



*City of Tualatin*

## CITY OF TUALATIN Staff Report

**TO:** Honorable Mayor and Members of the City Council  
**THROUGH:** Sherilyn Lombos, City Manager  
**FROM:** Rachel Sykes, Public Works Director  
**DATE:** October 9, 2023

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### **SUBJECT:**

Consideration of **Resolution No. 5729-23** Adopting Findings in Support of an Exemption from Competitive Bidding and Authorizing the Use of a Design-Build Alternative Contracting Method for the Juanita Pohl Center Siding Replacement.

### **RECOMMENDATION:**

Staff recommends that Council approve the resolution, which would permit the City to issue a Request for Proposals to procure the services of a Design-Build contractor to replace the siding at the Juanita Pohl Center.

### **EXECUTIVE SUMMARY:**

The City's 2023/24 Fiscal Year Budget includes funding to replace the siding at the Juanita Pohl Center. Ordinarily, the City is required to hire construction contractors through an Invitation to Bid process, where cost is the only factor that may be considered when evaluating bids. This process involves first hiring a consultant to produce design specifications to ensure, among other considerations, that construction bids can be effectively compared. However, the siding specifications do not need to be as exhaustive as they would be for a more complex project. The usual procedure of first contracting with a consultant to develop specifications, and then entering into a separate contract for construction services via an Invitation to Bid, would lead to unnecessary costs in the project's design phase.

The legislature allows, with the approval of Council, an alternative contracting method known as Design-Build. Under this approach, the City would issue a competitive Request for Proposals (RFP) aimed at selecting a single contractor to handle both design and construction services. This would enable potential contractors to propose their own design solutions. Unlike with an Invitation to Bid, the City would have the ability to consider additional factors such as the contractor's experience and the quality

of their proposed solutions. The City has publicly advertised this request to use the Design-Build method and it will also advertise the RFP. Once a contractor is selected, the City would seek Council's approval to award a contract to the highest-ranked proposer.

In order to authorize use of the Design-Build method, the Council must adopt the findings presented in the attached resolution, which demonstrate the appropriateness of this method. The resolution tracks the requirements of ORS 279C.335; the main factors we would highlight are the expected reduction in design costs and the ability to obtain the contractor's input during the design phase.

**OUTCOMES OF DECISION:**

Adopting the resolution would allow the City to issue a Request for Proposals for a Design-Build contractor.

**FINANCIAL IMPLICATIONS:**

Funds for this project are available in the Maintenance Services budget in the General Fund.

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**ATTACHMENTS:**

Resolution No. 5729-23 Adopting Finding