



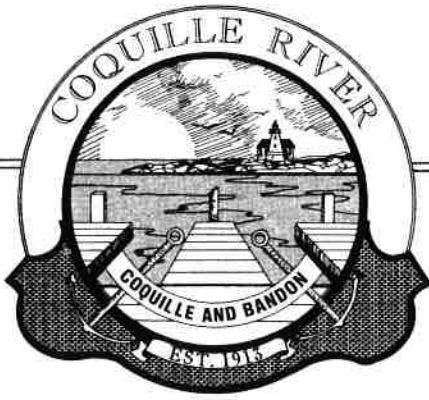
AGENDA

Port of Bandon
 Regular Commission Meeting &
 Executive Session
 [ORS 192.660 (2)(e,h)]
 January 28, 2020, 5:00pm
 Via Zoom
 (see instructions on front sheet)

AGENDA TOPICS

	Welcome		
1	Consent Calendar		
2	November Minutes	Commissioners	A-B
3	November Financials	Commissioners	C-M
4	December Minutes	Commissioners	N-O
5	December Financials	Commissioners	P-Z
6			
7	Business Items		
8	Public Contracting Rules and Resolution 2021-01	Jeff/Commissioners	1-12
9	ADA Pier ODFW Amendment Request	Jeff/Commissioners	13-14
10	HGE Boardwalk Wind Screen Proposal	Jeff/Commissioners	15-16
11	Marina Dredging Project	Jeff/Commissioners	Verbal
12	OTM Lighting	Jeff/Commissioners	Verbal
13	Washed Ashore	Jeff/Commissioners	Verbal
14			
15	Staff Report		
16	Manager	Jeff/Commissioners	Verbal
17	Harbormaster	Shawn/Commissioners	Verbal
18	Farmers Market	Peggi/Commissioners	Verbal
19			
20	Public Comment		
21			
22	Executive Session [ORS192.660(2)(e,h)]	Jeff/Commissioners	17-19
23			
24	ADJOURN		

NOTES:



PORT OF BANDON

POST OFFICE BOX 206 • BANDON, OREGON 97411 • PHONE (503) 347-3206

RESOLUTION NO. 2021-01

A RESOLUTION ADOPTING UPDATED AND REVISED PUBLIC CONTRACTING RULES AND PROCEDURES

WHEREAS, the Port of Bandon (“Port”) is an Oregon special district which is subject to Oregon’s public contracting laws [ORS chapters 279A, 279B, and 279C]; and

WHEREAS, ORS 279A.065 and 279A.070 authorize public contracting agencies to adopt local rules for public contracting; and

WHEREAS, on May 26, 2005, the Port’s Board of Commissioners (“Commission”) adopted Resolution No. 2005-07, adopting Rules for Public Contracting Rules (“Contracting Rules”); and subsequently amended such Contracting Rules on various dates; and

WHEREAS, the Commission desires to update and revise the Contracting Rules to address changes in the law and to clarify certain procedures;

NOW, THEREFORE, BE IT RESOLVED, that the Commission, acting both as the governing body of the Port and as the Local Contract Review Board (“LCRB”), adopts the Contracting Rules as shown in Attachment A to this Resolution.

The Contracting Rules shown in Attachment A shall supersede and replace all prior local contracting rules adopted by the Port.

APPROVED AND ADOPTED by a majority vote of the Port of Bandon Board of Commissioners this 28th day of January, 2021.

APPROVED:

Reg Pullen, Commission President

ATTEST:

Donny Goddard, Vice President

PUBLIC CONTRACTING RULES AND PROCEDURES

EXHIBIT A

(Adopted January 28, 2021)

DEFINITIONS.

- A. **Bid.** A response to an Invitation to Bid.
- B. **Commission.** The Board of Port Commissioners.
- C. **Competitive Offer or Competitive Bid:** A response to a solicitation for competitive Proposals or Bids.
- D. **Concession Agreement.** A contract that authorizes and requires a private entity or individual to promote or sell, for its own business purposes, specified types of goods or services from a site within a building or upon land owned by the Port, and under which the concessionaire makes payments to the Port based, in whole or in part, on the concessionaire's sales revenue. "Concession agreement" does not include an agreement that is merely a flat-fee or per-foot rental, lease, license, permit, or other arrangement for the use of public property.
- E. **Direct Award.** Award of a contract without a competitive process.
- F. **Emergency Contract.** See Section 7.
- G. **Formal Solicitation or Formal Procurement.** A written Invitation to Bid or Request for Proposals when using the formal process of advertising, bids, and bid opening required by ORS Chapters 279A, 2798, and 279C, and other applicable statutes and these Rules.
- H. **Informal Solicitation.** A request for competitive offers or bids when a Formal Solicitation is not used or required, and a Direct Award is not permitted or is permitted but not desired.
- I. **Local Contract Review Board ("LCRB").** The Commission, unless the Commission by resolution names a different LCRB. The LCRB has specific duties under Oregon's Public Contracting Code as specified in these Rules.
- J. **Invitation to Bid.** A written solicitation for competitive bids, generally used when price is the predominant award criterion.
- K. **OAR.** Oregon Administrative Rules.
- L. **ORS.** Oregon Revised Statutes.

