

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 2010-010**

Approving an Exemption to Increase the Contract Amount with Gibson Builders LLC for Inverness Jail Dorm Shower Water Proofing Project

**The Multnomah County Board of Commissioners Finds:**

- a. The Board is acting as the Multnomah County Public Contract Review Board (PCRB) to review, pursuant to PCRB Rule 49-0910, an exemption request from the Department of County Management, Facilities and Property Management Division, to increase the amount of the contract with Gibson Builders beyond the 33 percent limit for Multnomah County Inverness Jail Dorm Showers Water Proofing Project.
- b. The County awarded a contract with Gibson Builders for the Inverness Jail Dorm Shower Improvements project CP08.09.45 to repair leaking showers. The original plan called for resurfacing; however, material defects in the original construction were discovered after the first shower was demolished. These defects, which were hidden and unanticipated, include missing pan liners and no vapor barrier installed under the original concrete slab. The proposed solution to rectify this condition is to repair only the most critical showers at this time. A follow-on project will be developed to repair the remaining showers.
- c. The cost to repair all 18 showers is estimated at \$733,000. The original contract with Gibson Builders to waterproof all 18 showers was \$177,097, which only repairs 4.5 showers with the additional work. The revised contract cost to repair the 10 most critical showers is \$408,313, representing a 231 percent increase in the contract price. Because the Board approved budget reallocation request FPM 10-01 in October, adequate funding exists in the program budget to perform the additional work.
- d. The additional work is within the general scope of the original contract as defined by PCRB Rule 49-0910(2) because it is logically related to the contract work. Prudent contract management and construction practices dictate that the additional work ought to be performed in conjunction with the original contract work; the additional work is located at the same site as the original contract work; and the contract objectively establishes the price for the additional work. The contractor was selected through a formal competitive process therefore it is not likely that the field of competition will be affected by the proposed contract amendment.

- e. This exemption request is in accord with the requirements of PCRB Rule 49-0910.

**The Multnomah County Board of Commissioners Resolves:**

1. The exemption to increase the amount of Contract No. 4600007855 with Gibson Builders LLC to \$408,313 for the Inverness Jail Dorm Shower Improvement Project is approved.

ADOPTED this 21st day of January, 2010.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By

John Thomas, Deputy County Attorney

SUBMITTED BY:

Mindy Harris, DCM Director