



HOMES FOR GOOD HOUSING AGENCY
BOARD OF COMMISSIONERS MEETING
WEDNESDAY FEBRUARY 23RD, 2022

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AGENDA

Homes for Good Housing Agency



BOARD OF COMMISSIONERS

Location of the meeting:

This meeting will be conducted via public video call and conference line (see details below).

Wednesday, February 23rd, 2022 at 1:30pm

To prevent the spread of COVID-19 Homes for Good will be conducting the February 23rd, 2022 meeting via a public video call with dial-in capacity. The public will be able to join the call, give public comment, and listen to the call:

Join Zoom Meeting

<https://us02web.zoom.us/j/7427507154?pwd=bkFDWVZjeU9LSjZGR0J0RHF3TUNEUT09>

Meeting ID: 742 750 7154

Passcode: HFGBoard22

One tap mobile

+12532158782,,7427507154#,,,,*1269327372# US (Tacoma)

Dial by your location

+1 253 215 8782 US (Tacoma)

1. PUBLIC HEARING– 10 Minutes

Homes for Good Housing Agency (Agency) will hold its joint public hearings of its Board and its Public Contract Review Board regarding adoption of two Construction Manager/General Contractor (CM/GC) alternative contracting method exemptions for construction of the Lazy Days Mobile Home Park and Blue River Drive Interim Housing projects.

2. PUBLIC COMMENTS – 20 Minutes

(Maximum time 20 minutes: Speakers will be taken in the order in which they sign up and will be limited to 3-minutes per public comments. If the number wishing to testify exceeds 10 speakers, then additional speakers may be allowed if the chair determines that time permits or may be taken at a later time.)

3. COMMISSIONERS' RESPONSE TO PUBLIC COMMENTS AND/OR OTHER ISSUES AND REMONSTRANCE (2 min. limit per commissioner)

4. ADJUSTMENTS TO THE AGENDA

5. COMMISSIONERS' BUSINESS

6. EMERGENCY BUSINESS

7. ADMINISTRATION

- A. Executive Director Report (Estimated 10 Minutes)

- B. Approval of 1/26/22 Board Meeting Minutes (Estimated 5 Minutes)
- C. **ORDER 22-23-02-01H** — In the Matter of the Joint Order of the Board of Commissioners and Local Contract Review Board Exempting the Construction of the Lazy Days Mobile Home Park and Blue River Drive Interim Housing developments from Competitive Bidding Requirements and Directing the Use of the CMGC Alternative Contracting Method. (Steve Ochs, Real Estate Development Director) (Estimated Time 5 minutes)
- D. **Work Session** — Permanent Supportive Housing Services Overview-- Continued (Wakan Alferes, Supportive Housing Division Director) (Estimated 30 minutes)
- E. **Work Session** — Introduction to the Energy Services Division (Esteban Montero Chacon, Energy Services Division Director) (Estimated 30 minutes)

7. OTHER BUSINESS

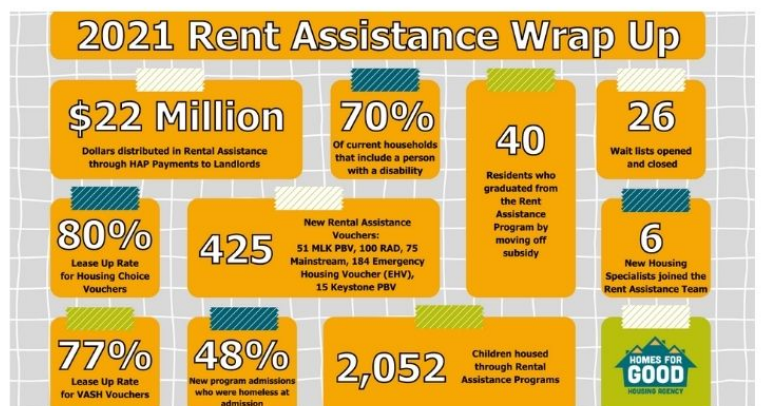
Adjourn.

The loss of Steve Jole has been very emotional for staff members across the organization, particularly for members of the Energy Services Division. Despite the trauma and sadness we are collectively navigating as a team, we are also reflecting on Steve's positive influence both within our organization and on the community as a whole.

Steve was a thoughtful, community-minded human who dedicated his career to being in service to people with low incomes. His specialty was using local and federal funding to make homes more energy efficient to decrease their utility costs. When Steve and I started working together in 2014, he shared with me his vision to make energy systems improvements for The Mission, Lane County's largest shelter for people experiencing homelessness. Steve not only had vision; he was focused and tenacious. Prior to his retirement in 2021, he was able to bring together a complex array of federal and utility company financial commitments to bring this vision to reality. Because of Steve, The Mission has reduced utility bills, and can use the savings to invest in higher staffing levels and additional services for the people staying in this shelter. We miss Steve, and will find ways to memorialize his work on behalf of the people he was passionate about serving.