- M. **Proposal.** A response to a Request for Proposals.
- N. **Public Contract.** A sale or other disposal, or a purchase, or a purchase, lease, rental or other acquisition, by a contracting agency of personal property, services, including personal services, public improvements, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a public improvement. "Public contract" does not include grants.
- O. **Personal Services Contract.** See Section 4.
- P. **Public Improvement Contract.** See Section 6.
- Q. **Procurement.** A contract for purchase of goods, or services that are not Personal Services. See Section 5.
- R. **Request for Proposals.** A written solicitation for Competitive Offers when specifications and price will not necessarily be the predominant award criteria.
- S. **Request for Competitive Quotes.** An informal, written solicitation for competitive offers when a Formal Solicitation is not required or used.
- T. **Surplus Property.** See Section 8.

SECTION 1. COMPETITIVE BIDDING; EXEMPTIONS.

Under Oregon’s public contracting laws, all Public Contracts must be competitively bid unless exempted in one of the following ways:

- 1.1 **By Rule:** As specifically provided in the applicable section of these Rules.
- 1.2 **By Resolution:** Exempted by resolution of the Local Contract Review Board pursuant to subsections 5.4 or 6.4 of these Rules.
- 1.3 **By Statute:** Included in one of the following statutory exemptions:
 - A. Intergovernmental Agreements. Contracts made with other public agencies or the federal government. [ORS 279A.025].
 - B. No Port Funds. Public improvements for which no funds of the Port are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection. [ORS 279A.010(aa)(A)].
 - C. Sole-Source, Fixed Price. Sole-source expenditures where the rate or price is established by law or ordinance for source selection [ORS 279A.025(2)(f)].

- D. Investments. The investment of funds as authorized by law, and other financial transactions that by their character cannot practically be established under the competitive contractor selection procedures of ORS 2798.050 to 2798.085 [ORS 279A.025(2)(q)(C)].
- E. Certain Contracts with Non-Profits. Contracts made with qualified non-profit agencies providing employment opportunities for disabled individuals under ORS 279.835 to ORS 279.855. [ORS 279A.025(4)].
- F. “Piggyback” Contracts. Contracts for purchase or lease of personal property entered into by another public agency that allows for “piggybacking” onto the contract terms, according to the requirements of ORS 279A.205 through 279A.215 (“Cooperative Procurements”).
- G. Purchases from Federal Catalogs. The Port may purchase goods from federal catalogs without competitive bidding when the procurement is pursuant to 10 USC 381, the Electronic Government Act of 2002 (public Law 107-347). Purchases under other federal laws will be permitted upon a finding by the Local Contract Review Board that the law is similar to such Act in effectuating or promoting transfers of property to contracting agencies.
- H. Concession Agreements. Concession agreements are not required to be competitively bid. However, when it is in the Port's best interest to do so, the Port may obtain competitive proposals for concession agreements using the procedures described in ORS 279B.060.

SECTION 2. USING THESE RULES.

- 2.1 **Type of Contract.** If the contract is not exempt from competitive bidding under Section 1 above, determine the type of contract is being awarded and refer to the appropriate section in these Rules. Public contracts in Oregon fall into one of three categories:
 - A. Personal Services (professional services) **[Section 4]**
 - B. Procurements (purchase of goods, or services that are not Personal Services) **[Section 5]**; and
 - C. Public Improvements (construction) **[Section 6]**.
- 2.2 **Other Procedures.** For other contracting procedures, see the following:
 - A. Delegation (approval and spending authority) **[Section 3]**
 - B. Emergency contracts **[Section 7]**

- C. Disposal of surplus property [**Section 8**]
- D. Hearings on disqualification or debarment decisions [**Section 9**]
- E. Electronic Advertising [**Section 10**]

SECTION 3. DELEGATION.

- 3.1 **Local Contract Review Board (“LCRB”).** Except as otherwise provided in these Rules, the powers and duties of the Local Contract Review Board (“LCRB”) under the Public Contracting Code must be exercised and performed by the Commission.
- 3.2 **Contracting Authority.** The Port Manager or designee of the Commission may approve any public contract of \$10,000 or less but shall report the contract award to the Commission at its next regularly scheduled meeting. The Commission shall approve any contract exceeding \$10,000.
- 3.3 **Emergency Contracts.** Notwithstanding paragraph 3.2 above, the Commission or the Port Director, or their designee, may enter into an emergency contract for any dollar amount according to Section 7 of these Rules, and subject to ORS 294.481.

SECTION 4. PERSONAL SERVICES.

- 4.1 **Definition.** “Personal Services” include those services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to: Architect, engineer; surveyor; photogrammetrist; attorney; accountant; auditor; computer programmer; artist; designer; performer; consultant; outreach educator; and workshop facilitator.
- 4.2 **Personal Services *Other than Architectural, Engineering, Surveying, and Photogrammetry Services and Related Services.***
 - A. A Personal Services Contract totaling \$100,000 or less in either a calendar year or a fiscal year may be awarded by Direct Appointment, without competitive bidding.
 - B. A Personal Services Contract totaling more than \$100,000 in the aggregate shall be awarded using competitive sealed proposals as provided in ORS 279B.060, unless exempted from competitive bidding by resolution of the Local Contract Review Board according to the requirements of ORS 279B.085.
 - C. Personal Service Contracts exempted from competitive proposal processes may be awarded in any manner authorized by the LCRB.

- D. The above procedures do not apply to contracts with architects, engineers, land surveyors, or photogrammetrists.

