

RESOLUTION NO. 1978

A RESOLUTION DETERMINING THE CONTRACT FOR RENOVATIONS TO THE STEIN HOMESTEAD BARN WILL BE A SPECIAL-PROCUREMENT CONTRACT EXEMPT FROM FORMAL COMPETITIVE SOLICITATION REQUIREMENTS AND IDENTIFYING O'BRIEN CONSTRUCTORS, LLC AS THE CONTRACTOR

WHEREAS, the 1901 Stein Homestead Barn is a large timber frame and wood clad gabled barn that embodies construction techniques and special organization typical for that time and appears to be substantially the way it was when originally completed; and

WHEREAS, the barn is significant as it is over 100 years old and is the first recorded development for the property after the farmhouse, which was built only three years prior; and

WHEREAS, the Stein Homestead Barn provides a special contextual reality as it is situated on a property abutting the Willamette River and is from a time when residents of Wilsonville exclusively used the river for travel and communication; and

WHEREAS, the barn has consistently been identified as a significant cultural resource for the community throughout numerous site studies of the property and oral and public records; and

WHEREAS, the architecture and construction of the barn embodies distinctive characteristics of type, period, and method of construction and is a valuable example of the Oregon barn building type from the turn of the 20th century as found in associated character defining features, such as old growth timber frame, mortise and tenon joints with wood dowels, hand-hewn log rafters and floor joists, "stump and stone" log post and stone foundation, and vertical wood plank exterior siding with characteristic shrinkage; and

WHEREAS, the construction of the building is also historically important since the main structural components of old growth timber with wooden dowel connections, hand-hewn logs as floor joists and rafters, and stone foundations, are no longer employed in Oregon; and

WHEREAS, the program for the barn is to make it a resource for the public and legally permissible for occupancy; and

WHEREAS, a number of items of alteration are all deemed necessary for the intended use; and

WHEREAS, the City of Wilsonville Development Review Board, Panel A designated the Stein Homestead Barn a Cultural Resource and placed it on the Cultural Resource Inventory at their meeting on December 12, 2005; and

WHEREAS, at this same meeting the Development Review Board approved alterations to this Cultural Resource to convert it to a public assembly space; and

WHEREAS, at their December 19, 2005 meeting, the City Council of the City of Wilsonville approved Ordinance No. 602 which created an Inventory of Historic Resources and a Register of Historic Places, and designated the Stein Homestead Barn as an Historic Resource and placed the barn on the Inventory and on the Register; and

WHEREAS, due to the particular historic nature of the building, this project will necessitate numerous custom detail solutions which require a City-architect-contractor team approach to designs; and

WHEREAS, having a contractor as an integral member of the design team is the best way to efficiently achieve solutions which are feasible both in terms of constructability and cost; and

WHEREAS, it is necessary to identify a specific contractor capable of working with the architect and providing the attention to detail and fine craftsmanship needed for constructing alterations to this sort of historic structure while adequately juxtaposing construction technologies to prevent confusion as to which elements are original versus those which are new; thus preserving the educational value of the building and providing an unambiguous aesthetic appearance; and

WHEREAS, ORS 279C.335 Competitive bidding; exceptions; exemptions, subsection (2) allows local contract review boards to exempt a public improvement from competitive bidding if the exemption is unlikely to encourage favoritism in the awarding of public contracts and if the exemption will result in substantial cost savings to the public; and

WHEREAS, City of Wilsonville Ordinance No. 578 establishes that the Wilsonville City Council is the Local Contract Review Board under the State of Oregon Public Contracting Code; and

WHEREAS it is found that a special procurement contract for the construction of barn alterations is unlikely to encourage favoritism or substantially diminish competition for public improvement contracts as the renovation is a unique project for the City that is singularly different from typical public improvement projects; and

WHEREAS, it is found that by exempting the proposed contract from competitive bidding, the local contract review board will result in substantial cost savings as there are limited numbers of qualified contractors available to do work of such unique historical nature and that the quality of work necessary for historic preservation of the barn is more likely to be achieved through an exemption; and

