82	\$3,071.89	\$19,331.83

On October 1, 2010, we (WSDOT and the City) conducted a Final Inspection, and determined the project is substantially and physically complete.

The project has been completed in compliance with the Contract; therefore I recommend we accept the project as complete.

After we have accepted the project as complete, we need to:

1. Complete and sign the "Final Contract Voucher" and forward a copy to the contractor.
2. Complete and forward to the Washington State Department of Revenue the "Notice of Completion of Public Works Contract" form.
3. Complete and forward to the Washington State Department of Labor & Industries the "Notice of Completion of Public Works Contract" form.

The retainage may be released to the contractor immediately upon the completion of the following items:

1. Sixty days have elapsed since the date of project acceptance as indicated in the City Council meeting minutes.
2. We receive the State Department of Revenue "Certificate of Payment of State Excise Taxes by Public Works Contractor" (RCW 60.28).
3. We receive the "Certificate of Payment of Contribution Penalties and Interest on Public Works Contract" from the Washington State Employment Security Department.
4. There are no claims or liens filed for labor and materials furnished on this Contract.

5. All "Affidavit of Wages Paid" forms are on file for the contractor and all subcontractors, regardless of tier.
6. We receive notification from the Department of Labor & Industries that the contractor and their subcontractors are current with payments of industrial insurance and medical aid premiums.

Action Requested:

1. Authorize the Mayor to pay Progress Estimate #7, when reimbursement has been provided by WSDOT and/or TIB. The amount to be paid is \$58,365.82 and the amount to be deposited in the Retainage Account is \$3,071.89.
2. Accept the Project as Complete.

#08116 City of McCleary
Simpson Ave. TIB Project
Construction Contract Job Costing - Sterling Breen

Bid ITEM#	ITEM	QTY	UNIT	UNIT COST	Bid Open AMOUNT	Invoice #7 Quantity	Invoice #7 Amount	TOTAL (Quantity)	TOTAL (Amount)	Contract Balance
Base Bid										
1	Mobilization	1	LS	4,500.00	4,500.00	0	0.00	1.0	4,500.00	0.00
2	Clearing and Grubbing	1	LS	1,500.00	1,500.00	0	0.00	1.0	1,500.00	0.00
3	Removing Asphalt Conc. Pavement	365	SY	5.00	1,825.00	0	0.00	464.26	2,321.30	(496.30)
4	Roadway Excavation Incl. Haul	120	CY	25.00	3,000.00	0	0.00	141.49	3,537.25	(537.25)
5	Catch Basin Type 1L	2	EA	500.00	1,000.00	0	0.00	2	1,000.00	0.00
6	Catch Basin Type 1	3	EA	500.00	1,500.00	0	0.00	5	2,500.00	(1000.00)
7	Adjust Catch Basin	10	EA	250.00	2,500.00	0	0.00	8	2,000.00	500.00
8	Catch Basin Type 2 48 in. Diam.	1	EA	1,800.00	1,800.00	0	0.00	1	1,800.00	0.00
9	Sewer Cleanout	1	EA	400.00	400.00	0	0.00	1	400.00	0.00
10	Ductile Iron Sewer Pipe 8 in. Diam.	53	LF	29.00	1,537.00	0	0.00	54	1,566.00	(29.00)
11	Ductile Iron Sewer Pipe 12 in. Diam.	112	LF	40.00	4,480.00	0	0.00	108	4,320.00	160.00
12	Ballast	250	Ton	18.00	4,500.00	0	0.00	208	3,742.02	757.98
13	Crushed Surfacing Top Course	225	Ton	20.00	4,500.00	0	0.00	226	4,521.20	(21.20)
14	HMA CL. 1/2 In. PG 64-22	58	Ton	157.00	9,106.00	0	0.00	68	10,701.12	(1595.12)
15	Topsoil Type A	10	CY	30.00	300.00	0	0.00	11	315.60	(15.60)
16	Seeding	1	LS	1,500.00	1,500.00	0	0.00	1	1,500.00	0.00
17	Erosion/Water Pollution Control	1	EST	1,400.00	1,400.00	0	0.00	1.00	1,400.00	0.00
18	Cement Conc. Traffic Curb and Gutter	1405	LF	12.00	16,860.00	0	0.00	1,409	16,902.00	(42.00)
19	Permanent Signing	1	LS	5,000.00	5,000.00	0	0.00	1	5,000.00	0.00
20	Project Temporary Traffic Control	1	LS	8,000.00	8,000.00	0	0.00	1.00	8,000.00	0.00
21	Flaggers and Spotters	40	HR	48.00	1,920.00	0	0.00	108	5,184.00	(3264.00)
22	Ramp Detectable Warning Retrofit	110	SF	45.00	4,950.00	0	0.00	110	4,950.00	0.00
23	Cement Conc. Sidewalk	809	SY	28.00	22,652.00	0	0.00	743	20,800.64	1851.36
24	Cement Conc. Sidewalk Ramp Type X	9	EA	1,500.00	13,500.00	0	0.00	11	16,500.00	(3000.00)
25	Cement Conc. Driveway Entrance Type 1	55	SY	45.00	2,475.00	0	0.00	42	1,877.40	597.60
26	Trimming And Cleanup	1	LS	3,231.00	3,231.00	0	0.00	1.00	3,231.00	0.00
27	Minor Change Five Thousand and 00/100	1	CALC	5,000.00	5,000.00	0	0.00	0	0.00	5000.00
28	SPCC Plan	1	LS	250.00	250.00	0	0.00	1	250.00	0.00
29	Connection to Drainage Structure	3	EA	452.50	1,357.50	0	0.00	3	1,357.50	0.00
30	Sawcutting Asphalt Conc. Pavement	1527	LF	1.50	2,290.50	0	0.00	1,690.25	2,535.38	(244.88)
31	Trench Drain	7	EA	700.00	4,900.00	0	0.00	7	4,900.00	0.00
32	Vaned Grate for Existing Catch Basin	9	EA	336.80	3,031.20	0	0.00	8	2,694.40	336.80
33	Catch Basin Installation at Existing Storm Pipe	4	EA	950.00	3,800.00	0	0.00	1	950.00	2850.00
34	Paint Curb	395	LF	1.00	395.00	0	0.00	340	339.50	55.50
35	Project Construction Sign	1	LS	500.00	500.00	0	0.00	1	500.00	0.00
36	Trench Excavation Safety Provisions	1	LS	1.00	1.00	0	0.00	1	1.00	0.00
37	Frame for existing Catch Basin	8	EA	115.00	920.00	0	0.00	8	920.00	0.00
38	Remove Existing Drainage Structure	1	EA	500.00	500.00	0	0.00	1	500.00	0.00
	Subtotal (Bid Amount/ Work Complete)				146,881.20		0.00		145,017.31	
	Retainage (5% Bid Amount/Work Comp)				NA		0.00		(7,250.87)	
	TOTAL PAYMENT				146,881.20		0.00		137,766.44	1,863.90
Schedule A-1 Additive Alternate Items										
1	Mobilization	1	LS	1,000.00	1,000.00	0	0.00	1	1,000.00	0.00
2	Removing Cement Conc. Sidewalk	660	SY	5.40	3,564.00	0	0.00	657	3,550.39	13.61
3	Remove Cement Conc. Curb	1210	LF	2.70	3,267.00	0	0.00	1,257	3,393.90	(126.90)
	Subtotal (Bid Amount/ Work Complete)				7,831.00		0.00		7,944.29	
	Retainage (5% Bid Amount/Work Comp)				NA		0.00		(397.21)	
	TOTAL PAYMENT				7,831.00		0.00		7,547.08	(113.29)
Schedule B-1 Additive Alternate Items										
1	Mobilization	1	LS	3,500.00	3,500.00	0	0.00	1	3,500.00	0.00
2	Clearing and Grubbing	1	LS	2,000.00	2,000.00	0	0.00	1	2,000.00	0.00
3	Removing Asphalt Conc. Pavement	590	SY	3.60	2,124.00	0	0.00	589.4	2,121.84	2.16
4	Roadway Excavation Incl. Haul	20	CY	14.97	299.40	0	0.00	10.2	152.69	146.71
5	Catch Basin Type 1	5	EA	575.00	2,875.00	0	0.00	2	1,150.00	1725.00
6	Adjust Catch Basin	1	EA	300.00	300.00	0	0.00	1	300.00	0.00
7	Ductile Iron Sewer Pipe 8 in. Diam.	111	LF	30.00	3,330.00	0	0.00	11.5	345.00	2985.00
8	Ballast	87	TON	16.00	1,392.00	0	0.00	24.35	389.60	1002.40
9	Crushed Surfacing Top Course	125	TON	19.00	2,375.00	0	0.00	93.69	1,780.11	594.89
10	HMA CL. 1/2 in. PG 64-22	7	TON	158.00	1,106.00	0	0.00	7	1,110.74	(4.74)
11	Erosion/Water Pollution Control	1	EST	700.00	700.00	0	0.00	1.00	700.00	0.00
12	Cement Conc. Traffic Curb and Gutter	182	LF	10.50	1,911.00	0	0.00	185	1,942.50	(31.50)
13	Plastic Crosswalk Line	112	SF	7.61	852.32	0	0.00	96	730.56	121.76
14	Permanent Signing	1	LS	1,600.00	1,600.00	0	0.00	1	1,600.00	0.00
15	Project Temporary Traffic Control	1	LS	5,000.00	5,000.00	0	0.00	1.0	5,000.00	0.00
16	Flaggers and Spotters	16	HR	45.00	720.00	0	0.00	13	585.00	135.00
17	Ramp Detectable Warning Retrofit	16	SF	80.00	1,280.00	0	0.00	16	1,280.00	0.00
18	Cement Conc. Sidewalk	130	SY	30.00	3,900.00	0	0.00	104	3,106.20	793.80
19	Cement Conc. Sidewalk Ramp Type X	2	EA	800.00	1,600.00	0	0.00	2	1,600.00	0.00
20	Trimming and Cleanup	1	LS	1,565.00	1,565.00	0	0.00	1.00	1,565.00	0.00
21	Connection to Drainage Structure	1	EA	452.57	452.57	0	0.00	3	1,357.71	(905.14)
22	Sawcutting Asphalt Conc. Pavement	192	LF	1.50	288.00	0	0.00	229.5	344.25	(56.25)
23	Trench Excavation Safety Provisions	1	LS	1.00	1.00	0	0.00	1	1.00	0.00
24	Paint Curb	182	LF	1.00	182.00	0	0.00	93	92.50	89.50
25	Solid Lid for Existing Catch Basin	1	EA	330.00	330.00	0	0.00	1	330.00	0.00
	Subtotal (Bid Amount/ Work Complete)				39,683.29		0.00		33,084.70	
	Retainage (5% Bid Amount/Work Comp)				NA		0.00		(1,654.24)	
	TOTAL PAYMENT				39,683.29		0.00		31,430.47	6,598.59