4.3 Architects, Engineers, Land Surveyors, and Photogrammetrists.

- A. Unless otherwise provided in this subsection, contracts for architectural, engineering, surveying and photogrammetry services shall be awarded according to the procedures for competitive proposals described in ORS 279B.060 and these Rules.
- B. A contract for architectural, engineering, surveying, and photogrammetry services may be entered into by direct appointment if the cost of such services for the project will not exceed \$100,000; or in an emergency; or if the project described in the contract consists of work that has been substantially described, planned or otherwise previously studied or rendered in an earlier contract with the consultant that was awarded under these Rules, and the new contract is a continuation of that project.
- C. All contracts for architectural, engineering, surveying and related service exceeding \$100,000 shall be entered into consistent with ORS 279C.110, which substantially provides as follows:
 - 1) The Port shall select consultants to provide architectural, engineering, photogrammetric mapping, transportation planning or land surveying services on the basis of the consultant's qualifications for the type of professional service required.
 - 2) Unless the Port has satisfied the procedures in ORS 279C.110(5), the Port may solicit or use pricing policies and proposals or other pricing information, including the number of hours proposed for the service required, expenses, hourly rates and overhead, to determine consultant compensation only after selecting a candidate pursuant to the procedures that the Port creates to screen and select consultants and to select a candidate.
 - 3) The Port's screening and selection procedures under this section, regardless of the estimated cost of the services for a project, may include considering each candidate's:
 - (a) Specialized experience, capabilities, and technical competence, which the candidate may demonstrate with the candidate's proposed approach and methodology to meet the project requirements.
 - (b) Resources committed to perform the work and the proportion of the time that the candidate's staff would spend on the project, including time for specialized services, within the applicable time limits.
 - (c) Record of past performance, including but not limited to price and cost data from previous projects, quality of work, ability to meet schedules, cost

control and contract administration.

(d) Ownership status and employment practices regarding minority, women and emerging small businesses or historically underutilized businesses.

(e) Availability to the project locale.

(f) Familiarity with the project locale; and

(g) Proposed project management techniques.

D. If, after following screening and selection procedures, the Port determines that two or more candidates are equally qualified, the Port may select a candidate through any process that is not based on the candidate's pricing policies, proposals, or other pricing information.

SECTION 5. PROCUREMENTS (GOODS AND NON-PERSONAL SERVICES)

5.1 Small Procurements (Under \$10,000).

- A. Procurements under \$10,000 are not subject to competitive bidding requirements. The Port Manager or designee shall make a reasonable effort to obtain competitive quotes in order to ensure the best value for the Port.
- B. The Port may amend a public contract awarded as a small procurement beyond the limits in this subsection in accordance with OAR 137-047-0800, provided the cumulative amendments do not increase the total contract price to a sum that is greater than twenty-five percent (25%) of the original contract price.

5.2 Intermediate Procurements (\$10,000 to \$150,000).

- A. A contract for a Procurement estimated to cost between \$10,000 and \$150,000 in a calendar year may be awarded according to the processes for intermediate procurements described in ORS 279B.070.
- B. The Port, through its authorized representative, may negotiate with a prospective contractor who responds to a request for an Intermediate Procurement to clarify the quote or offer, or to make modifications that will make the quote or offer more advantageous to the Port. [OAR 137-047-0270(2)]
- C. The Port may award a contract for an Intermediate Procurement to the offeror whose quote or proposal will best serve the interests of the Port, taking into account price as well as considerations including, but not limited to, experience, expertise, product functionality, suitability for a particular purpose and contractor responsibility under ORS 279B.110.

- D. The Port may amend a contract awarded as an Intermediate Procurement in accordance with OAR 137-047-0800, provided the cumulative amendments do not increase the total contract price beyond one-hundred twenty-five percent (125%) of the original contract price. [OAR 137-047-0270(3)]

5.3 Formal Procurements.

- A. Procurements of \$150,000 or more must competitively bid as provided in ORS 279B.055 (Competitive Sealed Bids) or 279B.060 (Competitive Sealed Proposals).
- B. In making an award using the Request for Proposal process in ORS 279B.060, the Port may use any evaluation method determined to be most appropriate for the selection process, including, but not limited to, the processes described in ORS 279B.060(6)(b), as well as direct appointment of personal services contracts if direct appointment is determined to be most advantageous to the Port. The evaluation process(es) to be used shall be stated in the Request for Proposals. OAR 137-047-0261 through 137-047-0263 shall apply to evaluation of proposals.
- C. Nothing in this subsection shall prohibit the use of the Formal Procurement process for any contract under \$150,000.

5.4 Special Procurements (Exemptions from Bidding; Sole-Source Contracts).

- A. The LCRB may exempt from competitive bidding any Procurement contract or class of contracts according to the procedures described in ORS 279B.085.
- B. After completing the process described in paragraph 5.4.A above, the Port may award a sole-source contract for a Procurement by Direct Award after determining in writing that the goods or services, or class of goods or services, are available from only one source. The sole-source determination must be based on written findings that may include:
 - 1) That the efficient utilization of existing goods requires acquiring compatible goods or services.
 - 2) That the goods or services required to exchange software or data with other public or private agencies are available from only one source.
 - 3) That the goods or services are for use in a pilot or an experimental project; or
 - 4) Other findings that support the conclusion that the goods or services are available from only one source.
- C. A contract exempted from competitive bidding may be made by Direct Award, or as directed in the resolution granting the exemption. To the extent reasonably practical, the

Port shall negotiate with the selected contractor to obtain contract terms that are advantageous to the Port.

SECTION 6. PUBLIC IMPROVEMENTS (CONSTRUCTION).

