

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Exempting a Personal Services)
Contract for Construction Management Services) **ORDER NO. 41-2015**
from the Screening and Selection Procedures)
of the Personal Services Contracting Rule)

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 with 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, the Columbia County Public Works Department has issued a permit to Columbia Pacific Bio Refinery for the construction of Hermo Road, which is a multi-phased, complicated project involving wetland mitigation, evolving engineering design, and environmental permits from the U.S. Army Corps of Engineers, Oregon Department of State Lands, and Oregon Department of Environmental Quality; and

WHEREAS, due to the complexity of constructing Hermo Road, which is now in its second phase, and the time line for construction to comply with environmental permits, the County requires a highly qualified construction management and engineering design services to monitor and inspect construction as well as review, approve and revise engineering designs under tight time constraints; and

WHEREAS, Parametrix, Inc., is an engineering and construction management firm that prepared engineered designs and managed the construction of the first phase of the construction Hermo Road. Parametrix also prepared the original plans and specifications for phase 2 of Hermo Road, which was not constructed due to lack of funding; and

WHEREAS, the permittee has also hired Parametrix to refine and update the plans and specifications for phase 2 in order to allow the permittee to obtain firm bids for construction; and

WHEREAS, because of Parametrix's role in the design and construction, its in-depth understanding of the site conditions, construction designs, and environmental permits puts it in the

best position to understand the full scope of the project, perform construction monitoring and inspections, and promptly address any necessary changes in engineering designs during construction; and

WHEREAS, other engineering firms are unlikely to assume the professional liability for the engineering and design of the project without conducting their own review, which would be duplicative and costly to the County; and

WHEREAS, because of its involvement in the project, Parametrix has also developed a relationship with the permittee, the construction contractor, water association, utility companies, area residents and the County with respect to the project; and

WHEREAS, Parametrix is therefore the only firm known to the County with reasonable access to the factual, technical and historical information necessary to perform the services required; and

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

WHEREAS, hiring a new contractor for the project would add unnecessary costs because the County would have to pay for the new contractor to develop the detailed knowledge necessary to manage this complex project and would incur costs for substantial project delays caused by the contractor's lack of familiarity; and

WHEREAS, if the County were to conduct a time consuming procurement, the County would have difficulty meeting the permittee's construction schedule; and

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

NOW, THEREFORE, IT IS HEREBY ORDERED, as follows:

1. The above recitals are adopted as findings in support of this decision; and
2. The contract with Parametrix, Inc., to perform construction design and management services for Hermo Road phase 2 is hereby exempted from the screening and selection procedures of the Personal Services Contracting Rule.

DATED this 15th day of August, 2015.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Henry Helmuller, Chair

By: 
Anthony Hyde, Commissioner

By: 
Earl Fisher, Commissioner

Approved as to form

By: 
Office of County Counsel