

RESOLUTION NO. 3034

A RESOLUTION DECLARING AN EMERGENCY AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR THE REMOVAL AND DISPOSAL OF UNDERGROUND STORAGE TANKS LOCATED ON 3RD AVENUE AT WASHINGTON STREET.

THE CITY OF ALBANY HEREBY FINDS AS FOLLOWS:

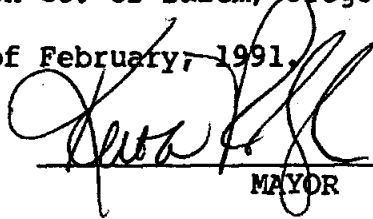
1. At least three abandoned, underground fuel storage tanks are located within the public right-of-way at 3rd and Washington in the City of Albany.
2. The aforesaid tanks have been partially excavated and, in the present condition, constitute an immediate threat to public health and safety.
3. The condition of the aforesaid tanks has resulted in litigation between the adjoining property owner and the City of Albany.
4. A partial compromise settlement has been reached through the Linn County Circuit Court whereby the adjoining property owner will pay half of the cost of the removal of the tanks and testing of the soil.
5. Under the terms of the aforesaid partial compromise, the tanks are to be immediately removed and the site tested for soil contamination.
6. On-Line Construction Co. has provided a bid to the City of Albany in the amount of \$6,200.00 for the immediate prosecution of the necessary work.
7. The proposed Contract proposes to accomplish more work than a similar bid, for a like sum, obtained by the adjacent property owner.
8. The City has previously contracted with On-Line Construction Co. to perform similar work for City owned tanks. On-Line Construction Co. was selected for the prior jobs as a result of competitive bidding and submitted the lowest bid for the work in question and performed the work in a prompt, competent manner.
9. In light of On-Line Construction Co.'s low bid for other City jobs, it is unlikely that an exemption from the public contract law will encourage favoritism or substantially diminish competition for public contracts in the future.
10. The awarding of this contract without the delay attendant in competitive bidding is in the public interest and that it will reduce the likelihood of injury and, or, liability to the City thereby resulting in a substantial cost saving.

11. Emergency conditions as set forth above now exist, requiring prompt execution of a contract.

NOW, THEREFORE, be it resolved that the Albany City Council, acting as the Contract Review Board, hereby declares an emergency and authorizes the execution of a contract without competitive bidding as provided for by the provisions of Section 2.64.060 of the Albany Municipal Code, and

BE IT FURTHER RESOLVED that the contract for the required work be awarded to On-Line Construction Co. of Salem, Oregon.

Dated this 27th day of February, 1991.



MAYOR

ATTEST:



Deputy City Recorder