- 6.1 **Definition.** “Public improvement” means a project for construction, reconstruction, or major renovation on real property by the Port. “Public improvement” does not include:
- A. Projects for which no Port funds are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or
 - B. Emergency work, minor alteration, ordinary repair, or maintenance necessary to preserve a public improvement. For these types of projects, see SECTION 5: PROCUREMENTS, or, if applicable, SECTION 7: EMERGENCY CONTRACTS.
- 6.2 **Small Contract.** Public improvement contracts under \$5,000 are exempt from competitive bidding and may be directly awarded to any qualified contractor.
- 6.3 **Intermediate Contract.**
- A. Public improvements contracts between \$5,000 and \$100,000 may be awarded by obtaining at least three informal bids. Bids of \$75,000 or more must be obtained in writing.
 - B. The procedures for competitive quotes described in ORS 279C.412 and 279C.414 shall apply to contracts awarded under this subsection.
- 6.4 **Formal Bidding.**
- A. Unless the LCRB adopts an exemption as provided in paragraph 6.5 of these Rules, any contract for a Public Improvement over \$100,000 must be formally bid and awarded as required in the applicable provisions of ORS chapter 279C and OAR chapter 137, Division 049.
 - B. Nothing in these Rules shall be interpreted to prohibit a contract under \$100,000 from being formally bid.
- 6.5 **Exemptions from Bidding.**
- A. The LCRB may exempt certain contracts or classes of contracts for public improvements from competitive bidding according to the procedures described in ORS 279C.335.
 - B. When exempting a public improvement from competitive bidding, the LCRB may authorize the contract to be awarded using a Request for Proposal process for public

improvements, according to the processes described in OAR 137-049-0640 through 137-049-0690.

SECTION 7. EMERGENCY CONTRACTS.

- 7.1 **Definition.** “Emergency” shall be defined as follows: “Circumstances that (a) could not have reasonably been foreseen; (b) create a substantial risk of loss, damage, or interruption of services or a substantial threat to property, public health, welfare or safety; and (c) require prompt execution of a contract to remedy the condition.”
- 7.2 **Authority.** The Commission Chair, the Port Manager, or a designee of the Port Manager shall have authority to determine when emergency conditions exist sufficient to warrant an emergency contract and shall so declare in writing. The nature of the emergency and the method used for the selection of the contractor shall be documented.
- 7.3 **Process.** Emergency contracts may be awarded as follows:
- A. Goods and Services. Emergency contracts for any contract that is not a Public Improvement contract may be awarded pursuant to ORS 279B.080.
 - B. Public Improvements. OAR 137-049-0150 shall be the contracting rules for awarding a Public Improvement contract under emergency conditions.

SECTION 8. DISPOSAL OF SURPLUS PROPERTY.

- 8.1 **Definition.** “Surplus Property” is defined as any personal property of the Port that has been determined by the Port Manager as being of no use or value to the Port.
- 8.2 **Declaration.** The Port Manager or designee may dispose of Surplus Property valued at or under \$10,000 in any appropriate manner. Surplus property valued over \$10,000 may be disposed of by the Port Manager or designee by submitting a request to the Commission for a declaration that certain property is Surplus Property. The Board of Commissioners shall make such declaration by resolution and thereby authorize the means by which the Port Manager may dispose of the property. The Commission may require the Port Manager to obtain an appraisal of the property prior to disposition.

SECTION 9. APPEALS OF PREQUALIFICATION AND DEBARMENT DECISIONS.

- 9.1 **Review of Decisions.** Review of the Port’s prequalification and debarment decisions shall be as set forth in ORS 279B.425.
- 9.2 **Additional Procedures.** The following additional procedures shall apply to the LCRB’s hearings on such decisions:
- A. Notices shall be submitted in writing to the Port Manager. Appeals filed after the filing period stated in ORS 279B.425 shall not be heard.

- B. Upon opening of the hearing, Port staff shall explain the Port's decision being appealed and the justification thereof. The appellant shall then be heard. Time for the appellant's testimony shall be established by the Board Chair. The appellant may submit any testimony or evidence relevant to the decision or the appeal. Any party requesting time to testify in support of the appeal shall then be heard, subject to time limits established by the Board Chair.
- C. Once all testimony and evidence in support of the appeal is heard, any party requesting time to testify in support of the Port's decision shall be provided time to be heard, with time limits established by the Board Chair. Any party testifying in opposition to the appeal may submit any testimony or evidence relevant to the decision or the appeal. Once all testimony in opposition to the appeal has been heard, the appellant may request time to provide rebuttal testimony. At the conclusion of the rebuttal testimony, if any, the Board Chair shall close the hearing.
- D. When issued in writing according to the requirements of ORS 279B.425, the LCRB's decision and order shall be final.

SECTION 10. ELECTRONIC ADVERTISING.

Pursuant to ORS 279B.055(4)(c) and ORS 279C.360 electronic advertisement of public contracts in lieu of newspaper publication is authorized when it is cost-effective to do so. The Port Manager or designee shall have the authority to determine when electronic publication is appropriate, and consistent with the Port's public contracting policies.

SECTION 11. OREGON'S MODEL PUBLIC CONTRACT RULES.

Where these Contracting Rules and the Oregon Attorney General's Model Public Contract Rules ("Model Rules") are in conflict, these Contracting Rules shall prevail. Where not inconsistent with these Contracting Rules, the Model Rules shall apply.



