

RESOLUTION No. 290

A RESOLUTION EXEMPTING A PUBLIC CONTRACT FROM COMPETITIVE BIDDING REQUIREMENTS

WHEREAS, the City wishes to contract for the design and construction of a metal building; and,

WHEREAS, the City Council, as Local Contract Review Board, finds that where, as here, the contractor is asked to design the building and generate the specifications therefor, and thereafter to build it, such "design-construct" contracts are essentially agreements for personal service and as such, not within the purview of competitive bidding requirements. The Council further finds that it is unlikely that exemption from the competitive bid process will encourage favoritism or diminish competition in that under the informal bid procedure potential contractors in the area have been contacted by publication in two newspapers of general circulation, a procedure the Council finds is reasonable in light of the type, cost, amount of the contract and the number of persons available to bid. Further, awarding the contract pursuant to the exemption will result in substantial cost savings to the City, as the expense of design and prespecification are thereby avoided.

On such findings, be it therefore

RESOLVED,

That the Contract for the design and construction of the metal building be, and the same is hereby exempted from the competitive bidding process.

PASSED BY THE COMMON COUNCIL THIS 16th DAY OF NOVEMBER, 1981.

Signed by the Mayor this 16th day of November, 1981.

Henry D. Pate
Mayor

ATTEST:

Ellis Vandenberg
City Administrator