



COUNCIL RESOLUTION No. 45-2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, AUTHORIZING A PERSONAL SERVICES AGREEMENT AND PUBLIC IMPROVEMENT CONTRACT FOR DESIGN-BUILD SERVICES WITH ELEMENTAL ENERGY FOR ROOFTOP SOLAR PANELS AT THE JOHNSON CREEK PUBLIC WORKS FACILITY.

WHEREAS the city was awarded a grant by the State of Oregon Department of Administrative Services (DAS) for the Johnson Creek Boulevard facility solar project; and

WHEREAS design-build is one of three methods of alternative contracting allowed per Public Contracting Rule 10.105(B); and

WHEREAS the use of a design-build procurement for the Johnson Creek solar project will allow the city to select a contractor based on qualifications and expertise beyond normal construction work rather than price alone; and

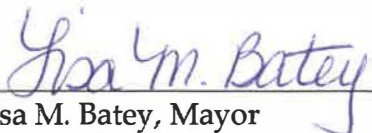
WHEREAS following Council's authorization to use the alternative contracting method, staff conducted a formal, competitive solicitation process for design-build services for the Johnson Creek solar project; and

WHEREAS staff received one responsive proposal from Elemental Energy, evaluated the proposal, and determined that Elemental Energy is qualified to complete the project.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the city manager, public works director, or their designee is authorized to execute and administer a personal services agreement for design services and a public improvement contract for install of rooftop solar panels with Elemental Energy, collectively up to \$475,000.

Introduced and adopted by the City Council on **September 3, 2024**.

This resolution is effective immediately.



Lisa M. Batey, Mayor

ATTEST:



Scott S. Stauffer, City Recorder

APPROVED AS TO FORM:



Justin D. Gericke, City Attorney