We continue to work with the community that was impacted and/or displaced by the Holiday Farm wildfire. We have an architect actively developing the site plan the Lazy Days Mobile Home Park with the priority being focused on the design and approval process for the wastewater system. We will release an RFP for General Contractor for Lazy Days and the 5 acres off of Blue River Drive the week of 2/14. We are negotiating an Intergovernmental Agreement (IGA) with Oregon Housing and Community Services (OHCS) for 20 mobile homes for the Lazy Days site, funding for space to rent locally to store the mobile homes on, as well as funding for us to hire an additional Project Developer that will be assigned to lead our efforts on rebuilding housing in the fire impacted area. As a result of Commissioner Buch sending a letter to OHCS requesting that OHCS consider the Basketball Academy a top priority consultants working for OHCS have negotiated and executed a purchase and sale agreement (PSA) for this site. Steve and I were consulted throughout the negotiation process because if due diligence indicates that we can build a significant number of new units on the site Homes for Good will be assigned the PSA.





Outside of the wildfire efforts, the real estate development pipeline continues to be very active. The Coleman received final approval from the City of Eugene for the full amount of HOME funds that were requested. The next funding allocation we will be seeking is Low Income Housing Tax Credits (LIHTC) and additional gap financing from OHCS. In coordination with Lane County, we have decided not to pursue state and local funding for Bridges on Broadway as we do not have the supportive services funding source fully figured out. We have been informed that the City of Eugene owned Naval Reserve site will be offered up this Fall for affordable housing development. Homes for Good was invited to a meeting with neighbors that was hosted by the Jefferson Westside Neighborhood Association to discuss the vision the neighborhood has for the development of affordable housing. The neighbors enthusiastically support affordable housing and are very supportive of Homes for Good developing on this site. We recently received an appraisal on the parcel of land in Florence and it turned out to be higher in value than the price we negotiated in the purchase and sale agreement. Federal regulations required us to renegotiate price with the seller. We are very close to selecting an architect to begin land use analysis and preliminary design work for this site.

As I verbally communicated at our January 26th Board meeting, Moss Adams was unable to issue their opinion on our FY20 Audit and Financial Statement by January 31st, 2022. We have confirmed that they will issue their opinion no later than February 28th, 2022. After the opinion has been issued, we plan to go back and address the rejection status we have with HUD on our FY19 audit.

We recently recruited for a new Executive Assistant position and had two very talented finalists. We decided to hire both Jasmine Leary and Celia Wright. In addition to providing high level administrative support, both Celia and Jasmine will be assigned to special projects. Jasmine has been assigned to review and update all of our procurement policies, procedures, and templates. Celia has been assigned to review and update our public records request policy, procedures, and templates. We have a significant number of special projects like this that Jasmine and Celia will help with. Celia will be assuming governance responsibilities from Jordyn over the next few months. While Jordyn will still frequently engage with the Board of Commissioners, I want to acknowledge and thank her for the great job she did supporting governance functions over the past few years.

In consultation with local affordable housing advocates, I have been thinking about how we can clearly communicate our commitment to people with low incomes that need an affordable home. We have decided that our clear message is "Housing is a Human Right". Based on what we know about the national, state, and local economy, there are ample resources for our government funders to make the financial commitment that will result in every person in the country having access to an affordable home. This will require courage and focus from our elected officials and administrators, as well as some sacrifice from citizens, but can be achieved in a relatively short period of time. Please join me in sharing the message that Homes for Good believes: "Housing is a Human Right".



MINUTES

Homes for Good Housing Agency



BOARD OF COMMISSIONERS

Location of the meeting:

This meeting will be conducted via public video call and conference line (see details below).

Wednesday, January 26th, 2022 at 1:30pm

To prevent the spread of COVID-19 Homes for Good conducted the January 26th, 2022 meeting via a public video call with dial-in capacity. The public was able to join the call, give public comment, and listen to the call:

1. PUBLIC COMMENTS – 20 Minutes

(Maximum time 20 minutes: Speakers will be taken in the order in which they sign up and will be limited to 3-minutes per public comments. If the number wishing to testify exceeds 10 speakers, then additional speakers may be allowed if the chair determines that time permits or may be taken at a later time.)

None.

2. COMMISSIONERS' RESPONSE TO PUBLIC COMMENTS AND/OR OTHER ISSUES AND REMONSTRANCE (2 min. limit per commissioner)

None.

3. ADJUSTMENTS TO THE AGENDA

None.

4. COMMISSIONERS' BUSINESS

A. Election of Board Chair

Michelle Thurston nominates Char Reavis.

Heather Buch seconds the nomination.

Char Reavis is elected Board Chair 7/0.

Char Reavis announces **Laurie Trieger** as the **Vice Chair of the Homes for Good Board** as she is this year's Vice Chair for Lane County as well.

5. EMERGENCY BUSINESS

None.

6. EXECUTIVE SESSION

On January 26th, 2022 the Homes for Good Board will hold an executive session pursuant to ORS 192.660(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."

7. ADMINISTRATION

A. Executive Director Report (Estimated 10 Minutes)

Jacob Fox gives an update about the Lazy Days site preparations. OHCS is holding 20 mobile homes for Homes for Good, and they are also looking at some Park Model Homes from a company in Salem.

Jacob Fox gives an update on a potential Purchase and Sale Agreement for the Basketball Academy site that is in the works.