Fisheries Restoration and Enhancement Program

Project Amendment Request

Applicant Information

Date: January 12, 2021
Name: Jeff Griffin **Phone:** 541-366-0115
Organization: Port of Bandon **Fax:** 541-347-4645
Address: 390 1st St. SW
City/State/Zip: Bandon / Oregon / 97411
Email: portmanager@portofbandon.com

Project Information

Project Title: Port of Bandon ADA Fishing Pier **Project Number:** 19-016
Start Date: 10/2018 **End Date:** 3/2022

Project Request:

Date of Amendment Request: 1/12/2021
 Amend Completion Date **New Completion Date:** 3/31/2022
 Amend Project Start Date **New Start Date:**
 Increase Project Funding **Amount Requested:** \$95,000
 Amend Project Budget (without an increase in project funding)

Description of Request

This request is to extend our project completion date and to request additional funding.

We continue to make substantial progress on this project however the events of 2020 played against us. While we solicited bids on the project last September, the bids came in much higher than anticipated. We were also unable to secure expected confirmation from State Parks LGGP lottery funds and our request for increased funding from ODFW R&E was tabled – both due to budget unknowns linked to economic interruptions from the COVID-19 Pandemic. We also saw price increases in material costs that we attributed to supply chain interruptions due to the Pandemic and to the wildfire catastrophes that occurred in Oregon.

As stated, however, we still made substantial progress. Using funding from ODFW R&E awarded last year, we were able to contract engineering services and went from a 30 percent engineered plan to a 100 percent design. We then used Port in-kind capacity to obtain all final necessary permits and approvals required for the project. This included approval from the Civil Engineering Division of the United States Army Corps of Engineers on the 100 percent design created by PND Engineering. Corps Civil approval was required by the Corps Real Estate Division, who required this before they would grant the Consent Agreement authorizing us to build the pier on the Corp owned riprap structure.

Our revised project cost estimate is now at \$500,000. Of that we have combined cash commitments of \$220,000 from the Wild Rivers Coast Alliance, Port of Bandon, and City of Bandon. We have pending funds of \$95,000 from Oregon State Parks and the Ford Family Foundation. If the remaining \$90,000 from our approved ODFW R&E funds are secure for another year, then we have a remaining projected

need of \$95,000. All funds from ODFW would go directly to paying for the pier structural foundation and platform. ADA fishing platforms, railing, lighting, ADA approach ramps, ADA compliant benches, parking and other components would be covered from separate funders.

With all necessary funding in place we believe we will be able to invite bids for the project in late spring of this year and begin construction of components that are not limited to the in-water work window such as the approach ramp. We would then complete most of the project during the in-water work window that starts October 1, 2021 and ends February 15, 2022, and finish any remaining components in the spring.

As a reminder this project has wide support in the region. For one example please refer to the March 15, 2019 letter from Michael Gray, District Fish Biologist for ODFW, who extends the Coos-Coquille-Ten-mile Fish Districts enthusiastic support for the project, one that, conceptually at least, has been many years in the making.

Attached please refer to the final signed and approved pier design.

Thank you for your consideration!



Jeff Griffin
Port Manager



333 S. 4TH STREET
COOS BAY, OREGON 97420
P: 541.269.1166
www.hge1.com

January 15, 2020

Port of Bandon
P390 1st Street SW
Bandon, Oregon 97411

Attn: Jeff Griffin, Port Manager

Re: Proposal for Architectural & Landscape Architectural Services

Dear Mr. Griffin:

Thank you for the opportunity to serve Port of Bandon by providing our design services. Please find attached our proposed Scope of Services and Deliverables and our cost quotation to move into Design Development / Construction Document Phase for the Boardwalk Windscreen project.

Our fee estimate shows a breakdown per task along with deliverables. We have estimated the time and cost that will be involved based on our 2020 Standard Hourly Rate Schedule, which is enclosed for your reference. Since we started the project with these rates, we will continue using them throughout the duration of the project.

Based upon our discussion, we obtained a quote from DCI Engineers for structural engineering so that we are confident that the designs we are proposing will withstand the wind loads and uplift. At this time, we have listed a maximum-not-to-exceed fee for their services. We have also been in contact with product representatives for resin panels and will be providing you with a sample in the weeks to come. Our current workload is heavy at the moment, but we are confident that we can continue to work through design details while meeting the deadline for construction documents to you so that you can build a prototype before the tourist season, and good weather is upon us.

We look forward to continuing working with you. Let us know if you have any questions. Thank you again for the opportunity.

Very truly yours,

HGE ARCHITECTS, Inc.

A handwritten signature in blue ink that reads 'Stephanie A. Martell'.

Stephanie A. Martell, RLA
Principal Landscape Architect

Enclosures:

- HGE Project Scope of Services & Deliverables for Port of Bandon
- HGE 2020 Standard Hourly Rate Schedule

PROJECT SCOPE OF SERVICES & DELIVERABLES – PORT OF BANDON

Project: Boardwalk Wind Screens

Design Development Phase

Task 1: Product research and design development

- a. Refine design of amphitheater wind screen using resin panels.
 - i. Engage structural consultant
 - ii. Engage product representative
- b. Refine design of modular benches with resin panel screen.
 - i. Engage structural consultant
 - ii. Engage product representative

Task 2: Create working construction drawings (Design Development Drawings)

- a. Draft construction detail drawings of amphitheater and modular bench designs.
- b. Design Development Drawing Set to include: Site plan, Details and material callouts

Task 3: Develop material cost estimate for the project:

- a. Develop a preliminary cost estimate to be used for review and material selection or selected wind screen design.

Task 4: Move into Construction Document Phase upon approval / authorization

- a. Refine drawing for construction.
- b. Assist with construction administration for prototype.

