

**RESOLUTION NO. 1286**

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF BOISE, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BOISE CITY, IDAHO, RANKING TREASURE VALLEY FIRE PROTECTION AS THE HIGHEST RANKED RESPONDENT TO AGENCY'S REQUEST FOR STATEMENTS OF QUALIFICATIONS FROM DESIGN-BUILD TEAMS RESPONDING TO AGENCY'S REQUEST FOR PROPOSALS FROM PARTIES INTERESTED IN DESIGNING AND CONSTRUCTING CERTAIN REPAIRS TO OR REPLACING THE EXISTING FIRE SPRINKLER SYSTEM IN THE CITY CENTRE GARAGE; AUTHORIZING THE CHAIRMAN, VICE-CHAIRMAN, OR INTERIM EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A DESIGN - BUILD CONTRACT WITH TREASURE VALLEY FIRE PROTECTION, AND ANY NECESSARY DOCUMENTS SUBJECT TO CERTAIN CONTINGENCIES; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of the City of Boise, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, a duly created and functioning urban renewal agency for the City of Boise, Idaho, hereinafter referred to as the "Agency."

WHEREAS, the Agency, a public body, corporate and politic, is an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, being Idaho Code, Title 50, Chapter 20, as amended and supplemented (the "Act") for the purpose of financing the undertaking of any urban renewal project;

WHEREAS, the City Council of Boise City, Idaho (the "City"), after notice duly published, conducted a public hearing on the amended and restated Urban Renewal Plan for the Boise Central District Project I, Idaho R-4, and Project II, Idaho R-5 (the "Amended Urban Renewal Plan");

WHEREAS, following said public hearing, the City adopted its Ordinance No. 5597 on December 6, 1994, approving the Amended Urban Renewal Plan and making certain findings;

WHEREAS, the City, after notice duly published, conducted a public hearing on the 2007 Amended and Restated Urban Renewal Plan for the Boise Central District Project I, Idaho R-4, and Project II, Idaho R-5 (the "2007 Plan");

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WHEREAS, following said public hearing, the City adopted its Ordinance No. 6576 on June 26, 2007, effective upon publication on July 23, 2007, approving the 2007 Plan and making certain findings on the 2007 Amended and Restated Urban Renewal Plan, for the Boise Central District Project I, Idaho R-4 and Project II, Idaho R-5;

WHEREAS, the City, after notice duly published, conducted a public hearing on the River Street-Myrtle Street Urban Renewal Plan (the "River Street Plan");

WHEREAS, following said public hearing, the City adopted its Ordinance No. 5596 on December 6, 1994, approving the River Street Plan and making certain findings;

WHEREAS, the City, after notice duly published, conducted a public hearing on the First Amended and Restated Urban Renewal Plan, River Street-Myrtle Street Urban Renewal Project (annexation of the Old Boise Eastside Study Area and Several Minor Parcels) and Renamed River Myrtle-Old Boise Urban Renewal Project (the "River Myrtle-Old Boise Plan");

WHEREAS, following said public hearing, the City adopted its Ordinance No. 6362 on November 30, 2004, approving the River Myrtle-Old Boise Plan and making certain findings;

WHEREAS, the 2007 Plan and the River Myrtle-Old Boise Plan are collectively referred to as the "Downtown Urban Renewal Plans";

WHEREAS, the Agency is empowered by the Law, among other things, to construct off-street parking facilities, to issue bonds, to finance the construction, operation, and maintenance of such facilities, and to enter into agreements necessary or convenient to the exercise of such powers;

WHEREAS, the Agency completed construction of the City Centre Garage in 2000;

WHEREAS, the City Centre Garage is located on the border of the jurisdictions for the 2007 Plan and the River Myrtle-Old Boise Plan and serves both plan areas;

WHEREAS, in 2011 the fire suppression system in the City Centre Garage began triggering alarms, causing inconvenience to the residents of the Aspen Condominiums, which has a fire suppression system connected to the system in the City Centre Garage, and inconvenience to parking customers;

WHEREAS, the Agency worked with the developer of the Aspen Condominiums, the Boise Fire Department and Agency's contractor responsible for maintaining the system to determine the source of the problem and possible solutions;

