

RESOLUTION NO. 2341

A RESOLUTION ADOPTING FINDINGS IN SUPPORT OF ALTERNATIVE CONTRACTING METHOD FOR CONSTRUCTION OF AT LEAST ONE MONUMENT SIGN

WHEREAS, the City of Hermiston ("City") Council adopted Ordinance No. 2104 on March 28, 2005 and amended by Ordinance No. 2237 on December 14, 2015, designating the City Council as the local contract review board for the City, and providing that the Council, acting as the local contract review board, shall have all the powers granted by the Oregon Revised Statutes; and

WHEREAS, ORS 279C.335(1) provides that all public improvement contracts shall be based upon competitive bids; with certain exceptions including an exemption for a specific contract for a public improvement which is approved in accordance with the provisions of ORS 279C.335(2), (3), (4), and (5); and

WHEREAS, the City's Local Public Contracting Regulations authorize the use of alternative contract methods for public improvement contracts as an alternative to the requirement for competitive bidding; and

WHEREAS, ORS 279C.335(2) requires that certain findings be adopted by the Local Contract Review Board in order to grant an exemption from the competitive bidding requirement for an alternative contract method for public improvement contracts; and

WHEREAS, the City desires to use an alternative contracting method known as Design/Build. The Design/Build contracting method utilizes a team approach utilizing a single contractor that also oversees the design professionals used in the project. Selection of the successful Design/Build contractor is by qualitative-based selection process; that is, evaluation/scoring of written proposals, interviews, and the specified profit margins of all Proposers; and

WHEREAS, pursuant to ORS 279C.335(5)(b), the City published notice of a public hearing for the purpose of taking public comment on the City's draft findings for the exemption from the competitive bidding requirement, for more than 14 days prior to the hearing date of October 28, 2024; and

WHEREAS, on October 28, 2024, the City Council acting as the Local Contract Review Board, reviewed the proposed findings, and desires to proceed with granting the exemption from the requirement for competitive bidding pursuant to the provisions of ORS 279C.335 and the City's Local Contract Review Board Rules.

NOW, THEREFORE, THE CITY OF HERMISTON RESOLVES AS FOLLOWS:

1. That the findings in support of the requested exemption, as prepared and attached hereto as Exhibit "A", are hereby approved and adopted.
2. That based upon the findings set forth in Exhibit "A", the exemption from competitive bidding requirements to allow a Design/Build method of contracting for the construction of at least one monument sign is hereby granted.
3. That this Resolution goes into effect immediately.

PASSED by the Common Council this 28th day of October 2024.

SIGNED by the Mayor this 28th day of October 2024.

Dr. David Drotzmann, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER