



## AGENDA CONSENT CALENDAR MEMO

Memorandum Date: August 30, 2024

Order Date: September 17, 2024

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TO: Board of County Commissioners

DEPARTMENT: Lane County Public Works

PRESENTED BY: Dan Hurley, Public Works Director

AGENDA ITEM TITLE: ORDER / In the Matter of Approving Four Public Works Contracts and Amendments and Delegating Authority to the County Administrator to Execute the Approved Contracts and Amendments for Peterson Caterpillar, Expense in the Amount of \$317,529.40; Papé Kenworth, Expense in the Amount of \$800,848; Tec Equipment, Expense in the Amount of \$185,500; and State of Oregon - Department of Consumer and Business Services - Building Codes Division, Non-Financial Amendment.

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### I. MOTION

That the contracts and amendments listed in Exhibit A – September 17, 2024, are approved and the County Administrator is delegated authority to execute the approved contracts and amendments.

### II. DISCUSSION

#### A. Background Analysis

Under Lane Manual sections 20.600.100, 20.600.300, 20.600.310 and 20.600.320, the County Administrator's authority to execute amendments to contracts is limited to 50% of the original contract amount, unless an exception applies. The proposed contract described in the attached Exhibit A requires delegation of additional authority to the County Administrator for execution.

The attached contracts and amendments have been submitted by Public Works based upon information submitted by the identified Public Works divisions. To submit such contracts, grants, and amendments, the Department must describe how the agreements meet the criteria for consideration on the consent agenda, generally those related to:

- Intergovernmental Agreements (IGA) that continue an existing long-term relationship with another public entity, for substantially the same subject matter, whether as a new or extended contract,
- Extensions of existing contracts or subcontracts for not more than one year, when renewal is provided for in the terms of the original contract, and
- Delegating contract signature authority to the County Administrator for contracts funded by grants or State programs.

B. Health Implications  
None identified

C. Alternative Options

- a. Approve the contracts and amendments listed in Exhibit A and delegate authority to the County Administrator to execute the contracts.
- b. Do not approve the contracts and amendments.

### III. RECOMMENDATION

Lane County Public Works recommends Option #1 – Approve the contracts and amendments listed in Exhibit A and delegate authority to the County Administrator to sign the contracts.

### IV. ATTACHMENTS

Board Order  
Exhibit A – September 17, 2024, Listed Contracts

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 24-09-17-05

ORDER / In the Matter of Approving Four Public Works Contracts and Amendments and Delegating Authority to the County Administrator to Execute the Approved Contracts and Amendments for Peterson Caterpillar, Expense in the Amount of \$317,529.40; Papé Kenworth, Expense in the Amount of \$800,848; Tec Equipment, Expense in the Amount of \$185,500; and State of Oregon - Department of Consumer and Business Services - Building Codes Division, Non-Financial Amendment.

**WHEREAS**, Lane Manual Chapter 20 sets forth the County's policies regarding award, acceptance, and amendment of grants and contracts; and

**WHEREAS**, the contracts, amendments, or grants listed below have been accepted or award in accordance with the requirements of the Lane Manual, including the requirements for competitive selection; and

**WHEREAS**, all the projects and services covered by the contracts listed below are routine to the implementation of current County programs and services or have been previously discussed or approved by the Board; and

**WHEREAS**, these contracts exceed the County Administrator's authority to execute granted in Lane Manual sections 20.600.220 to 20.600.320,

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. That the contracts and amendments listed in Exhibit A – September 17, 2024, are approved and the County Administrator is delegated authority to sign the approved contracts and amendments.