Deliverables:

- a. Obtain Structural Engineer Consultant Services. **Maximum Not-To-Exceed Fee: \$5,500**
- b. Design Development Drawings. **Fee: \$2,500**
- c. *Present Design Development Drawing set for client review. Research products, gather samples **Fee: \$500**
- d. *Attend **(1) one** Port Commission Meeting to present/discuss work. **Fee: \$360**
- e. Provide a cost estimate for estimated construction costs for client review / approval. **Fee: \$240**
- f. *Develop Construction Documents for review. Assist with construction administration for prototype. **Fee: \$4,000**

Boardwalk Wind Screen Design Development / Construction Document Fee Estimate

HGE Fee:	\$7,600
Structural Consultant:	\$5,500
TOTAL Not-To-Exceed Fee:	\$13,100

*Additional meetings will be billed at Time & Expense based upon our 2020 Standard Hourly Rate Schedule.

RECEIVED
 May 26, 2015

DATE: April 03, 2015
 SCALE: 1" = 100'

PROPERTY SURVEY
 A PORTION OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25
 TOWNSHIP 28 SOUTH - RANGE 15 WEST W.M.
 CITY OF BANDON COOS COUNTY OREGON
 AMENDED PLAT OF BREAKWATER ADDITION

NER NOTES:
 FOUND BOAT SPIKE IN PMAT (HELD)
 CS# 47 A 98
 FOUND 5/8" IRON ROD (HELD)
 CS# 47 A 99
 FOUND 5/8" IRON ROD W/RPC CS# 47 B 84
 S 73°45'00" E, 1.67 FROM TRUE POSITION
 FOUND 5/8" IRON ROD W/RPC CS# 47 B 84
 S 101°50'00" W, 0.46 FROM TRUE POSITION
 FOUND 5/8" IRON ROD W/RPC (HELD)
 CS# 47 B 77
 FOUND 3/4" I. PIPE CS# 47 A 140 & 47 A 148
 S 73°45'00" E, 0.64 FROM TRUE POSITION
 FOUND 5/8" IRON ROD (BEV) CS# 47 B 82
 S 73°45'00" E, 1.48 FROM TRUE POSITION
 FOUND 5/8" IRON ROD W/RPC (HELD)
 CS# 47 B 55
 FOUND 5/8" IRON ROD - BURIED (HELD)
 CS# 32 B 2 / 47 B 7 / 47 A 4
 FOUND 1/2" IRON ROD CS# 47 A 127
 (OUT OF POSITION)
 FOUND 5/8" I. ROD W/YPC (HELD)
 CS# 47 B 30
 FOUND 5/8" IRON ROD W/RPC (HELD)
 CS# 32 B 93
 FOUND 5/8" IRON ROD W/RPC (HELD)
 CS# 47 B 30
 FOUND IRON PIPE NOT HELD
 CS# 47 B 7 - SEE NOTE BELOW
 FOUND 1" IRON PIPE NOT HELD
 RECORDED SURVEYS DO NOT MATCH LIPPE
 FOUND 5/8" IRON ROD (BEV)
 CS# 47 B 80
 FOUND 5/8" IRON ROD W/RPC (HELD)
 CS# 47 B 67
 FOUND 5/8" IRON ROD (HELD)
 CS# 47 A 330
 FOUND 3/4" IRON PIPE NOT HELD
 CS# 32 B 2 - SEE NOTE BELOW
 FOUND 5/8" IRON ROD @ ROOT (HELD)
 CS# 47 A 241
 FOUND 5/8" IRON ROD W/RPC
 UNCERTAIN ORIGIN HELD FOR N/S ONLY

REFERENCE SURVEYS:
 THE AMENDED PLAT OF BREAKWATER ADDITION TO BANDON PER F
 BOOK 3 - PAGE 71 RECORDS OF COOS COUNTY OREGON.

