

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Exempting a Personal Services)
Contract for the Provision of Design and) **ORDER NO. 62 -2010**
Engineering Services From the Screening and)
Selection Procedures of the Personal Services)
Contracting Rule (Courthouse Upgrade))

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, pursuant to ORS 279C.115(2), the County may enter into an architectural, engineering or land surveying services contract directly with a consultant if the project described in the contract consists of work that has been substantially described, planned or otherwise previously studied or rendered in an earlier contract with the consultant that was awarded under rules adopted under ORS 279A.065, and the new contract is a continuation of that project; and

WHEREAS, Columbia County desires to procure design and engineering 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 design and engineering services from LRS

("LRS") through a competitive procurement process; and

WHEREAS, LRS has already begun the design/engineering services for the State Project which necessarily involves acquiring information regarding the courthouse systems, facilities and the County Project; and

WHEREAS, LRS 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, the County entered into a contract with LRS in early 2010 to conduct a full facilities study and to provide preliminary design and cost estimates for improvements to the heating and ventilation systems in the County Courthouse, which resulted in a complete and detailed schematic design for these system improvements; and

WHEREAS, the facilities study contract was awarded under rules adopted under ORS 279A.065; and

WHEREAS, the required design services for the County Project have been substantially studied, planned and described in the previous contract with LRS; and

WHEREAS, LRS 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, LRS was found by the State to be the most qualified consultant for the State Project; and

WHEREAS, for the foregoing reasons it is unlikely that the exemption of a personal services contract with LRS 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 another contractor because the County would not have the benefit of LRS's knowledge of the State Project due to the firm's existing State Project work, or the benefit of LRS's knowledge of the County Project due to the firm's existing work on the facilities study; 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 Project; and

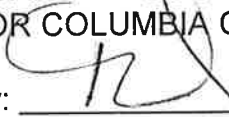
WHEREAS, for the foregoing reasons the awarding of a personal services contract to LRS pursuant to the exemption will result in substantial cost savings to the County;

///
///
///

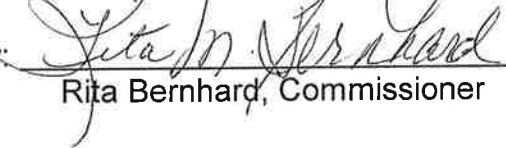
NOW, THEREFORE, IT IS HEREBY ORDERED that the contract with LRS Architects, to perform design and engineering services for the Courthouse Facilities Upgrade Project is hereby exempted from the screening and selection procedures of the Personal Services Contracting Rule.

DATED this 6th 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