

## Draft Findings Regarding Exemption from Competition for a Contract to Provide Public Improvements to Ochoco Mills Apartments for Stormwater Facilities

City Staff recommends that the City Council make the following findings as their basis for approval, if they approve, exempting the contract for a change order to a contract with C Bar L Development, LLC (“C Bar L”) that was awarded on April 8, 2025 for the installation of 1,961 linear feet of C-900 Waterlines in the Ochoco Mill Apartments Complex including 5 fire hydrants. The project also included 38 linear feet of 10’ sewer pipe along with a 60” manhole allowing for future development of the site.

1. The nature of the contract for which the exemption is requested:
  - Public improvement contract exceeding \$50,000.00.
2. The estimated contract price is \$315,016.00.
3. Findings to support the substantial costs savings, enhancement in quality or performance, or other public benefit anticipated by the exemption from competitive solicitation:
  - The additional work includes a drainage gallery, 8’ pvc storm piping, sidewalk catch basin and curb inlets, open bottom precast box with lids, concrete curbs standard 12 inch, and new curbs and ramps.
  - Per Oregon Senate Bill 1530, the City of Prineville was awarded \$2,000,000 that must be expended by June 30, 2025 specifically for infrastructure that supported multi-family housing developments. Due to bids being lower than anticipated on targeted projects, the City has additional funds, and this is the only project that can spend the additional funds.
  - C Bar L was originally selected for the project through a competitive bid process that resulted in five bids and C Bar L being significantly lower than the other four bids.
  - The City would be unable to do another competitive bid process in time to utilize the SB 1530 funds. C Bar L can complete the project prior to the SB 1530 deadline.
4. Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or would otherwise substantially promote the public interest in a manner that could not practically be realized by complying with the solicitation requirements that would otherwise be applicable:
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5. A description of the proposed alternative contracting methods to be employed:
- Directly contracting with C Bar L for the construction of additional infrastructure for the Ochoco Mill Apartments Complex.
6. The estimated date by which it would be necessary to let the contract is May 16, 2025.