Jacob Fox gives an update about EHV vouchers.

Jacob Fox gives an update on the audit process.

Jacob Fox talks about the Weatherization Program's audit from OHCS that was conducted, and received high marks.

B. Approval of 12/15/21 Board Meeting Minutes (Estimated 5 Minutes)

Motion: **Laurie Trieger**

Second: **Michelle Thurston**

The minutes are approved 7/0.

C. PRESENTATION — Quarter 1 Excellence Awards (Bailey McEuen, HR Director) (Estimated 10 Minutes)

Ela Kubok presents the excellence award for Mina Kuhn, the Office Administrative Coordinator.

Jeff Bridgens presents the excellence award for Miranda Wilcox, Accounting Technology.

D. DISCUSSION— Governance Recruitment and Outreach Process Overview and Update (Ela Kubok, Communications Director) (Estimated Time 15 minutes)

Ela Kubok gives an update on working with Lane County on some Lane Manual changes that will be made for this process.

Ela Kubok talks about the progress in a group of staff members creating a selection process based on the previous Appointed Commissioner selection process, and other public agencies. Ela then talks about public outreach that will happen as part of this process including the Chamber of Commerce, NAACP, and Centro Latino Americano.

Referencing the attachment Ela Kubok talks about the timeline over the next couple of months.

Jordyn Shaw going through the Marketing Plan attachment, talks about the different methods in which Homes for Good will market and inform the public about the application process.

Ela Kubok talks about the efforts that will be taken to make sure that there are paper materials available for distribution in addition to the digital outreach.

Char Reavis asks about the number of Commissioners that will be recruited for in the first recruitment.

Jacob Fox talks about the Lane Manual changes that are being drafted that will help to clarify some of that information. He talks about how many of the Lane Manual chapters are very general. He also talks about the legal back and forth that need to happen are a little unclear in the ORSs.

Char Reavis asks about the process for selecting the two Lane County Commissioners on the Board.

Jacob Fox: That is still unclear.

Ela Kubok: Lane County has a couple different models they use to select which Commissioners are one which Committees.

Joe Berney: I think this is a little different because usually at the beginning of the year, Commissioners identified what boards they want to participate on, and then those boards, once those decisions are made, they learn who will represent the County Board of Commissioners. In this instance, I think Home for Good is way to identify which Commissioners have the time and the interest, and you might get us all mud-wrestling for us to be able to be on the board. So, I think it's a little different than to just defer to the county has a process, and that process only to usually takes place in January, in one of the first Board of Commissioner Meetings.

Pat Farr: I think Joe is exactly right. The first day, the Board of County Commissioner's decides among themselves who represents them on each of the boards. Some Board are subsets of the Board of County Commissioners, some are intergovernmental boards.... That doesn't mean the Homes for Good board will necessarily be the same.

Laurie Trieger mentions that County Board Elections are for one calendar year, and that may play a factor in how it staggers into the Homes for Good Board.

Joe Berney: I just want to provide a non-legal thought, and that is, there's also other unknowns, we don't know who will take Commissioner Bozievich's seat, and there are Commissioner Buch and I also involved will be involved in election, so another thought. So, there's those unknowns on the board, so another thought would be just to have the Commissioners continue through the end of this calendar year, and then make that change as it relates to board of Commissioners, so you have a graceful transition that isn't dependent upon variables completely outside your control.

Pat Farr mentions that he has been on the Mental Health Advisory Board for ten years, and that the assignments don't necessarily have term limits.

Michelle Thurston: The only thing I wanted to say was, keeping in mind that-- I don't know if it's in the bylaws or not-- but the Commissioner who is vice-chair, is then the Vice Chair of the Homes for Good Board, so that might be something to keep into consideration as well, because Commissioner Trieger, you are Vice Chair, so that would mean we would need you there for the entire year, of course, and then when the next voting goes around, so you could basically say that one of those chairs for the Commissioners would likely be the Vice Chair of the Board of Commissioners. If that made sense.

Char Reavis: Unless the new board re-writes the By-Laws.

E. **DISCUSSION**— Community Economic Investment Priorities in the Construction Field (Steve Ochs, Real Estate Development Director) (Estimated Time 15 minutes)

Steve Ochs introduces the presentation. He talks about the context of HUD Section 3 Requirements and State MWESB requirements, and then other priorities for Homes for Good. These will all be wrapped up in an Economic Initiative Action Plan which will be developed and brought to the board. Steve shows the 20 potential strategies that Homes for Good could use in the plan. He talks about potential ways that contractors will be able to document their compliance with these potential initiatives.

Jay Bozievich expresses that he does not support any requirements other than performance requirements or requirements for the finished product for contractors. The only thing on the list he can support is the OSHA trainings, and that everything else on the list will increase the cost of the project.

Joe Berney expresses that this has taken a long time to get to, and that he was not consulted on this. He feels that there are too many things wrapped into this plan.

Joe Berney points out that this plan is missing parts of construction contracts being set aside for renewable energy.

Joe Berney also expresses that the board should be supportive Jacob in talking to OHCS to get rid of "low-bid" requirements.

