

BEFORE THE BOARD OF COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Exempting the Contract with  
EnviRoad LLC for Asphalt Emulsion from  
the Competitive Bidding Requirements of  
ORS 279B.070

ORDER NO. 61-2019

WHEREAS, unless otherwise exempt, ORS 279B.050 requires that public contracts for goods or services be awarded through a competitive procurement process; and

WHEREAS, under ORS 279B.075 and the Columbia County Public Contracting Rules (Ordinance No. 2015-2, *as amended*), the Board of County Commissioners may exempt certain public contracts from a competitive procurement process upon approval of findings that the goods or services are available from only one source; and

WHEREAS, Earthbind Stabilizer Rejuvenating Asphalt (EBS-RA) is an environmentally friendly asphalt emulsion product for use in cold-mix road paving. EBS-RA is a proprietary product that is only available through EnviRoad LLC; and

WHEREAS, because EBS-RA can be used with recycled asphalt, the Public Works Department estimates that roads paved with EBS-RA will cost the County approximately 60% less than paving with traditional hot-mix asphalt; and

WHEREAS, the Public Works Department has had great success using EBS-RA for recycled asphalt production on road improvement projects since 2009; and

WHEREAS, in 2013, 2014 and 2015, the Board exempted contracts with EnviRoad from competitive procurement through Order Nos. 26-2013, 35-2014, and 17-2015; and

WHEREAS, the Public Works Department has researched other products capable of rejuvenating recycled asphalt and has found no comparable products other than pavement-grade asphalt oils, which cost significantly more than EBS-RA; and

WHEREAS, in an effort to reduce costs, the County would like to contract with EnviRoad for the purchase of EBS-RA;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS hereby orders, as follows:

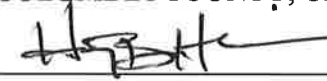
1. The Board finds that EnviRoad is the only contractor that can provide a cold-mix asphalt emulsion that allows for use of recycled asphalt and adopts the above recitals in support of this finding; and

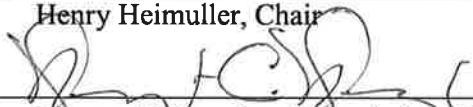
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2. The County is authorized to use its direct appointment procedure to contract with EnviRoad for EBS-RA, a cold-mix asphalt emulsion. This authorization shall be retroactive to July 8, 2019.

DATED this 10<sup>th</sup> day of July, 2019.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Henry Heimuller, Chair

By:   
Margaret Magruder, Commissioner

By:   
Alex Tardif, Commissioner

Approved as to form

By:   
Office of County Counsel