

**Minutes**  
**Aurora City Council Work Session**  
Tuesday, February 13, 2024, 6pm  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

**STAFF PRESENT:** Mary Lambert, Finance Officer; Mark Gunter, Public Works Superintendent; Peter Olson, Keller Associates; David James Robinson, City Attorney; Stuart Rodgers, City Recorder

**STAFF ABSENT:** None.

**VISITORS PRESENT:** None.

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**1. CALL TO ORDER OF THE AURORA CITY COUNCIL WORK SESSION**

The Work Session was called to order by Councilor John Berard at 6:04pm.

**2. ROLL CALL**

**City Council**

Mayor Brian Asher-Absent

Councilor Mercedes Rhoden-Feely-Absent

Councilor John Berard-Present

Councilor Charles Roper-Present

Councilor Wendy Veliz-Present

**3. CONSENT AGENDA-NA**

**4. CORRESPONDENCE-NA**

**5. NEW BUSINESS**

- a) Aurora Wastewater Treatment Facility – Alternative Delivery (Competitive Bidding – low bid accepted vs. Construction Manager/General Contractor)

The concept of alternative delivery was discussed by City Engineer Keller Associates with the idea that the city achieves a favorable position in spending federal funds and completing infrastructure (wastewater and water) projects by 2026. Due to demands on the city and constraints on funds to pay for the wastewater project, the city seeks an alternative to competitive bidding. Currently, the City Engineer is working on the engineering pre-design, to be finished in the next few months. Then on to final design. December 2024 is the by-date for allocation of funds. The city had a meeting with the funding agency last week and learned there is a small buffer of time to extend out the allocation of funds, which leeway would have to be applied for and approved. The December 2026 timeline will not, however, change for spending the funds. Procuring

equipment will still have to happen. The contractor would be the construction manager. Once 30 percent of the design has been accomplished, the city can go out for a request for proposals (RFP) for Construction Manager/General Contractor toward securing a guaranteed maximum price agreement for the project.

Out of conversation, the conclusion was to bring an RFP to Council in March for consideration, supported by a hearing at that time along with potential findings. It was noted that this hearing requires public notice, and it was also noted there is a need for an experienced attorney to assist in developing the alternative contracting method and to make findings that can be submitted for such hearing. A question was posed as to authorization for additional billing to cover the cost of such experienced attorney services. It was noted there is no related litigation. The City Attorney will send out the citation Oregon Revised Statutes 279 c 3395 text in a word document. A finding of fact was shared from City of Estacada and an RFP from City of Salem. The City Attorney offered to set up a conference call with Estacada relative to that city's experience based on an email exchange. The City Attorney has on Estacada's reference reached out to City of Coos Bay. Based on the strict timeline, the City Attorney will be the point person to bring Council an RFP at its next meeting. Keller will take the lead on providing a finding of facts to go along with the RFP and requested the City Attorney review that finding of facts document.

**6. ADJOURN**

Councilor John Berard adjourned the meeting at 6:45pm.



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Mercedes Rhoden-Feely, Council President

ATTEST:



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Stuart A. Rodgers  
City Recorder