

PORTLAND DEVELOPMENT COMMISSION

Portland, Oregon

**ACTING IN ITS CAPACITY AS THE
LOCAL CONTRACT REVIEW BOARD**

RESOLUTION NO. 7089

**ADOPTING FINDINGS IN SUPPORT OF EMERGENCY STATUS AND
APPROVING AN EXPEDITED ALTERNATIVE CONTRACTING PROCESS
FOR THE SELECTIVE DEMOLITION OF CENTENNIAL MILLS**

WHEREAS, by adoption of Resolution No. 3004, the Portland Development Commission (“PDC”) Board of Commissioners (the “Board”) was established as PDC’s Local Contract Review Board (the “LCRB”) pursuant to Oregon Revised Statutes (“ORS”) 279A.060;

WHEREAS, ORS 279C.320 and PDC’s LCRB Administrative Rules, Part 1, Section III(C)(4) permit the LCRB to waive standard competitive bid requirements and enter into emergency contracts for construction work pursuant to ORS 279B.080;

WHEREAS, ORS 279B.080 provides that emergency contracts for construction work may be awarded upon declaration of an emergency and pursuant to a competitive process that is reasonable and appropriate given the nature of the emergency;

WHEREAS, ORS 279A.010 defines “Emergency” as including circumstances that could not have been reasonably foreseen; create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and require prompt execution of a contract to remedy the condition; and

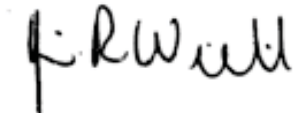
WHEREAS, PDC staff have compiled findings to declare an emergency at the Centennial Mills project site (the “Project”) and the proposed method of selecting a contractor in the attached Exhibit A (the “Findings Report”).

NOW, THEREFORE, BE IT RESOLVED, the PDC Board, acting as the LCRB, hereby approves the Findings Report in support of emergency procurement for the Project;

BE IT FURTHER RESOLVED, that based on the Findings Report, the LCRB hereby approves the Project for emergency procurement pursuant to an expedited request for proposal process; and

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon its adoption.

Adopted by the Portland Development Commission on December 11, 2014

A handwritten signature in black ink, appearing to read "Gina Wiedrick". The signature is written in a cursive, somewhat stylized font.

Gina Wiedrick, Recording Secretary

PORTLAND DEVELOPMENT COMMISSION
DECLARATION OF EMERGENCY
FINDINGS REPORT

- A. The Portland Development Commission (PDC) Executive Director declares the existence of an emergency as a result of accelerated structural deterioration of Centennial Mills. The buildings are rapidly approaching a point of catastrophic failure, necessitating immediate demolition and site remediation.
- B. Pursuant to Oregon Revised Statutes (ORS) 279C.320 and 279B.080 and PDC's Local Contract Review Board Administrative Rules, Part 1, Section III(C)(4), the PDC Executive Director may declare that Emergency circumstances exist that require prompt execution of a Public Contract or Contracts for emergency construction, repair, or other improvements.
- C. The building's condition constitutes an Emergency as defined in ORS 279A.010(1)(f) based upon the following findings:
 - 1. The circumstances could not have been reasonably foreseen; the deterioration of the facility has begun to advance at a rapid pace. Over the past six months, City staff has witnessed minor collapses, the columns of the wharf buildings are progressively tilting toward the river, sections of the roof in various areas have collapsed, and falling beams have damaged sections of the fire suppression system (leaving areas of the building unprotected from fire conflagration).
 - 2. There is a substantial risk of loss, damage, and/or interruption of services that would be caused by substantial collapse of the Centennial Mills complex. Should the buildings or portions of the buildings fall into the river, the damage to the river ecosystem, the environmental impact of disturbing the riverbed within the existing Superfund site, and the costs associated with clean-up and remediation will far exceed the cost of controlled demolition.
 - 3. If the situation is not immediately corrected through controlled demolition of the decaying buildings, the potential for catastrophic failure is increased once the spring run-off begins and the flow and force of the river current on the foundation pilings is increased.
 - 4. The prompt execution of multiple concurrent contracts for personal services, goods and services, and selective demolition is required to address the emergency situation. For the demolition work, PDC will issue a request for proposals to qualified vendors; factoring experience, capacity, a salvage plan, business equity, and other factors, together with cost, to make a contract award decision.

RESOLUTION NO. 7089

RESOLUTION TITLE:

ADOPTING FINDINGS IN SUPPORT OF EMERGENCY STATUS AND APPROVING AN EXPEDITED ALTERNATIVE CONTRACTING PROCESS FOR THE SELECTIVE DEMOLITION OF CENTENNIAL MILLS

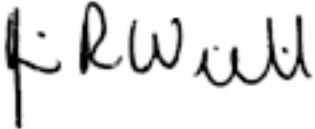
Adopted by the Portland Development Commission on December 11, 2014

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Tom Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Aneshka Dickson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Mark Edlen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner John Mohlis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Charles Wilhoite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Regular Agenda		

CERTIFICATION

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Portland Development Commission and as duly recorded in the official minutes of the meeting.

	<p>Date:</p> <p>December 30, 2014</p>
<p>Gina Wiedrick, Recording Secretary</p>	