



RESOLUTION NO. 2022-04-20-019

**APPROVAL OF CM/GC ALTERNATIVE CONTRACTING EXEMPTION FOR EUGENE STATION
MODERNIZATION AND OPERATIONS COMMAND CENTER IMPROVEMENT PROJECTS**

WHEREAS, the Oregon Public Contracting Code and the LTD Procurement Policy require that all contracts for goods, services, or public improvement projects be based upon competitive bids or proposals, unless an exception applies;

WHEREAS, for an exception to be granted pursuant Oregon Public Contracting Code and ORS 279C.335 an exemption is required from the competitive bidding requirements of ORS Chapter 279 in order to use an alternate contracting method and further requires adoption of findings to support the exemption;

WHEREAS, LTD Facilities and Procurement team recommends to the Board that the Construction Manager/General Contractor (CM/GC) method of contracting be used for the construction of the Eugene Station Modernization (ESM) and Operations Command Center (OCC) Projects based on the findings attached hereto as Resolution Exhibit 1;

WHEREAS, LTD Facilities and Procurement team is conducting the requirements of alternative contracting pursuant ORS 279C.335, .337, .350; and OAR137-049 per ORS 279A fully complying with the statutory requirements regarding the request for an exemption and to proceed with the CM/GC contracting method.

WHEREAS, separate recommendations will be presented to the Local Contract Review Board (authorized to review and recommend action on contracts, as the LTD Contract Committee, prior to those contracts being presented to the LTD Board of Directors for review and approval) with resolutions awarding the successful proposing CM/GC firms upon the solicitations completing process fully in accordance with Local Policy and Public Contracting Rules satisfying the statutory requirements regarding selection and contracting for this method; and,

WHEREAS, The Board finds, based on the attached findings that it is in the best interest of the District to utilize a CM/GC contracting method in lieu of a competitive low bid process for the construction of the ESM and OCC Improvement Projects.

NOW, THEREFORE, BE IT RESOLVED that the LTD Board of Directors, acting as the LTD Contract Review Board, passes a Resolution as follows:

1. The Board approves and adopts the findings (Attachment 1) in support of using a Construction Manager/General Contractor for the ESM and OCC Projects.
2. The Board approves an exemption from the competitive bidding requirements to allow use of a Construction Manager/General Contractor contracting method for construction of the ESM and OCC Projects.

ADOPTED BY THE LANE TRANSIT DISTRICT BOARD OF DIRECTORS ON THIS 20th DAY OF APRIL 2022.

A handwritten signature in cursive script that reads "Caitlin Vargas".

Board President, Caitlin Vargas