

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving an amendment to 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 amendment to 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 leading showers. The original plan called for resurfacing; however, significant 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.
- c. The proposed solution to rectify this condition was to repair only the most critical showers at this time and Board Resolution No. 2010-10 was approved on January 21, 2010. Since that date, eight additional change orders had been created to cover unforeseen conditions mostly related to shower walls and shower walk off areas – including increasing the square footage requiring coating, escutcheons for shower heads and controls and furring out walls to accommodate the new larger sized shower valves. The revised contract cost to repair the ten most critical showers is \$466,501.00 under existing contract 4600007855. This represents an increase of 263 percent in the contract price and requires Public Contract Review Board Approval to proceed. 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 49-0210(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; the contract objectively established the price for the additional work and the Contractor is currently onsite. The Contractor was selected through a formal competitive solicitation 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 accordance with the requirements of PCRB Rule 40-0910.

The Multnomah County board of Commissioners Resolves:

1. The exemption to increase the amount of Contract No. 4600007855 with Gibson Builders LLC to \$466,501.00 for the Inverness Jail Dorm Shower Improvement Project is approved.

ADOPTED this day of July, 2010.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED;

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John Thomas, Deputy County Attorney

SUBMITTED BY:
Mindy Harris, DCH Director