WHEREAS, the Agency engaged the services of CSHQA, one of its on-call engineers, which subcontracted the services of a fire suppression engineer it historically uses for tasks related to the investigation and reporting on issues with existing fire suppression systems, O'Neal and Associates;

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WHEREAS, O'Neal and Associates have recommended certain parts of the system be repaired and replaced;

WHEREAS, Idaho Code Section 67-2309 states that the, "design-build method of construction may be employed by public officials in contracts for the construction, repair, or improvement of public works, public buildings, public places or other work.";

WHEREAS, the design-build method allows the Agency to select a design team to design and construct the necessary replacement and repair of the full or portions of the existing system in place in the City Centre Garage;

WHEREAS, in consultation with Agency legal counsel, CSHQA and O'Neal and Associates, Agency staff prepared a Request for Statements of Qualifications from interested parties concerning the design-build of the repair/replacement of the City Centre Garage fire suppression system (the "RFQ");

WHEREAS, the deadline for submitting a response to the RFQ was October 24, 2011, at 3 p.m.;

WHEREAS, Agency received responses from Shilo Automatic Sprinkler, SimplexGrinnell and Treasure Valley Fire Protection;

WHEREAS, Agency staff reviewed the responses and conducted further due diligence in consulting with CSHQA, O'Neal and Associates and the Boise Fire Department on the qualifications of the three respondents;

WHEREAS, Agency staff recommends the Agency Board rank the respondents as follows: (1) Treasure Valley Fire Protection, (2) SimplexGrinnell, and (3) Shilo Automatic Sprinkler, and authorize the Executive Director to negotiate and execute an agreement with Treasure Valley Fire Sprinkler to design and build the replacement and repair, as necessary, of the City Centre Garage fire suppression system;

WHEREAS, CSHQA and O'Neal and Associates have been retained as Agency's consultants to provide oversight of the design and construction to be performed;

WHEREAS, after the design phase has been completed, Agency anticipates receiving a not-to-exceed price quote for the build phase ("the "Price Quote");

WHEREAS, upon receipt of the Price Quote, Agency staff will present the Price Quote to the Agency Board at the next available regular or special meeting of the Board of Commissioners for approval;

WHEREAS, the Agency Board finds it in the best interest of the Agency and the public to rank Treasure Valley Fire Protection as the highest ranked respondent to the RFQ and to authorize the Agency to negotiate the terms of a design-build contract with Treasure Valley Fire Protection, authorize Treasure Valley Fire Protection to complete the design phase of the project,

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with the understanding the Price Quote for the build phase will be presented to the Agency Board for approval at the next available regular or special meeting of the Agency Board, consistent with the Board's comments at the November 14, 2011, Board Meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF BOISE, AS FOLLOWS:

Section 1: That the above statements are true and correct.

Section 2: That Treasure Valley Fire Protection submitted the highest ranked respondent to the RFQ.

Section 3. That the Chair, Vice-Chair, or Executive Director of the Agency are hereby authorized to negotiate, sign and enter into design-build agreement with Treasure Valley Fire Protection and authorize Treasure Valley Fire Protection to proceed with the design phase of the project consistent with the Board's stated instructions at the November 14, 2011, Agency Board Meeting; and further are hereby authorized to execute all necessary documents required to implement the actions contemplated by the design-build agreement, subject to representatives by the Executive Director and agency legal counsel that all conditions precedent to actions and the design-build agreement or other documents are acceptable based upon advice from Agency's legal counsel that any such actions are consistent with the comments and discussions received at the November 14, 2011, Agency Board Meeting; provided further Treasure Valley Fire Protection shall provide a price quote for the not-to-exceed costs for the build phase of the project, which shall be presented to the Agency Board at the next available regular or special meeting of the Board for approval prior to Agency staff authorizing Treasure Valley Fire Protection to proceed with the build phase of the project.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED by the Urban Renewal Agency of the City of Boise, Idaho, on November 14, 2011. Signed by the Chairman of the Board of Commissioners, and attested by the Secretary to the Board of Commissioners, on November 14, 2011.

APPROVED:

By   
Chair

ATTEST:

By   
Secretary

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