**ADOPTED** this 17th day of September, 2024

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Laurie Trieger, Chair  
Lane County Board of Commissioners

## Exhibit A – September 17, 2024, Listed Contracts

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Original contract title</b> | Four (4), New Unused, Kenworth T880 Waste Hauling Trucks. Per Dealer Quoted Specifications, no Deviations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Contractor/other party         | Pape Kenworth, Coburg OR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| New or amendment               | New                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Description                    | Replacement waste hauling trucks, Waste Management.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Expense or revenue             | Expense, \$800,848.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Term of agreement              | Current date – Ends with successful procurement of equipment procured meeting County's specifications.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Previous board orders          | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Implications for policy        | No implications; procurement meets all LM20 purchasing policy by way of cooperative purchasing exemption. Specific contract via Sourcwell agreement/membership # 060920-KTC/39190. Sufficient funds have been budgeted for this procurement by Lane County Public Works Waste Management Division via the Fleet Services Replacement Fund.                                                                                                                                                                                                                                                                                           |
| Board goals                    | These trucks will provide field service capabilities to improve efficiency of tasks in all assigned Waste Management transfer operations and replace aging equipment. The purchase will support the Board's Strategic Priorities of "Vibrant Communities: Invest in Lane County residents by fostering engaged communities with affordable housing options, equitable opportunities, economic vitality and a healthy environment" and "Robust Infrastructure: to maintain and invest in resilient infrastructure that creates the highest return for safety, community connectivity, enjoyment of life, and local economic success." |
| Health implications            | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Original contract title</b> | One (1), New Unused, Caterpillar 315 Tracked Excavator. Per Dealer Quoted Specifications, no Deviations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Contractor/other party         | Peterson Caterpillar, Eugene OR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| New or amendment               | New                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Description                    | Replacement excavator, Road Maintenance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Expense or revenue             | Expense, \$317,529.40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Term of agreement              | Current date – Ends with successful procurement of equipment procured meeting County's specifications.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Previous board orders          | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Implications for policy        | No implications; procurement meets all LM20 purchasing policy by way of cooperative purchasing exemption. Specific contract via Sourcewell agreement/membership # 011723-CAT/39190. Sufficient funds have been budgeted for this procurement by Lane County Public Works Road Maintenance Division via the Fleet Services Replacement Fund.                                                                                                                                                                                                                                                                                                                                                    |
| Board goals                    | This excavator will provide field service capabilities to improve efficiency of tasks in all assigned Road Maintenance operations and replace aging equipment. Has also been analyzed to reduce equipment expense by \$250,000. The purchase will support the Board's Strategic Priorities of "Vibrant Communities: Invest in Lane County residents by fostering engaged communities with affordable housing options, equitable opportunities, economic vitality and a healthy environment" and "Robust Infrastructure: to maintain and invest in resilient infrastructure that creates the highest return for safety, community connectivity, enjoyment of life, and local economic success." |
| Health implications            | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Original contract title</b> | One (1), New Unused, 2025 Mac LTT 8500 Gallon Stainless Steel Tanker trailer. Per Dealer Quoted Specifications, no Deviations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Contractor/other party         | Tec Equipment, Coburg OR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| New or amendment               | New                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Description                    | Replacement tanker for leachate hauling operations, Waste Management.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Expense or revenue             | Expense, \$185,500.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Term of agreement              | Current date – Ends with successful procurement of equipment procured meeting County's specifications.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Previous board orders          | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Implications for policy        | No implications; procurement meets all LM20 purchasing policy by way of RFQ process. County Procurement Manager validated Fleet's selection for best overall value to Public Works. Sufficient funds have been budgeted for this procurement by Lane County Public Works Waste Management Division.                                                                                                                                                                                                                                                                                                                                                                              |
| Board goals                    | This trailer will provide field service capabilities to improve efficiency of tasks in all assigned Waste Management transfer operations and replace aging equipment to ensure compliance in leachate operations. The purchase will support the Board's Strategic Priorities of "Vibrant Communities: Invest in Lane County residents by fostering engaged communities with affordable housing options, equitable opportunities, economic vitality and a healthy environment" and "Robust Infrastructure: to maintain and invest in resilient infrastructure that creates the highest return for safety, community connectivity, enjoyment of life, and local economic success." |
| Health implications            | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Original contract title</b> | Intergovernmental Agreement #PO-44000-00005563 for the administering of the Wildfire Grant Program                                                                                                |
| Contractor/other party         | State of Oregon, Dept. of Consumer and Business Services, Building Codes Division                                                                                                                 |
| New or amendment               | Amendment #2                                                                                                                                                                                      |
| Description                    | Updates the Term of Agreement, Statement of Work, and County Contract Administrator information.                                                                                                  |
| Expense or revenue             | Non-Financial Amendment                                                                                                                                                                           |
| Term of agreement              | 3/11/2022-3/31/2026                                                                                                                                                                               |
| Previous board orders          | 22-03-01-06                                                                                                                                                                                       |
| Implications for policy        | None                                                                                                                                                                                              |
| Board goals                    | Strategic Priority 2 (a): Vibrant Communities Manage equitable services for urban and rural residents to enhance opportunities. Invest in a resilient, diverse, and sustainable regional economy. |
| Health implications            | N/A                                                                                                                                                                                               |

