

# **RESOLUTION 1975**

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES FOR FINAL DESIGN AND CONSTRUCTION OF THE WATERWATER TREATMENT PLANT HIGH PRIORITY IMPROVEMENTS – PHASE II PROJECT**

**WHEREAS**, the Washington State Department of Enterprise Services (DES) administers a program called Energy Savings Performance Contracting (ESPC); and

**WHEREAS**, under the ESPC program, the DES maintains a list of preapproved Energy Services Companies (ESCOs) that satisfies all public bidding and contracting requirements; and

**WHEREAS**, public entities may choose to work with an ESCO from the preapproved list; and

**WHEREAS**, the ESPC approach operates under a design-build contract model; and

**WHEREAS**, the City chose to work with Trane US, Inc. (Trane) for the design and construction of the Wastewater Treatment Plant High Priority Improvements – Phase II project (the Project); and

**WHEREAS**, on January 15, 2020 the City entered into a contract with Trane through the DES to perform an investment grade audit of the Project and to advance the design of the Project to 50% completion; and

**WHEREAS**, the investment grade audit phase of the Project is now completed; and

**WHEREAS**, Trane solicited bids for the Project and have submitted a guaranteed maximum cost to the City in the amount of \$24,108,730; and

**WHEREAS**, non-guaranteed costs include the DES fee in the amount of \$258,463 and sales tax in the amount of \$2,117,133; and

**WHEREAS**, the total contract amount is \$25,025,857;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The Mayor is authorized to enter into a contract with the Washington State Department of Enterprise Services for final design and construction of the Wastewater Treatment Plant High Priority Improvements – Phase II project, on a form to be approved by the City Attorney, in the amount of \$25,025,857.00, including all applicable taxes.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 18<sup>TH</sup> DAY OF MAY, 2021.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Rob McFarland, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: May 18, 2021

Posted: May 19, 2021

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**Susie Oppedal, City Clerk**