



September 20, 2024

Board of County Commissioners  
Deschutes County, Oregon  
Deschutes Services Building  
1300 NW Wall Street  
Bend, OR 97703

Dear Board of County Commissioners:

Subject: Protest Notice of Intent to Award Contract  
Document 2024-759  
Landfill Siting Consulting Services – Phase 3  
CEC Project 344-729

Civil & Environmental Consultants, Inc. (CEC) is submitting this letter as our Protest for the Notice to Award Contract to Parametrix of Bremerton, WA. We believe that we submitted a far superior Statement of Qualifications and Cost Estimate than Parametrix based on the following:

1. Our schedule is more realistic as we have considered that you cannot submit an Oregon Department of Environmental Quality (ODEQ) solid waste application until the Land Use Compatibility Statement (LUCS) has been approved and signed by the Board of County Commissioners. Parametrix has the ODEQ permit application being submitted prior to the Conditional Use Permit application is approved. They indicated that ODEQ will review the permit application without the LUCS but will not issue final approval until the LUCS is submitted. Based on our experience working at two other sites in Oregon, ODEQ will not even review a permit application unless the LUCS is included with the initial application submittal.
2. Our Team proposed a significant amount of fieldwork for the Phase I Geotechnical Investigation, including 50 test pits, a geophysical survey and creating 200-foot-long seismic refraction profiles and Parametrix provided no fieldwork for their Phase I Geotechnical Investigation. Furthermore, we included significant time and effort to create the Phase II Geotechnical Investigation workplan that would need to be submitted to the ODEQ for their review and approval prior to moving forward.
3. Our Team proposed another 30 borings for the Phase II Geotechnical Investigation ranging in depth while Parametrix proposed 16 borings for the ODEQ permitting. We also included effort for laboratory testing and geophysical testing of 6 borings whereas Parametrix provided no information on laboratory testing or other fieldwork that might be required.
4. Under Cultural Resources, our Team assumed that there will be coordination with SHPO and local tribes. Since a SHPO permit is required for all archaeological investigations, especially for property owned by a public entity such as Deschutes County, our Team assumed that work will be required. We also assumed that coordination with local tribes will be required as, in our experience, this is always the case for these types of projects. Parametrix provided a statement that indicated coordination with SHPO and local tribes will be “as needed”. Does


this mean that when it is required, will Parametrix submit a change order to the Deschutes County to handle that work?

5. Our schedule is also significantly longer which required additional costs for the public outreach part of the project. We assumed regularly scheduled quarterly meetings with all stakeholders and the creation of a website that can be accessed by the public for the review of documents.

This is just a few of the items that we found that is significantly different between our proposal and Parametrix proposal. It would be extremely difficult to compare the CEC Team's scope of work and cost estimate to Parametrix's scope of work and cost estimate based on the huge differences included above. Furthermore, if we assumed a 39-month schedule as per Parametrix, our overall cost would be substantially less than the \$3.7M we calculated. Therefore, our protest is because the proposals submitted cannot be compared as equal proposals and more consideration should be given to the fact that our proposal is more realistic as it relates to schedule and cost than the winning proposal.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



Jeff A. Shepherd, PE  
Senior Principal

cc: Mr. Tim Brownell – Deschutes County