



MINUTES APPROVED 8-16-11

OF THE PORT OF TILLAMOOK BAY BOARD OF COMMISSIONERS
HELD THURSDAY, AUGUST 4, 2011 AT 5:15 P.M.

Port of Tillamook Bay
4000 Blimp Boulevard
Tillamook, Oregon 97141
503-842-2413

1. Commissioner Young called the meeting to order at 5:16 P.M.
2. Recognition of Persons Present
 - a. Jim Young (President); Bill Baertlein (Vice President); Georgine Beveridge (Secretary); Carolyn Decker (Treasurer); and Bob Olsen (Commissioner).
 - b. Staff: Michele Bradley (General Manager); Karin Gitchel (Office Administrator).
 - c. Public: Eric Eckfield (DAY CPM); Jeff Bennett (Jordan Ramis).
3. Discussion and Consideration of Notice of Intent to Award Contract to Skanska for FEMA Alternate Project 3.2 (New Construction – Warehouse Business Park)
 - a. Mr. Eckfield discussed the bid and his conversations with Skanska, sharing that he recommended Skanska to the Board.
 - b. Commissioner Decker asked if Mr. Eckfield had seen any of their work, and he shared that he had, and his experience with working with them. He had discussed with Skanska the current local contractors.
 - c. Commissioner Baertlein asked how this bid came in for budgeting. It was noted that this bid was under the current budget for the project.
 - d. Commissioner Olsen wondered when the project would start. Mr. Eckfield shared that they will start later this month and has the anticipated completion for May 2012.
 - e. **(Action) Commissioner Young entertained a motion to accept Notice of Intent to Award Contract to Skanska for FEMA Alternate Project 3.2 (New Construction – Warehouse Business Park). Commissioner Beveridge so moved the motion. Commissioner Baertlein seconded the motion. There was no further discussion. The Motion was carried by unanimous vote of all Commissioners present (5-0).**
4. Discussion and Consideration of Intergovernmental Agreement (Lighting Measures) with Oregon Department of Energy for \$100,000 with no match funding and authorization for General Manager to sign
 - a. Ms. Bradley provided an update on the agreement which will be utilized in the Administration Building. Commissioner Baertlein wondered if there were any draw backs to utilizing this and Ms. Bradley shared that there wouldn't. Commissioner Olsen asked if our accounting staff would be able to accomplish the reporting and it was shared that this would not be a problem.

Commissioner Decker asked about local contractors being involved, Ms. Bradley shared that this will be a bid process following our local contracting rules. Commissioner Olsen asked about the recycling and local buying rules that were recently passed, which Mr. Eckfield addressed the issue by sharing that our current projects are under the local state rules. Ms. Bradley reiterated that this project will not be in conjunction with the FEMA Alternate Projects; this will be separately managed and processed.

- b. **(Action) Commissioner Young entertained a motion to accept the Intergovernmental Agreement (Lighting Measures) with Oregon Department of Energy for \$100,000 with no match funding and authorization for General Manager to sign). Commissioner Baertlein so moved the motion. Commissioner Decker seconded the motion. There was no further discussion. The Motion was carried by unanimous vote of all Commissioners present (5-0).**

5. Discussion and Consideration of Notice of Intent to Award a Contract for the Digester Design Build FEMA Alternate Project

- a. Commissioner Baertlein declared that he had a conflict of interest due to his current client load, and will not be participating in the vote.
- b. Mr. Eckfield summarized the actions from the last meeting, in regards to rejecting the former intent to award with Biothane and the actions of looking at the RFP and submitted proposals. He shared the results for his questions clarifying the results of the proposal from RCM, and indicated that they would be able to build the Digester at the 5.4 million dollar budget, with the exception of the rigid roof requirements in the RFP. If the Board wanted a rigid cover for the Digester, this would modify their proposal to approximately 6.2 million. The Port staff met and discussed the results of their statements, and agreed that they would recommend awarding the notice to RCM. He also requested this information from Andgar, the other top three proposals, but their price remained higher.
- c. Mr. Bennett requested the clarification between a bid and proposal, which Mr. Eckfield supplied for the understanding of the Board.
- d. Commissioner Beveridge asked if the digester plans requested a rigid roof. After an explanation from Mr. Eckfield that the proposal did request a rigid roof, she then asked about the ability to clean the holding cell with this in place. Mr. Eckfield shared that there will be an ability to clean the holding cell, in addition to a full maintenance plan so that upkeep is provided properly.
- e. Ms. Bradley asked regarding the ability to walk away if the budget exceeds \$6.2 million, Mr. Eckfield confirmed that the Port can walk away. In addition, if this happens at construction time, there will be contracting exits in place.
- f. Commissioner Olsen asked whether Buy American will be in the contract and what the requirements will be. Mr. Eckfield identified that what he knew about, there would be parts of this engine are built in many different places. RCM does have an American facility, in addition to international locations.
- g. In answering Commissioner Olsen's question regarding permitting, Mr. Eckfield shared that the majority of the permits were built into the project costs, with the exception of the DEQ permit.
- h. **(Action) Commissioner Young entertained a motion to accept ORDER #11-003 Notice of Intent to Award a Contract for the Digester Design Build to RCM International LLC. Commissioner Decker so moved the motion. Commissioner Beveridge seconded the motion. There was no further discussion. The Motion was carried by unanimous vote of all Commissioners present (4-0). (Commissioner Baertlein abstained)**

6. Commissioner Young recessed the Regular Board meeting at 5:50 P.M.

7. Commissioner Young opened the Executive Session at 5:52 P.M. per:

- a. ORS 192.660 (2)(e) for real property transactions; and

- b. ORS 192.660 (2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed
- 8. Commissioner Young adjourned the Executive Session at 7:41 P.M.
- 9. Commissioner Young reopened the Special Meeting at 7:41 P.M.
- 10. Other Business – FAA Update, Commissioner Emails
 - a. Commissioner Beveridge asked for an update on the FAA shutdown, Ms. Bradley shared the recent communications that she had received and what the expected outcome that she is aware of is currently happening. The drainage project will be proceed if the outcome comes through, in addition it also affects the FEMA Site 9 project that needs FAA concurrence. Right now everything is on hold pending new news.
- 11. Commissioner Comments
 - a. There were no additional Commissioner comments.
- 12. Commissioner Young adjourned the Special Meeting at 7:45 P.M.