

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Exempting a Personal Services )  
Contract for the Provision of Project/Construction )  
Management Services From the Screening and )  
Selection Procedures of the Personal Services )  
Contracting Rule )

**ORDER NO. 61 -2010**

WHEREAS, Section 10 of the Columbia County Personal Services Contracting Rule, adopted by Order No. 38-2006, authorizes the County to exempt certain personal services contracts from the screening and selection procedures of the Personal Services Contracting Rule upon approval of the following findings:

(a) It is unlikely that such exemption will encourage favoritism in the awarding of personal services contracts or substantially diminish competition for these contracts; and

(b) the awarding of personal services contracts pursuant to the exemption will result in substantial cost savings to the County. In making such findings the Board may consider the type, cost, amount of the contract, number of persons available to bid and such other factors as the Department may deem appropriate; and

WHEREAS, the Personal Services Contracting Rules exempt single-source personal services contracts from the screening and selection procedures of the Personal Services Contracting rule where only a single personal services contractor is known to the County to be qualified to do the particular job or perform the particular services required, or only the single personal services contractor has reasonable access to factual, technical or statistical information necessary to perform the services required; and

WHEREAS, Columbia County desires to obtain project/construction management services related to the HVAC/Boiler and other courthouse facility upgrades (the "County Project"); and

WHEREAS, the State of Oregon is in the process of designing and constructing a fire suppression and alarm system in the Columbia County Courthouse (the "State Project"); and

WHEREAS, due to logistical challenges and for the sake of efficiency, it is in the County's best interest to coordinate the State Project with the County Project; and

WHEREAS, the State has procured project/construction management services from Ethos Project Management LCC ("Ethos") through a competitive procurement process; and

WHEREAS, Ethos has already begun project/construction management services for the State Project which necessarily involves acquiring information regarding the courthouse systems, facilities and the County Project; and

WHEREAS, Ethos has begun the planning and scheduling process for the State's project; and

WHEREAS, Ethos has access to factual, technical and statistical information necessary to coordinate the State Project and the County Project within the required grant time-frames; and

WHEREAS, Ethos is the only firm known to the County with reasonable access to factual, technical or statistical information necessary to perform the services required; and

WHEREAS, Ethos was found by the State to be the most qualified consultant for the State's project; and

WHEREAS, for the foregoing reasons it is unlikely that the exemption of a personal services contract with Ethos will encourage favoritism in the awarding of personal services contracts or substantially diminish competition for these types of contracts; and

WHEREAS, it would be more expensive to hire a contractor who is unfamiliar with the State Project because the County will have the benefit of Ethos' knowledge of the County Project due to the firm's existing State Project work; and


WHEREAS, if the County were to conduct a time consuming procurement, the County would not likely be able to coordinate the County Project with the State Project time lines which would lead to excessive, redundant, and unnecessary costs to complete the County's Project; and

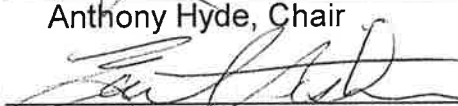
WHEREAS, for the foregoing reasons the awarding of a personal services contract to Ethos pursuant to the exemption will result in substantial cost savings to the County;

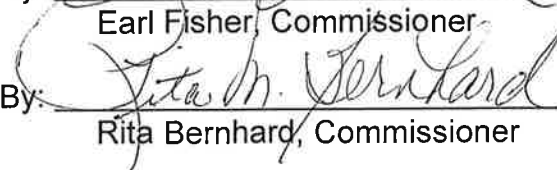
NOW, THEREFORE, IT IS HEREBY ORDERED that the contract with Ethos Project Management, LCC, to perform project/construction management services is hereby exempted from the screening and selection procedures of the Personal Services Contracting Rule.

DATED this 6<sup>th</sup> day of October, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Anthony Hyde, Chair

By:   
Earl Fisher, Commissioner

By:   
Rita Bernhard, Commissioner

Approved as to form

By:   
Office of County Counsel