

RESOLUTION NO. 09-18897

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BILLINGS,
MONTANA, AUTHORIZING THE USE OF AN ALTERNATIVE PROJECT
DELIVERY METHOD FOR DOWNTOWN SIGNAL IMPROVEMENTS.**

WHEREAS, § 18-2-502, MCA, authorizes the City to use an alternative project delivery contract. A governing body that uses an alternative project delivery contract shall determine that the proposal meets at least two of the sets of criteria described in §18-2-502, MCA, subsections (2)(a) through (2)(c) and the provisions of subsection (3).

WHEREAS, equipment needed for this project includes significant delivery times and the project must be completed in Fiscal Year 2010, and therefore the project has significant schedule ramifications and using the alternative project delivery contract is necessary to meet critical deadlines by ordering the necessary equipment as early as possible and therefore shortening the duration of construction.

WHEREAS, the contractor's experience, expertise, and input of the existing traffic signal conduit conditions are essential to designing the traffic signal systems for construction in such a way that minimizes the duration of disruption to the traveling public.

WHEREAS, the contractor and design engineer working as a team on unforeseen issues such as the condition of existing signal pole foundations, existing signal conduit, and existing interconnect conduit will provide value engineering and methodologies that can minimize construction costs.

WHEREAS, the scope of the project is highly technical in nature, such that only contractors accredited to determine the feasibility of re-use existing signal foundations and cable are qualified to perform the contract, the project therefore presents significant technical complexities that necessitate the use of an alternative delivery project contract.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Billings, Montana:

1. That the Public Works Department is authorized to use an alternative delivery project method for the Downtown Signal Improvements.
2. That the Public Works Department will insure that the contract will be conducted in an appropriate manner that will not encourage favoritism or bias nor substantially diminish competition.

PASSED by the City Council and **APPROVED** this 9th day of November, 2009.



CITY OF BILLINGS



Ron Tussing, Mayor

ATTEST:

Cari Martin
Cari Martin, City Clerk

APPROVED AS TO FORM:

Brent Brooks
Brent Brooks, City Attorney