ABBREVIATIONS:
 RPC RED PLASTIC CAP
 YPC YELLOW PLASTIC CAP

LEGEND:
 FOUND SURVEY MONUMENT
 SIZE AND TYPE AS NOTED
 W/OXANGE PLASTIC CAP
 STAMPED 'LS 2128'
 CALCULATED POSITION

APPROXIMATIONS:
 RED PLASTIC CAP
 YELLOW PLASTIC CAP

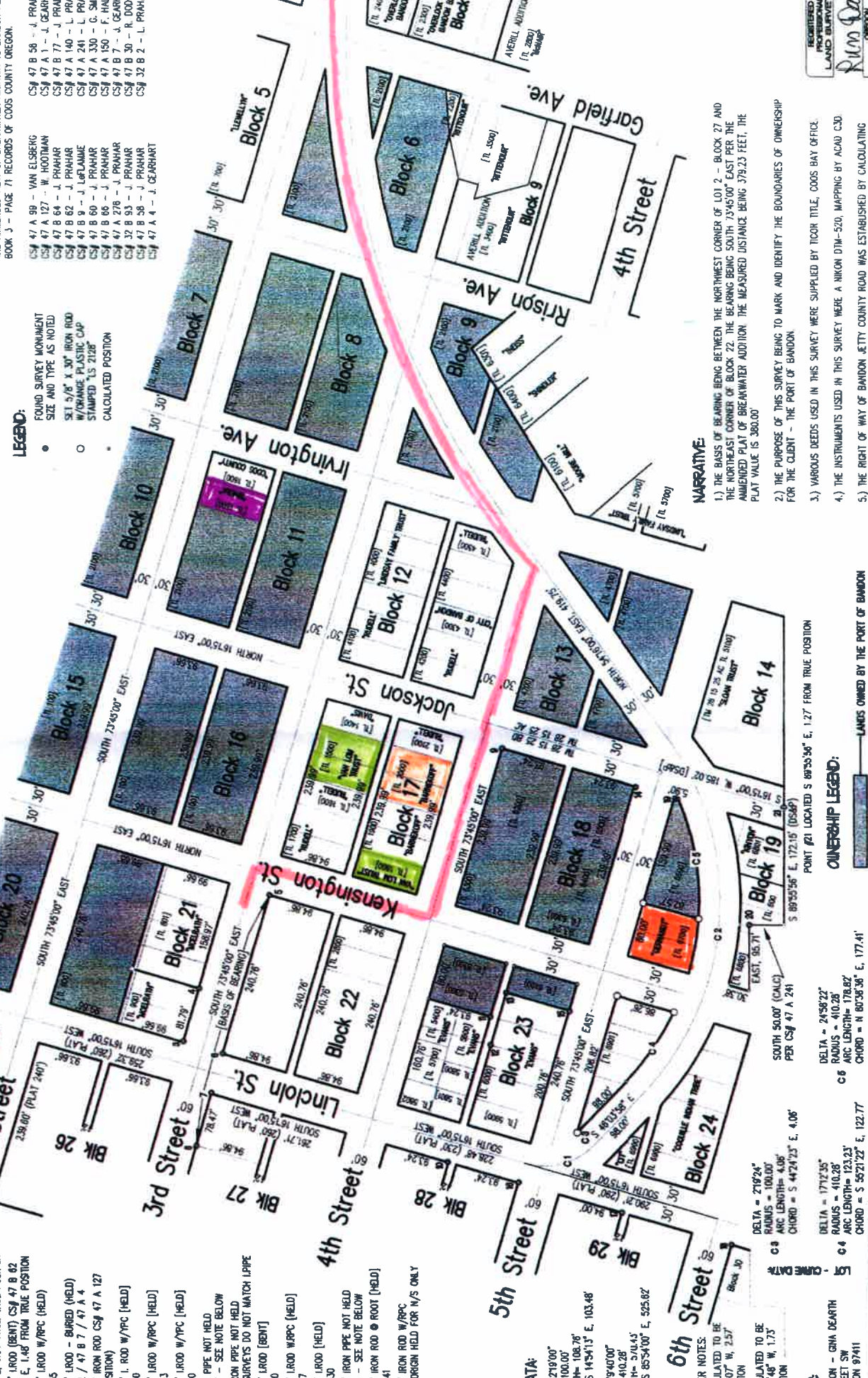
OWNERSHIP LEGEND:
 LANDS OWNED BY THE PORT OF BANDON

CURVE DATA:
 DELTA = 62°19'00"
 RADIUS = 100.00'
 ARC LENGTH = 106.76'
 CHORD = S 14°54'13" E, 103.48'
 DELTA = 79°40'00"
 RADIUS = 410.28'
 ARC LENGTH = 570.43'
 CHORD = S 85°54'00" E, 525.62'

ONAL CORNER NOTES:
 NER 14 CALCULATED TO BE
 ATIED S 27°31'07" W, 2.57'
 V TRUE POSITION
 NER 19 CALCULATED TO BE
 ATIED S 38°44'48" W, 1.73'
 V TRUE POSITION

RYET FOR:
 CRT OF BANDON - GMA DEARTH
 30 FIRST STREET SW
 ANCON, OREGON 97111

DELTA = 219°24"
 RADIUS = 100.00'
 ARC LENGTH = 4.08'
 CHORD = S 44°24'23" E, 4.06'
 DELTA = 74°58'02"
 RADIUS = 410.28'
 ARC LENGTH = 176.87'
 CHORD = N 80°36'36" E, 177.41'
 DELTA = 171°23'15"
 RADIUS = 410.28'
 ARC LENGTH = 123.23'
 CHORD = S 35°21'22" E, 122.77'



REGISTERED PROFESSIONAL LAND SURVEYOR
 RIM DICKSON
 OREGON
 FLEISS B. DOOG
 5000-1000

NARRATIVE:
 1.) THE BASIS OF BEARING BEING BETWEEN THE NORTHWEST CORNER OF LOT 2 - BLOCK 27 AND THE NORTHEAST CORNER OF BLOCK 22, THE BEARING BEING SOUTH 73°45'00" EAST PER THE AMENDED PLAT OF BREAKWATER ADDITION, THE MEASURED DISTANCE BEING 379.23 FEET, THE PLAT VALUE IS 380.00
 2.) THE PURPOSE OF THIS SURVEY BEING TO MARK AND IDENTIFY THE BOUNDARIES OF OWNERSHIP FOR THE CLIENT - THE PORT OF BANDON
 3.) VARIOUS DEEDS USED IN THIS SURVEY WERE SUPPLIED BY TITOR TITLE, COOS BAY OFFICE.
 4.) THE INSTRUMENTS USED IN THIS SURVEY WERE A NIKON DTM-520, MAPPING BY ACAD CSO
 5.) THE RIGHT OF WAY OF BANDON JETTY COUNTY ROAD WAS ESTABLISHED BY CALCULATING THE CENTERLINE LOCATIONS USING CONTROL SHOWN ON CS# 47 B 9. THIS SURVEY HOLDS THE LOCATION OF THE NORTHEAST CORNER OF BLOCK 28 AND THE SOUTHEAST CORNER OF BLOCK 26 PER THE PLAT OF AMENDED BREAKWATER ADDITION TO BANDON.

