

**RESOLUTION NO. 2285**

**A RESOLUTION ADOPTING FINDINGS IN SUPPORT OF ALTERNATIVE  
CONTRACTING METHOD FOR RENOVATION OR REMODEL AT CITY HALL,  
THE PUBLIC LIBRARY, AND THE HARKENRIDER CENTER**

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 Construction Manager/General Contractor ("CM/GC"). The CM/GC contracting method utilizes an integrated team approach applying modern management techniques to the planning, design, preconstruction, and construction phases of a project, to control time and cost and to assure quality for the project owner. Selection of the successful CM/GC 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 the hearing date of June 26, 2023; and

WHEREAS, on June 26, 2023, 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 Construction Manager/General Contractor method of contracting for the renovations or remodel at City Hall, the Public Library, and the Harkenrider Center is hereby granted.
3. That this Resolution goes into effect immediately.

PASSED by the Common Council this 26th day of June 2023.

SIGNED by the Mayor this 26th day of June 2023.

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Dr. David Drotzmann, MAYOR

ATTEST:

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Lilly Alarcon-Strong, CMC, CITY RECORDER