

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
ACTING AS THE PUBLIC CONTRACT REVIEW BOARD

**ORDER NO. 06-133**

Approving an Exemption to Increase the Amount of the Contract with Erwin Construction Company Beyond the 33% Limit for the Elections Building Combined Upgrade Project

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

- a. The Board is acting as the Multnomah County Public Contract Review Board 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 Erwin Construction Company beyond the 33% limit for the Elections Building Combined Upgrade project.
- b. The County currently has a contract with Erwin Construction Company for the Elections Building Combined Upgrade Project Phase I. The contractor has been awarded numerous change orders due to unforeseen conditions, scope modifications, and program omissions. Now the Elections Division has requested the addition of three doors, which is necessary for the security and safety of the Elections Building. The aggregate increase resulting from all amendments will exceed 33% of the original contract price. The additional doors were included in the original design of the project but were excluded in the final plan due to budget changes. FPM has evaluated the additional work and determined that it can be performed while the contractor is on site, and the cost will be below what it would cost if a contract for that work were awarded through a competitive solicitation.  
The contractor was selected through a formal competition (Bid B05-8488), and the additional doors are the same as the door in the original contract. Therefore it is not likely that the field of competition and contractor selection will be affected by the contract modification.  
The original contract amount is \$535,261. With all the contract amendments, including those proposed in this exemption request, the new contract amount is \$735,261, representing a 38% increase in total project cost. Funding is available for the additional work.
- c. This exemption request is in accord with the requirements of Multnomah County Public Contract Review Board Rule 49-0910.

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

The exemption to increase the amount of the contract with Erwin Construction Company beyond the 33% limit for the Elections Building Combined Upgrade Project is approved.

ADOPTED this 27th day of July, 2006.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON, ACTING  
AS THE PUBLIC CONTRACT REVIEW BOARD

  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Agnes Sowle, County Attorney