Jacob Fox clarifies that this list is all of the things that Homes for Good could implement both in the long term and short term, and that these would be implemented over time not all at once.

Michelle Thurston: I also like to say that Homes for Good is in the business of providing affordable housing, they're not in for-profit. A lot of these buildings that are popping up, they're done at the lowest cost, lowest materials, because they want the profit, they're not there for long sustainability, whereas we're making homes that will last in our community for a long time and not only have an impact on people who need affordable housing, but to make a livable wage. The due diligence as being put in to this by Homes for Good, making sure that we're checking all angles, checking what will work, asking these tough questions and going through all this, I really appreciate the work.

Char Reavis: So, I have a few comments. I like this, I do think it's a little long, but what you did was to ask us our priorities and what we think would be the best way to start, and I appreciate that you gave us a good list of things that we could look at. I'm really excited that we're going to have a Section 3 Coordinator because that's going to really, really, really help us in getting our residents to be able to get into the job force or small business. I did like the priority of the women's small business, I do think that that also people of color should be added in there as well. When I was looking through it where it talked about where people would advertise, I would like to maybe suggest thoughts about where people advertise because one of the things I've learned strongly in my equity training is there are places that you need to put that advertisement in such as the Latino radio, or different languages, in different neighborhoods, so that people can actually get that information, because they may not get it if it's just broad spectrum advertisement.

F. **PRESENTATION** — Permanent Supportive Housing Services Overview (Wakan Alferes, Supportive Housing Division Director) (Estimated 30 minutes)

Wakan Alferes introduces the presentation. She goes through some of the demographic data of the PSH projects, and some of the success in moving people in over the last year.

Jacob Fox talks about some of the neighbor conflicts that have been going on, specifically regarding The Keystone.

Wakan Alferes talks about some of the misconceptions in the community, many people thinking that these are shelters, and not understanding that these are residents with leases and that there is a legal process. She then talks about The Nel as an upcoming project that will start referrals in the next couple of months.

Wakan clarifies that "THW" on the slide means "Traditional Healthcare Worker."

Wakan talks about some of the impacts of COVID on the lease up processes.

Wakan talks about some of the funding gaps from The Commons on MLK, some of which is attributed to the slow lease up process, which was impacted by COVID-19. She also talks about the need of security and extra staffing throughout the year. Wakan then talks about the time it takes to go through the lease up process for a single tenant. After, Wakan address common lease violations and behavioral challenges that influence the levels of services needed.

7. OTHER BUSINESS

Adjourn.



BOARD OF COMMISSIONERS AGENDA ITEM

BOARD MEETING DATE: 02/23/2022

AGENDA TITLE: Joint Public Hearings of its Board and its Public Contract Review Board regarding adoption of two Construction Manager/General Contractor (CM/GC) alternative contracting method exemptions for construction of the Lazy Days Mobile Home Park and Blue River Drive Interim Housing projects.

DEPARTMENT: Real Estate Development Division

CONTACT : Steve Ochs

EXT: 2530

PRESENTER: Steve Ochs

EXT: 2530

ESTIMATED TIME : 5 Minutes

- ORDER/RESOLUTION
- PUBLIC HEARING/ORDINANCE
- DISCUSSION OR PRESENTATION (NO ACTION)
- APPOINTMENTS
- REPORT
- PUBLIC COMMENT ANTICIPATED

Approval Signature

EXECUTIVE DIRECTOR:

A handwritten signature in black ink, appearing to be "S. Ochs", is written over a horizontal line.

DATE: 2/15/22

LEGAL STAFF :

DATE:

MANAGEMENT STAFF:

DATE:



HOMES FOR GOOD MEMORANDUM

TO: Homes for Good Board of Commissioners

FROM: Steve Ochs, Real Estate Development Director

PUBLIC HEARING: Joint Public Hearings of its Board and its Public Contract Review Board regarding adoption of two Construction Manager/General Contractor (CM/GC) alternative contracting method exemptions for construction of the Lazy Days Mobile Home Park and Blue River Drive Interim Housing projects.

DATE: January 23, 2022

Information on Public Hearing

Homes for Good Housing Agency intends to re-develop construct two sites near Blue River, Oregon. Both sites were completely destroyed in the Holiday Farm Wildfire utilizing the Construction Manager/General Contractor (CM/GC) Alternative Contracting Method.

The first is the re-development of Lazy Days Mobile Home Park at 52511 McKenzie River Highway that Homes for Good purchased in late 2021. The second development is a 5-acre parcel located at 51209 Blue River Drive.

The CM/GC is an alternative contracting method that provides project delivery in a manner which is advantageous to the Agency. Oregon Revised Statutes (ORS) allow for this process but requires that the contract be exempted from some ORS requirements after a public hearing. This public hearing is being conducted and then the board to follow will allow Homes for Good to move forward with the CM/GC process.

The CM/GC is an alternative contracting method that provides project delivery in which the owner executes a single contract with one entity to provide construction management and general contractor services. The CM/GC then hires the sub-contractors through the competitive bid process with Homes for Good staff oversight. The CM/GC is selected early during the design process to provide valuable advice from a construction perspective, which will ensure a design that fosters smooth and cost-effective construction.