**AMENDMENT #2 to  
INTERGOVERNMENTAL AGREEMENT #PO-44000-00005563**

This is Amendment No. 2 to PO-44000-00005563, dated March 11, 2022, as amended from time to time (“Intergovernmental Agreement”) between the State of Oregon, acting by and through its Department of Consumer and Business Services, Building Codes Division (“DCBS”) and Lane County (“County”).

**RECITALS**

1. *Intergovernmental Agreement PO-44000-00005563 for the administering of the Wildfire Grant Program was executed March 11, 2022.*
2. *Amendment 1 reinstated the Agreement, updated the Contract Administrator information, Purpose, Term of Agreement, and Statement of Work.*
3. *Amendment 2 updates the Term of Agreement, Statement of Work, and updates the County Contract Administrator information.*

1. The Agreement is hereby amended as follows (new language is indicated by **bold underlining** font, and deleted language is indicated by ~~strikethrough~~ font).

- a. This section updates Contract Administrator information.

| DCBS                                                                                                                                                                                                                                                                                                                                     | Lane County                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contract Administrator: Andrea Simmons<br><br>Title: Fiscal Operations Manager<br><br>State of Oregon, Department of Consumer and Business Services, Building Codes Division<br>1535 Edgewater St NW<br>P.O. Box 14470<br>Salem, OR 97309<br><br>Phone: (503) 378-3755<br>Fax: (503) 884-6845<br>Email: andrea.f.simmons@dcbs.oregon.gov | Contract Administrator: <b><u>Jessica Gryziec</u></b> <del>Marianne Nolte</del><br><br>Title: <b><u>Program Manager</u></b> <del>Professional Technical Supervisor</del><br><br>Address:<br>125 East 8 <sup>th</sup> Avenue<br>Eugene, OR 97401<br><br>Phone: <b><u>(541) 682-8921</u></b> <del>(541)-682-4057</del><br>Fax: N/A<br>Email: <b><u>Jessica.gryziec2@lanecountyor.gov</u></b><br><del>Marianne.Nolte@lanecountyor.gov</del><br><br>FEIN: 93-6002303 |

- b. This section modifies the term of the Agreement.

**II. TERM OF AGREEMENT:**

This Agreement will take effect on the later of (a) February 1, 2022, or (b) the first date on which all parties have signed the Agreement and all necessary approvals have been obtained, whichever date is later (the “Effective Date”). This Agreement ~~was~~ **is** reinstated as of the effective date of ~~this~~ Amendment **1**. This Agreement will remain in effect until **March 31, 2026** ~~December 31, 2025~~, unless earlier terminated pursuant to Section V. of this Agreement. Both Parties agree that the terms of ~~this~~ Amendment 1 shall be retroactive as of July 1, 2023.

- c. This section modifies the Statement of Work.