Bid ITEM#	ITEM	QTY	UNIT	UNIT COST	Bid Open AMOUNT	Invoice #7 Quantity	Invoice #7 Amount	TOTAL (Quantity)	TOTAL (Amount)	Contract Balance
Schedule B-2 Additive Alternate Items										
1	Mobilization	1	LS	3,300.00	3,300.00	0	0.00	1	3,300.00	0.00
2	Clearing and Grubbing	1	LS	1,500.00	1,500.00	0	0.00	1	1,500.00	0.00
3	Removing Drainage Structure	1	EA	500.00	500.00	1	500.00	1	500.00	0.00
4	Removing Cement Conc. Curb	36	LF	13.88	499.88	0	0.00	44	610.72	(111.04)
5	Removing Asphalt Conc. Pavement	595	SY	3.60	2,142.00	0	0.00	676	2,434.32	(292.32)
6	Roadway Excavation Incl. Haul	187	CY	16.00	2,992.00	0	0.00	201	3,216.80	(224.80)
7	Light Loose Riprap	10	CY	24.00	240.00	25.38	609.12	25	609.12	(369.12)
8	Underdrain Pipe 8 in Diam.	75	LF	10.66	799.50	0	0.00	75	799.50	0.00
9	Drain Pipe 8 in Diam.	46	LF	17.00	782.00	0	0.00	27	459.00	323.00
10	Adjust Manhole	1	EA	300.00	300.00	5	1,500.00	5	1,500.00	(1200.00)
11	Catch Basin Type 1	6	EA	550.00	3,300.00	0	0.00	10	5,500.00	(2200.00)
12	Adjust Catch Basin	3	EA	250.00	750.00	3	750.00	3	750.00	0.00
13	Ductile Iron Sewer Pipe 8 in Diam	69	LF	30.00	2,070.00	0	0.00	51	1,530.00	540.00
14	Ballast	446	TON	16.00	7,136.00	84.13	1,346.08	414	6,620.64	515.36
15	Crushed Surfacing Top Course	108	TON	19.00	2,052.00	137.36	2,609.84	137	2,609.84	(557.84)
16	HMA CL. 1/2 in PG 64-22	90	TON	122.00	10,980.00	145.54	17,755.88	146	17,755.88	(6775.88)
17	Seeding	1	LS	1,500.00	1,500.00	0	0.00	0	0.00	1500.00
18	Erosion/Water Pollution Control	1	EST	700.00	700.00	0.6	420.00	1	700.00	0.00
19	Cement Conc. Traffic Curb and Gutter	621	LF	15.00	9,315.00	632.5	9,487.50	633	9,487.50	(172.50)
20	Extruded Curb	32	LF	24.60	787.20	32.5	799.50	33	799.50	(12.30)
21	Paint Line	16	LF	0.57	9.12	19	10.83	19	10.83	(1.71)
22	Permanent Signing	1	LS	990.00	990.00	1	990.00	1	990.00	0.00
23	Project Temporary Traffic Control	1	LS	2,000.00	2,000.00	0.6	1,200.00	1	1,200.00	800.00
24	Flaggers and Spotters	16	HR	45.00	720.00	101	4,545.00	101	4,545.00	(3825.00)
25	Ramp Detectable Warning Retrofit	27	SF	80.00	2,160.00	30	2,400.00	30	2,400.00	(240.00)
26	Cement Conc. Sidewalk	274	SY	25.50	6,987.00	263.1	6,709.05	263	6,709.05	277.95
27	Cement Conc. Sidewalk Ramp Type X	3	EA	800.00	2,400.00	3	2,400.00	3	2,400.00	0.00
28	Cement Conc. Driveway Entrance Type 1	64	SY	40.00	2,560.00	65.74	2,629.60	66	2,629.60	(69.60)
29	Area Inlet	4	EA	300.00	1,200.00	0	0.00	0	0.00	1200.00
30	Trimming and Cleanup	1	LS	1,566.00	1,566.00	1	1,566.00	1	1,566.00	0.00
31	Connection to Drainage Structure	2	EA	452.60	905.20	0	0.00	1	452.60	452.60
32	Sawcutting Asphalt Conc. Pavement	847	LF	1.50	1,270.50	0	0.00	862	1,293.00	(22.50)
33	Paint Curb	280	LF	1.10	308.00	63	69.30	63	69.30	238.70
34	Solid Lid for Existing Catch Basin	3	EA	250.00	750.00	4	1,000.00	4	1,000.00	(250.00)
35	Tee Connection to Existing Storm Pipe	4	EA	375.00	1,500.00	0	0.00	6	2,250.00	(750.00)
36	Relocate Ex. Street Sign	2	EA	100.00	200.00	1	100.00	1	100.00	100.00
37	Trench Excavation Safety Provisions	1	LS	1.00	1.00	0	0.00	1	1.00	0.00
38	Surveying	1	LS	2,000.00	2,000.00	0	0.00	1	2,000.00	0.00
39	Asphalt Grinding	1	LS	2,040.00	2,040.00	1	2,040.00	1	2,040.00	0.00
	Subtotal (Bid Amount/ Work Complete)				81,212.20		61,437.70		92,339.20	(11127.00)
	Retainage (5% Bid Amount/Work Comp)				NA		(3,071.89)		(4,616.96)	
	TOTAL PAYMENT				81,212.20		58,365.82		87,722.24	(11,127.00)
Schedule B-3 Additive Alternate Items										
1	Mobilization	1	LS	2,500.00	2,500.00	0	0.00	1	2,500.00	0.00
2	Clearing and Grubbing	1	LS	5,000.00	5,000.00	0	0.00	1.0	5,000.00	0.00
3	Removing Drainage Structure	2	EA	500.00	1,000.00	0	0.00	1	500.00	500.00
4	Removing Asphalt Conc. Pavement	41	SY	6.52	267.32	0	0.00	84.31	549.70	(282.38)
5	Roadway Excavation Incl. Haul	73	CY	14.26	1,040.98	0	0.00	36.6	521.92	519.06
6	Embankment Compaction	80	CY	8.00	640.00	0	0.00	0	0.00	640.00
7	Catch Basin Type 1	3	EA	550.00	1,650.00	0	0.00	3	1,650.00	0.00
8	Ductile Iron Sewer Pipe 8 in. Diam.	35	LF	26.55	929.25	0	0.00	37	982.35	(53.10)
9	Crushed Surfacing Top Course	76	TON	19.00	1,444.00	0	0.00	81.77	1,553.63	(109.63)
10	HMA CL. 1/2 in PG 64-22	39	TON	157.00	6,123.00	0	0.00	35	5,527.97	595.03
11	Seeding	1	LS	1,500.00	1,500.00	0	0.00	1	1,500.00	0.00
12	Erosion/Water Pollution Control	1	EST	700.00	700.00	0	0.00	1.0	700.00	0.00
13	Cement Conc. Traffic Curb and Gutter	475	LF	10.00	4,750.00	0	0.00	479	4,790.00	(40.00)
14	Paint Line	40	LF	0.56	22.40	0	0.00	73	40.88	(18.48)
15	Permanent Signing	1	LS	1,400.00	1,400.00	0	0.00	1	1,400.00	0.00
16	Project Temporary Traffic Control	1	LS	4,000.00	4,000.00	0	0.00	1.0	4,000.00	0.00
17	Flaggers and Spotters	16	HR	55.00	880.00	0	0.00	11	605.00	275.00
18	Ramp Detectable Warning Retrofit	37	SF	80.00	2,960.00	0	0.00	32	2,560.00	400.00
19	Cement Conc. Sidewalk	252	SY	25.00	6,300.00	0	0.00	229	5,720.75	579.25
20	Cement Conc. Sidewalk Ramp Type X	4	EA	800.00	3,200.00	0	0.00	4	3,200.00	0.00
21	Trimming and Cleanup	1	LS	1,376.00	1,376.00	0	0.00	1.00	1,376.00	0.00
22	Connection to Drainage Structure	2	EA	452.57	905.14	0	0.00	1	452.57	452.57
23	Sawcutting Asphalt Conc. Pavement	1019	LF	1.50	1,528.50	0	0.00	1,116	1,673.25	(144.75)
24	Trench Excavation Safety Provisions	1	LS	1.00	1.00	0	0.00	1	1.00	0.00
25	Paint Curb	80	LF	1.00	80.00	0	0.00	409	409.00	(329.00)
26	Remove and Dispose of Existing Irrigation	385	LF	2.39	920.15	0	0.00	370	884.30	35.85
27	Relocate Existing Rockery	1	LS	500.00	500.00	0	0.00	1	500.00	0.00
28	Relocate Existing Permanent Signage	2	EA	150.00	300.00	0	0.00	2	300.00	0.00
29	Tee Connection to Existing Storm Pipe	2	EA	500.00	1,000.00	0	0.00	2	1,000.00	0.00
30	Ballast	94	TON	16.00	1,504.00	0	0.00	52	826.40	677.60
31	Additional ACP removal	1	LS	792.00	792.00	1	792.00	1	792.00	0.00
32	Landscape Grading	1	LS	731.40	731.40	1	731.40	1	731.40	0.00
33	Topsoil Type A	59	CY	30.00	1,770.00	0	0.00	54	1,606.20	163.80
	Subtotal (Bid Amount/ Work Complete)				57,715.14		0.00		53,854.32	3860.82
	Retainage (5% Bid Amount/Work Comp)				NA		0.00		(2,692.72)	
	TOTAL PAYMENT				57,715.14		0.00		51,161.60	3,860.82
Schedule B-4 Additive Alternate Items										
1	Mobilization	1	LS	4,000.00	4,000.00	0	0.00	1.00000	4,000.00	0.00
2	Clearing and Grubbing	1	LS	1,200.00	1,200.00	0	0.00	1.0	1,200.00	0.00
3	Removing Drainage Structure	2	EA	500.00	1,000.00	0	0.00	1	500.00	500.00
4	Removing Asphalt Conc. Pavement	6	SY	30.93	185.58	0	0.00	115.2	3,563.14	(3377.56)
5	Roadway Excavation Incl. Haul	24	CY	21.38	513.12	0	0.00	28.5	609.33	(96.21)