To allow for CM/GC process, an exemption needs to be approved. Oregon Revised Statutes (ORS) 279C.335 (1) requires all public improvement contracts shall be based on competitive bids except those exempted by the Local Contract Review Board (LCRB). The LCRB may exempt certain contracts from the traditional competitive bidding process after holding a public hearing and adopting findings demonstrating that an alternative contracting process is unlikely to encourage favoritism or diminish competition and will result in substantial cost savings to the public agency.

This public hearing is to meet that requirement. Findings further supporting the use of the CM/GC alternative contracting method in this case are set forth in the board order found in the board packet for approval and in Exhibit A to the board order.



BOARD OF COMMISSIONERS AGENDA ITEM

BOARD MEETING DATE: 02/23/2022

AGENDA TITLE: In the Matter of the Joint Order of the Board of Commissioners and Local Contract Review Board Exempting the Construction of the Lazy Days Mobile Home Park and Blue River Drive Interim Housing developments from Competitive Bidding Requirements and Directing the Use of the CMGC Alternative Contracting Method.

DEPARTMENT: Real Estate Development Division

CONTACT : Steve Ochs

EXT: 2530

PRESENTER: Steve Ochs

EXT: 2530

ESTIMATED TIME : 5 Minutes

- ORDER/RESOLUTION**
- PUBLIC HEARING/ORDINANCE**
- DISCUSSION OR PRESENTATION (NO ACTION)**
- APPOINTMENTS**
- REPORT**
- PUBLIC COMMENT ANTICIPATED**

Approval Signature

EXECUTIVE DIRECTOR:

A handwritten signature in black ink, appearing to be "S. Ochs", is written over a horizontal line.

DATE: 2/15/22

LEGAL STAFF :

DATE:

MANAGEMENT STAFF:

DATE:



HOMES FOR GOOD MEMORANDUM

TO: Homes for Good Board of Commissioners

FROM: Steve Ochs, Real Estate Development Director

AGENDA ITEM TITLE: In the Matter of the Joint Order of the Board of Commissioners and Local Contract Review Board Exempting the Construction of the Lazy Days Mobile Home Park and Blue River Drive Interim Housing developments from Competitive Bidding Requirements and Directing the Use of the CM/GC Alternative Contracting Method.

AGENDA DATE: January 23, 2022

I MOTION

It is moved that the Agency is authorized to exempt the site development and construction of both the Lazy Days Mobile Home Park and Blue River Drive Interim Housing developments near Blue River, Oregon from the competitive bidding requirements and direct the use of the CM/GC Alternative Contracting Method.

II ISSUE

Homes for Good Housing Agency intends to re-develop two sites near Blue River, Oregon utilizing the CM/GC Alternative Contracting Method. All homes and most utility infrastructure on both sites were destroyed in the Holiday Farm Wildfire.

The first is the re-development of Lazy Days Mobile Home Park at 52511 McKenzie River Highway that Homes for Good purchased in late 2021. The second development is a 5-acre parcel located at 51209 Blue River Drive.

The CM/GC is an alternative contracting method that provides project delivery in a manner which is advantageous to the Agency. Oregon Revised Statutes (ORS) allow for this process but requires that the contract be exempted from some ORS requirements after a public hearing. The public hearing is being conducted prior to this board meeting on February 23, 2022. This order will allow Homes for Good to move forward with the CM/GC process.

III DISCUSSION

A. Background/Analysis

Lazy Days - In September of 2020 the Holiday Farm wildfire burned and destroyed all of the 7.6 acre Lazy Days park which included 21 mobile home spaces and 15 RV spaces. The fire also

destroyed most of the infrastructure on-site and burned all of the adjacent hillside. The park had provided critical affordable housing to families and individuals that lived up the McKenzie River. The intent is to completely re-build the park to include all infrastructure and include a similar number of buildings and spaces.

The intent is to work with OHCS to fully fund the project.

Blue River Drive Parcel - This parcel contained one single family dwelling that was destroyed in the Holiday Farm Fire. The intent is to rebuild all infrastructure and provide pads to allow up to 5 interim housing units such as RVs for up to 3 years. The contractor would also be involved in the long-term project of providing necessary site work to allow for successful partitioning or subdividing of the parcel in the future to allow for permanent housing solutions.

The CM/GC is an alternative contracting method that provides project delivery in which the owner executes a single contract with one entity to provide construction management and general contractor services. The CM/GC then hires the sub-contractors through the competitive bid process with Homes for Good staff oversight. The CM/GC is selected early during the design process to provide valuable advice from a construction perspective, which will ensure a design that fosters smooth and cost-effective construction. A Request for Proposals for CM/GC services for these two parcels will be issued the week of February 14th, 2022.

To allow for CM/GC process, an exemption needs to be approved. Oregon Revised Statutes (ORS) 279C.335(1) requires all public improvement contracts shall be based on competitive bids except those exempted by the Local Contract Review Board (LCRB). The LCRB may exempt certain contracts from the traditional competitive bidding process after holding a public hearing and adopting findings demonstrating that an alternative contracting process is unlikely to encourage favoritism or diminish competition and will result in substantial cost savings to the public agency.

