

Olney/Revere Intersections

Progressive Design-Build Findings

November 19, 2025

Oregon Revised Statute (ORS) 279C.300 requires competitive bidding for construction of public improvement projects unless specifically excepted or exempted as provided under ORS 279C.335. The exemption must be supported by findings showing that an alternative contracting process is unlikely to encourage favoritism or diminish competition, and that it will result in substantial cost savings and other substantial benefits to contracting agency or the public.

The **Progressive Design-Build** process allows the contracting agency to select one firm to provide both design and construction services under one contract (the “Design-Builder”). **Progressive Design-build** procurement is appropriate when the contracting agency identifies a need for the following benefits:

- Engineering design, plan preparation, value engineering, construction engineering, construction, quality control and required documentation as a fully integrated function with a single point of responsibility;
- Integrating value engineering suggestions into the design phase, with the potential of reducing Contract changes;
- Reducing the risk of design flaws, misunderstandings and conflicts inherent in construction Contractors building from designs in which they have had no opportunity for input, with the potential of reducing Contract claims;
- Shortening project time as construction activity (early submittals, mobilization, subcontracting and advance Work), as work commences prior to completion of a "Biddable" design, or where a design solution is still required (as in complex or phased projects); or
- Obtaining innovative design solutions through the collaboration of the Contractor and design team, which would not otherwise be possible if the Contractor had not yet been selected.

Progressive design-build is appropriate for particularly complex projects where the project elements need to be designed and constructed in successive phases, either because subsequent phases depend on the design and constructability of prior phases, or due to uncertain funding for future phases.

For the reasons set forth more fully below, it is recommended that a **Progressive Design-Build (PDB)** team be selected by utilizing the competitive proposal process in accordance with ORS 279C.400 to award a contract for design and construction of the Olney/Revere intersection project (1GOPI & 1GRI) (the “Project”).



The Project

The Olney/Revere Intersections Project focuses on intersection form improvements along two corridors:

- NE 4th Street Corridor
 - NE 4th Street and NE Revere Avenue
 - NE 4th Street and NE Olney Avenue
- NE 8th Street Corridor
 - NE 8th Street and NE Revere Avenue
 - NE 8th Street and NE Olney Avenue

The 2020 Bend Transportation System Plan (TSP) identified the need to improve intersection safety and traffic flow capacity at these four locations. The Project was also identified in the voter-approved \$190M 2020 General Obligation Bond project list.

The amount budgeted for design and construction of this Project is: **\$14,000,000**

This Project will benefit from the PDB project delivery by providing value engineering through partnership between the designer and builder during design development as well as construction. Cost benefits during design provided with early integration of the builder on the project team to provide direct knowledge of the construction approach, availability of materials, lead times, cost effective phasing, and community impacts; all allowing the team to develop the most cost-efficient approach to building the Project. PDB will provide flexibility with sequencing construction packages for various phases of the Project with consideration of community/project benefits and to maximize available budget.

In accordance with ORS 279C.330, ORS 279C.335, OAR 137-0490-0630, OAR 137-049-0670 and Resolution No. 2967 of the Bend City Council in its capacity as the Local Contract Review Board, the following findings justify an exemption from the competitive bidding requirement, and selection of a progressive design-build procurement method for the Project.

Using a **PDB** contracting method to select a team who have experience with these types of projects provides many benefits. The use of this process will not diminish competition or result in favoritism and is expected to result in overall cost savings to the City. Completion of the Project in a timely manner reduces impacts to businesses, residents, agencies, traveling public and ensures quality, safety, and reliability both during and after construction.

Findings

<input checked="" type="checkbox"/>	The exemption is unlikely to encourage favoritism in awarding	A publicly advertised request for proposals process will be utilized, with public notice in the Daily Journal of
-------------------------------------	---	--



	<p>public improvement contracts or substantially diminish competition for public improvement contracts.</p>	<p>Commerce and disclosure of the planned Alternative Contracting Method. Upcoming General Obligation projects and delivery methods are shared in advance via the City's GO Bond website, improving awareness of upcoming opportunities and therefore encouraging competition. Additionally, a public information meeting will be advertised and held in advance of the solicitation, allowing interested parties to learn more about the project and ask questions. The contract award will be made based upon identified selection criteria, scored by a committee of 5 City staff, and an opportunity for unsuccessful proposers to protest that award.</p>
<input checked="" type="checkbox"/>	<p>Substantial cost savings and other benefits, further described as follows.</p>	<p>In this contracting method, a guaranteed maximum price (GMP) is established, which is the price for which the design-build team will complete the design and construction of the project or project phase, minimizing risk to the City of cost over-runs. The GMP is verified by a third-party estimator to ensure fair and reasonable pricing.</p> <p>Other significant savings are anticipated with consideration of efficiency and benefits received from early involvement of the builder, with close collaboration to the designer and partner agencies. All crossings are on major transportation corridors and nearby other agency rights-of-way. Having all team members involved early will allow an expeditious process with the opportunity to order long lead time materials and efficient phasing of improvements, all resulting in significant time and cost savings to the City.</p>
<input checked="" type="checkbox"/>	<p>How many persons are available to bid</p>	<p>The City assumes a similar number of competitive proposals from multiple qualified proposers as when procuring utilizing traditional delivery methods, and</p>



