

Southwestern Oregon Community College

Board Clerk: Patty Scott
Campus Contact: Deb Nicholls (541) 888-7400, dnicholls@socc.edu

“Southwestern leads and inspires lifelong learning.”

Board of Education

Conference Call Meeting

Thursday, August 6, 2009 at 4:30 p.m.





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Board of Education Meeting – Special Conference Call

August 6, 2009 @ 4:30 p.m.

AGENDA

Action Items = 

1. CALL TO ORDER
Chair Bridgham 4:30 p.m.
2. OCCI REFRIGERATION PROJECT, Exhibit # 2
Presenter: Linda Kridelbaugh 
3. ADJOURNMENT (*BP 113*)
ChairBridgham

Shaded Exhibit included in meeting materials

* Materials will be distributed at the meeting

Board policy states that requests must be made by contacting the Clerk of the Board at least seven working days prior to the scheduled meeting. Requests for additions by visitors attending a meeting will be allowed by an affirmative vote of the majority of the Board Members. Time allocations will be at the discretion of the Board Chair.

It is the policy of the Board of Education to adjourn the meeting within three hours unless a motion to continue the meeting is made and approved by a majority vote of the members present.

Exhibit # 2
Date August 6, 2009
Approved Yes ___ No ___
Motion # _____

**Southwestern Oregon Community College District
Board of Education**

Prepared by: Linda Kridelbaugh, Interim Vice President of Administrative Services

ACTION UNDER CONSIDERATION

Declare that an emergency exists pursuant to Public Contract Rule 137-049-0150 Bidding and Bonding Exemptions - Emergency Contracts for the Oregon Coast Culinary Institute (OCCI) walk-in refrigeration project and authorize the College to waive competitive bidding procedures.

DISCUSSION /HISTORY

The College recently made the decision to discontinue contracted food services with Premier Services. Accompanying this change is the largest enrollment in the history of the OCCI program. Therefore, additional equipment is required to accommodate the new Dining Services operations beginning September 1, 2009 and to meet the maximum program enrollment of 120 students in fall '09.

Construction and installation can only be completed between class sessions. The break between summer and fall session is August 17- September 25, thus the need for expediency.

Cost projections have increased recently and the project is now anticipated to be over the \$75,000 amount required for competitive bids as stated in the College's Rules of Procurement adopted by the Board on February 28, 2005.

If approved, the architect will request two quotes for the refrigeration bid and two quotes from general contractors.

DECLARATION -

The SOCC Board, acting as the College's Local Contract Review Board, finds that emergency circumstances exists and issues a declaration of emergency for the completion of the OCCI refrigeration project subject to State of Oregon public contracting code (ORS 279A, 279B, 279C) and the SOCC Rules of Procurement. In accordance with ORS 279A.B.080 and SOCC Rules of Procurement (CCR.206), the College may enter into public contracts without competitive bidding if an emergency exists. Emergency mean circumstances that could not have been reasonably foreseen which create a substantial risk of loss, damage, interruption of services or a threat to property, public health, welfare or safety, and require prompt execution of a contract to remedy the condition (ORS 279A.010(1)(f)). The SOCC Board declares that the potential interruption of services and threat to public health, welfare and safety of students,

employees and others utilizing the OCCI Dining Services constitutes an emergency and therefore, believes that prompt execution of a contract to remedy the condition is warranted.

In exercising authority under this exemption the College shall:

1. Follow the competitive quote, solicitation, and award guidelines set forth in this document in an effort to conduct a fair and legal process; and
2. Comply with all prevailing wage and other regulatory requirements in place for construction work.

The College has developed emergency contracting guidelines for competitive quote, solicitation, and awards during this emergency:

Process	Existing project cost	Change for purposes of this emergency
<u>DIRECT AWARD FOR GOODS/SERVICES:</u> The College is encouraged but not obligated to obtain informal competitive quotes.	\$5,000 or less	No change
<u>COMPETITIVE QUOTES:</u> The College obtains three competitive quotes or documents effort to obtain three quotes.	\$5,001 - \$74,999	No change
<u>FORMAL SOLICITATION:</u> Invitation to Bid, Request for Proposal.	\$75,000 and higher	This process is waived, but measures taken to encourage competition are recorded.
<u>BOARD APPROVAL OF CONTRACTS:</u> The College requests Board approval for contracts prior to award.	Board approval for contracts \geq \$25,000	No change
<u>DIRECT APPOINTMENT FOR ARCHITECT, ENGINEER, LAND SURVEYING AND RELATED SERVICES:</u> "Contracting Agencies may enter into a Contract directly with a Consultant without following the selection procedures set forth elsewhere in these rules if: (a) Contracting Agency finds that an Emergency exists." (OAR 137-048-0200(1))	No change	No change

BUDGET IMPACT

General Fund budget impact is minimal. In an effort to zero out the Plant Fund, as recommended by the State Auditor, approximately \$30,000 from the Plant Fund will be used and the remaining costs will be covered by the OCCI Enterprise Fund approved by the Board.

TIMING

Approval is requested at this time in order to expeditiously complete the project between the summer/fall class sessions. If delayed, the project would have to occur during the fall/winter term break in December, which would necessitate a need for alternate storage for approximately 18 weeks. Therefore, a delay would cost the College an additional \$45,000 as adequate storage is expected to be approximately \$2,500 per week.

RECOMMENDATION

BE IT RESOLVED, that the Board of Education of Southwestern Oregon Community College District, acting as the College's Local Contract Review Board, declares that an emergency exists pursuant to Public Contract Rule 137-049-0150 Bidding and Bonding Exemptions - Emergency Contracts for the Oregon Coast Culinary Institute (OCCI) walk-in refrigeration project and authorizes the College to waive competitive bidding procedures.