

RESOLUTION NO. 2026-30

A Resolution adopting findings and exempting from public bidding requirements and authorizing the City Manager to enter into a Construction Contract for the WRF Headworks Influent Fine Screen Rebuild, Project 2026-4, with the Parkson Corporation.

RECITALS:

WHEREAS, the influent fine screens at the Water Reclamation Facilities (WRF) Headworks are at the end of their useful life and repair of the influent fine screens is a high priority identified in the current Master Plan update; and

WHEREAS, the cost of the proposed repair amounts to a Public Improvement Contract subject to competitive bidding requirements under ORS 279C.300; and

WHEREAS, a local contract review board may exempt a public improvement contract from competitive bidding requirements after approving findings required by ORS 279C.335; and

WHEREAS, a Notice of Proposed Exemption from Competitive Bidding was published in the Daily Journal of Commerce on April 29, 2026 and no comments or requests for public hearing were made after the minimum 14 days required by ORS 279C.335(5); and

WHEREAS, Parkson Corporation is the Original Equipment Manufacturer (OEM), sole source for the replacement parts and will provide authorized field technicians to perform the work on-site; and

WHEREAS, the estimated fee for this scope of work is \$267,634; and

WHEREAS, the project funding is included in the FY27 Wastewater Capital Fund budget (account number 77-8710).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF McMinnville, Oregon, as follows:

1. That the following findings are made and approved, as further detailed in Exhibit A, attached hereto:
 - i. The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts;


- ii. Awarding a public improvement contract under the exemption will likely result in substantial cost savings and public benefits to the City of McMinnville;
- 2. That the project is exempt from the competitive bidding requirements of ORS 279C.300 and the City Manager is authorized to enter into a Construction Contract with the Parkson Corporation, in a form acceptable to the City Attorney, in the amount of \$267,634 for the rebuild of the existing influent fine screens at the WRF Headworks, Project 2026-4.
- 3. This resolution shall take effect immediately upon passage and shall continue in full force and effect until modified, revoked, or replaced.

Adopted by the Council of the City of McMinnville at a regular meeting held the 26th day of May, 2026 by the following votes:

Ayes: Benner, Geary, Cunningham, Tucholsky, Chenoweth, Peralta

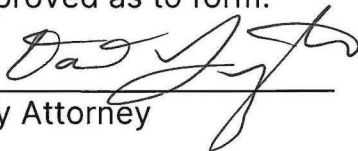
Nays: _____

Approved this 26th day of May, 2026.



MAYOR

Approved as to form:



City Attorney

Attest:



City Recorder

EXHIBITS:

- A. ORS 279C.335 Findings

Exhibit A
To Resolution 2026-30

ORS 279C.335 Findings

Under ORS 279C.335(2), a local contract review board may exempt a public improvement contract from competitive bidding requirements after the local contract review board approves findings supportive of the exemption. Findings in support of the proposed exemption are presented below:

1. The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts.

Supporting Factors:

- a. The work involves specialized rehabilitation of proprietary equipment, and;
 - b. The specification of OEM parts is based on compatibility and performance requirements, not vendor preference.
2. Awarding a public improvement contract under the exemption will likely result in substantial cost savings and public benefits to the City of McMinnville.

Supporting Factors:

- a. The following factors from ORS 279C.335(2)(b)(A)-(N) must be considered to the extent applicable:

(A) How many persons are available to bid;

The equipment is proprietary to Parkson Corporation, and specialized knowledge of the Aqua Guard screening system, including its mechanical components and OEM replacement parts, is necessary to properly complete the work. While general contractors may be capable of incidental installation work, the number of firms with demonstrated experience rebuilding this specific equipment is limited. The City understands that the manufacturer does not rely on third-party subcontractors and is the only entity capable of providing a fully warranted rebuild using OEM components.

(B) The construction budget and the projected operating costs for the completed public improvement;

The project budget is anticipated to be substantially lower than full replacement of the screening systems and is intended to extend the useful life of the existing equipment while minimizing capital expenditures. Rebuilding the existing screens is expected to reduce long-term operating costs by restoring reliability, reducing unplanned maintenance, and improving screening performance. Maintaining compatibility with existing equipment and controls will also minimize future training, spare parts inventory, and operational costs.

