

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. _____

Approval of use of Design Build as an Alternative Contracting Process for the Juvenile Justice Center and Multnomah County Inverness Jail Detention Electronics Upgrades and an exemption from the competitive bidding requirements by use of a Request For Proposals process instead of the Invitation To Bid process.

The Multnomah County Board of Commissioners Finds:

- a. The Board is acting as the Multnomah County Public Contract Review Board (PCRB) to review and approve, pursuant to PCRB Rule 49-0620 Use of Alternate Contracting Methods, an exemption request from the Department of County Assets, Facilities and Property Management Division (FPM), to employ a Design Build approach pursuant to PCRB Rule 49-0670 Design Build Contracts for the Juvenile Justice Center and Multnomah County Inverness Jail Detention Electronics Upgrades.
- b. The Program anticipates that employing the Design Build will:
 1. Obtain fully integrated design and construction documentation with a single point of responsibility;
 2. Integrate value engineering suggestions into the design phase with the potential of reducing contract changes;
 3. Reduce the risk of design flaws, misunderstandings and conflicts;
 4. Shorten project time; and,
 5. Obtain innovated design solutions.
- c. Normally, Public Improvements are competitively procured using an Invitation To Bid process. FPM requests authority to use an alternative contracting process. The proposed alternative method will be competitive but will use an evaluative process (Request For Proposals or RFP) instead of low bid (Invitation To Bid). The RFP process is necessary due to the complexity and risk of the project as described in the attached Findings.
- d. Approval of this request will allow the County to employ an alternative contracting method (RFP) for the JJC & MCIJ Detention Electronics project, and use of the Design-Build approach rather than the more traditional Design-Bid-Build process used in many Public Improvements.
- e. Oregon Revised Statute 279C.335 and Public Contract Review Board (PCRB) 49-0600-0620 provides for a means of contracting other than the traditional competitive low bid process to public agencies. A local contract review board may exempt certain public contracts or classes of public contracts from the competitive bidding requirements upon approval of findings submitted by the public contracting agency seeking exemption. The findings must show that an alternative contracting process is unlikely to diminish competition and that the alternative process will result in cost savings and quality assurance to the public agency.

The Multnomah County Board of Commissioners Resolves:

1. Facilities and Property Management may use a Design-Build alternative contracting process for the JJC and MCIJ detention electronics upgrade project.
2. Facilities and Property Management may use a competitive Request For Proposals solicitation process in lieu of the competitive bidding requirements specified in ORS 279C.335.

ADOPTED this 22nd day of December, 2011.

**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

Jeff Cogen, Chair

REVIEWED:

**JENNY M. MORF, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON**

By _____
Bernadette Nunley, Assistant County Attorney

SUBMITTED BY:

Colleen Bowles, Acting Director
Facilities and Property Management