Bid ITEM#	ITEM	QTY	UNIT	UNIT COST	Bid Open AMOUNT	Invoice #7 Quantity	Invoice #7 Amount	TOTAL (Quantity)	TOTAL (Amount)	Contract Balance
6	Catch Basin Type 1	1	EA	550.00	550.00	0	0.00	3	1,650.00	(1100.00)
7	Ductile Iron Sewer Pipe 8 in. Diam.	23	LF	56.52	1,299.96	0	0.00	20.5	1,158.66	141.30
8	Ductile Iron Sewer Pipe 12 in. Diam.	25	LF	56.52	1,413.00	0	0.00	22	1,243.44	169.56
9	Crushed Surfacing Top Course	27	TON	18.00	486.00	0	0.00	49.63	893.34	(407.34)
10	HMA CL. 1/2 in. PG 64-22	17	TON	157.00	2,669.00	0	0.00	29	4,595.39	(1926.39)
11	Seeding	1	LS	1,500.00	1,500.00	0	0.00	1	1,500.00	0.00
12	Erosion/Water Pollution Control	1	EST	700.00	700.00	0	0.00	1.0	700.00	0.00
13	Cement Conc. Traffic Curb and Gutter	157	LF	16.00	2,512.00	0	0.00	369	5,904.00	(3392.00)
14	Paint Line	35	LF	0.55	19.25	0	0.00	55	30.25	(11.00)
15	Project Temporary Traffic Control	1	LS	5,000.00	5,000.00	0	0.00	1.0	5,000.00	0.00
16	Flaggers and Spotters	16	HR	45.00	720.00	0	0.00	16	697.50	22.50
17	Ramp Detectable Warning Retrofit	19	SF	80.00	1,520.00	0	0.00	32	2,560.00	(1040.00)
18	Cement Conc. Sidewalk	82	SY	28.00	2,296.00	0	0.00	151	4,221.28	(1925.28)
19	Cement Conc. Sidewalk Ramp Type X	2	EA	800.00	1,600.00	0	0.00	4	3,200.00	(1600.00)
20	Trimming and Cleanup	1	LS	1,375.00	1,375.00	0	0.00	1.0	1,375.00	0.00
21	Connection to Drainage Structure	3	EA	452.57	1,357.71	0	0.00	3	1,357.71	0.00
22	Sawcutting Asphalt Conc. Pavement	697	LF	1.50	1,045.50	0	0.00	720	1,079.25	(33.75)
23	Trench Excavation Safety Provisions	1	LS	1.00	1.00	0	0.00	1	1.00	0.00
24	Paint Curb	80	LF	0.90	72.00	0	0.00	272	244.80	(172.80)
25	Remove and Dispose of Existing Irrigation	100	LF	5.00	500.00	0	0.00	380	1,900.00	(1400.00)
26	Ballast	31	TON	16.00	496.00			53.2	851.84	(355.84)
27	Additional ACP Removal	1	LS	528.00	528.00			1.0	528.00	0.00
28	Landscape Grading	1	LS	1,528.60	1,528.60			1.0	1,528.60	0.00
29	Topsoil Type A	41	CY	30.00	1,230.00			36.8	1,104.30	125.70
30	Permanent Signing	1	LS	1,200.00	1,200.00			1.0	1,200.00	0.00
	Subtotal (Bid Amount/ Work Complete)				38,517.72		0.00		54,396.83	
	Retainage (5% Bid Amount/Work Comp)				NA		0.00		(2,719.84)	
	TOTAL PAYMENT				38,517.72		0.00		51,676.98	(15,879.11)
	TOTAL PAYMENT (BASE BID PLUS ALTS A1, B1, B2, B3, and B4)				371,840.55		58,365.82		367,304.81	(14,796.09)
	TOTAL RETAINAGE (BASE BID PLUS ALTS A1, B1, B2, B3, and B4)						(3,071.89)		(19,331.83)	

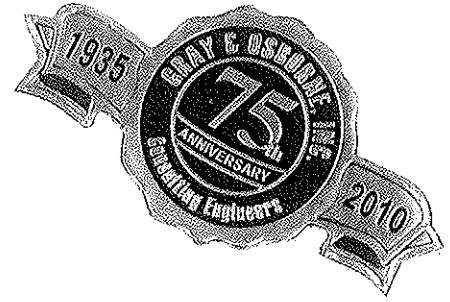
STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: October 8, 2010
Re: Reservoir Repainting Project

Attached you will find a summary of the bids received for the Reservoir Repainting Project. The apparent low bidder, Shields Painting Corporation, provided a total bid of \$147,695.00. The amount currently budgeted, including the contingency funds, is \$152,566.89. It is important to note that the bids received already include a \$4,500 (total) minor changes item to assist with some of the smaller items that may arise during construction.

Action Requested:

Award the Reservoir Repainting Project to Shields Painting Corporation contingent upon USDA award concurrence and authorize the Mayor execute the contract documents when recommended by Gray & Osborne.



October 7, 2010

Mr. Nick Bird, P.E.
City of McCleary
100 South Third Street
McCleary, Washington 98557

SUBJECT: REVIEW OF BIDS, RESERVOIR REPAINTING PROJECT
CITY OF MCCLEARY, GRAYS HARBOR COUNTY, WASHINGTON
G&O #09293

Dear Mr. Bird

On September 30, 2010, the City of McCleary received six bids for the Reservoir Repainting Project. The bids ranged from \$102,817.40 to \$190,716.33 for Schedule A and from \$44,877.60 to \$134,067.60 for Schedule B. The bids for total construction cost (Schedules A and B) ranged from \$147,695.00 to \$324,783.93. The Engineer's Estimate was \$143,000 for Schedule A and \$68,000 for Schedule B. The Engineer's Estimate for total construction cost was \$211,000.00. Each proposal was checked for correctness of extensions of the prices per unit and the total price. Several corrections were made; however, these corrections did not change the position of the low bidder. We have provided a bid summary with this letter. The bidders and their respective bid amounts, including sales tax where applicable, are as follows:

1.	Shields Painting Corporation (Happy Valley, OR).....	\$147,695.00
2.	Western Industrial (Lynnwood, WA)	\$179,402.00
3.	Purcell Painting (Tukwila, WA).....	\$189,736.86
	Engineer's Estimate.....	\$211,000.00
4.	Coatings Unlimited (Kent, WA).....	\$228,398.80
5.	HCI Industrial and Marine (Brush Prairie, WA)	\$255,082.54
6.	Washington Industrial (Silverdale, WA)	\$324,783.93

The low bidder, Shields Painting Corporation of Happy Valley, Oregon, is currently a Washington State registered and licensed contractor and appears to have the relevant qualifications and experience to successfully perform the work the project will require. To our knowledge, the low bidder has not claimed bid error and no formal bidding protests have been recorded. In accordance with RCW 39.04, we have verified the low bidder, Shields Painting Corporation of Happy Valley, Oregon has met the responsibility criteria.



