



Deschutes County Board of Commissioners  
1300 NW Wall St., Suite 200, Bend, OR 97701-1960  
(541) 388-6570 - Fax (541) 385-3202 - [www.deschutes.org](http://www.deschutes.org)

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## **AGENDA REQUEST & STAFF REPORT**

**For Board Business Meeting of Wednesday, September 3, 2008**

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**DATE:** August 27, 2008

**FROM:** Susan Ross Property and Facilities Department 330-6713

**TITLE OF AGENDA ITEM:**

Consideration of Signature of Notice of Intent to Award Construction Contract for Sheriff Impound Building Project

**PUBLIC HEARING ON THIS DATE?** No

**BACKGROUND AND POLICY IMPLICATIONS:**

The project consists of constructing a 2,000-square-foot, wood-framed, metal clad building that will house impounded vehicles. The storage building will be located in the Deschutes County Public Safety Complex on the northwest end of Bend, next to the adult jail. The site of the new building currently houses the various shops and garages for the sheriff, jail, and search and rescue operations. The contract method used for this project will be design-bid-build.

**FISCAL IMPLICATIONS:**

The following four bids were received for this project:

Kirby Nagelhout Construction Company, \$193,990

Keeton King, \$187,550

HSW Builders, \$159,900

CS Construction, \$148,519 (low bid)

Sufficient funds for this project have been appropriated in the Sheriff's Office 2008-2009 fiscal year budget.

**RECOMMENDATION & ACTION REQUESTED:**

Board signature of Notice of Intent to Award Contract for Sheriff Impound Building Project

**ATTENDANCE:** Susan Ross, Property and Facilities Director

**DISTRIBUTION OF DOCUMENTS:**

The Notice of Intent must be faxed on September 3, 2008, to the (4) listed companies. Return one original to Property and Facilities Department by 3:00 p.m. on September 3, 2008 so that it can be postmarked and mailed that same day.



## Board of County Commissioners

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[www.co.deschutes.or.us](http://www.co.deschutes.or.us)  
[board@co.deschutes.or.us](mailto:board@co.deschutes.or.us)

Tammy Baney  
Michael M. Daly  
Dennis R. Luke

September 3, 2008

**Sent via facsimile (541-617-9590 CS Construction) & First Class Mail**

Cohen Skovborg, LLC dba CS Construction  
1506 NW 1<sup>st</sup> Street, Unit #1  
Bend, Oregon 97701

RE: Contract for Deschutes County Sheriff Impound Building

**NOTICE OF INTENT TO AWARD CONTRACT**

On September 3, 2008, the Board of County Commissioners of Deschutes County, Oregon, considered bids for the above-referenced project. The Board of County Commissioners determined that the lowest responsive bidder for the project was CS Construction of Bend, Oregon, with a base bid of ONE HUNDRED FORTY EIGHT THOUSAND FIVE HUNDRED NINETEEN DOLLARS and no/100 DOLLARS (\$148,519.00).

This Notice of Intent to Award Contract is issued pursuant to Oregon Administrative Rule (OAR) 137-047-0610. A copy of this Notice is being provided to each firm or person that submitted a bid for the project. Any firm or person who believes that they are adversely affected or aggrieved may submit to the Board of County Commissioners of Deschutes County, Oregon, at the above address, a written protest of the County's intent to award within seven (7) days after the issuance of this Notice of Intent to Award Contract. The seven (7) day protest period will expire at 5:00 PM on Wednesday, September 10, 2008.

Any protest must be in writing and specify any grounds upon which the protest is based. A copy of OAR 137-047-0610 is attached to this Notice. If a protest is filed, a hearing will be held at 10:00 a.m. on Wednesday, September 24, 2008, before the Board of County Commissioners of Deschutes County Oregon, acting as the Contract Review Board, in the Deschutes Services Center, 1300 NW Wall Street, Bend, Oregon 97701.

If no protest is filed within the protest period, this Notice of Intent to Award Contract becomes an Award of Contract without further action by the Board of County Commissioners unless the Board, for good cause, rescinds this Notice before the expiration of the protest period. The successful bidder on a Deschutes County project is required to execute the Contract provided by the County when the bids are finally

determined. In addition to the execution of Contract, the contractor will be required to provide a performance bond, payment bond, and certificate of insurance.

