



MINUTES APPROVED 1/25/11

**OF THE PORT OF TILLAMOOK BAY
BOARD OF COMMISSIONERS
SPECIAL MEETING
HELD ON
FRIDAY, JANUARY 14, 2011 AT 10:00 A.M.**

**Located at
Port of Tillamook Bay
4000 Blimp Boulevard
Tillamook, Oregon 97141**

1. Commission Baertlein called the Special Meeting to Order at 10:00 A.M.
2. Recognition of Persons Present;
 - a. Commissioners: Jim Young (Vice President) *via telephone*; John Ficher (Secretary); Bill Baertlein (Treasurer); and Georgine Beveridge. (Jerry Dove, Absent)
 - b. Staff: Michele Bradley (General Manager); Karin Gitchel (Office Administrator); Aaron Palter (Project Coordinator).
 - c. Media: None in attendance
 - d. Public: Mike Day (Day CPM); Eric Eckfield (Day CPM); Gus Meyer (Private Citizen); Butch Parker (Director, Tillamook County Community Development).

NOW SITTING AS THE LOCAL CONTRACT REVIEW BOARD

3. Presentation by DAY CPM Services - Findings in Support of an Exemption from Competitive Bidding for the Class of Public Improvement Projects Related to the Port's FEMA Alternate Projects
 - a. Mr. Eckfield provided the board with an overview of the contracting process, past experience and expertise, and then described the summation from Day CPM research that is needed for the FEMA Alternate Project Contract Process. Mr. Day shared an overview of the complexity of our diverse projects and the needs of the POTB model and Tillamook Community. He described that this process is about setting the foundation for the future, not just about deciding one way, but having a base to open the door to choose our options in the future based on our needs.
 - i. Commissioner Young questioned whether this was another layer to the process. The Port has an architect and Day CPM, what is the need for an additional layer?
 - ii. Mr. Day clarified that this was not in fact another layer, but the in reality the third leg to the stool that has always been a part of this process: the General Contractor (GC). This process allows for a broader contract basis for the GC to identify the best sub-contractors for each project.

- iii. Commissioner Baertlein felt that as the Contract Review Board, this exemption would give us more options.
 - iv. Commissioner Beveridge stated that she felt this would be adding more tools to our toolbox.
 - b. Mr. Day invited Mr. Eckfield to describe the process of this exemption and Mr. Eckfield identified that timeline. There will be a public meeting in approximately fourteen (14) days with advertising of this meeting occurring statewide and locally so that there is a diverse understanding of when meeting will be held. After the public meeting hearing, a resolution will be signed by the Board.
- 4. Discussion and Consideration of the Adoption of Findings in Support of an Exemption from Competitive Bidding for the Class of Public Improvement Projects Related to the Port's FEMA Alternate Projects and a Direction to Port Staff to Advertise a Public Hearing No Sooner than Fourteen (14) Days from the Date of the Advertisement to Adopt a Resolution for this Purpose.
 - c. **ACTION: Commissioner Baertlein entertained a Motion to Adoption of Findings in Support of an Exemption from Competitive Bidding for the Class of Public Improvement Projects Related to the Port's FEMA Alternate Projects and a Direction to Port Staff to Advertise a Public Hearing No Sooner than Fourteen (14) Days from the Date of the Advertisement to Adopt a Resolution for this Purpose. The motion was moved by Commissioner Beveridge. Commissioner Ficher seconded the motion. There was no further discussion. The motion was approved by a 4-0 vote (those in attendance and on phone).**

NOW SITTING AS THE BOARD OF COMMISSIONERS

- 5. Other Business
 - d. Digester process and Kennedy Jenks contract:
 - i. Ms. Bradley reviewed the stalled status of negotiations on the Digester Proposal from Kennedy Jenks.
 - ii. The team recommends to the Board that they exercise their right in the public interest and as is stated in the Request for Proposal (RFP) to cancel this RFP and all submitted proposals. The Port needs to proceed with a design to build proposal allowing expertise to provide design builds of the Digester machine. It was noted that FEMA is willing to review the process and work with the team to identify best methods.
 - iii. Commissioner Ficher and Commissioner Young both feel that this project is vital and needs to proceed before we lose any more time.
 - iv. **ACTION: Commissioner Baertlein entertained a motion for the Board to exercise their right in this RFP process to reject all proposals and cancel the RFP for the Digester A&E RFP. The motion was moved by Commissioner Ficher. Commissioner Beveridge seconded the motion. There was no further discussion. The motion was approved by a 4-0 vote (those in attendance and on phone).**
- 6. Public Comment
 - e. Gus Meyer wanted to say that he appreciates what Day CPM is doing but also to expose that there is a need to have both quality materials and quality projects. There have been issues in town on recent project and he asked to see how they plan to manage this issue of contractors bidding a higher class of materials, but coming in and putting in lower class of materials.
 - f. Mr. Eckfield responded that it is quality control from the point of contractor and hiring a contractor that meets the quality requirements of what does go in. Day CPM, in addition to the Port is tasked to ensure the quality measures. Mr. Day continued the Port has hired a qualified firm that is going to have a quality control plan that has checks and balances sending a message and implementing tools to ensure that this does in fact happen.

- g. Gus Meyer also shared that he has heard discussion on the roads and how the Port is going to make the roads meeting historical standards. He feels that the roads should be up to current standards and not build the roads to the 1940's standard that will not address the current transportation needs of the Port.
 - i. Eric Eckfield responded that these are things that are in consideration in the planning. Balancing the needs of the Port and the historical value is important to this project. We are working with the proper authorities to identify how to mimic a look, but develop functionality to the needs of today.
 - h. Ms. Bradley reminded everyone in attendance that next Regular Board Meeting will be January 25th at 6:00 P.M.
7. Commissioner Baertlein adjourned the Special Meeting at 10:49 A.M.