OWNERSHIP LEGEND:
 NAME
 LANDS OWNED BY THE PORT OF BANDON

NAME
 LANDS OWNED BY THE PORT OF BANDON

COOS County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

NOT OFFICIAL VALUE

January 15, 2021 8:12:42 am

Account # 2426400 Map # 28S1525AC01500 Code - Tax # 65400-2426400 Legal Descr See Record Mailing Name RIVERA, JOHN Agent In Care Of Mailing Address 13005 NW ROCK CREEK RD PORTLAND, OR 97231-3001 Prop Class 006 MA SA NH Unit RMV Class 000 06 23 BLD 27270-1	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL Deed Reference # See Record Sales Date/Price See Record Appraiser
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Situs Address(s)		Situs City						
		Value Summary						
Code Area		RMV	MAV	AV	SAV	MSAV	RMV Exception	CPR %
65400	Land	100					Land	0
	Impr.	0					Impr.	0
Code Area Total		100	2,718	100	0	0		0
Grand Total		100	2,718	100	0	0		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
65400	10	<input checked="" type="checkbox"/>		CD-2	TIDE LAND	100	A	0.09	TIDE	001	100
Grand Total								0.09			100

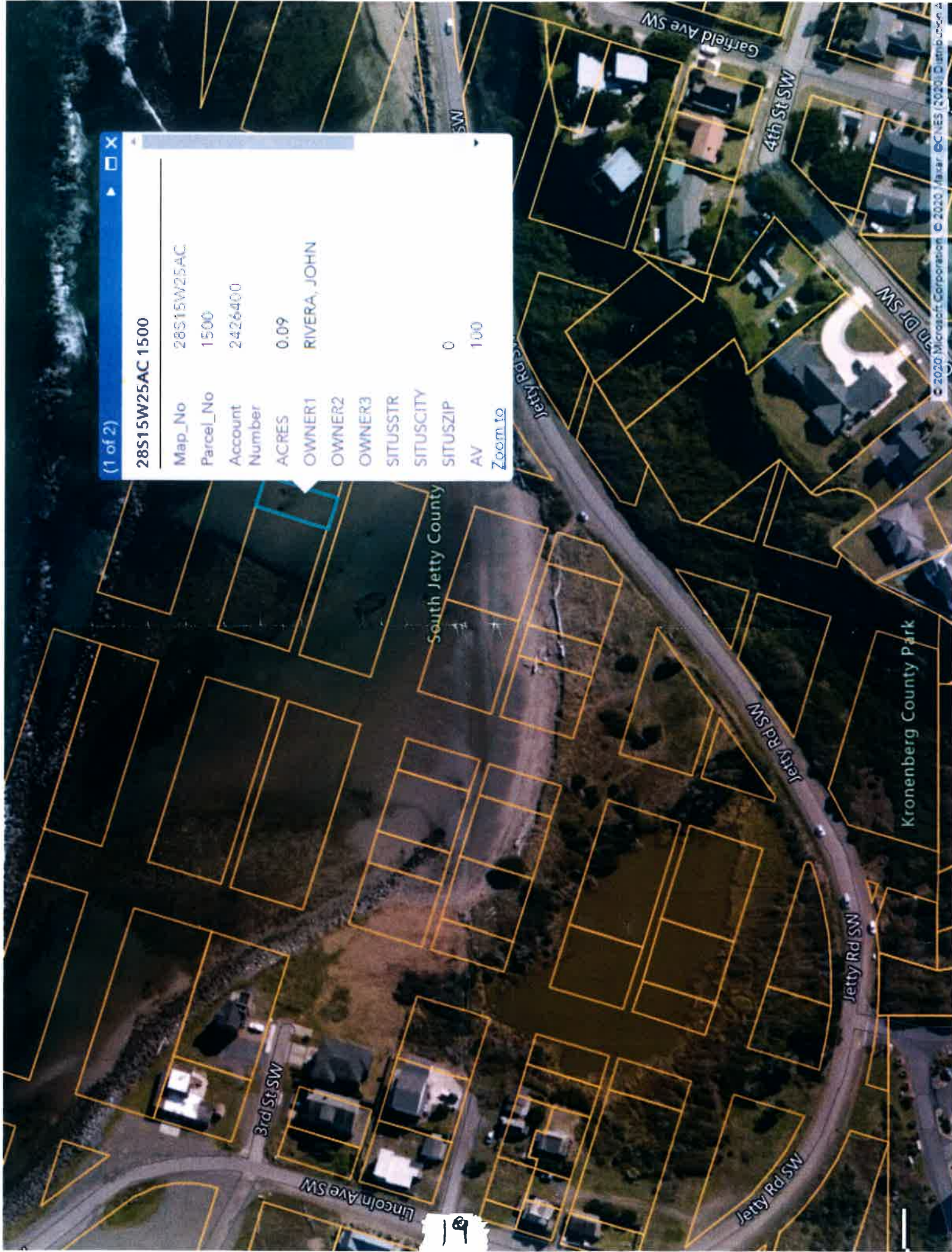
Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Ex% MS Acct #	Trended RMV
					TD%	Total Sq. Ft.	Total		
					Grand Total		0		0

(1 of 2)

28S15W25AC 1500

Map_No	28S15W25AC
Parcel_No	1500
Account Number	2426400
ACRES	0.09
OWNER1	RIVERA, JOHN
OWNER2	
OWNER3	
SITUSSTR	
SITUSCITY	
SITUSZIP	0
AV	100

Zoom to



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