The public hearing was held prior to this meeting. Findings further supporting the use of the CM/GC alternative contracting method in this case are set forth in the board order and in Exhibit A to the board order.

With approval of the order and findings, an exemption will be approved to allow for the CM/GC process for both developments.

B. Recommendation

Approval of the proposed Order.

IV IMPLEMENTATION/FOLLOW-UP

Upon approval of the Order, the CM/GC process will be followed.

V ATTACHMENTS

Exhibit A – Findings

EXHIBIT A

CM/GC EXEMPTION FINDINGS ORS 279C.330(1) AND ORS 279C.335(2)(b)

1. Firms Available to Bid. All interested and qualified contractors had an opportunity to provide a response to the RFP, which was advertised in the *Daily Journal of Commerce*.

2. Operational, Budget, and Financial Data. The approximate cost of the work to be performed under the construction contract for the Lazy Days Development and Blue River Interim Housing (Projects) are estimated at \$3,000,000 and \$500,000 respectively. Having a CM/GC involved early in the construction phasing will allow the Agency to work with the contractor to develop a construction plan that will minimize impacts to the neighboring businesses and their functions. The utilization of the CM/GC method has been shown in its use by other agencies in Oregon to alleviate financial risk due to minimizing delay and requests for additional work and change orders. It is anticipated that the Agency will find that reduced risks provide a significant value and substantial cost savings to the Agency.

3. Public Benefit. A CM/GC coordinated approach increases the ability for Agency to mitigate the risk of structure failure and to continue to provide a dedicated standard of care to the public. There will be a general public benefit from the expeditious construction of the Projects by improving the facilities while minimizing impacts to residents. In addition, the public will benefit from the improved quality and lower cost of the Projects anticipated through use of the CM/GC process. Approving the CM/GC exemption will allow a contractor to be hired earlier in the process than the traditional design-bid-build process. In turn, this better enables the Agency to complete the Projects on time. Creating a project team at the start of the Projects, comprised of the Architect, the Agency, and CM/GC creates a more informed and better-quality decision-making process. A more efficient construction team reduces the Agency's financial exposure and enhances delivery of the Projects. The Agency, therefore, finds that the CM/GC alternative contracting method is required to ensure a qualified general contractor is retained for these complex Projects, while addressing time and cost constraints.

4. Value Engineering. The RFP selection process, early involvement of the contractor, and negotiated contract approach gives the contractor a significant opportunity to engage in value engineering (i.e. the evaluation of what a system does as compared to cost). The selected CM/GC will be brought on board following award of a contract in order to assist the Project team with construction scheduling, phasing, costing, operator interaction issues, quality assurance, and design constructability reviews. The selected CM/GC will also advise the Agency and the design team regarding specialty construction issues and any long lead time procurements. CM/GC contributions to the design phase permit a collaborative approach to value engineering which ultimately translates into time and cost savings realized by the Agency. Construction issues which may not otherwise be known to the design team can be factored in and addressed while the design is drafted. In turn, this results in a higher quality product, lower costs, and a telescoped timeline.

5. Specialized Expertise. Building the Projects using public funding from the State requires expertise in managing timelines that are different than typical projects. It is important to utilize a general contractor that has demonstrated expertise in managing, scheduling, and performing under these conditions in a satisfactory manner. Therefore, the Agency finds that

selecting a firm through an RFP process allows the Agency to contract with a firm with the appropriate CM/GC expertise. The necessary mix of experience and expertise for a CM/GC contractor cannot be adequately evaluated in a formal lowest responsible bid selection process. A qualified project manager with strong leadership skills is one of the components required for a successful CM/GC project. The RFP process allows the Agency to review the qualifications of each proposer's project manager and confirm the manager's ability, experience, record of quality, past performance and integrity needed to carry out the proposer's contractual obligations. The process will also allow the Agency to identify qualified teams that have met critical deadlines in past projects and that have the ability of work collaboratively to meet the Projects' needs. The costs for such specialized expertise are included in the overall Projects' budgets and will be included within accepted Guaranteed Maximum Prices (GMPs).

6. Public Safety. Efficient completion of the Projects will provide a safe and healthy environment for residents and neighbors.

7. Funding Source. The Agency will finance these Projects through a variety of public and private funds. Therefore, it is critical for the Project to come in on budget and on time from both legal and public perception perspectives. The CM/GC process, with its maximum price provisions, value engineering potential, constant oversight from a project manager, and construction input beginning in the design phase will help the Agency stay within its budget and wisely spend public funds.

8. Market Conditions. Identifying and contracting with the full project team for both Projects at an early stage will allow the Agency to capitalize on current market conditions, rather than having them affect a later bid/build phase. Such cost and market variables can be anticipated in the GMP, but ultimately should have no effect on the Agency. The CM/GC subcontractors cannot go over the GMP, but may come in under the GMP, and the Agency will realize those cost differences. Having a qualified CM/GC play a role as an integrated team member early in the Projects with the Agency, the Architect and other Projects' members provides advantage to the Agency, as it adds expertise to the design phase which translates into Agency savings and provides more budgetary certainty.

