

COUNCIL RESOLUTION No. 44-2023**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, AUTHORIZING A PAYMENT OF \$211,675.20 TO BLACKLINE INC. FOR A STREET SURFACE MAINTENANCE PROGRAM (SSMP) SLURRY SEAL IMPROVEMENTS COMPLETED WITHOUT A CONTRACT.**

WHEREAS the city identified the SSMP slurry seal public improvement project in the 2023-2028 Capital Improvement Plan and 2023-2024 biennium budget, and

WHEREAS the city participated in a formal joint competitive bid procurement led by the City of Hillsboro, and

WHEREAS the city worked with the cities of Hillsboro, Sherwood, Oregon City, Gladstone, and Beaverton to develop plans and specifications to increase competition and improve pricing for pavement maintenance projects, and

WHEREAS Blackline was the lowest responsive and responsible bidder in the joint procurement effort for slurry seal improvements, and

WHEREAS each city participating in the joint procurement was instructed to enter into their own contract for the portion of the project within their jurisdiction, and

WHEREAS staff failed to enter into a contract for slurry seal improvements totaling \$211,675.20 and the contractor proceeded with and will complete project work without a contract in place, and

WHEREAS by not entering into a contract, staff failed to comply with certain city and state procurement requirements and did not obtain City Council's authorization, and

WHEREAS staff acknowledges the errors made in not executing a contract for slurry seal improvements and permitting the contractor to work without proper authorization, and

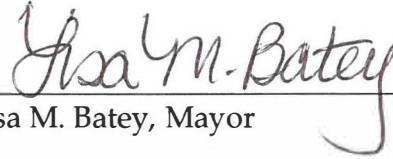
WHEREAS because a contract authorizing the slurry seal improvement project was not executed, Council needs to authorize payment to Blackline for work that was already performed, and

WHEREAS staff requests Council's authorization to pay Blackline the total amount due for work performed on the slurry seal improvement project.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the city manager, or their designee, is authorized to approve invoices from Blackline totaling \$211,675.20 for the 2023 slurry seal improvements and that the finance department is authorized to release such payment.

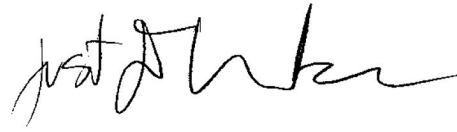
Introduced and adopted by the City Council on **August 15, 2023**.

This resolution is effective on **August 15, 2023**.



Lisa M. Batey, Mayor

APPROVED AS TO FORM:



Justin D. Gericke, City Attorney

ATTEST:



Scott S. Stauffer, City Recorder