

A RESOLUTION AUTHORIZING THE SPECIAL PROCUREMENT OF AN ARCHITECT FOR THE ALBANY CENTRAL LIBRARY PROJECT.

WHEREAS, in 2006 the City purchased a building formerly known as the Unitrin Office Building (Building) with the intention to renovate the Building to serve as the City's new Main Library; and

WHEREAS, renovation of the Building as the City's new Main Library (Project) will continue the work substantially described, planned, or otherwise previously studied pursuant to the City's 2002 contract for an Albany Public Library Feasibility Study (2002 Contract) and under a 2006 contract to review and summarize the 2005 preliminary conceptual and structural assessment of the Building for Library purposes (2006 Contract); and

WHEREAS, the 2002 Contract was between the City and Fletcher Farr Ayotte P.C. and awarded pursuant to a competitive solicitation and award process that fully complied with the City's public contracting rules for the award of contracts for architect services of any size; and

WHEREAS, the 2006 Contract was between the City and Hennebery Eddy Architects, Inc. (HEA) and awarded by a direct appointment that fully complied with the City's public contracting rules for the award of contracts for Pre-Design services with a value of not more than \$5,000;

WHEREAS the individual who acted as the architect under both the 2002 Contract and the 2006 Contract was David Wark, and

WHEREAS, Wark is currently at the firm Hennebery Eddy Architects, Inc.; and

WHEREAS, under authority granted by the City Manager, the City's Library Director has submitted a written request ("Memorandum") for approval of the direct appointment of Hennebery Eddy Architects, Inc. as the Project architect so that David Wark can act as the lead architect for the Project; and

WHEREAS, Albany Municipal Code 2.66.060 and Oregon Revised Statutes 279B.055 and 279B.085 allow the City Council, acting as the local Contract Review Board, to authorize the use of special procurement process for the selection of architects; and

WHEREAS, based on the circumstances described above and the information in the Memorandum, the City Council finds that the direct appointment by Special Procurement of Hennebery Eddy Architects, Inc.:

- (1) Will be unlikely to encourage favoritism in the awarding of City contracts or to substantially diminish competition for the City's contracts because the initial contract for the services of David Wark was based on a competitive process that fully complied with the City's public contracting rules for the selection of architects; and
- (2) Will result in substantial cost savings to the City and substantially promote the public interest in a manner that could not practicably be realized by complying with the City's standard contracting procedures because:
 - (a) Wark has already studied the structure of the Building and has analyzed alternative floor plans for the new Main Library and is likely to complete preliminary and final design with a minimum amount of cost and time; and
 - (b) The time required for a new architect to become familiar with the Building and the City's project requirements would increase contract costs and create additional Project delays; and

- (c) Through his prior work and in meetings with citizens and Library staff, Wark has demonstrated that he has the personal and professional skills required to effectively communicate with citizens, Library personnel and subconsultants; and that he understands the City's requirements and priorities for the Project; therefore, his appointment as the Project architect will ensure that the Project design will satisfy the criteria that are most important to the City and its citizens; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALBANY, ACTING AS THE LOCAL CONTRACT REVIEW BOARD:

Section 1: Each of the recitals set forth above, and the facts set forth in the accompanying memorandum of the City's Library Director, are hereby adopted as findings of fact; and

Section 2: Notwithstanding the provisions of Albany Municipal Code Section 2.66.070, the City is authorized and directed to use the special procurement method to directly appoint the architect for the Library Project, provided that Wark acts as the lead Project architect; and

Section 3: The City Manager is hereby directed to negotiate and enter into a contract with Hennebery Eddy Architects, Inc. that conforms to the condition set forth in Section 2, subject to approval by the City Council if the contract sum exceeds \$150,000; and

Section 4: This Resolution shall become effective immediately upon its adoption.

DATED THIS 13TH DAY OF DECEMBER 2006.



Mayor

ATTEST:



City Clerk



Betsy

CITY OF ALBANY
NOTICE OF SPECIAL PROCUREMENT

Notice is hereby given that the City of Albany Public Library intends to enter into a Special Procurement for architectural services for the Albany Central Library Project. A written request for approval and award of the proposed Special Procurement by direct appointment was presented to the Local Contract Review Board on Wednesday, December 13, 2006, at 7:15 p.m. in the City Hall Council Chambers, 333 Broadalbin Street SW, Albany and was approved by Resolution No. 5354.

A Library Feasibility Study and a summary of the conceptual and structural assessment of the Building for Library purposes have been conducted. The contract to be considered for Special Procurement proposes the hiring of Hennebery Eddy Architects, Inc., located in Portland, Oregon, for architectural services for the Central Library Project, provided that David Wark acts as the lead Project architect.

It is in the City of Albany's best interest to expedite this process in order to substantially promote the public interest in a manner that could not practicably be realized with the formal selection process. The City also anticipates achieving substantial cost savings using the Special Procurement process which could not be realized by complying with the formal selection process. The purpose of this notice is to provide information to the public and to invite interested persons an opportunity to submit written comment.

If you have any questions or would like to submit written comment about the procurement, please contact Ed Gallagher, Library Director, at (541) 917-7589, or send your protest to City of Albany, Administrative Services Department, Attn: Diane Wood, Purchasing Coordinator, 333 Broadalbin Street SW, Albany, OR 97321.

This notice is given in accordance with provisions of the Albany Municipal Code, Section 2.66.070, Oregon Revised Statutes, 279B.085, and Oregon Administrative Rules, 137-047-0285.

DATED THIS 19TH DAY OF DECEMBER, 2006.

Diane M. Wood

Diane M. Wood
Purchasing Coordinator

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