No negative financial impacts to the Agency are expected as a result of using the RFP solicitation process to select a CM/GC for these Projects. There is a sufficient pool of qualified Oregon-based construction companies with expertise in the type and size of the planned Projects, and there are additional qualified firms located in the greater Pacific Northwest. A substantial number of competitors submitted proposals for these Projects, which allows the Agency to select from among a number of qualified contractors.

9. Technical Complexity. Because of site and schedule constraints, effective project planning and coordination will be crucial among the Agency, project manager, Architect and CM/GC. Strong budget and schedule controls will be essential. The conventional design-bid-build approach would contain too much risk for the Agency on these Projects. The CM/GC will bring specific construction expertise to the team process and assist in addressing specific Projects' challenges as part of its pre-construction services. The CM/GC will also provide input on issues such as operations of the facility during construction, public safety, phasing, and coordinated scheduling. The CM/GC method encourages innovative planning and coordination that further improve the construction schedule and on-site conditions. The ability to coordinate and manage this project would be especially challenging to an inexperienced or narrowly-focused team. The

RFP process allows the Agency to consider the proposer's experience and expertise in completing this type of work, its sensitivity to safety, legal, and operational issues, and the qualifications and experience of its project manager and support team.

10. New Construction or Renovation of an Existing Structure. Both projects will include mostly site development with placement of manufactured, modular homes and/or RVs

11. Occupied or Unoccupied During Construction. There will be no occupied units during construction.

12. Single Phase or Multiple Phases of Construction Work to Address Specific Project Conditions. These Projects include a multiplicity of technical issues related to redevelopment of sites destroyed by a wildfire. It is important to the Projects' success for both budget and schedule that the Agency have a general contractor that understands the complexity, has the ability to manage these type of complex Projects, and develops bid instructions to attract appropriate subcontractors to perform Projects' work. The Agency, therefore, finds that selecting a firm through the CM/GC method allows the Agency to contract with a firm with the needed technical phasing expertise.

13. Whether the Agency has the Personnel, Consultants and Legal Counsel that have Necessary Expertise and Substantial Experience in Alternative Contracting Methods. Staff, in conjunction with the Architect (who was chosen based upon qualifications and experience with the CM/GC project delivery model), an experienced contractor, as well as other Projects' team members and the Agency Legal Counsel, together, will have the level of expertise with the CM/GC alternative contracting method needed to produce a high quality outcome for both Projects. The Agency acknowledges that the expertise will come primarily from non-staff elements. To this end, the Agency's contract with the chosen Architect obligates the Architect to assist with and oversee the CM/GC selection process.

14. Unlikely to Encourage Favoritism or Substantially Diminish Competition. As noted in Finding 1, CM/GC competition was encouraged through the use of an RFP solicitation process, with notice of the RFP published so as to reach a wide range of potentially interested proposers. No reduction of competition is expected since the RFP for these CM/GC contracts was advertised in the same manner as a traditional low bid solicitation, with full disclosure of the planned CM/GC alternative contracting method. Uniform evaluation criteria were used in the selection of the CM/GC firm for both Projects, and the construction work elements will be subcontracted and procured through open competitive bids managed by the CM/GC and based on identified selection criteria. Favoritism cannot play a role in the selection of the CM/GC, as award was based upon set, weighted RFP criteria. All qualified firms were able to participate in an open, competitive selection process, with an opportunity to protest the award before it was final.

15. Will Result in Substantial Cost Savings. The CM/GC contracting method has the potential to achieve substantial cost savings for the Agency through the involvement of the contractor in the design phase of the Project. Early input by the CM/GC during the design process is expected to contribute to general cost savings through constructability assessments, life cycle cost analysis, and value engineering. By having the CM/GC available before the design is finalized, the contractor is able to participate in the design, propose cost saving revisions, and ensure the constructability of the Projects so that costly change orders are less likely.

Cost savings will also be realized because, through the RFP selection process, the Agency selected a well-organized, experienced CM/GC for both Projects. This should also lead to fewer change orders and, in turn, reduce staff and Architect time to design, negotiate, and administer the changes.

Lastly, the CM/GC method allows for early procurement of major equipment, allowing the Project to avoid cost increases due to material shortages or cost escalation. If subcontracted costs are less than identified in the guaranteed maximum price, some or all of the savings will be passed on to the Agency under the agreement required of the CM/GC.

16. Time Savings. An exempt CM/GC process allows the Agency to condense the overall time required to complete construction of the Project by enabling the Agency to procure construction services simultaneously or shortly after soliciting Architect services. Having the CM/GC on board early in the process allows for coordination in the development of the Project construction schedules and the initiation of early site work, where advantageous or warranted. This can help to shorten construction periods and minimize construction operational impacts. Early detection of potential construction difficulties, from a contractor's view, can also prevent potential delays and costly and time-consuming change orders.

IN THE BOARD OF COMMISSIONERS OF THE
HOUSING AND COMMUNITY SERVICES AGENCY
OF LANE COUNTY, OREGON

ORDER 22-23-02-01H

In the Matter of the Joint Order of the Board of Commissioners and Local Contract Review Board Exempting the Construction of the Lazy Days Mobile Home Park and Blue River Drive Interim Housing developments from Competitive Bidding Requirements and Directing the Use of the CM/GC Alternative Contracting Method.