All contract copies will need to be returned to the County for execution. After all parties have signed the contract, a copy of the contract will be forwarded to you along with a notice to proceed.

If you have any questions regarding this Notice of Intent to Award Contract or the procedures under which the County is proceeding, please contact Susan Ross, Director, Deschutes County Property & Facilities, 14 NW Kearney Street, Bend, Oregon 97701, telephone (541) 383-6713 or FAX (541) 317-3168.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
DESCHUTES COUNTY, OREGON

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Dennis R. Luke, Chair

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Tammy (Baney) Melton, Commissioner

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Michael M. Daly, Commissioner

Enclosure: OAR 137-047-0610

cc w/enc: HSW Builders  
730 SW Bonnett Way, Suite 3000  
Bend, Oregon 97702  
Fax: 541-388-2898

Keeton-King Construction, Inc.  
18159 Hwy 126  
Sisters, Oregon 97759  
Fax: 541-923-5502

Kirby Nagelhout Construction Company  
20635 Brinson Blvd  
Bend, OR 97701  
Fax: (541) 385-5834

**137-047-0610**

**Notice of Intent to Award**

(1) Notice of Intent to Award. The Contracting Agency shall provide written notice of its intent to award to all bidders and proposers pursuant to ORS 279B.135 at least seven (7) days before the award of a contract, unless the Contracting Agency determines that circumstances require prompt execution of the contract, in which case the Contracting Agency may provide a shorter notice period. The Contracting Agency shall document the specific reasons for the shorter notice period in the procurement file.

(2) Finality. The Contracting Agency's award shall not be final until the later of the following:

- (a) The expiration of the protest period provided pursuant to OAR 137-047-0740; or
- (b) The Contracting Agency provides written responses to all timely-filed protests denying the protests and affirming the Award.

Stat. Auth.: ORS 279A.065 & ORS 279B.135

Stats. Implemented: ORS 279B.135

Hist.: DOJ 11-2004, f. 9-1-04, cert. ef. 3-1-05

## **Repealed Rules**

### **137-046-0500**

#### **Repealed Rules**

As required by Or Laws 2003, chapter 794, section 334, OAR 137-030-0000, 137-030-0005, 137-030-0006, 137-030-0008, 137-030-0010, 137-030-0011, 137-030-0012, 137-030-0013, 137-030-0014, 137-030-0015, 137-030-0020, 137-030-0030, 137-030-0035, 137-030-0040, 137-030-0050, 137-030-0055, 137-030-0060, 137-030-0065, 137-030-0070, 137-030-0075, 137-030-0080, 137-030-0085, 137-030-0090, 137-030-0095, 137-030-0100, 137-030-0102, 137-030-0104, 137-030-0105, 137-030-0110, 137-030-0115, 137-030-0120, 137-030-0125, 137-030-0130, 137-030-0135, 137-030-0140, 137-030-0145, 137-030-0155, 137-035-0000, 137-035-0010, 137-035-0020, 137-035-0030, 137-035-0040, 137-035-0050, 137-035-0060, 137-035-0065, 137-035-0070, 137-035-0080, 137-040-0000, 137-040-0005, 137-040-0010, 137-040-0015, 137-040-0017, 137-040-0020, 137-040-0021, 137-040-0025, 137-040-0030, 137-040-0031, 137-040-0035, 137-040-0045, 137-040-0500, 137-040-0510, 137-040-0520, 137-040-0530, 137-040-0540, 137-040-0550, 137-040-0560, 137-040-0565, 137-040-0570, 137-040-0590 are repealed effective March 1, 2005. The repealed rules will continue to apply to the solicitation of Public Contracts first advertised, but if not advertised then entered into, before March 1, 2005.

Stat. Auth.: ORS 279A.065 & OL 2003, Ch. 795, 334

Stats. Implemented: ORS 279A.065 & OL 2003, Ch. 795, 334

Hist.: DOJ 11-2004, f. 9-1-04, cert. ef. 3-1-05