Mr. Nick Bird
October 7, 2010
Page 2

Based on our evaluation, we recommend that the project be awarded to Shields Painting Corporation, 15025 SE Monner Road, Happy Valley, OR 97086.

Please contact us if you have any questions and/or require additional information.

Very truly yours,

GRAY & OSBORNE, INC.

Michael B. Johnson, P.E.

MBJ/sp
Encl.

cc: Mr. David Dunnell, USDA Rural Development
Ms. Debbie Harper, USDA Rural Development

BIDDER		ENGINEER'S ESTIMATE		SHEILDS PAINTING CORP.		WESTERN INDUSTRIAL		PURCELL PAINTING		
ADDRESS		15025 SE Monner Road		19031 33rd Ave. W, Ste. 205		Lynnwood, WA 98036		Tukwila, WA 98168		
WASHINGTON STATE WORKMAN'S COMP. ACCT. NO.		Happy Valley, OR 97086		888, 709-00		WESTE10551A		074, 815-00		
WASHINGTON STATE CONTRACTOR'S REG. NUMBER		007, 825-01		5% BID BOND		5% BID BOND		PURCEPC967QO		
BID BOND OR OTHER GOOD FAITH TOKEN		SHIELPCO19KD		5% BID BOND		5% BID BOND		PURCEPC967QO		
NO.	ITEM	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		
SCHEDULE A (BASE BID)										
1	Mobilization	1 LS	\$6,300.00	\$6,300.00	\$12,500.00	\$12,500.00	\$10,000.00	\$10,000.00	\$4,000.00	\$4,000.00
2	Surface Preparation for 500,000-Gallon Reservoir	1 LS	\$73,579.00	\$73,579.00	\$58,000.00	\$58,000.00	\$60,000.00	\$60,000.00	\$57,265.00	\$57,265.00
3	Interior Painting for 500,000-Gallon Reservoir	1 LS	\$42,045.00	\$42,045.00	\$14,850.00	\$14,850.00	\$25,000.00	\$25,000.00	\$32,212.00	\$32,212.00
4	Dehumidification and Heat	1 LS	\$5,000.00	\$5,000.00	\$5,800.00	\$5,800.00	\$3,000.00	\$3,000.00	\$6,600.00	\$6,600.00
5	Removal of Mill Scale	700 SF	\$7.00	\$4,900.00	\$1.00	\$700.00	\$2.00	\$1,400.00	\$5.00	\$3,500.00
6	Minor Changes	1 LS	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00
Subtotal:				\$134,824.00		\$94,850.00		\$102,400.00		\$106,577.00
Sales Tax @ 8.4%				\$11,325.22		\$7,967.40		\$8,601.60		\$8,952.47
TOTAL CONSTRUCTION COST, SCHEDULE A				\$146,149.22		\$102,817.40		\$111,001.60		\$115,529.47
SCHEDULE B (ADDITIVE)										
1	Mobilization	1 LS	\$6,300.00	\$6,300.00	\$6,500.00	\$6,500.00	\$1,000.00	\$1,000.00	\$3,500.00	\$3,500.00
2	Surface Preparation for 500,000-Gallon Reservoir	1 LS	\$32,426.00	\$32,426.00	\$23,700.00	\$23,700.00	\$36,000.00	\$36,000.00	\$38,051.00	\$38,051.00
3	Interior Painting for 500,000-Gallon Reservoir	1 LS	\$18,529.00	\$18,529.00	\$7,000.00	\$7,000.00	\$21,000.00	\$21,000.00	\$17,906.00	\$17,906.00
4	Dehumidification and Heat	1 LS	\$5,000.00	\$5,000.00	\$2,400.00	\$2,400.00	\$3,000.00	\$3,000.00	\$6,000.00	\$6,000.00
5	Removal of Mill Scale	300 SF	\$7.00	\$2,100.00	\$1.00	\$300.00	\$2.00	\$600.00	\$5.00	\$1,500.00
6	Minor Changes	1 LS	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
Subtotal:				\$65,855.00		\$41,400.00		\$63,100.00		\$68,457.00
Sales Tax @ 8.4%				\$5,551.82		\$3,477.60		\$5,300.40		\$5,750.39
TOTAL CONSTRUCTION COST, SCHEDULE B				\$71,386.82		\$44,877.60		\$68,400.40		\$74,207.39
TOTAL CONSTRUCTION COST, SCHEDULE A				\$146,149.22		\$102,817.40		\$111,001.60		\$115,529.47
TOTAL CONSTRUCTION COST, SCHEDULE B				\$71,386.82		\$44,877.60		\$68,400.40		\$74,207.39
TOTAL CONSTRUCTION COST, SCHEDULES A AND B				\$217,536.04		\$147,695.00		\$179,402.00		\$189,736.86

CITY OF MCCLEARY, WASHINGTON
 RESERVOIR REPAINTING PROJECT
 GRAY & OSBORNE #09293

DATE: 9/2010
 DRAWN: SN
 CHECKED: MBJ
 APPROVED: MBJ

GRAY & OSBORNE
 CONSULTING ENGINEERS
 SEATTLE, OLYMPIA, YAKIMA,
 VANCOUVER & ARLINGTON, WASHINGTON

BIDDER: **COATINGS UNLIMITED*** HCl INDUSTRIAL & MARINE WASHINGTON INDUSTRIAL
 BIDDER ADDRESS: 18420 68th Ave. S., #110 Kent, WA 98032 P.O. Box 1573 Brush Prairie, WA 98606 P.O. Box 3877 Silverdale, WA 98383

WASHINGTON STATE WORKMAN'S COMP. ACCT. NO. 594672-01
 WASHINGTON STATE CONTRACTORS REG. NUMBER COAT1U097KA HCHNIC956CZ WASHHC980CE
 BID BOND OR OTHER GOOD FAITH TOKEN 5% BID BOND 5% BID BOND 5% BID BOND

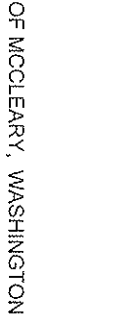
NO.	ITEM	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
SCHEDULE A (BASE BID)								
1	Mobilization	1 LS	\$5,000.00	\$5,000.00	\$14,879.00	\$14,879.00	\$23,273.37	\$23,273.37
2	Surface Preparation for 500,000-Gallon Reservoir	1 LS	\$85,000.00	\$85,000.00	\$90,440.00	\$90,440.00	\$90,064.94	\$90,064.94
3	Interior Painting for 500,000-Gallon Reservoir	1 LS	\$32,000.00	\$32,000.00	\$33,497.00	\$33,497.00	\$38,599.26	\$38,599.26
4	Dehumidification and Heat	1 LS	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$10,500.00	\$10,500.00
5	Removal of Mill Scale	700 SF	\$1.00	\$700.00	\$7.00	\$4,900.00	\$15.00	\$10,500.00
6	Minor Changes	1 LS	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00
Subtotal: \$130,700.00								
Sales Tax @ 8.4% \$10,978.80								
TOTAL CONSTRUCTION COST, SCHEDULE A \$141,678.80								

NO.	ITEM	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
SCHEDULE B (ADDITIVE)								
1	Mobilization	1 LS	\$3,000.00	\$3,000.00	\$0.00	\$0.00	\$13,784.16	\$13,784.16
2	Surface Preparation for 500,000-Gallon Reservoir	1 LS	\$44,500.00	\$44,500.00	\$51,763.00	\$51,763.00	\$69,326.11	\$69,326.11
3	Interior Painting for 500,000-Gallon Reservoir	1 LS	\$28,000.00	\$28,000.00	\$18,237.00	\$18,237.00	\$27,568.33	\$27,568.33
4	Dehumidification and Heat	1 LS	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00	\$7,000.00	\$7,000.00
5	Removal of Mill Scale	300 SF	\$0.00*	\$0.00	\$7.00	\$2,100.00	\$15.00	\$4,500.00
6	Minor Changes	1 LS	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
Subtotal: \$80,000.00								
Sales Tax @ 8.4% \$6,720.00								
TOTAL CONSTRUCTION COST, SCHEDULE B \$86,720.00								

NO.	ITEM	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
TOTAL CONSTRUCTION COST, SCHEDULE A								
				\$141,678.80				
TOTAL CONSTRUCTION COST, SCHEDULE B								
				\$86,720.00				
TOTAL CONSTRUCTION COST, SCHEDULES A AND B								
				\$228,398.80				
				\$255,082.54				

Sealed bids were opened at the City of McCleary, 100 South Third Street, McCleary, Washington 98557 on Thursday, September 30, 2010, at 1:00 p.m. (local time).