WHEREAS, the Board of Commissioners of Homes for Good Housing Agency, Oregon (Agency) acts as the Agency's Local Contract Review Board (LCRB) (collectively, "Boards"), pursuant to ORS 279A.060; and

WHEREAS, pursuant to Oregon Revised Statutes (ORS) 279C.335(1), all public improvement contracts shall be based on competitive bids except those exempted by the LCRB; and

WHEREAS, pursuant to ORS 279C.336(2), the LCRB may exempt certain contracts from the traditional competitive bidding process after holding a public hearing and adopting findings demonstrating that an alternative contracting process is unlikely to encourage favoritism or diminish competition and will result in substantial cost savings to the public agency; and

WHEREAS, the Construction Manager/General Contractor (CM/GC) is an alternative contracting method that provides project delivery in which the owner executes a single contract with one entity to provide construction management and general contractor services; and

WHEREAS, the CM/GC is selected before design is complete, and as a result can provide valuable advice from a construction perspective to help ensure a design that fosters smooth and cost-effective construction; and

WHEREAS, the Agency is in the predevelopment process for both projects referenced above;

WHEREAS, the Public Contracting Code divides powers and duties for contracting into two categories, those that must be performed by the LCRB, and those that must be performed by the "Contracting Agency"; and

WHEREAS, to make use of a CM/GC alternative contracting method, ORS 279C.335 and Agency Rule 137-049-0620 require the Board of Commissioners to submit findings to the LCRB which support the LCRB exempting the Project from competitive bidding requirements; and

WHEREAS, as provided in ORS 279C.335(5), the Agency published notice of the public hearing where the Boards would consider this Order once in the Daily Journal of Commerce, not less than 14 days before the hearing; and

WHEREAS, the LCRB considered the findings presented by the Board of Commissioners, as set forth in the attached Exhibit A, supporting the use of the CM/GC alternative contracting method.; and

WHEREAS, the Boards, being fully advised, find and conclude as follows:

1. It is unlikely that the use of the CM/GC method will encourage favoritism in the awarding of a public improvement contract or will encourage favoritism in the awarding of a public improvement contract or will substantially diminish competition for a public improvement contract;
2. The use of the CM/GC process ensures early contractor input during the design construction planning processes and is expected to contribute to the ability to manage the costs of construction against approved budgets; and
3. The Agency has complied with all procedures under ORS 279C.335.

NOW, THEREFORE, it is hereby resolved as follows:

1. Findings. The above recitals, and those set forth on the attached Exhibit A, are hereby adopted by the Agency Board of Commissioners, sitting as the LCRB, as findings of fact supporting approval of the Agency Board of Commissioner's request for use of a CM/GC alternative contracting method for Agency's Project.

2. CM/GC Exemptions. Use of a CM/GC alternative contracting method is found to be in the Agency's best interests. The requested exemption is, therefore, approved and the Executive Director, Jacob Fox, is hereby authorized to enter into a CM/GC contract for the projects referenced above.

DATED this _____ day of _____, 2022.

Chair,
Board of Commissioners

President,
Local Contract Review Board

ATTEST:

ATTEST:

Secretary,
Board of Commissioners

Secretary,
Local Contract Review Board



BOARD OF COMMISSIONERS AGENDA ITEM

BOARD MEETING DATE: 02/23/2022

AGENDA TITLE: Permanent Supportive Housing Services Overview-- Continued

DEPARTMENT: Supportive Housing Division

CONTACT : Wakan Alferes

EXT: 2508

PRESENTER: Wakan Alferes

EXT: 2508

ESTIMATED TIME : 30 Minutes

- ORDER/RESOLUTION
- PUBLIC HEARING/ORDINANCE
- DISCUSSION OR PRESENTATION (NO ACTION)
- APPOINTMENTS
- REPORT
- PUBLIC COMMENT ANTICIPATED

Approval Signature

EXECUTIVE DIRECTOR:

A handwritten signature in black ink, appearing to be "Wakan Alferes", is written over a horizontal line.

DATE: 2/15/22

LEGAL STAFF :

DATE:

MANAGEMENT STAFF:

DATE:



BOARD OF COMMISSIONERS AGENDA ITEM

BOARD MEETING DATE: 02/23/2022

AGENDA TITLE: Introduction to the Energy Services Division

DEPARTMENT: Energy Services Division

CONTACT : Esteban Montero Chacon

EXT: 2563

PRESENTER: Esteban Montero Chacon

EXT: 2563

ESTIMATED TIME : 30 Minutes

- ORDER/RESOLUTION
- PUBLIC HEARING/ORDINANCE
- DISCUSSION OR PRESENTATION (NO ACTION)
- APPOINTMENTS
- REPORT
- PUBLIC COMMENT ANTICIPATED

Approval Signature

EXECUTIVE DIRECTOR:

A handwritten signature in black ink, appearing to be "EMC", is written over a horizontal line.

DATE: 2/15/22

LEGAL STAFF :

DATE:

MANAGEMENT STAFF:

DATE: