**RESOLUTION NO. \_\_\_\_\_\_\_\_\_\_\_\_\_**

**RESOLUTION GRANTING EXEMPTION FROM COMPETITIVE BIDDING FOR PORT OF ALSEA’S BOAT LAUNCH AND MARINA CONTRUCTION PROJECT AND AUTHORIZING USE OF A DESIGN-BUILDER AND AUTHORIZING SELECTION BY REQUEST FOR PROPOSALS**

WHEREAS, the Port of Alsea Commission (“Agency”) acts as the local contract review board for the Agency, and in that capacity has authority to exempt certain contracts from the competitive bidding requirements of ORS Chapter 279C; and

WHEREAS, ORS 279C.335(2) provides a process for exempting certain contracts from competitive bidding and authorizes the selection of a contractor through the request for proposal (“RFP”) process; and

WHEREAS, draft findings (“Findings”) addressing competition, operational, budget and financial data, public benefits, value engineering, specialized expertise required, market conditions, technical complexity, public safety and funding sources recommended by the Agency were available 14 days in advance of the public hearing on this Resolution; and

WHEREAS, the Agency determines that the Boat Launch and Marina Construction Project should be constructed by a Design-Build method. NOW THEREFORE,

The Agency finds as follows:

1. The Agency adopts the Findings set forth in Exhibit A to this Resolution.

2. The exemption of the Design-Build contract from competitive bidding will promote competition and will not encourage favoritism, because the Design-Builder will be chosen by the request for proposals process, and the major portion of the construction work will be performed by subcontractors chosen by competitive bidding.

3. The exemption of the Design-Build contract from competitive bidding is likely to result in substantial cost savings to the Port, for the reasons set forth in the adopted Findings.

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NOW, THEREFORE, IT IS HEREBY RESOLVED by the Agency as follows:

The contract for construction of the Boat Launch and Marina Construction Project by a Design-Builder is exempt from competitive bidding, and the Design-Builder shall be selected by the Request for Proposal method in accordance with the Agency’s public contracting rules and the process described in the Findings.

This Resolution shall take effect on July 16, 2018.

ADOPTED this 19th day of July, 2018 by the Port of Alsea Commissioners.

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Rob Bishop

Chair, Port of Alsea Board of Commissioners

ATTEST:

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Ramon “Buster” Pankey

Secretary, Port of Alsea Board of Commissioners