WHEREAS, ORS 279C.335 Competitive bidding; exceptions; exemptions, subsection (3) requires that when granting exemptions to competitive bidding the local contract review board shall require and approve or disapprove written findings that support the exemption from competitive bidding; and

WHEREAS, this Resolution provides said written findings; and

WHEREAS, ORS 279C.335 Competitive bidding; exceptions; exemptions, subsection (4)(a) requires that the contracting agency shall hold a public hearing, and provide statutorily mandated notice to said hearing, prior to adopting findings exempting a public improvement contract from competitive bidding; and

WHEREAS, such notice requirements have been met and the public hearing held at the regular meeting of the Wilsonville City Council on March 6, 2006; and

WHEREAS, the proposed work is of an intricate and unique nature that requires special experience and expertise; and

WHEREAS, the project benefits of hiring the right contractor are very clear and will likely end up saving the City costs in the long run; and

WHEREAS, O'Brien Constructors LLC has been in business since 1981 and has established a reputation as a builder of unique and challenging projects successfully completing hundreds of projects including a number of similarly challenging historic renovations such as the Banks School District Headquarters, the Imperial Hotel, Milwaukie Elementary School, and the Mallory Hotel, and is currently working with a winery client in Newberg to restore a barn similar to the Stein Homestead Barn; and

WHEREAS, O'Brien Constructors LLC has demonstrated experience working in environmentally sensitive areas; shoring experience that includes replacing rotted timber in historical structures; and experience reusing existing structurally sound materials; and

WHEREAS, O'Brien Constructors LLC has worked well with the architect and has performed forensic investigations at the Stein Homestead Barn as a part of the schematic design

and cost estimating process, uncovering hidden conditions and allowing the City and design team increased insight into some potential issues within the structure; and

WHEREAS, reference checks on O'Brien Constructors LLC have confirmed their expertise on comparable projects; and

WHEREAS, using O'Brien Constructors LLC as the contractor for this rehabilitation will help manage budget and schedule expectations because of their experience and familiarity with the Stein Homestead Barn and other like projects; and

WHEREAS, it is necessary and appropriate for the constructing contractor to work with the project architects during design to evaluate complex technical construction materials, methods, and details for their constructability, cost and retention of historic elements; and

WHEREAS, including O'Brien Constructors LLC as a member of the design team results in cost savings to the design contract as a complete competitive set of bid documents is no longer required and a savings of time as O'Brien Constructors LLC is wholly familiar with the complex details of the project; and

WHEREAS, Hennebery Eddy Architects estimates a bid set of construction plans would add \$10,000-\$15,000 to the project cost, and that educating a new contractor on project complexities would add \$2,400 to \$5,000 to the project cost; and

WHEREAS, O'Brien Constructors LLC has visited the barn site many times over the past two years in working with Hennebery Eddy Architects during schematic design to develop a preliminary construction budget and understands the complexities and schedule challenges of this project.

NOW, THEREFORE, CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

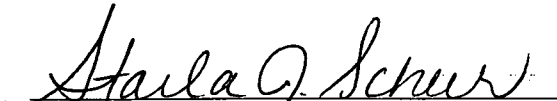
1. City Council approves and adopts the above findings and determines it is in the best public interest and welfare to exempt the contract for rehabilitations to the Stein Homestead Barn from competitive bidding and solicitation requirements and identifies this work effort and a future contract with O'Brien Constructors LLC to come before Council at a future date, as a special procurement.
2. The effective date of this Resolution is March 6, 2006.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of March, 2006, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, MAYOR

ATTEST:



Starla J. Schur, CMC, Dep. City Recorder

SUMMARY OF VOTES:

Mayor Lehan	Yes
Council President Kirk	Yes
Councilor Holt	Yes
Councilor Knapp	Yes
Councilor Ripple	Yes