

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Contract for Purchase)
and Installation of a Furnace for the Family)
Resource Center)
_____)) ORDER NO. 10-2007

WHEREAS, ORS 279C.335(6) authorizes public contracting agencies to award public improvement contracts without competitive bidding in response to an emergency pursuant to rules adopted under ORS 279A.065; and

WHEREAS, the Attorney General's Model Public Contract Rules (the "Rules") were adopted pursuant to ORS 279A.065; OAR 137-049-0150 of the Rules provides that a public contracting agency may declare that emergency circumstances exist that require prompt execution of a public contract for emergency construction or repair work; the declaration shall describe the circumstances creating the emergency, the anticipated harm from failure to enter into an emergency contract, shall exempt the public contract from the competitive bidding requirements of ORS 279C.335(1), and shall be kept on file as a public record; and

WHEREAS, the Family Resource Center is a public improvement project sponsored by Columbia County and financed pursuant to an Oregon Community Development Block Grant; Community Action Team of Columbia County, Inc. ("CAT") is the Project Manager for the project; Jim Tierney is administering the project for CAT; and

WHEREAS, the main furnace in the building where the Family Resource Center is located has utterly failed; Mr. Tierney is extremely concerned that the building plumbing will freeze on one of these cold winter nights; CAT is currently using the building to house two staff, as well as for meetings, and the delivery of food and clothing; shutting the water off for the remainder of the winter months is not feasible under the circumstances; and

WHEREAS, Mr. Tierney has been working with the project's design staff and Ultra Heating and Cooling, Inc., to value engineer the HVAC system for the project; in response to the emergency, Mr. Tierney asked Ultra Heating and Cooling, Inc., to submit a proposal to replace the furnace in a manner that was consistent with the long-term plan for the project and which would be cost efficient; a copy of that proposal is attached hereto, labeled Exhibit "A" and incorporated herein by this reference; and

WHEREAS, it would take an unacceptable length of time to go through a formal competitive bidding process to replace the furnace given the risk that the plumbing will freeze and the additional costs which would result if that were to happen; and

WHEREAS, Mr. Tierney has recommended that the Board award the contract to Ultra Heating and Cooling Inc. in the amount of \$14,926;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Emergency circumstances exist that require prompt execution of a public contract for the purchase and installation of a furnace at the Family Resource Center.
2. The circumstances creating the emergency and the anticipated harm from failure to enter into an emergency contract are described above.
3. The public contract for the purchase and installation of the furnace for the Family Resource Center is hereby exempted from the competitive bidding requirements of ORS 279C.335(1).
4. Columbia County also waives the requirement of furnishing a performance bond and payment bond for this emergency contract.
5. This order and declaration shall be kept on file as a public record.
6. Columbia County is authorized to enter into a contract with Ultra Heating and Cooling, Inc., in the amount of \$14,926.

DATED this 17th day of January, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: _____
Commissioner

By: [Signature]
Commissioner

Approved as to form

By: [Signature]
Office of County Counsel

ULTRA HEATING AND COOLING, INC.
34912 SE Jennings Rd., Washougal, WA. 98671
Phone (360) 606-5684 Fax (360) 835-5934

Date: December 29, 2006

Bid Prepared For:
Jim Tierney
St. Helens, OR.

Prevailing Wage – NO / See Add
Addenda - No
Permits - Yes

Bld Proposal: Family Resource Center – Gas Furnace Replacement

ATTN: Jim

Replace Existing Gas Furnace with a Heil (a carrier product) 150,000 BTU Gas Furnace.

Complete installation of properly sized Heil Comfort System.

One (1) Heil 150,000 BTU Up flow Gas Furnace.

One (1) Heil 5.0 Ton Cased Coil

One (1) Honeywell Vision Pro 8000 Programmable T-Stat.

All necessary ductwork with properly sized supply registers and tie into current return system. (Installed in attic with R-8 flex ducting)

Fresh air duct with manual volume damper.

Tie into existing flue piping.

13 SEER Coil, Control wires.

Tie in Low Voltage and High Voltage Electrical, and Gas Piping.

Start up, Test Equipment.

Gas Furnace: Five years on all parts, One Yr. Labor on all systems.

Total Bid: \$ 11,566.00

Option: Prevailing Wage – Add \$ 3,360.00

All work will be performed in a timely and Professional manner. We look forward to serving you.