

# ROSEBURG PUBLIC SCHOOLS

1419 NW Valley View Drive  
Roseburg, Oregon 97470  
Emergency Board Meeting

Vol 3 No. 26

June 19, 2018

**Board Members:**

Rodney Cotton	Via Phone
Vacant Position	
Joseph Garcia	
Rev. Howard Johnson	
Charles F. Lee	
Paul E. Meyer	Excused
Steve Patterson	

**Administration:**

Gerry C. Washburn, Superintendent	
Richard Burton, Director of Student Services	Excused
Robert Emerson, Director of Teaching & Learning	Excused
Robert Freeman, Director of Human Resources	
Cheryl Northam, Chief Operations Officer	

**EMERGENCY BOARD MEETING  
Pursuant to ORS 192.640(3)**

**Before the Local Contract Review Board in the Matter of Exemption  
Request of Douglas County School District 4 (Roseburg)**

**TIME/PLACE:** A emergency meeting of the Douglas County School District No. 4 Board of Directors was held on Wednesday, June 19, 2018, in the Administrative Office Board Room located at 1419 NW Valley View Drive, Roseburg, Oregon.

**CALL TO ORDER:** Board Chairman, Charles Lee, welcomed attendees and called the emergency meeting to order at 3:00 p.m. pursuant to ORS 192.640(3) and announced that Director Cotton was participating via telephone.

**ATTENDANCE:** Board members were in attendance, with Director Cotton participating telephonically and Director Meyer excused. News Review Reporter, Sanne Godfrey, was in attendance.

Chief Operations Officer, Cheryl Northam, presented the Findings of Fact related to the RHS Artificial Turf Replacement as follows:

**FINDINGS OF FACT**

ORS 279C.335(1) requires, with certain exceptions, that all Public Improvement contracts be based on competitive bids and, under ORS 279C.375, awarded to the lowest responsive and responsible bidder. ORS 279C.335(2) permits the Local Contract Review Board, which in this case is the Douglas County School District 4 (Roseburg) School Board, to grant, under certain circumstances, specific exemptions from the requirement for competitive bidding upon the approval specified findings. ORS 279B.080(1) states that the head of a contracting agency may make or authorize others to make emergency procurements of goods or services in an emergency.

The Superintendent has declared an emergency as defined in School District policy DJ-AR 137-46-0110(38). The policy defines an emergency as circumstances that: (a) Could not have reasonably foreseen; (b) Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; (c) Require prompt execution of a Contract to remedy the condition. An "Emergency Procurement" means a sourcing method pursuant to ORS 279B080, ORS 279C.335(5), purchasing policy section 137-48-0200, or related rules.

OAR 137-047-0280 states that a Contracting Agency may Award a Contract as an Emergency Procurement pursuant to the requirements of ORS279B.080. When an Emergency Procurement is authorized, the Procurement shall be made with competition that is reasonable and appropriate under the circumstances.

Roseburg Public Schools Contracting Rule 137-48-0280 (1) states that when an Emergency Contract is authorized, the Procurement must be made with competition that is practicable under the circumstances. The district has made every attempt to obtain two quotes for the work. Section (3)(a) states that the emergency must be written, including findings describing the emergency circumstances that require the prompt performance of the Contract, stating the anticipated harm from failure to establish the Contract on an expedited basis. Section (3)(c) stated that the district will record the measures taken to encourage competition.

*The contractor on site to install the replacement artificial turf identified problems with the condition of the underlayment of rock and drainage fabric and stopped the work pending an inspection by licensed engineer. These problems were only able to be identified after the existing artificial turf was removed. An engineer licensed in Geotechnical and environmental engineering conducted an evaluation and assessment of the field turf underlayment and perimeter and made recommendations for mitigation of identified soft ground and drainage issues. That report was made available to a local contractor and the contractor on site and quotes for the identified work were requested. The timeline for completion of the turf and track is very short to be done for fall sports. Any delay in construction jeopardizes that completion date and would create an interruption of services. Fall sports games will have to be rescheduled and played at alternate locations, causing the district financial loss. Prompt execution of a Contract to remedy this condition is necessary for the turf contractor to remain on site and on schedule for a summer 2018 installation.*