		expects the same result from the competitive procurement process for the Project solicitation.
☒	The construction budget and projected operating costs for the completed public improvement	<p>The construction budget and operating costs will not be adjusted due to the alternate bidding method; cost savings are anticipated through shortened schedule and reduced City staff time on the project, reduction in change orders due to contractor involvement in the design, and accelerated project delivery lessening impacts of inflation and increased commodity costs.</p> <p>Most the facilities to be built will align with current operating and maintenance best practices. A project goal includes establishing design options to minimize long term operations expenditures and provide the lowest life cycle cost.</p>
☒	Public benefits that may result from granting the exemption	<p>Schedule flexibility and potential time saved. The City will select a team based on qualifications as they relate to the particular challenges of this Project, including:</p> <ul style="list-style-type: none"> • Oregon Department of Transportation (ODOT) coordination, due to the proximity of the Project to the ODOT facility of NE 3rd St/US-20 • Specialized expertise in designing and building transportation and signal improvements • Safety record working near vehicular traffic • History of reaching milestone achievements in advance of contract requirements
☒	Whether value engineering techniques may decrease the cost of the public improvement;	This alternative contracting approach fosters a collaborative relationship between owner and design-builder through all project phases. Having a single entity design builder helps to avoid constructability issues and allows the construction team to provide input during the design phase to find the most cost-effective and best value solution prior to reaching a



		guaranteed maximum price for construction amendment.
<input checked="" type="checkbox"/>	The cost and availability of specialized expertise that is necessary for the public improvement	<p>The use of this contracting method is not expected to change the cost or availability of specialized expertise necessary to construct or design the project.</p> <p>Construction availability and cost are also not anticipated to be impacted because a competitive process will be used for subcontracted work, unless otherwise justified by the General Conditions. This results in costs and availability comparable to those found in the traditional design-bid-build contracting method.</p>
<input checked="" type="checkbox"/>	Any likely increases in public safety	This procurement method allows historical safety performance on similar projects to be considered as a selection criterion and promotes better collaboration with the contractor during design resulting in increased public and City staff safety through increased vetting of construction means and methods.
<input checked="" type="checkbox"/>	Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement	The City first reduces risk by selecting the proposing team with the highest score for qualifications, experience, project scope, and price, and secondly by establishing the progressive design-build team at the initiation of the design phase. This requires a partnership between the progressive design-builder team to develop the optimal solution and own any design defects or unknowns discovered during construction.
<input checked="" type="checkbox"/>	Whether granting the exemption will affect the sources of funding for the public improvement	Use of local General Obligation Bond funds is not impacted by use of the proposed contracting method.
<input checked="" type="checkbox"/>	Whether granting the exemption will better enable the contracting agency to control the impact that	Utilizing this contracting method will likely allow the City to minimize risk associated with market conditions, including by accelerating purchase of needed materials,



	market conditions may have on the cost of and time necessary to complete the public improvement	and by reducing project schedule to minimize risks of inflation and commodity price increases. Additionally, the City maintains control of the construction schedule prior to establishment of the guaranteed maximum price for construction, and may delay or abandon the project if desired.
<input checked="" type="checkbox"/>	Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement	This contracting method allows the City to consider the proposer's experience and expertise in this type of work, sensitivity to safety, legal, and operational issues, as well as the qualifications of its project manager, and support team, appropriate to the size and complexity of this Project. Selecting a well qualified team and maintaining City involvement will allow the team to develop project phasing with a high level of consideration to the several complexities involved.
<input checked="" type="checkbox"/>	Whether the public improvement involves new construction or renovates or remodels an existing structure	This Project consists primarily of enhancements to existing infrastructure. The means and methods of construction will not differ between contracting methods; however, the phasing to limit impacts to the community and end users may differ. The PDB method allows for greater contractor input into phasing to minimize impacts to the public while providing an efficient project delivery.
<input checked="" type="checkbox"/>	Whether public improvement will be occupied or unoccupied during construction	The roadway improvements will be constructed while maintaining access to users and businesses. Roadways will occasionally be closed to vehicular traffic and intentions are to always maintain access for pedestrians at a minimum.
<input checked="" type="checkbox"/>	Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions	The Project currently consists of multiple phases. The request for proposals is anticipated to include a request for the design-build team to propose a sequencing plan to substantially complete two intersection improvements by July 2027. Future phasing of



		<p>improvements will be further defined through the team selection and scoping process.</p> <p>The utilization of this contracting method will benefit this Project by allowing critical path improvements to be identified and phased accordingly to minimize the overall project schedule and cost, while considering other active project detours.</p>
☒	<p>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</p>	<p>The City has considerable experience with alternate contracting methods, including design-build, progressive design-build, and construction manager/general contractor, with in-house engineering project management, procurement, and legal counsel staff. The City will also be obtain an owner's representative to assist the project management team. The owner's representative will bring additional expertise with this procurement method and assist with construction pricing negotiations.</p>
☒	<p>Additional Findings that address industry practices, surveys, trends, past experiences, evaluations of completed projects required by ORS 279C.355 and related information regarding the expected benefits and drawbacks of particular alternative contracting methods.</p>	<p>Additional benefits include a more cohesive project team, identifying the shortest delivery schedule, and increased leverage for the City to negotiate the guaranteed maximum price for construction. Drawbacks may include limited opportunities to make changes once a GMP is established, and this procurement method may result in a shortened timeframe for public outreach on the proposed design.</p>





Language Assistance Services & Accommodation Information for People with Disabilities

You can obtain this information in alternate formats such as Braille, electronic format, etc. Free language assistance services are also available. Please contact Garrett Sabourin at gsabourin@bendoregon.gov or 541-323-8591. Relay Users Dial 7-1-1.



Servicios de asistencia lingüística e información sobre alojamiento para personas con discapacidad

Puede obtener esta información en formatos alternativos como Braille, formato electrónico, etc. También disponemos de servicios gratuitos de asistencia lingüística. Póngase en contacto con Garrett Sabourin en gsabourin@bendoregon.gov o 541-323-8591. Los usuarios del servicio de retransmisión deben marcar el 7-1-1.