III. STATEMENT OF WORK:

2. DCBS shall:

- a) DCBS will provide the following funds to County in connection with the Grant Program:
  - i) Within 10 days after the Effective Date, DCBS will deliver to County administrative funds in the amount of \$4,840.00 (the “Initial Administrative Funds”) to assist with setting up the process for administering the Grant Program pursuant to this Agreement.
  - ii) Within 10 days after the Effective Date of this Agreement as defined in Section II, DCBS will deliver to County funds in the amount of \$288,800.00 for distribution to applicants under the Grant Program (the “Initial Distribution”), which amount is equal to 20% of the Total Expected Distribution, \$1,444,000.00. As used in this Agreement, “Total Expected Distribution” means the total amount that DCBS expects County to distribute to applicants under the Grant Program based on the number of reported structures damaged or destroyed by the 2020 and 2021 wildfires.
  - iii) **The County may request an additional disbursement of grant monies when they determine that they no longer have sufficient funds to pay for all applications. If a grant award has not been determined yet, the County may use up to \$4,500.00 per application for the purposes of determining how much they may request.** ~~Within 10 days after County notifies DCBS in writing that County has made payments to applicants under the Grant Program totaling at least 90% of the Initial Distribution, DCBS will deliver to County additional funds for distribution to applicants under the Grant Program in an amount equal to the Initial Distribution (any delivery to County of funds for distribution to applicants under the Grant Program following the Initial Distribution being referred to in this Agreement as a “Supplemental Distribution”).~~
  - iv) ~~Within 10 days after County notifies DCBS in writing that County has made payments to applicants under the Grant Program totaling at least 90% of any Supplemental Distribution, DCBS will deliver to County an additional Supplemental Distribution in an amount equal to the Initial Distribution. However, except as provided in Section III.2(a)(v) of this Agreement, in no event will the total amount of funds delivered to County for distribution to applicants under the Grant Program exceed the Total Expected Distribution.~~
  - ~~v) If County has made payments to applicants under the Grant Program totaling 90% of the Total Expected Distribution, then DCBS, upon receipt of a written request by County, may choose to deliver to County additional Supplemental Distributions in such amounts and at such times as DCBS may determine in its sole discretion.~~
  - ~~vi) DCBS will deliver payments to County in a not-to-exceed amount of \$1,525,640.00 for all aspects of this program.~~
- b) DCBS will deliver to County administrative funds in the amount of \$150 for each application received by County. DCBS will deliver such funds (i) with each Supplemental Distribution for all applications approved during the period between such Supplemental Distribution and the prior Initial Distribution or Supplemental Distribution (as applicable); and (ii) within 30 days after the termination of this Agreement for all

applications approved during the period between such termination and the prior Initial Distribution or Supplemental Distribution (as applicable).

- c) Within 10 days after County notifies DCBS in writing that County has issued payment and has collected all information required for the U.S. Internal Revenue Service, Form 1099s, if required, or other information required to be so filed in connection with any payments to applicants under the Grant Program, DCBS will deliver to County additional administrative funds in the amount of \$150 for each parcel of land for which a grant payment is issued under this program.
  - d) DCBS will deliver all funds to County pursuant to this Agreement by check, credit card payment, cash, wire transfer, or transfer through the Oregon State Treasury, as determined by DCBS in its sole discretion.
  - e) DCBS shall retain, in accordance with applicable record retention requirements, all State-approved forms associated with the State's responsibility for administering the grant program.
2. Except as expressly amended above, all other terms and conditions of original Agreement are still in full force and effect. County certifies that the representations, warranties and certifications contained in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

**Lane County**

**STATE OF OREGON acting by and through its  
Department of Consumer & Business Services,  
Building Codes Division**

By: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: Dawn Bass

Title: \_\_\_\_\_

Title: Deputy Administrator

Date: \_\_\_\_\_

Date: \_\_\_\_\_

FEIN: 93-6002303

Executed By: \_\_\_\_\_

Oregon Business Registry: N/A

Printed Name: Miriha Aglietti

COBID: N/A

Title: Designated Procurement Officer

Date: \_\_\_\_\_

*Approved Pursuant to ORS 279A.140*

**DEPARTMENT OF ADMINISTRATIVE SERVICES:**

By: Not Required per OAR 125-246-0365(4)

Date: \_\_\_\_\_

*Approved Pursuant to ORS 291.047*

**DEPARTMENT OF JUSTICE:**

By: Not Required per ORS 190.430

Date: \_\_\_\_\_