

RESOLUTION NO. 24-05

**A RESOLUTION EXEMPTING FROM COMPETITION A CONTRACT TO
CONSTRUCT AND INSTALL THE CULVER SKATE PARK**

RECITALS:

A. Chapter 2.12 of the Culver Municipal Code authorizes the City Council acting as the Contract Review Board for the City to exempt from competition the award of a specific contract or class of contracts based upon a record before the Council making specific findings regarding exempting the Contract from competitive bidding.

B. A public notice was published in the March 29, 2024 edition of the Daily Journal of Commerce setting the April 15, 2024 Culver City Council meeting as the time and place to comment on the City's draft findings for exempting a contract from competition for a contract for the design and construction of a skate park and directly contacting with Dreamland Skateparks, LLC, for such design, construction, and installation.

C. A public notice was published in the April 10, 2024 edition of the Madras Pioneer setting the April 15, 2024 Culver City Council meeting as the time and place to comment on the City's draft findings for exempting a contract from competition for a contract for the design and construction of a skate park and directly contacting with Dreamland Skateparks, LLC, for such design, construction, and installation.

D. A public hearing was held April 15, 2024, at the Culver City Council meeting to allow an opportunity for any interested person to appear and present comment.

E. Pursuant to Culver Municipal § 2.12.070, the City Council makes the following findings as their basis for exemption from City's competitive bidding requirements the award of a contract for the design and construction of a skate park and directly contacting with Dreamland Skateparks, LLC, for such design, construction, and installation:

1. The nature of the contract for which the exemption is requested:
 - This project would be considered a public improvement project since it is a project on publicly owned property that will benefit the public.
2. The estimated contract price is \$347,000.00.
3. Findings to support the substantial costs savings, enhancement in quality or performance, or other public benefit anticipated by the exemption from competitive solicitation:
 - The quality of Dreamland's previous work product has been excellent.
 - Dreamland has intimate knowledge of the Culver Skate Park Expansion Project and have worked closely with community partners in the development of the design.

- Dreamland is in good standing with regulatory agencies which should make it easier to complete the project without delays.
- The City Engineer has opined that the estimated contract is a competitive price resulting in cost savings for the City.
- Additional costs to the City for preparing the documents to issue an invitation of bid would be eliminated.

4. Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or would otherwise substantially promote the public interest in a manner that could not practically be realized by complying with the solicitation requirements that would otherwise be applicable:

- The quality of Dreamland’s previous work product has been excellent.
- Dreamland has intimate knowledge of the Culver Skate Park Expansion Project and have worked closely with community partners in the development of the design.
- Dreamland is in good standing with regulatory agencies which should make it easier to complete the project without delays.
- The City Engineer has opined that the estimated contract is a competitive price resulting in cost savings for the City.
- Additional costs to the City for preparing the documents to issue an invitation of bid would be eliminated.

5. A description of the proposed alternative contracting methods to be employed:

- Directly contracting with Dreamland for the construction and installation of the Culver Skate Park.

6. The estimated date by which it would be necessary to let the contract is June 1, 2023.

NOW, THEREFORE, based on the above Recitals and findings of fact, the Culer City Council, sitting as the Contract Review Board for the City of Culver, hereby resolves as follows:

1. The contract for the design and construction of a skate park is hereby exempt from competitive bidding.

2. Appropriate City officials are authorized to sign the contract with Dreamland Skateparks, LLC, for such design, construction, and installation.

Resolved and Agreed by the Common Council of the City of Culver, Oregon, this 15th day of April, 2024.

Bart Carpenter, Mayor

ATTEST:

Sheri Stirewalt
Interim City Clerk