**DISCUSSION:** Chief Operations Officer, Cheryl Northam, explained that we always encourage competition in projects up for bid, and in addition to the quote already received from Knife River Materials in the amount of \$98,997 a bid was also just received from Hellas Construction, Inc., in the amount of \$208,246. Facilities Manager, Tracy Grauf, explained that during the removal of the existing turf material, equipment began to sink and leave ruts in the ground. Test holes determined that the gravel underlayment stopped at six inches, and below that was soft silt ground material. The existing geotechnical fabric installation had unfortunately stopped anywhere from 11 to 16 feet short of the end of the field materials. This resulted in the ground becoming impervious to water (rainfall), will now require the base rock being peeled back and new fabric installed, and the correct grade of rock being backfilled. Camera equipment verified that existing drain lines appear to be in good condition. The initial turf project many years ago had been facilitated by the school booster club, and it now appears that the underlying materials and installation did not meet project specifications.

Director Cotton questioned the disparity in the bid amounts, and Mr. Grauf speculated that the higher bid may have been subject to an elevated rock price, as well as materials and workers not being local. Mr. Cotton inquired what direction if any was being provided by administration, and Mr. Grauf indicated that he had assumed that the bids would be similar, but that was not the case. Mr. Grauf also noted that the Hellas

Construction Supervisor has expressed willingness to serve as a consultant as the company is anxious to keep the turf project on schedule. Knife River, if selected, has offered to pull workers from other projects and could begin the work tomorrow with a completion date of next Tuesday, resulting in a minimal one-day delay.

Director Johnson suggested having Hellas oversight, as the prior project appears to have lacked adequate supervision and oversight. Ms. Northam indicated that Environmental Engineer, Karl Broda, who assessed the field and provided recommendations to correct the issues, could oversee the project on the District's behalf.

Director Patterson clarified that the Hellas proposal states the company will not be responsible for the underlayment regardless of which company provides the actual work. Director Johnson agreed that Mr. Broda should weigh in on the successful bidder and be available on site as needed to be the 'eyes and ears' of the District. Director Johnson further pointed out that there are only two resources for materials locally.

Director Cotton moved to award the proposal for Turf Preparation per Geotech Report to Knife River Materials. Director Patterson seconded. Director Johnson inquired if the remaining bidder would be awarded the bid should the Motion fail, and Chairman Lee explained that it would not be a default to the second contractor. The Motion failed with Directors Lee, Patterson and Cotton voting Yes, and Directors Garcia and Johnson voting No.

M3-159 Motion to award bid to Knife River Materials Failed for lack of majority
---

Ms. Northam commented that Knife River has indicated willingness to pull their staff from other projects and could potentially complete the work by next Tuesday (late in the day). Director Garcia pointed out that no proposed timeline had been provided by Hellas. It was also pointed out that the Knife River proposal included repairs to the drain system at an additional time and materials basis. Mr. Grauf explained details of the drainage system, and his estimation that only a few of the lines might be damaged early in the excavation process. Chairman Lee indicated that the Hellas proposal contained the same exclusion.

Director Garcia moved to award the proposal for Turf Preparation per Geotech Report to Knife River Materials with the requirement that the District contract with engineer Karl Broda to provide consultation on the project and sign off on the work. Director Cotton seconded, and the Motion passed unanimously.

M3-160 Awarded the Turf Preparation per Geotech Report Project to Knife River Materials
---

**PUBLIC PARTICIPATION:** No audience members wished to address the Board.

**ADJOURNMENT:** With no further business, Chairman Lee adjourned the emergency meeting at 3:37 p.m.

**Gerry C. Washburn, Ed.D., Superintendent**

**Next Meeting:** The July 11<sup>th</sup> School Board Meeting will be held at 6:00 p.m. in the Administrative Office Board Room, located at 1419 NW Valley View Drive, Roseburg, Oregon.