



Home of the Tualatin River National Wildlife Refuge

URBAN RENEWAL AGENCY MEETING PACKET

FOR

Tuesday, November 19, 2013

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

URA Board of Directors Regular Meeting
(Following the City Council Meeting)

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING AGENDA**

**Tuesday, November 19, 2013
(following the City Council meeting)**

City of Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon

REGULAR URA BOARD MEETING

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CONSENT**
 - A. Approval of November 5, 2013 URA Board Meeting Minutes**
- 4. PRESENTATION**
 - A. Community Center Update** (Tom Pessemier, Assistant City Manager)
- 5. NEW BUSINESS**
 - A. URA Resolution 2013-010 Authorizing the use of specific responsibility criteria in accordance with ORS 279C.375(3)(b)** (Bob Galati, City Engineer)
- 6. STAFF REPORT**
- 7. ADJOURN**

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING MINUTES
Tuesday, November 5, 2013
22560 SW Pine Street, Sherwood, Oregon 97140**

URA BOARD REGULAR MEETING

1. **CALL TO ORDER:** Chair Bill Middleton called the meeting to order at 8:25 pm.
2. **BOARD PRESENT:** Chair Bill Middleton, Linda Henderson, Bill Butterfield, Krisanna Clark, Dave Grant and Robyn Folsom. Matt Langer was absent.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Police Captain Ty Hanlon, Community Development Director Julia Hajduk, Finance Director Julie Blums, Administrative Assistant Colleen Resch, Agency Recorder Sylvia Murphy and City Attorney Pam Beery.

Chair Middleton addressed the Consent Agenda and asked for a motion.

4. **CONSENT AGENDA:**

- A. **Approval of August 20, 2013 URA Board Meeting Minutes**
- B. **Approval of September 3, 2013 URA Board Meeting Minutes**
- C. **Approval of September 17, 2013 URA Board Meeting Minutes**
- D. **URA Resolution 2013-008 Appointing Doug Scott to SURPAC**
- E. **URA Resolution 2013-009 Appointing Meerta Meyer to SURPAC**

MOTION: FROM ROBYN FOLSOM TO ADOPT THE CONSENT AGENDA, SECONDED BY LINDA HENDERSON, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR. MATT LANGER WAS ABSENT.

Chair Middleton addressed the next agenda item.

5. **STAFF REPORTS**

No staff report was given.

6. **ADJOURN**

Chair Middleton adjourned the meeting at 8:27 pm.

Submitted by:

Sylvia Murphy, MMC, Agency Recorder

Bill Middleton, Chair

TO: Sherwood URA Board of Directors

FROM: Bob Galati, P.E., City Engineer
Through: Tom Pessemier, Assistant City Manager and Joseph Gall, ICMA-CM, City Manager

SUBJECT: **URA Resolution 2013-010 incorporating specific contractor responsibility criteria as part of the public bidding submittal and review process in the selection and award of a public improvement contract in compliance with ORS 279C.375(3).**

ISSUE:

Should the URA Board adopt URA Resolution 2013-010, and acting as a Local Contract Review Board (LCRB) direct staff to incorporate specific contractor responsibility criteria as part of the public bidding submittal and review process in the selection and award of a public improvement contract in compliance with ORS 279C.375(3)?

BACKGROUND:

The proposed Sherwood Community Center is a multi-use facility. Construction of this facility includes specialized elements such as theatrical lighting, wiring and controls, sound and audio/visual systems, theatrical stage rigging, and damped HVAC systems. The installation of these specialized systems is typically performed only by contractors who are highly qualified and experienced. Under typical Agency bidding processes, a contractor pre-qualification process is performed prior to bid submittal. Because of the specialized project elements and condensed project schedule, the Agency is seeking to include the contractor pre-qualification process as part of the contractor bid submittal. Award of a contract will be based on the results of reviewing the submitted pre-qualification information and construction cost bid.

This special bidding submittal process is permitted under Oregon Attorney General's Model Public Contracting Rules and the Oregon Revised Statutes (ORS), when the Agency follows the requirements for seeking an exemption from traditional bidding by acting as a Local Contract Review Board (LCRB). For the URA Board to act as a LCRB, the following actions must occur and conditions met:

1. Submittal of Findings to the Local Contract Review Board (LCRB), which in this case is Sherwood URA Board of Directors.
2. The LCRB performs a public hearing to hear testimony.
3. Sherwood URA acting as a LCRB authorizes the exemption.

