

RESOLUTION NO. 1424

A RESOLUTION ADOPTING FINDINGS TO UTILIZE DESIGN-BUILD AS AN ALTERNATIVE PROCUREMENT METHOD FOR THE ULTRAVIOLET DISINFECTION SYSTEM PROJECT AND EXEMPTING THE PROJECT FROM COMPETITIVE BIDDING REQUIREMENTS.

WHEREAS, ORS Chapter 279C requires a competitive bidding process for Public Improvement Contracts, unless a statutory exception applies, a class of Contracts has been exempted from the competitive bidding process, or an individual Contract has been exempted from the competitive bidding process, in accordance with ORS 279C.335 and any applicable Contracting Agency administrative rules;

WHEREAS, ORS 279.335(2) provides for alternatives to the competitive bidding requirement that otherwise applies to public contracting, upon the adoption of certain findings following a public process;

WHEREAS, The City would like to use a Design-Build alternative contracting method for the Ultraviolet Disinfection System Project. Design-Build (DB) is defined in OAR 137-049-0610(6) as a procurement method that results in a Public Improvement Contract in which the Contractor also provides or obtains specified design services, participates on the project team with the Contracting Agency, and manages both design and construction. In this form of Contract, a single Person provides the Contracting Agency with all of the Personal Services and construction Work necessary to both design and construct the project;

WHEREAS, Staff has determined that the City would realize significant benefits by using an alternative competitive bid process in selecting a firm to design and construct the new Ultraviolet Disinfection System and it is unlikely that such exemption will encourage favoritism in the awarding of the public contract or substantially diminish competition for the public contract;

WHEREAS, The City Council acts as the City of Canby Local Contract Review Board and finds that under ORS 279.335 it has authority to grant specific exemptions from the competitive bidding requirements based on the attached findings; and

WHEREAS, The City will invite prospective Design-Build teams to submit competitive proposals in response to the City's Request for Proposals, A Selection Committee will select Design-Build team based on an evaluation of the proposals received. The Selection Committee will include various members of City staff. The RFP process will be completed in accordance with the Alternative Contracting Methods requirements set forth in the Oregon Revised Statutes.

NOW, THEREFORE, BE IT RESOLVED, by the City of Canby City Council as follows:

Section 1. In accordance with ORS279C.335 the contract for the Ultraviolet Disinfection System Project is exempt from traditional competitive bidding.

Section 2. This exemption is supported by the draft findings attached in Exhibit A.

BE IT FURTHER RESOLVED that the Canby City Council hereby classifies the charges imposed herein as not being subject to the limitations imposed by Section 11 (b), Article XI of the Oregon Constitution and that the City Recorder is hereby directed to publish notice in accordance with ORS 310.145.

This resolution shall take effect on March 19, 2025.

ADOPTED this 19th day of March, 2025, by the Canby City Council.



Brian Hodson
Mayor

ATTEST:



Maya Benham, CMC
City Recorder