



# CITY OF SALEM

585 Liberty St SE  
Salem, OR 97301

## Staff Report

---

File #: 22-410

Version: 1

Date: 9/12/2022

Item #: 6.e.

---

**TO:** Mayor and City Council  
**THROUGH:** Keith Stahley, City Manager  
**FROM:** Peter Fernandez, PE, Public Works Director

**SUBJECT:**

Final evaluation of the design build alternative contracting method used for the Salem Public Library.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe, Reliable, and Efficient Infrastructure; Welcoming and Livable Community

**SUMMARY:**

*Oregon Revised Statute 279C.355 (ORS)* requires contracting agencies to submit evaluations for public contracts that have been exempted from the competitive bidding process to the local contract review board, which is the City Council, after the projects are complete. The project is now complete and the Post Project Evaluation Report is attached (Attachment 1).

**ISSUE:**

Present City Council with the final evaluation per *ORS 279C.355*, of the public improvement contract exempted from the competitive bidding process, performed by Howard S. Wright (HSW) for the Salem Public Library Improvements.

**RECOMMENDATION:**

Information only.

**FACTS AND FINDINGS:**

In accordance with State statutes and City procurement rules, typical City public improvement projects use a competitive bidding process where construction contracts are awarded to the lowest responsive bidder. For specific, complex projects with significant technical, budget, or schedule-

related challenges, the City may employ alternate contracting processes to mitigate risk. These alternate processes allow for consideration of other factors, such as qualifications and experience in addition to the cost of the work. Per the requirements of *ORS 279C.355*, the alternate process must be approved for an exemption from competitive bidding by the local contract review board. Recent projects that have been authorized to proceed with alternate contracting include the Ozone Treatment Facility at Geren Island and the Salem Police Station.

In October 2018, City Council adopted findings in support of an exemption from the competitive bidding process and authorized the use of a design build contracting method for design and construction of the Salem Public Library Improvements. HSW was awarded the contract and they have completed the work. They have notified the City that all costs have been invoiced and the contract can be closed.

Brian D. Martin, PE  
City Engineer

Attachments:

1. Post Project Evaluation Report