

RESOLUTION NO. 10-071

A RESOLUTION GRANTING AN EXEMPTION FROM THE COMPETITIVE BID REQUIREMENTS OF ORS 279C.335 FOR THE PROJECT INVOLVING CONSTRUCTION OF CERTAIN IMPROVEMENTS FOR THE GRANADA THEATER, AND AUTHORIZING A PROCESS TO OBTAIN COMPETITIVE PROPOSALS FOR THE AWARD OF A DESIGN BUILD CONTRACT FOR THE CONSTRUCTION OF THE IMPROVEMENTS

WHEREAS, the Urban Renewal Agency Board adopted Resolution No. 91-008 on July 31, 1991, designating the Agency Board as the local contract review board for the Urban Renewal Agency, and providing that the Board, acting as the local contract review board, shall have all the powers granted by the Oregon Revised Statutes; and

WHEREAS, ORS 279C.335 provides that all public improvement contracts shall be based upon competitive bids; with an exception for an individual contract which has been exempted in accordance with the provisions of ORS 279C.335 and the rules adopted by the Agency's Local Contract Review Board; and

WHEREAS, the Agency's Local Contract Review Board rules authorize the use of a design build contract as an alternative to the requirement for competitive bidding; and

WHEREAS, ORS 279C.335 requires that certain findings be adopted by the Local Contract Review Board in order to grant an exemption from the competitive bidding requirement; and

WHEREAS, pursuant to ORS 279C.335(5), the Agency published notice of a public hearing for the purpose of taking public comment on the Agency's draft findings for the

exemption from the competitive bidding requirement, which hearing was held during the Agency meeting scheduled for September 27, 2010; and

WHEREAS, the Agency Board acting as the Local Contract Review Board, has reviewed the proposed findings, and considered public testimony presented during the public hearing, and has determined to proceed with granting the exemption from the requirement for competitive bidding pursuant to the provisions of ORS 279C.335 and the Agency's Local Contract Review Board Rules;

NOW, THEREFORE, THE AGENCY BOARD OF THE COLUMBIA GATEWAY URBAN RENEWAL AGENCY RESOLVES AS FOLLOWS:

1. The Agency proposes to use a design build method for the award of a contract for the construction of certain improvements for the Granada Theater. These improvements include the installation of an upgraded HVAC system, installation of a fire sprinkler system, and upgrading of entrance and exit doors to comply with fire code requirements. The Agency will be using a process which will solicit competitive proposals from qualified firms with experience using the design build method to construct the listed improvements. The solicitation process will be designed to encourage and foster competition among potential proposers, and to ensure that proposals are equitably evaluated based upon specified criteria.

2. The Agency does not have staff members who have the expertise which it would take to develop the standards and specifications that would likely be used for the documents required for a traditional competitive bidding process for a contract for construction of the proposed improvements. Use of the design build method for award of the contract will eliminate the need to prepare specifications and contract documents seeking competitive bids for the

construction work for the proposed improvements. The Agency will incur substantial cost savings by not having to incur the costs of retaining an experienced consultant to assist Agency staff in preparing the contract documents for a traditional competitive bidding process.

3. As an additional benefit to the public, use of the design build method will generate additional cost savings to the public, through the use of value engineering and other design build engineering methods, to design the improvements where possible to be integrated with existing improvements in the Granada Theater, to ensure that the improvements will be constructed in the most cost-efficient manner.

4. Preliminary analysis of the estimated cost for the proposed improvements and the Agency's budgetary resources indicate the Agency should have sufficient budgetary resources to complete construction of the proposed improvements.

5. Based upon the foregoing findings, the Agency Board, acting as the Local Contract Review Board, finds that granting the exemption for construction of the listed improvements for the Granada Theater (including an HVAC system, a sprinkler system, and upgrading of entrance and exit doors to meet fire code requirements) from competitive bidding requirements, will not encourage favoritism in the award of public improvement contracts or substantially diminish competition for public improvement contracts. The Agency Board further finds that the awarding of the contract for the construction of the listed improvements for the Granada Theater under the exemption allowing for the design build method will result in substantial cost savings for the Agency.

6. The Agency Staff Coordinator is authorized to solicit a request for proposals from qualified design build contractors for the construction of the listed improvements for the Granada

Theater. The Agency Staff Coordinator shall make a recommendation for selection of the design build contractor to the Agency Board, which shall award the contract acting as the Agency's Local Contract Review Board.

7. This Resolution shall be considered effective as of September 27, 2010.

PASSED AND ADOPTED THIS 27TH DAY OF SEPTEMBER, 2010.

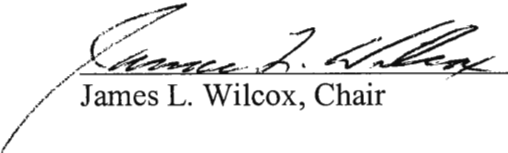
Voting Yes, Councilors: Dick, Wood, McGlothlin, Wilcox

Voting No, Councilors: None

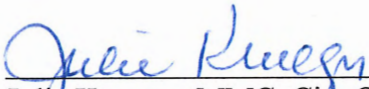
Absent, Councilors: Ahier, Spatz

Abstaining, Councilors: None

AND APPROVED BY THE CHAIR OF THE BOARD THIS 27TH DAY OF SEPTEMBER, 2010.


James L. Wilcox, Chair

Attest:


Julie Krueger, MMC, City Clerk

NOTICE OF PUBLIC HEARING

PROPOSED EXEMPTION FROM THE COMPETITIVE BID REQUIREMENTS OF ORS 279C.335 FOR PROJECT INVOLVING CONSTRUCTION OF CERTAIN IMPROVEMENTS FOR THE GRANADA THEATER

On September 27, 2010, the Columbia Gateway Urban Renewal Agency Board, acting as the Contract Review Board for the Columbia Gateway Urban Renewal Agency, will hold a public hearing for the purpose of taking public comment on the Agency's draft findings in support of a request to exempt from the competitive bid requirements of ORS 279C.335 for the project involving the construction of certain improvements for the Granada Theater. The hearing will be held in the City Council Chambers at City Hall, 313 Court Street, The Dalles, Oregon. The Agency meeting begins after the conclusion of the City Council meeting, which is scheduled to begin at 5:30 PM. Copies of Resolution No. 10-071, which contain the Agency's draft findings are available for inspection at the office of the City Clerk, 313 Court Street, The Dalles, Oregon.

Julie Krueger, MMC
City Clerk, The Dalles, Oregon