I hereby certify that, to the best of my knowledge, the above tabulations are true and correct transcriptions of the unit prices and total amounts bid.


 MICHAEL B. JOHNSON, P.E.

DATE: 9/2010
 DRAWN: SN
 CHECKED: MBJ
 APPROVED: MBJ

GRAY & OSBORNE
 CONSULTING ENGINEERS
 SEATTLE, OLYMPIA, YAKIMA,
 VANCOUVER & ARLINGTON, WASHINGTON

CITY OF MCCLEARY, WASHINGTON
 RESERVOIR REPAINTING PROJECT
 GRAY & OSBORNE #09293

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: October 8, 2010
Re: Asphalt Patching Bid Award

We have several areas around the city where minor asphalt repair is necessary. The public facilities crew will be excavating the areas and installing new subgrade to limit future alligator cracking in these areas. A new 3-inch lift of asphalt will be provided at the repair areas. Since we don't have the equipment or time to complete the asphalt installation, Todd has contacted 4 companies about getting bids for installing the asphalt at these locations. Currently, the only company that has provided a bid is Lakeside Industries. Any response provided will be in writing and may be viewed upon request.

<u>Company</u>	<u>Bid Amount</u>
Lakeside Industries	7,755.00+tax
Granite Construction.....	Not Provided
House Brothers.....	Not Provided
Sterling Breen Crushing.....	Not Provided

We anticipate additional bids will be received before the next Council Meeting, thus you may receive a revised Bid Award recommendation.

A copy of the written request is attached.

Action Requested:

Award the Asphalt Patching work to the lowest responsive bidder as recommended during the Council Meeting.



City of McCleary

Home of the McCleary Bear Festival

100 South 3rd Street, McCleary, WA 98557 • 360.495.3667 (phone) • 360.495.3097 (fax) • CityofMcCleary.com

Bid Item	Approximate Quantity	Unit of Measure	Description	Unit Price	Total Price
#1	47	Tons	Furnish and install hot mix asphalt (12 patch areas in Attachment #1. 1766 SF total, .25 average depth)		
				Sales Tax (8.4%)	
				Total Price including Sales Tax	

Exclusions:	Rock, Grading, Excavation, Utility adjustments, traffic control.
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Notes:	Price includes no grading. In the event that any grade work prior to paving, the work will be done on a time and materials basis. Price based on one mobilization.
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Asphalt patching

Attachment #1

	Location	Length/ft	Width/ft	Area/sqft	Depth/ft
1	8th and Ash	25	20	500	0.25
2	7th and Ash	10	8	80	0.25
3	6th st. Near oak	50	5	250	0.25
4	6th and Pine	40	5	200	0.25
5	Pine and 4th	32	3	96	0.25
6	Alley behind 201 Pine	18	4	72	0.25
7	5th street	46	5	230	0.25
8	Simpson Ave	7	6	42	0.25
9	Main street	8	4.5	36	0.25
10	Sign road	18	6	108	0.25
11	3rd and Oak	14	10	140	0.25
12	Mommsen Rd	4	3	12	0.25
13					
14					
15		Total SQ Ft/		1766	

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: October 8, 2010
Re: Stormwater Pipe Cleaning Bid Award

During construction of the Simpson Avenue Sidewalk Project, we discovered that our storm water pipes throughout the project are over half full of debris that must to be cleaned out. By removing the debris in the pipes, it will significantly increase the current capacity of the stormwater conveyance system along Simpson Avenue.

Todd has received 3 written bids for cleaning of the storm system on Simpson Avenue. We anticipate the duration of the cleaning will be three to four working days. Bid amounts shown below are for one day.

<u>Company</u>	<u>Bid Amount</u>
M.W.C.....	\$1,600/day + Tax
Pipe Experts, LLC.....	\$1,760/day + Tax
Cowlitz Clean Sweep.....	\$2,185/day + Tax

Action Requested:

Award the Stormwater Pipe Cleaning work to M.W.C. at the bid amount shown for a not to exceed duration of four days.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: October 8, 2010
Re: Public Works Bid Regulations

Currently, the City is subject to a variety of rules and regulations associated with bid laws that relate to public works projects. The current RCWs defining the small works roster and day labor contracts bid limits are substantially higher than the bid limits defined in Ordinance 698 and Resolution 494. Ordinance 698 addresses the Small Works Process and Resolution 494 addresses competitive bidding for public works projects. A copy of the Ordinance and Resolution referenced is attached. A copy of the RCW's are also attached.

The following table displays a condensed version of the limits set forth in the RCW and our municipal regulations:

	<u>RCW</u>	<u>RCW Limit</u>	<u>Municipal Regulation</u>	<u>Municipal Limit</u>
Small Works Bid	39.04.155	\$300,000	Ordinance 698	\$100,000 and below (must notify all contractors on the roster); \$35,000 and below (must request a minimum of 3 quotes from contractors on the roster)
Day Labor Contract / City Staff	35.23.352	\$65,000 (multiple trades) / \$40,000 (single trade)	Resolution 494	\$2,000 -\$7,500 (verbal quotes, approved by council); \$7,501 – \$15,000 (written quote; approved by council)

Note: RCW 35.23.352 (3) states, "In lieu of the procedures of subsection (1) of this section, a second-class city or a town may let contracts using the small works roster process provided in RCW [39.04.155](#)."

As you can see from the table above, there is a large difference between the RCW limit and our current municipal limit. This all came to our attention when we had multiple complaints of areas throughout the City that needed asphalt patching. We received a quote from Lakeside to conduct the work and realized that we had some additional requirements to address and that we needed Council approval before moving forward. At this stage in the game, I fear that we may have missed the majority of the paving windows and may have to wait until next year to repair the identified areas.

Mr. Glenn and I have discussed this issue briefly and thought it prudent to bring this to your attention for consideration. I believe it would be beneficial to increase the limits to be constant with the current RCW limits, but it is also important to retain the concept of approval of the Council.

My proposal is as follows:

- Revise Ordinance 698 and Resolution 494 concurrently.
- Revise Resolution 494:
 - Increase the administrative amount to \$10,000 (which would still be subject to approval of the Mayor).
 - \$10,001 to RCW Limit (as set by 35.23.352, which varies by number of trades) requires written request and written quote and approval of Council.
- Revise Ordinance 698:
 - RCW Limit (as set by 35.23.352) to \$100,000 requires 3 quotes from Contractors on the Small Works Roster (similar to current Section V of Ordinance 698).
 - \$100,000 to the RCW Limit (as set by 39.04.155) would be completed similar to current Section IV of Ordinance 698, which requires 5 quotes and notification of all Contractors on the Small Works Roster.

Action Requested:

Please consider discussing the proposal. If all Council Members seem to be in agreement Mr. Glenn and I will work to have revisions to you for the next Council Meeting.

RESOLUTION NO. 494

A RESOLUTION RELATING TO COMPETITIVE BIDDING; ESTABLISHING POLICIES IN RELATION THERETO; AND REPEALING RESOLUTION 348 AND ALL OTHER RESOLUTIONS IN CONFLICT THEREWITH.

R E C I T A L S:

1. The City operates pursuant to the provisions of R.C.W. 35A, commonly known as the Optional Municipal Code. In adopting the procedures and policies set forth below, it is the intent of the City to comply with and utilize the discretionary authority provided by the provisions of RCW 35.23.352, made applicable to the City pursuant to RCW 35.40.200, and RCW 39.04.190.

2. As a result of legislation placed into effect most recently amended in 2002, the City may now, as to the award of contracts, whether in relation to public works or otherwise, exercise greater flexibility as to those contracts having a value of less than \$15,000, and the City wishes to exercise that flexibility.

RESOLUTION - 1
12/01/03
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

3. By utilizing the flexibility, the City wishes to insure that the maximum steps that are reasonably necessary to insure receiving the greatest value for the citizens are carried forth and that, in furtherance of this goal, the Council wishes to establish and adopt certain policies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR CONCURRING:

SECTION 1: It shall be the general policy of the City that in the acquisition of materials, supplies, services, and capital items for which bid procedures are to be followed and which in the opinion of the City will cost less than \$15,000, then the following procedures shall apply unless by action of the City Council the decision is made to utilize competitive bidding as provided for in the subsequent Section of this Resolution.

As to the acquisition of the items, services, or materials having an anticipated purchase value of more than \$2,000 but less than \$15,000, the following provisions shall apply:

A. As to acquisitions having an estimated value greater than \$2,000.00 but less than \$7,500.00, the following procedure shall apply:

RESOLUTION - 2
12/01/03
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

1. The head of the Department for which the acquisition is being made shall contact no less than three potential provisioners of the item, service, or goods in question requesting they provide to the City, either by telephone or in writing, quotations for the provision of the particular purchase. The responsible official shall insure that each of the potential provisioners are provided with the same specifications, including the specific date and time by which all such quotations must be received.

2. Upon receipt of the quotations upon the occurrence of the closing time and date, the responsible official shall report the proposals received to the City Council and the Council shall at that time have the authority to authorize the purchase or purchases involved: PROVIDED that by action of the Council, the Council may authorize the Mayor to make such decision and authorize such purchase without reporting to the Council until the next Council Meeting.

