

## RESOLUTIONS No. 6614

### Jefferson High School Modernization Project: Exemption from Competitive Bidding and Authorization for Use of a Construction Manager/ General Contractor Alternative Contracting Method

#### RECITALS

- A. The Board of Directors of Portland Public Schools ("District") is the Local Public Contract Review Board ("Board") pursuant to ORS 279A.060.
- B. ORS 279C.335(2) authorizes the Board to exempt certain public contracts or classes of contracts from the standard competitive bidding process otherwise required by the Public Contracting Code and Rules upon certain findings.
- C. In a duly and legally held election on November 3, 2020, general obligation bonds were approved by a majority of the qualified voters of Portland Public Schools voting at the election ("2020 Capital Improvement Bonds").
- D. The District intends to begin the Jefferson High School Modernization Public Improvement Project ("Jefferson Modernization Project") as part of the 2020 Capital Improvement Bond work.
- E. Staff has determined that use of the Construction Manager/ General Contractor ("CM/GC") alternative contracting method is the preferred method of delivery for the complex Jefferson Modernization Project. This determination is supported by draft Findings of Fact ("Draft Findings") presented to the Board pursuant to ORS 279C.335.
- F. These Draft Findings specify the cost savings and design, scheduling, operational, safety, and logistical advantages gained through use of the CM/GC contracting method.
- G. On October 18, 2022, the District issued a public notice in the Business Tribune announcing the District's intent to utilize the CM/GC alternative contracting method for the Jefferson Modernization Project. The notice was issued in compliance with ORS 279C.335 and the PPS Public Contracting Rules. The Draft Findings were made available for public review and comment on the date of publication.
- H. The District held a public hearing on the Draft Findings on November 2, 2022.
- I. The Superintendent recommends approval of the exemption from Competitive Bidding and approval of the CM/GC alternative contracting method for solicitation and completion of the Jefferson Modernization Project.

#### RESOLUTION

1. The Board hereby adopts the Draft Findings in support of use of the CM/GC alternative contracting method for the Jefferson Modernization Project ("Findings").
2. The Board hereby exempts the Jefferson Modernization Project from competitive bidding requirements as provided in ORS 279C.335 and PPS Public Contracting Rules -49-0600 through PPS-49-0690. The exemption is based upon the Findings pursuant to ORS 279C.335(2).
3. Pursuant to these Findings and decision, the Superintendent or his designee is hereby authorized to conduct a CM/GC alternative contracting process for the Jefferson Modernization Project.