(C) Public benefits that may result from granting the exemption;

Granting the exemption is expected to provide several public benefits, including:

- *Reduced project delivery time;*
- *Improved reliability of critical wastewater treatment infrastructure;*
- *Reduced risk of equipment failure and unplanned bypass events;*
- *Minimization of operational disruptions at the wastewater treatment facility;*
- *Improved coordination with the original equipment manufacturer; and*
- *Cost savings associated with avoiding full equipment replacement or extensive redesign.*

The exemption will also allow the City to directly procure specialized services from the entity most familiar with the equipment, thereby increasing the likelihood of successful project completion.

(D) Whether value engineering techniques may decrease the cost of the public improvement;

Traditional value engineering opportunities are limited because the project involves rehabilitation of proprietary existing equipment rather than new facility construction. The proposed rebuild approach itself constitutes a value-engineering strategy because it extends the service life of the existing screening systems at a substantially lower cost than replacement of the entire units and associated facility modifications.

(E) The cost and availability of specialized expertise that is necessary for the public improvement;

Specialized expertise is required to evaluate, disassemble, rebuild, reassemble, align, and recommission the Aqua Guard Screens. Such expertise is limited primarily to the manufacturer and qualified authorized representatives familiar with the proprietary design and OEM tolerances. Procuring these services through a competitive low-bid process may not result in qualified or experienced firms capable of properly completing the work and could increase the likelihood of operational failures or warranty disputes.

(F) Any likely increases in public safety;

The rebuild of the screening systems is anticipated to improve public and worker safety by restoring proper mechanical operation and reducing the potential for equipment malfunctions, emergency maintenance activities, or screening failures that could adversely impact wastewater treatment operations. Reliable screening equipment also reduces the likelihood of downstream equipment damage and associated hazardous maintenance conditions.

(G) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;

Granting the exemption is expected to reduce project risks by:

- *Utilizing OEM expertise and components;*
- *Minimizing compatibility and integration issues;*
- *Reducing the risk of improper installation or reconstruction;*
- *Preserving manufacturer support and warranty coverage; and*
- *Reducing the likelihood of extended facility downtime or treatment disruptions.*

Because the project involves rehabilitation of existing proprietary equipment within an operating wastewater treatment facility, reducing technical and operational risks is a significant consideration.

(H) Whether granting the exemption will affect the sources of funding for the public improvement;

Granting the exemption is not anticipated to adversely affect the project funding source. The project is being funded through existing wastewater utility funds. Use of the exemption may improve cost certainty and help the City manage available funding more effectively.

(I) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;

Granting the exemption may reduce schedule uncertainty and procurement delays associated with a traditional competitive bidding process. Due to the specialized nature of the work and limited number of qualified providers, the exemption may allow the City to secure scheduling commitments, coordinate procurement of OEM parts, and complete the work more efficiently during favorable operational windows. This may help minimize exposure to future labor, material, and equipment cost escalation.

(J) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;

The exemption will better enable the City to address the technical complexity of rebuilding proprietary screening equipment integrated into an active wastewater treatment process. The project requires specialized knowledge of the Aqua Guard systems, sequencing constraints, operational bypass considerations, and coordination with existing plant operations. Direct procurement from the manufacturer will improve the City's ability to manage these technical complexities.

(K) Whether the public improvement involves new construction or renovates or remodels an existing structure;

The project primarily involves rehabilitation and rebuilding of existing wastewater treatment equipment and does not constitute new construction. The work is limited to restoration and refurbishment of existing screening systems within an existing facility.

(L) Whether the public improvement will be occupied or unoccupied during construction;

The wastewater treatment facility will remain occupied and operational during construction. The work must therefore be carefully coordinated to maintain continuous treatment operations and minimize disruption to plant processes.

(M) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions; and

The project will likely be completed in a single phase, but with staggered equipment shutdowns, and coordination with WRF operational requirements.

(N) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.

N/A