



**City of
McMinnville**

Meadows Drive

**Public Bidding
Exemption –
Public Hearing**

September 24, 2024



September 24, 2024 – Meadows Drive
Public Hearing

Jay Pearson Park – Purchase Agreement

Contractual Obligation

- The City shall pay for half street improvements of Yohn Drive and Meadows Drive when the neighboring properties develop.

Construction Opportunity

- Contractor shall submit a cost estimate for the City's portion of half street improvements for review.
- If the cost is agreeable, the City can enter into an agreement with the developer to construct the City's share of the street.

Public Bidding

Requirement

- Due to the use of public funds and the future roadway being on current City property, the project would be a “Public Improvement Contract” and subject to competitive bidding rules per ORS 279C.300

Potential Exemption

- Under ORS 279C.335(2) the local contract review board (City Council) may exempt the contract from competitive bidding if it approves two findings:
 1. The exemption is unlikely to encourage favoritism or substantially diminish competition
 2. The exemption will likely result substantial cost savings and other benefits to the City.

Items for Consideration

Competition not Substantially Diminished

- Work will be required to meet APWA standards.
- City will review the cost estimate.
- This format may increase competition by appealing to contractors that do not normally bid on government contracts.
- Developer shall pay prevailing wage rates for City's portion of the project.

Items for Consideration – cont.

Substantial Benefits and Savings

- Allowing the developer to manage and construct the project will save City time and resources.
- The developer will be able to maximize efficiencies by constructing as a single project.
- Additional considerations per ORS 279C.335(2)(b)(A)-(N) included with the resolution as an attachment.

Council Options

1. Adopt Resolution 2024-50 and its findings, exempting the portion of Meadows Drive that that the City is responsible for constructing from public bidding requirements.
2. Not adopt the findings of Resolution 2024-50, requiring Alan Ruden, Inc. to comply with all public bidding requirements for the City's portion of the Meadows Drive project.
3. Not adopt the findings of Resolution 2024-50 and direct staff to advertise publicly for bids and contract directly for construction of the City's portion of the Meadows Drive project.