3. Upon the making of the award, the sources contacted, the quotations obtained, and the recommendation shall be recorded in writing and be open to public inspection and available for telephone inquiry.

RESOLUTION - 3
12/01/03
DG/1e

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

B. As to acquisitions having an estimated value greater than \$7,500.00 but less than \$15,000.00, the provisions specified above shall be fulfilled subject to the following additional requirements:

1. Specifications of the anticipated purchase shall be provided to the potential provisioners in writing and the request for provision of a proposal shall also be made in writing: PROVIDED that such written confirmations may be made subsequent to initial contact by telephone.

2. The responses shall also be received in writing and shall be maintained on file for a period of no less than one year after the date of the award.

SECTION II: The provisions of this Resolution shall be in the nature of a policy established by the City, but shall give rise to no cause of action in any party in the event it is determined by the City that a particular purchase should be made in a manner other than established by this Resolution or in the event that any provision of this Resolution is not carried forth.

SECTION III: As to any purchase having a value greater than \$15,000, other than a public work, it shall be carried out in the manner provided by the provisions of the Public Bid Law as it may from time to time exist.

RESOLUTION - 4
12/01/03
DG/1e

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

SECTION IV: Under such schedule as may be established by the provisions of RCW 39.04.190, as now existing or as it may hereafter be amended or succeeded, the City shall publish in a newspaper of general circulation a notice of the existence of the vendor lists and solicit submissions by vendors who desire to be upon the list or lists. The City shall add to the vendor roster those qualified vendors who respond to the published notice and request to be included on the roster: PROVIDED THAT, if by action of the Council, specialized rosters are authorized, then such publication may be for such specialized roster which shall be maintained under the same procedural requirements. In the interval between publication of the notice provided by this section, vendors submitting an appropriate written request and supporting documentation may be added to the applicable roster by direction of the Mayor.

The publications carried out pursuant to this section may be combined with those utilized to establish maintain the list of contractors commonly referred to as the Small Works Roster.

SECTION V: Nothing herein shall restrict the City's ability to utilize the authority to make purchases through

RESOLUTION - 5
12/01/03
DG/1e

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

interlocal agreements with other municipal corporations, including the State of Washington.

SECTION VI: Resolution 348 and any other Resolution in conflict with the terms of this Resolution shall be and is hereby repealed.

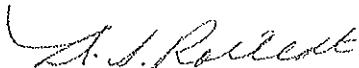
PASSED THIS 10th DAY OF December, 2003, by the City Council of the City of McCleary, and signed in authentication thereof this 10th day of December, 2003.

CITY OF McCLEARY:



WALLACE BENTLEY, Mayor

ATTEST:



DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:



DANIEL O. GLENN, City Attorney

RESOLUTION - 6
12/01/03
dg/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

ORDINANCE NO. 698

AN ORDINANCE ADOPTING MODIFICATIONS IN RELATION TO THE SMALL WORKS ROSTER; CREATING A LIMITED SMALL WORKS PROCESS FOR CERTAIN CONTRACTS; PROVIDING FOR WAIVERS OF CERTAIN BONDING AND RETAINAGE REQUIREMENTS UNDER CERTAIN CONDITIONS; PROVIDING FOR PLACEMENT IN TITLE 2 OF THE MUNICIPAL CODE; AND REPEALING ANY ORDINANCE OR PORTION THEREOF INCONSISTENT WITH ITS PROVISIONS.

R E C I T A L S:

1. The City carries forth various projects, some of which have benefitted from the ability to move forward in a more expeditious manner.

2. Since prior consideration of this matter, the Legislature has adopted amendatory provisions to the enabling legislation, RCW 39.04.155, expanding the fiscal scope authorized for the small works roster approach and implementing certain other procedural changes.

3. It is the desire and intention of the City to utilize the current provisions of the law allowing the creation of a small works roster.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: There is hereby established for the City a small works roster comprised of all contractors who request to be on the roster and who are, where required by law, properly licensed or registered to perform contracting work in the State of Washington and meet the other requirements set forth in this ordinance or by law.

SECTION II: The small works roster shall be established as follows:

A. Under such schedule as may be established by the provisions of RCW 39.04.155, as now existing or as it may hereafter be amended or succeeded, the City shall publish in a newspaper of general circulation a notice of the existence of the small works roster and soliciting the names of contractors for such roster. The City shall add to the small works roster those qualified contractors who respond to the published notice and request to be included on the roster: PROVIDED THAT, if by action of the Council, specialized rosters are authorized, then such publication may be for such specialized roster which shall be maintained under the same procedural requirements. In the interval between publication of the notice provided by this section, contractors submitting an appropriate written request and supporting documentation may be added to the applicable roster by action of the Director of Public Works.

B. In order to be included on the roster, the

contractor shall supply information on a contractor qualification form to be developed by the Public Works Director. The contractor qualification form shall include, at a minimum, the name and address of the contractor, the contractor's Washington registration number, the contractor's insurance company, the contractor's bonding company, the contractor's area or areas of work, and such other information as may be required by law or set forth upon the form.

C. (1) In the event the Director of Public Works determines, upon review of the qualification form, that in his or her opinion the applicant is not qualified, that applicant shall be so notified in writing, stating with reasonable specificity the bases for the Director of Public Work's decision.

(2) The Director shall also have the authority to remove a contractor from the Roster for good cause, including failure of performance. The form and content of the notification shall be of the same general nature as is set forth in (1).

(3) Any contractor whose application has been rejected or who has been removed from the roster by action of the Director shall have the right to request the Council review the decision of the Director of Public Works. Such request for review shall be filed with the Clerk-Treasurer within thirty (30) calendar days from the date of the notice of disqualification or rejection. The decision of the Council shall be final.

SECTION III: Whenever the City seeks to construct any public work or improvements, the estimated cost of which, including costs of material, supplies, and equipment, is \$200,000.00 or less, or such amount as may be hereafter authorized by law, the small works roster may be utilized upon approval of the Council.

SECTION IV: In all situations other than those in which the provisions of Section V are utilized, the small works roster shall be utilized as follows:

A. The City shall invite proposals from at least five (5) qualified contractors on the small works roster. The form of the quotation to be received, whether telephonic, written, or electronic, shall be established by the Director in the invitation for quotations as well as such other items, including closing date and time, as the Director deems appropriate. In the event the estimated cost of the project exceeds \$100,000.00, then all contractors upon the particular roster shall be given notification of the request for quotations: PROVIDED THAT, the notification required by this sentence may be given by publication in a legal newspaper of general circulation, by mailed notice, or by notification through facsimile or electronic means. The presence of the alternative of publication of such notice to the entire roster shall not be deemed to create a requirement that such publication be utilized.

As required by applicable law, in the event that a solicitation for quotations is made to less than the entire roster, it shall be done in such a manner as to equitably distribute the opportunity among the contractors upon the roster. For purposes of this section the term "equitably distribute" shall mean that it must be done in such a manner as to not favor certain contractors over other contractors upon the same list who perform similar work, all as set forth in RCW 39.04.155(2)(c).

B. At a minimum, the invitation to submit proposals/quotations shall include an estimate of the nature and scope of the work to be performed and the materials and equipment to be furnished.

C. When awarding a contract for work under the small works roster, the City shall award the contract to the contractor submitting the lowest responsible bid: PROVIDED, HOWEVER, that the City shall have the right under applicable law to reject any or all bids and to waive procedural irregularities.

SECTION V: In the event that the estimated cost of the project is less than \$35,000.00, the project may be awarded utilizing the following process.

A. The City shall invite proposals from at least three (3) qualified contractors on the small works roster. The form of the quotation to be received, whether telephonic, written, or electronic, shall be established by the Director in the

invitation for quotations as well as such other items, including closing date and time, as the Director deems appropriate.

B. When awarding a contract for work under the small works roster, the City shall award the contract to the contractor submitting the lowest responsible bid: PROVIDED, HOWEVER, that the City of McCleary reserves its right under applicable law to reject any or all bids and to waive procedural irregularities. Further, in making the award, the City shall strive to equitably distribute the opportunities for the award of the contracts covered by this section among the contractors willing to perform the work.

C. Upon award, any quotation received shall be open to public inspection and available, to the extent permitted by technology available to the City, by electronic request.

D. For a period of no less than twenty-four months following award of a contract under this section, the City shall maintain a written list containing no less than the following information: the contractors contacted and the contracts awarded under this process. As to any contract awarded, the information shall include the name of the contractor, the contractor's registration number, a brief description of the type of work performed, the amount of the contract, and the date of award.

E. When authorized by action of the Council, the requirements for the provision of payment and performance bonds,

as more fully set forth in RCW 39.08, as well as the retainage requirements set forth in RCW 60.28, may be waived. In recognition that such waiver places the City at direct risk for liability to the creditors otherwise protected by such bonds or retainage amount, such waiver shall not be deemed to constitute a release of the contractor from the responsibility for such payments. Further, in the event that the City is required to make any payment as a result of such waiver, it shall have the right of recovery against the contractor.

