

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Declaring an Emergency,
Closing Apiary Road at MP 11.8, and
Authorizing the Award of a Public Contract for
Emergency Construction and Repair Work

ORDER NO. 65-2023

WHEREAS, a culvert located under Apiary Road near Mile Post 11.8 has failed resulting in erosion under the roadway; and

WHEREAS, the fall wet season has led to further erosion to the embankment of the road resulting in the development of a large hole that is undermining the pavement and creating the risk of roadway failure; and

WHEREAS, the damage has made the Road unsafe for passenger vehicles causing the Director of Public Works to close the Road at the location of the culvert failure; and

WHEREAS, the failure to immediately repair and remediate this damage will result in further damage to, and the possible destruction of Apiary Road near Mile Post 11.8.

WHEREAS, detours around the closure require extensive delay and inconvenience to the motoring public; and

WHEREAS, ORS 279C.335(6) and OAR 137-049-0150 exempt an emergency contract for the repair of roads from the public contracting procedures upon a declaration that Emergency circumstances exist that require prompt execution of a Public Contract for emergency construction or repair work; and

WHEREAS, the declaration shall exempt the contract from the public bidding requirements of ORS 279C.335(1); and

WHEREAS, the declaration may also waive the requirement of furnishing a performance bond and payment bond for the emergency contract;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

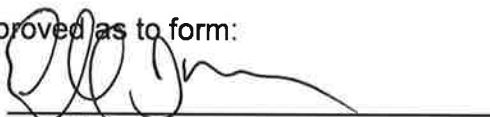
1. Emergency circumstances exist on Apiary Road that require the closure of the road at or about Mile Post 11.8. Based on that emergency, the previous directive by the Director of Public Works closing Apiary Road near Mile Post 11.8 is ratified by the Board of Commissioners. This closure shall continue until the Director of Public Works determines that the work necessary to make the road safe for use by the motoring public has been completed.

2. These emergency circumstances further require and the prompt execution of a Public Contract for emergency construction or repair work.
3. The Public Contract shall be limited to that work deemed necessary by the Director of Public Works to restore Apiary Road including the replacement or repair of the damaged culvert and restoration of the roadway to County road standards. This includes any accessory work deemed necessary by the Director of Public Works.
4. No performance bond or payment bond shall be required by the Public Improvement Contract.
5. The Chair of the Board of County Commissioners is authorized the sign the Public Improvement Contract on behalf of the County.

DATED this 22nd day of November 2023.

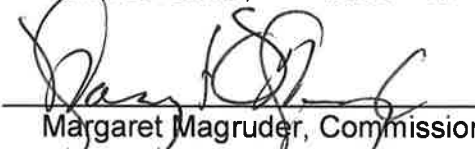
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form:

By: 
Office of County Counsel

By: 
Casey Garrett, Chair

By: 
Kellie Jo Smith, Commissioner

By: 
Margaret Magruder, Commissioner