This Resolution is the formal request to the LCRB to authorize the exemption and allow the URA's lead representative to perform the steps necessary to include the contractor pre-qualification process as part of the contractors bid submittal.

FINDINGS:

By adopting this resolution, the URA Board of Directors acting as a LCRB is exempting the project from traditional contracting methods thereby allowing the lead representative to incorporate a contractor pre-qualification requirement as part of the Contractor bid submittal, review, and award process.

RECOMMENDATION:

Staff respectfully recommends URA Board adoption of URA Resolution 2013-010, a resolution incorporating specific contractor responsibility criteria as part of the public bidding submittal and review process in the selection and award of a public improvement contract in compliance with ORS 279C.375(3).



URA RESOLUTION 2013-010

AUTHORIZING THE USE OF SPECIFIC RESPONSIBILITY CRITERIA IN ACCORDANCE WITH ORS 279C.375(3)(b)

WHEREAS, the Sherwood Urban Renewal Agency (“URA”) wishes to construct the Sherwood Community Center on URA owned property (the former machine works building site); and

WHEREAS, staff has determined that the URA would receive significant benefits by incorporating specific responsibility criteria as part of the public bidding submittal and review process; and

WHEREAS, state law permits the URA to establish minimum qualifications of and request information from bidders to ensure, among other things, that a prime contractor has the requisite experience, personnel and history of successfully delivering similar projects on time and within budget; and

WHEREAS, the intent of the URA is to award the construction contract to a prime contractor who itself (or in combination with sub-contractors) can meet or exceed the responsibility criteria as described below, and

WHEREAS, the city attorney has reviewed the requirements of the Oregon Attorney General’s Model Public Contracting Rules, and the Oregon Revised Statutes (ORS) for inclusion of the specific responsibility criteria in the public bidding submittal and review process.

NOW, THEREFORE, THE SHERWOOD URBAN RENEWAL AGENCY BOARD, ACTING AS URA’S LOCAL CONTRACT REVIEW BOARD, RESOLVES AS FOLLOWS:

Section 1: For this project, in addition to the standard responsibility determination required under ORS 279C.375(3), staff is directed to incorporate specific contractor responsibility criteria as part of the public bidding submittal and review process in the selection and award of the contract, as follows:

1. Prime Contractor Experience:
 - a. Provide references of having successfully performed construction of two (2) multi-use building projects with a minimum final construction cost of at least \$3.0 million dollars.
 - b. Acceptance by the owner(s) of the referenced multi-use building projects must have occurred no earlier than January 2004.
 - c. At least one of the referenced projects must have included:
 - i. Multi-use functions
 - ii. Sound and Audio/Visual (AV) Systems
 - iii. Theatrical elements, lighting and associated wiring and controls
 - d. On-site Superintendent must have served as Supervisor for work on one of the referenced projects.

2. Sub-Contractor Experience:
 - a. Theater Rigging:
 - i. Must be a licensed contractor as a theater rigger.
 - ii. Must have experience installing rigging for theaters and pipe grids, not touring stages.
 - iii. Must be bonded and pay BOLI rates.
 - iv. Key staff must be ETCP certified as stage riggers.
 - v. Must have drape shop and fabrication capabilities.
 - vi. Must have a local warranty support staff, or subcontract with equally qualified local staff.
 - b. Sound and Audio/Visual (AV) Systems:
 - i. Provide references of having successfully performed AV System installation on at least five (5) projects of this projects size and scope since January 2009.
 - ii. Referenced projects installed AV system final construction value must have been at least \$50,000.
 - c. Theatrical Lighting, Wiring, and Controls:
 - i. Provide references of having successfully performed Theatrical/Commercial/Industrial Lighting, Wiring and Controls installation on at least three (3) projects of this projects size and similar scope since January 2009.
 - ii. Referenced projects installed theatrical lighting, wiring and controls final construction value must be at least \$250,000.
 - d. HVAC Systems:
 - i. Provide references of having successfully performed construction of two (2) projects of the size and scope since January 2009.
 - ii. Referenced projects must include installation of an HVAC system rated at NC 35 or better, with a final construction value of at least \$200,000.
 - iii. Provide proof that the installed HVAC systems had been tested and certified achieving NC 35 or better.

Section 2: This Resolution is effective upon its adoption and approval by the URA Board of Directors.

Duly passed by the URA Board this 19th day of November 2013.