SECTION VI: General Provisions:

A. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by inquiry.

B. A contract awarded from a small works roster under this Ordinance need not be advertised nor need it have detailed plans and specifications prepared for its performance by the City.

C. The breaking of any project into units or phases shall be and is hereby prohibited if such breaking or accomplishment is done for the purpose of avoiding the maximum dollar amount of a contract that may be let utilizing the processes set forth in the prior sections.

SECTION VII: Sections I through VI of this Ordinance shall be placed in Title 2 of the McCleary Municipal Code.

SECTION VIII: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION IX: Any ordinance in conflict with the provisions of this ordinance shall be and is hereby repealed; PROVIDED THAT, any action previously taken in reliance thereon shall be not effected.

SECTION X: This Ordinance shall take effect upon the fifth day following date of publication.

PASSED THIS 13th DAY OF November, 2002, by the City Council of the City of McCleary, and signed in approval therewith this 13th day of November, 2002.

CITY OF McCLEARY:


WALLACE BENTLEY, Mayor

ATTEST:

D. S. Rostedt

DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

Daniel O. Glenn

DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
 : ss.
GRAYS HARBOR COUNTY)

I, DONNIE ROSTEDT, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number 698 and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number 698, as it was published, is on file in the appropriate records of the City of McCleary.

D. S. Rostedt

DONNIE ROSTEDT

SIGNED AND SWORN to before me this 14th day of November, 2002, by DONNIE ROSTEDT.



Darliss C. Sloan

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, Residing at: McCleary
My appointment expires: 7-1-03

ORDINANCE - 9
6/6/02
DG/1e

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

RCW 35.23.352

Public works — Contracts — Bids — Small works roster — Purchasing requirements, recycled or reused materials or products.

(1) Any second-class city or any town may construct any public works, as defined in RCW 39.04.010, by contract or day labor without calling for bids therefor whenever the estimated cost of the work or improvement, including cost of materials, supplies and equipment will not exceed the sum of sixty-five thousand dollars if more than one craft or trade is involved with the public works, or forty thousand dollars if a single craft or trade is involved with the public works or the public works project is street signalization or street lighting. A public works project means a complete project. The restrictions in this subsection do not permit the division of the project into units of work or classes of work to avoid the restriction on work that may be performed by day labor on a single project.

Whenever the cost of the public work or improvement, including materials, supplies and equipment, will exceed these figures, the same shall be done by contract. All such contracts shall be let at public bidding upon publication of notice calling for sealed bids upon the work. The notice shall be published in the official newspaper, or a newspaper of general circulation most likely to bring responsive bids, at least thirteen days prior to the last date upon which bids will be received. The notice shall generally state the nature of the work to be done that plans and specifications therefor shall then be on file in the city or town hall for public inspections, and require that bids be sealed and filed with the council or commission within the time specified therein. Each bid shall be accompanied by a bid proposal deposit in the form of a cashier's check, postal money order, or surety bond to the council or commission for a sum of not less than five percent of the amount of the bid, and no bid shall be considered unless accompanied by such bid proposal deposit. The council or commission of the city or town shall let the contract to the lowest responsible bidder or shall have power by resolution to reject any or all bids and to make further calls for bids in the same manner as the original call.

When the contract is let then all bid proposal deposits shall be returned to the bidders except that of the successful bidder which shall be retained until a contract is entered into and a bond to perform the work furnished, with surety satisfactory to the council or commission, in accordance with RCW 39.08.030. If the bidder fails to enter into the contract in accordance with his or her bid and furnish a bond within ten days from the date at which he or she is notified that he or she is the successful bidder, the check or postal money order and the amount thereof shall be forfeited to the council or commission or the council or commission shall recover the amount of the surety bond. A low bidder who claims error and fails to enter into a contract is prohibited from bidding on the same project if a second or subsequent call for bids is made for the project.

If no bid is received on the first call the council or commission may readvertise and make a second call, or may enter into a contract without any further call or may purchase the supplies, material or equipment and perform the work or improvement by day labor.

(2) The allocation of public works projects to be performed by city or town employees shall not be subject to a collective bargaining agreement.

(3) In lieu of the procedures of subsection (1) of this section, a second-class city or a town may let contracts using the small works roster process provided in RCW 39.04.155.

Whenever possible, the city or town shall invite at least one proposal from a minority or woman contractor who shall otherwise qualify under this section.

(4) The form required by RCW 43.09.205 shall be to account and record costs of public works in excess of five thousand dollars that are not let by contract.

(5) The cost of a separate public works project shall be the costs of the materials, equipment, supplies, and labor on that construction project.

(6) Any purchase of supplies, material, or equipment, except for public work or improvement, where the cost thereof exceeds seven thousand five hundred dollars shall be made upon call for bids.

(7) Bids shall be called annually and at a time and in the manner prescribed by ordinance for the publication in a newspaper of general circulation in the city or town of all notices or newspaper publications required by law. The contract shall be awarded to the lowest responsible bidder.

(8) For advertisement and formal sealed bidding to be dispensed with as to purchases with an estimated value of fifteen thousand dollars or less, the council or commission must authorize by resolution, use of the uniform procedure provided in RCW 39.04.190.

(9) The city or town legislative authority may waive the competitive bidding requirements of this section pursuant to RCW 39.04.280 if an exemption contained within that section applies to the purchase or public work.

(10) This section does not apply to performance-based contracts, as defined in RCW 39.35A.020(4), that are negotiated under chapter 39.35A RCW.

(11) Nothing in this section shall prohibit any second class city or any town from allowing for preferential purchase of products made from recycled materials or products that may be recycled or reused.

[2009 c 229 § 4; 2002 c 94 § 2; 2000 c 138 § 204; 1998 c 278 § 3; 1996 c 18 § 2. Prior: 1994 c 273 § 9; 1994 c 81 § 18; 1993 c 198 § 10; 1989 c 431 § 56; 1988 c 168 § 3; 1987 c 120 § 2; prior: 1985 c 469 § 24; 1985 c 219 § 2; 1985 c 169 § 7; 1979 ex.s. c 89 § 2; 1977 ex.s. c 41 § 1; 1974 ex.s. c 74 § 2; 1965 c 114 § 1; 1965 c 7 § 35.23.352; prior: 1957 c 121 § 1; 1951 c 211 § 1; prior: (i) 1907 c 241 § 52; RRS § 9055. (ii) 1915 c 184 § 31; RRS § 9145. (iii) 1947 c 151 § 1; 1890 p 209 § 166; Rem. Supp. 1947 § 9185.]

Notes:

Purpose -- Part headings not law -- 2000 c 138: See notes following RCW 39.04.155.

Severability -- 1989 c 431: See RCW 70.95.901.

Competitive bidding violations by municipal officer, penalties: RCW 39.30.020.

Subcontractors to be identified by bidder, when: RCW 39.30.060.

RCW 39.04.155

Small works roster contract procedures — Limited public works process — Definition.

(1) This section provides uniform small works roster provisions to award contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of real property that may be used by state agencies and by any local government that is expressly authorized to use these provisions. These provisions may be used in lieu of other procedures to award contracts for such work with an estimated cost of three hundred thousand dollars or less. The small works roster process includes the limited public works process authorized under subsection (3) of this section and any local government authorized to award contracts using the small works roster process under this section may award contracts using the limited public works process under subsection (3) of this section.

(2)(a) A state agency or authorized local government may create a single general small works roster, or may create a small works roster for different specialties or categories of anticipated work. Where applicable, small works rosters may make distinctions between contractors based upon different geographic areas served by the contractor. The small works roster or rosters shall consist of all responsible contractors who have requested to be on the list, and where required by law are properly licensed or registered to perform such work in this state. A state agency or local government establishing a small works roster or rosters may require eligible contractors desiring to be placed on a roster or rosters to keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with the state agency or local government as a condition of being placed on a roster or rosters. At least once a year, the state agency or local government shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. In addition, responsible contractors shall be added to an appropriate roster or rosters at any time they submit a written request and necessary records. Master contracts may be required to be signed that become effective when a specific award is made using a small works roster.

(b) A state agency establishing a small works roster or rosters shall adopt rules implementing this subsection. A local government establishing a small works roster or rosters shall adopt an ordinance or resolution implementing this subsection. Procedures included in rules adopted by the department of general administration in implementing this subsection must be included in any rules providing for a small works roster or rosters that is adopted by another state agency, if the authority for that state agency to engage in these activities has been delegated to it by the department of general administration under chapter 43.19 RCW. An interlocal contract or agreement between two or more state agencies or local governments establishing a small works roster or rosters to be used by the parties to the agreement or contract must clearly identify the lead entity that is responsible for implementing the provisions of this subsection.

