



**Yamhill Fire Protection District**  
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*Serving the people of the Yamhill Fire Protection District since 1896*

**RESOLUTION NO. 18-19-02**

**YAMHILL FIRE PROTECTION DISTRICT**

**JOINT RESOLUTION OF THE BOARD OF DIRECTORS AND LOCAL CONTRACT REVIEW BOARD EXEMPTING THE PURCHASE OF A DEMONSTRATION TENDER FROM PUBLIC CONTRACTING REQUIREMENTS AND APPROVING A SPECIAL PROCUREMENT**

WHEREAS, the Yamhill Fire Protection District Board (“the Board”) serves as the Local Contract Review Board of the Yamhill Fire Protection District (“the District”), and desires to purchase, in accordance with ORS 279B.085, one demonstration tender; and

WHEREAS, ORS 279B.085(1)(b) allows the District to follow contracting procedures that differ from those described in the public contracting statutes for the purpose of entering into certain contracts on a one-time basis; and

WHEREAS, the District properly published notice of the potential purchase of the demonstration tender per ORS 279B.085; and

WHEREAS, the sooner the District can place the needed tender in service, the better it will be able to respond to fire and life safety emergencies within District boundaries and at the recently opened Yamhill School District facilities; and

WHEREAS, the Board, acting jointly as the Local Contract Review Board and the District’s Board of Directors, has reviewed the needs of the District regarding the tender and has been advised that, of the various companies that manufacture the tender desired, only one has demonstration models within the District’s price range, currently available for delivery more than 6-8 months before other options. Fouts Bros Inc’s quote of \$207,115.00 for the tender provides the greatest cost savings to the District, while addressing all specifications needed by the District to ensure needed public safety and service; and

WHEREAS, the District did survey the field of manufacturers for alternative comparable apparatus, in order to ensure that purchase of the desired demonstration model is unlikely to encourage favoritism or substantially diminish competition; and

WHEREAS, purchase of this demonstration model avoids the need to conduct additional costly procurement procedures and will result in a significant cost savings for the District of approximately \$88,000 for the tender.

THEREFORE, BE IT RESOLVED that the Local Contract Review Board hereby exempts from competitive bidding requirements the purchase of a demonstration tender as further described on Exhibit A from Fouts Bros Inc, in an amount not to exceed \$207,115.00.

BE IT FURTHER RESOLVED that the District Directors and Local Contract Review Board find that this special procurement process and purchase is unlikely to encourage favoritism, is reasonably expected to result in cost savings to the District, and will not substantially diminish competition for public contracts because all known manufacturers of the tender meeting the District's requirements were researched and consulted with about District's intent to procure the tender.

BE IT FURTHER RESOLVED that the Board approves the District's request to award the tender purchase to Fouts Bros Inc, pursuant to the Fire Chief's recommendation, as the manufacturer who's tender and price are the most advantageous to the District and best serve the public good.

BE IT FURTHER RESOLVED by the Board of Directors that the President and Fire Chief are authorized to execute and deliver all contracts and paperwork necessary for the financing of this transaction, as well as related documents, subject to review of legal counsel, as is determined required to carry out this procurement.

BE IT FURTHER RESOLVED that the recitals within this resolution, as well as material presented at the public meeting at which this Resolution was considered, are specifically adopted as findings of fact supporting this special procurement.

DATED this 11<sup>th</sup> day of February 2019.

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President,  
Board of Directors  
Yamhill Fire Protection District  
ATTEST:

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President,  
Local Contract Review Board  
Yamhill Fire Protection District  
ATTEST:

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Secretary,  
Board of Directors  
Yamhill Fire Protection District

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Secretary,  
Local Contract Review Board