Bill Middleton, Chair

Attest:

Sylvia Murphy, MMC, Agency Recorder

Approved Minutes

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING MINUTES**

Tuesday, November 19, 2013

22560 SW Pine Street, Sherwood, Oregon 97140

URA BOARD REGULAR MEETING

1. **CALL TO ORDER:** Chair Bill Middleton called the meeting to order at 8:18 pm.
2. **BOARD PRESENT:** Chair Bill Middleton, Linda Henderson, Bill Butterfield, Krisanna Clark, and Matt Langer. Dave Grant and Robyn Folsom were absent.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Police Chief Jeff Groth, Police Captain Ty Hanlon, Public Works Director Craig Sheldon, Community Services Director Kristen Switzer, Finance Director Julie Blums, City Engineer Bob Galati, Administrative Assistant Colleen Resch, Agency Recorder Sylvia Murphy and City Attorney Chad Jacobs.

Chair Middleton addressed the Consent Agenda and asked for a motion.

4. CONSENT AGENDA:

A. Approval of Number 5, 2013 URA Board Meeting Minutes

MOTION: FROM LINDA HENDERSON TO ADOPT THE CONSENT AGENDA, SECONDED BY BILL BUTTERFIELD, MOTION PASSED 5:0. (ALL PRESENT MEMBERS VOTED IN FAVOR. ROBYN FOLSOM AND DAVE GRANT WERE ABSENT).

Chair Middleton addressed the next agenda item.

5. PRESENTATIONS

A. Community Center Update

Assistant City Manager Tom Pessemier came forward and provided a brief update on the Community Center. He stated in August and September staff did a few presentations showing exterior components of the building and followed up with a more detailed presentation of the interior of the building. He said we spoke of functionality and how things would work inside the building, building features and flexibilities. He said we addressed hurdles of technical cost estimating and we have a firm that does this professionally and they came up with a cost estimate that was roughly 10% higher than what our budgeted goal was. He said there were some immediate savings from that which we were able to understand once we got better information from some of the disciplines. He said we recognized fairly quickly that our estimates were in line with what we expected and we are now moving forward with getting construction drawings. He said from there we had a land use process and we did a minor modification to the site plan through the Planning Commission. He said they approved that with very few conditions and that was not appealed and that is finished at this time. He said we also submitted plans to the Building Department for building permits and those plans have been reviewed and we read the comments and resubmitted them and that process is well along. He said we have also gone out to bid and it will be a public bid and is open in the Daily Journal of Commerce and a few other contracting

boards in the area. He said information is available on the City website. He said bids are due back December 5th and we anticipate the cost will be in line with what we expect. He said he believes we have done a lot to keep costs and the project in line with expectations. He said when bids come in staff will come back to the URA Board, currently planned for December 17th to allow the URA Manager to enter into a contract with the contractor as well as any construction management services. He said if all this takes place, we will start construction in January 2014 and would have an opening of the building in late 2014.

Chair Middleton asked for Board questions, with none heard, he addressed the next agenda item.

6. NEW BUSINESS

A. URA Resolution 2013-010 Authorizing the use of certain responsibility criteria in accordance with ORS 279C.375(3)(b)

City Engineer Bob Galati stated this resolution is to go along with the bidding process. He said typically we ask for prequalification before we go out to bid and due to the timeframe we have included the prequalification process as part of the bid process. He said to make this clear and transparent staff is currently coming before the Board to allow the Board to understand the prequalification process, what the requirements are and get approval to allow staff to proceed.

He said this is in compliance with Oregon Attorney Generals bidding contract laws which say a local contract review board, which the URA Board can act as a local contract review board, can approve these conditions. He stated this resolution adopts the conditions and allows us to include those conditions as part of the bid process.

Chair Middleton asked for Board questions, with none heard, the following motion was made.

MOTION: FROM LINDA HENDERSON TO ADOPT URA RESOLUTION 2013-010, SECONDED BY BILL BUTTERFIELD, MOTION PASSED 5:0. (ALL PRESENT MEMBERS VOTED IN FAVOR. ROBYN FOLSOM AND DAVE GRANT WERE ABSENT).

Ms. Henderson thanked the City Engineer. Chair Middleton addressed the next agenda item.

7. STAFF REPORT

Tom Pessemier indicated there was not a staff report.

8. ADJOURN

Chair Middleton adjourned the meeting at 8:25 pm.

Submitted by:


Sylvia Murphy, MMC, Agency Recorder


Bill Middleton, Chair