(c) Procedures shall be established for securing telephone, written, or electronic quotations from contractors on the appropriate small works roster to assure that a competitive price is established and to award contracts to the lowest responsible bidder, as defined in RCW 39.04.010. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation. This subsection does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes. Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. However, if the estimated cost of the work is from one hundred fifty thousand dollars to three hundred thousand dollars, a state agency or local government that chooses to solicit bids from less than all the appropriate contractors on the appropriate small works roster must also notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. The government has the sole option of determining whether this notice to the remaining contractors is made by: (i) Publishing notice in a legal newspaper in general circulation in the area where the work is to be done; (ii) mailing a notice to these contractors; or (iii) sending a notice to these contractors by facsimile or other electronic means. For purposes of this subsection (2)(c), "equitably distribute" means that a state agency or local government soliciting bids may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

(d) A contract awarded from a small works roster under this section need not be advertised.

(e) Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

(3) In lieu of awarding contracts under subsection (2) of this section, a state agency or authorized local government may award a contract for work, construction, alteration, repair, or improvement projects estimated to cost less than thirty-five thousand dollars using the limited public works process provided under this subsection. Public works projects awarded under this subsection are exempt from the other requirements of the small works roster process provided under subsection (2) of this section and are exempt from the requirement that contracts be awarded after advertisement as provided under RCW 39.04.010.

For limited public works projects, a state agency or authorized local government shall solicit electronic or written quotations from a minimum of three contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder as defined under RCW 39.04.010. After an award is made, the quotations shall be open to public inspection and available by electronic request. A state agency or authorized local government shall attempt to distribute opportunities for

limited public works projects equitably among contractors willing to perform in the geographic area of the work. A state agency or authorized local government shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded. For limited public works projects, a state agency or authorized local government may waive the payment and performance bond requirements of chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, materialpersons, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project, however the state agency or authorized local government shall have the right of recovery against the contractor for any payments made on the contractor's behalf.

(4) The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process or limited public works process.

(5)(a) A state agency or authorized local government may use the limited public works process of subsection (3) of this section to solicit and award small works roster contracts to small businesses that are registered contractors with gross revenues under one million dollars annually as reported on their federal tax return.

(b) A state agency or authorized local government may adopt additional procedures to encourage small businesses that are registered contractors with gross revenues under two hundred fifty thousand dollars annually as reported on their federal tax returns to submit quotations or bids on small works roster contracts.

(6) As used in this section, "state agency" means the department of general administration, the state parks and recreation commission, the department of natural resources, the department of fish and wildlife, the department of transportation, any institution of higher education as defined under RCW 28B.10.016, and any other state agency delegated authority by the department of general administration to engage in construction, building, renovation, remodeling, alteration, improvement, or repair activities.

[2009 c 74 § 1; 2008 c 130 § 17. Prior: 2007 c 218 § 87; 2007 c 210 § 1; 2007 c 133 § 4; 2001 c 284 § 1; 2000 c 138 § 101; 1998 c 278 § 12; 1993 c 198 § 1; 1991 c 363 § 109.]

Notes:

Intent -- Finding -- 2007 c 218: See note following RCW 1.08.130.

Purpose -- 2000 c 138: "The purpose of this act is to establish a common small works roster procedure that state agencies and local governments may use to award contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of real property." [2000 c 138 § 1.]

Part headings not law -- 2000 c 138: "Part headings used in this act are not any part of the law." [2000 c 138 § 302.]

Purpose -- Captions not law -- 1991 c 363: See notes following RCW 2.32.180.

Competitive bids -- Contract procedure: RCW 36.32.250.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: October 8, 2010
Re: Glass Recycling

As you may have heard throughout the community, the glass recycling and oil recycling containers have been removed from McCleary.

It does not appear that any other business or land owners within the City are willing to lend their facilities to allow recycling containers. In my opinion the best location for the recycling container(s) is the park and ride facility behind Shell and the City Hall Complex.

Based on the dimensions received for the glass recycling container, it appears that placing the container adjacent to the guardrail in the striped no parking area could work well. I did not believe that attempting to locate the oil recycling container adjacent to the stream would be a "good idea", thus I have not attempted to determine a suitable locating for the oil recycling facility.

As this has historically been a touchy issue, I wanted to bring this to the Council's attention to request authorization to locate the glass recycling container within the City owned park and ride facility.

Action Requested:

Authorize the placement of the Recycling Container in the City owned Park and Ride facility.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: October 8, 2010
Re: 2011 Budget Schedule

We had originally hoped to have a preliminary budget to you for your review at this meeting, but it is not in a suitable state for distribution yet.

At this point in time, it is important to schedule the major items associated with the budget adoption. The current proposed budget schedule is as follows:

- Preliminary Budget Provided to Council – October 27, 2010 Council Meeting
- 1st Hearing / Set Tax Levy – November 10, 2010 Council Meeting (Recess the meeting)
- No Meeting November 24 (Thanksgiving Eve)?
- Final Hearing / Adopt Budget – December 1, 2010 (final hearing must be before December 6, 2010 and budget must be adopted before December 31, 2010) (Recess the meeting)
- Continue the December 1 meeting on December 15, 2010 to sign the vouchers and adopt budget if not adopted on December 1.

Action Requested:

Please discuss and verify meeting dates are appropriate.

RESOLUTION NO. _____

A RESOLUTION RECOMMENDING TO THE GRAYS HARBOR COUNTY COMMISSIONERS THAT THEY IMPLEMENT THE FUNDING CHANGES FOR EMERGENCY SERVICES COMMUNICATIONS AUTHORIZED BY SSB 6846.

R E C I T A L S:

1. Grays Harbor County currently collects local enhanced 911 excise tax to be used for an emergency services communication system, which provides for rapid public access for coordinated dispatching of services, personnel, equipment, and facilities for police, fire, medical, or other emergency services.

2. Since February 1, 1991, and October 1, 1994, respectively, the county enhanced 911 excise tax on the use of switched access lines (landlines) and radio access lines (wireless-cellular) in Grays Harbor County has remained at the same level.

3. No county enhanced 911 tax on the use of interconnected voice over internet protocol (VoIP) service lines has been imposed to date, although many who call 9-1-1 today are using VoIP service lines to make the call.

4. Through the adoption of Substitute Senate Bill 6846, the Washington State Legislature found [a] that the state

RESOLUTION - B - 1

9/13/10

DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

and counties should be provided with an additional revenue to continue funding enhanced 911 emergency communications systems throughout the state on a multi-county or countywide basis and that [b] the appropriate method of deriving additional revenue for this purpose was to extend the excise tax on the use of switched access lines and radio access lines and to apply the extended excise tax on the use of interconnected voice over internet protocol service lines.

5. SSB 6846 authorizes the legislative authority of a county to impose, effective as early as January 1, 2011, a county enhanced 911 excise tax on the use of switched access, radio access, and interconnected voice over internet protocol service lines in an amount not exceeding seventy cents per month for each line. The same law provides that funds generated by the enhanced 911 excise tax imposed by RCW 82.14B.030(5) may not be distributed to any county that has not imposed the maximum county enhanced 911 excise tax allowed under RCW 82.14B.030(1) and (2).

6. Information was provided to the City Attorney from the Center that Grays Harbor County currently receives almost \$463,000 annually for enhanced 911 network, database, and language line services from these State funds, for at least a portion of which the County might not be eligible after December 31, 2010, unless it imposes the maximum county enhanced 911 excise tax allowed under RCW 82.14B.030(1) and (2).

RESOLUTION - B - 2
9/13/10
DG/le

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7. The Management of the Communication Center has informed the Council that RCW 38.52.510 requires each county to implement countywide or multi-county-wide enhanced 911 emergency communications systems so that enhanced 911 is available throughout the state. Further, the county must provide funding for the enhanced 911 communications system in the county in an amount equal to the amount the maximum tax under RCW 82.14B.030(1) would generate in the county less any applicable administrative fee charged by the Department of Revenue or the amount necessary to provide full funding of the system in the county.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: In recognition of the benefit of the 911 Emergency Communication System to the Citizens of the County, the Council and Mayor recommend to the County Commissioners that they take the necessary steps to implement the provisions of SSB 6846 so as to provide adequate funding for continued operation of that system. It is the Council's recommendation that the per line tax be continued at the current rate of fifty cents unless such limitation would significantly affect the County's eligibility for state provided funding.

SECTION II: The Clerk-treasurer shall provide a copy of this resolution to the Board of County Commissioners.

RESOLUTION - B - 3
9/13/10
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

PASSED THIS _____ DAY OF _____
2010, by the City Council of the City of McCleary, and signed in
authentication thereof this _____ day of _____
2010.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION - B - 4
9/13/10
DG/1e

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

RESOLUTION NO. _____

A RESOLUTION RECOMMENDING TO THE GRAYS HARBOR COUNTY COMMISSIONERS THAT THEY IMPLEMENT THE FUNDING CHANGES FOR EMERGENCY SERVICES COMMUNICATIONS AUTHORIZED BY SSB 6846.

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RESOLUTION - A - 1
9/13/10
DG/le

CITY OF McCLEARY
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RESOLUTION - A - 2
9/13/10
DG/le

CITY OF McCLEARY
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SECTION II: The Clerk-treasurer shall provide a copy of this resolution to the Board of County Commissioners.

PASSED THIS _____ DAY OF _____, 2010, by the City Council of the City of McCleary, and signed in

RESOLUTION - A - 3
9/13/10
DC/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

authentication thereof this _____ day of _____
2010.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION - A - 4
9/13/10
DG/le

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