



**UMPQUA**  
Community College

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**MISSION**

UCC transforms lives and  
enriches communities.

**VALUES**

Learning  
Service  
Innovation

**LOCATION**

1140 Umpqua College Rd.  
Roseburg, OR 97470

[umpqua.edu](http://umpqua.edu)

**ALTERNATIVE CONTRACTING METHOD HEARING:** June 21, 2023,  
8:30 a.m.

**VOL. LVII, No. 11 BOARD OF EDUCATION MEETING**  
**June 21, 2023; 8:30 a.m.**

*The meeting will be held virtually and may be viewed at  
[youtube.com/umpquacc](https://youtube.com/umpquacc)*

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**AGENDA**

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- |      |   |               |
|------|---|---------------|
| I.   | CALL TO ORDER   | Chair Loosley |
| II.  | ATTENDANCE  | Chair Loosley |
| III. | CHANGES TO THE AGENDA   | Chair Loosley |
| IV.  | NEW BUSINESS  |               |
|      | A. Resolution No. 22: Authorize Use of<br>the Design-Build Alternative Contracting<br>Method for the UCC Housing Properties | Joe Flora     |
| V.   | BOARD COMMENTS  |               |
| VI.  | ADJOURNMENT   | Chair Loosley |

**UPCOMING MEETING:**

- Regular Board Meeting, July 12; time and location TBA

Robynne Wilgus, Board Assistant, [Robynne.wilgus@umpqua.edu](mailto:Robynne.wilgus@umpqua.edu) or  
541-440-4622 voice, Oregon Relay TTY: 711. The UCC Board will  
provide, upon request, reasonable accommodation during Board  
meetings for individuals with disabilities.

**BOARD OF EDUCATION  
UMPQUA COMMUNITY COLLEGE  
DOUGLAS COUNTY, OREGON**

Information Item

Action Item

Subject: Resolution No. 22 – Authorize Use of the Design-Build Alternative Contracting Method for the UCC Housing Properties

Date: June 21, 2023

It is recommended by staff that the College use an alternative contracting method for remodel and construction work on housing properties located on Cass, Jackson and Oak Streets from the competitive bid process.

The Request for Proposal (RFP), Design-Build method with a Guaranteed Maximum Price (GMP) is the recommended method to be utilized. The use of this method requires the Board, acting as the Local Contract Review Board, must hold a public hearing for the purpose of receiving public comment before adopting findings and approving the College's use of the Design-Build Alternative Contracting Method.

Findings for the exemption are included.

Recommendation by:

Approved for Consideration:





**RESOLUTION No. 22**

**Exemption From Competitive Bidding for A Public Improvement Contract  
(I.E., Alternative Contracting Method) Design-Build, Solicitation Process for  
The Renovation and Construction Work on Housing Properties**

The College identified the student housing properties located on Jackson Street, Oak Street and Cass Street (“Building Renovations”) as requiring design development, remodeling, and general construction improvements to better cater to Umpqua Community College students. Funding for the improvements has been allocated in the Capital Projects fund. As the college nears the renovation work on housing properties, there exists a highly competitive construction market and compressed timelines that may pose challenges in the selection of a construction and architect firm.

Umpqua Community College Rules of Procurement #CCR.280 allows the college to exempt public improvement contracts from competitive bidding requirements by utilizing an alternative contracting method when approved by the college’s Board of Education acting as the Local Contract Review Board.

Pursuant to ORS 279C.335(2), a Local Contract Review Board may exempt a public improvement contract from the competitive bidding requirements subject to approval of findings supporting the exemption. If the college’s Local Contract Review Board finds it is in the public’s best interest to use an alternative contracting method, the college must demonstrate that it is unlikely to encourage favoritism in the awarding of the public contract or substantially diminish competition and will likely result in substantial cost savings to the college or the public. This requirement ensures that competition will be carefully addressed and protected.

The College has identified the Design-Build alternative contracting method (DB method) as a viable solicitation option that will allow the college to competitively seek proposals from qualified, responsive, and responsible contractors for the design and remodel project of the Umpqua Community College properties mentioned above.

A solicitation for a Design-Build utilizes a competitive Request for Proposal process that allows the college to collect important information about the collaboration of construction contractors, architects and engineers that may not be available using a traditional bidding process.

Contractors can be evaluated based on criteria developed by the college which may include, but not be limited to: the pricing proposal, cost data and labor and equipment rates; overhead, profit, fee and mark-ups; experience in managing multiple-phased, multi-bid package projects; similar facility construction and sustainable construction experience; experience of the firm and key personnel on projects of similar complexity; references; success with value engineering; proven ability to deliver projects on time and within budget; and the ability to work in a harmonious and non-adversarial manner with multiple stakeholders.

Pursuant to ORS 279C.335(3), the college has prepared findings that support an exemption for a public improvement contract based on some combination of the project description or location, time period, contract value, method of procurement or other factors that distinguish the limited and related class of public improvement contracts from the contracting agency's overall construction program.

On May 31, 2023, the college provided public notice of its intent to use the DB method along with the draft findings that support it.

Oregon statutes require all public improvement projects to be procured by competitive low bid, unless an exemption is granted by the state or the public contract review board of a public agency. (ORS 279C.330 and 279C.335) These statutes provide that an exemption allowing other contracting methods may be used based on findings that:

- A. The exemption is unlikely to encourage favoritism in awarding the public improvement contracts or substantially diminish competition for public improvement contracts; and

**Finding A:** Based upon the foregoing, the board finds that it is unlikely that this exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts.

- B. Awarding a public improvement contract under the exemption will likely result in substantial cost saving and other substantial benefits to the contracting agency.

**Finding B:** For these reasons, use of the Alternative Contracting Method for the Renovation Project is likely to result in substantial cost savings as compared to use of the standard/bid/build process within the meaning of ORS 279C.335(2)(b).

**Findings are in Support of Design-Build Procurement Method**

Detail Findings Report is available.