

**RESOLUTION 2024-02**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA  
APPROVING THE CONTRACT FOR MINOR STREET MAINTENANCE AND  
REPAIR PROJECT WITH MERCER-FRASER COMPANY**

**WHEREAS**, the City has an ongoing need for routine minor repairs and maintenance for City streets on an on-call basis (the “Services”); and

**WHEREAS**, the City does not possess the specialized equipment or staffing required to promptly, economically and effectively self-perform the Services; and

**WHEREAS**, the City wishes to contract with a qualified paving contractor to provide the Services cost-effectively and on an on-call basis; and

**WHEREAS**, a standard public bidding process for the Services would not be appropriate due to the on-call nature of the Services, and the importance of selecting a contractor who has the qualifications, equipment, crew and the availability to respond promptly to requests for the Services, and to perform the Services expeditiously, economically, effectively and safely; and

**WHEREAS**, Section 2.50.070.D of the Fortuna Municipal Code provides that formal bidding is not required when the City Council finds that a negotiated contract best serves the City due to the nature of the contractual service; and

**WHEREAS**, City staff requested informal proposals from seven paving contractors with the requisite qualifications to determine which contractor would best meet the City’s needs for providing the Services; and

**WHEREAS**, City staff determined that Mercer-Fraser Company, is the best qualified to provide the Services on an on-call basis based upon its overall qualifications, unit pricing, equipment, and availability.

**WHEREAS**, City staff negotiated with Mercer-Fraser Company to provide the Services for a one-year term, for an amount not to exceed \$900,000.00 (nine hundred thousand dollars) without prior written authorization, in accordance to the terms and conditions of the Contract for Minor Street Maintenance and Repair Project with Mercer-Fraser Company.

**NOW, THEREFORE, BE IT RESOLVED** that the Fortuna City Council of the City of Fortuna hereby finds that pursuant to Section 2.50.070.D of the Fortuna Municipal Code, a negotiated agreement for providing the Services on an on-call basis best serves the City due to the nature of the Services.

**BE IT FURTHER RESOLVED** that the Fortuna City Council of the City of Fortuna does hereby approve the Contract for Minor Street Maintenance and Repair Project with Mercer-Fraser Company (“Contract”) to provide the Services for a term ending June 30, 2025, for an amount not to exceed \$900,000.00 (nine hundred thousand dollars) without prior written authorization, and authorizes the City Manager to execute the Contract and to take all other actions necessary to implement the Contract.

**PASSED** and **ADOPTED** on this 5<sup>th</sup> day of February, 2024 by the following vote:

**AYES:** Council Member Conley, Losey, Mobley, Mayor Pro Tem Johnson, Mayor Trent

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

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Tami Trent, Mayor

ATTEST:

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Siana L. Emmons, City Clerk