



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

June 5, 2025

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of an Amendment to an Intergovernmental Agreement with the Oregon Department of Consumer and Business Services for updates to the on-call permitting and inspection services arrangement. Amendment Value is \$430,000. Total Agreement Value is \$480,000 for 5 years. Funding is through permitting revenues. No County General Funds are involved.

Previous Board Action/Review	• 01/25/2024: BCC Approved Cooperative Agreement #PO-44000-00023443		
Performance Clackamas	1. Ensure Safe, Healthy and Secure Communities 2. Build a Strong Infrastructure		
Counsel Review	Yes – CH 4/26/25	Procurement Review	N/A
Contact Person	Matt Rozzell	Contact Phone	503-742-4744

EXECUTIVE SUMMARY: Through authority delegated by the State of Oregon, the Department of Transportation and Development's (DTD) Building Codes Program provides fire/life safety, structural, mechanical, electrical and plumbing permitting, plan review and inspection services. During times of high work volumes, or when staff are out due to vacation or illness, the Building Codes Program occasionally needs additional staffing assistance to perform required permitting, plan review and inspection work.

On January 25, 2024, the Board approved entering into a five-year Agreement with the State of Oregon, acting by and through the Department of Consumer and Business Service, Building Codes Division (DCBS), to allow DTD's Building Codes Program to request assistance from DCBS when work volumes or staffing levels necessitate the need.

The flexibility to use DCBS's services in this on-call basis has allowed the Building Codes Program to meet their business goal of providing high quality services in a timely manner, and ensure that properly certified staff are available to perform plans reviews and inspection.

Amendment #1

Amendment #1 is requested to update three aspects of the current Agreement:

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- **Updating the agreement type from a Cooperative Agreement (CA) to an Intergovernmental Agreement (IGA).** DCBS is requesting to update the agreement type to an IGA. This change will ensure that the agreement is in alignment with current state rules and statutes.
- **Updating DCBS's contract Administrator.** The previous contract Administrator retired so the Agreement is being updated to note current staff.
- **Increase the total Agreement not to exceed amount from \$50,000 to \$480,000.** DTD Building Codes has expended the initial not to exceed amount of \$50,000 identified in the original agreement due to a number of recent large-scale projects underway in Clackamas County. Increasing the total agreement value will provide flexibility to continue to use on-call DCBS plan review and inspections services through the Agreement expiration date of January 26, 2029. Funding for use of these on-call services is through Building Codes permitting revenue.

RECOMMENDATION: Staff respectfully recommends approval of IGA #PO-44000-00023443, Amendment #1 with the State of Oregon Department of Consumer and Business Services to update the agreement type, update the DCBS contract administrator, and increase the not to exceed compensation to \$480,000.

Respectfully submitted,

Dan Johnson

Dan Johnson, Director
Department of Transportation & Development

**AMENDMENT #1 to
INTERGOVERNMENTAL AGREEMENT #PO-44000-00023443**

This is Amendment No. 1 (Amendment) to PO-44000-00023443, dated January 26, 2024, as amended from time to time (Agreement) between the State of Oregon acting by and through its Department of Consumer and Business Services, Building Codes Division (DCBS), and Clackamas County (Municipality) in accordance with ORS 190.110 and 455.185. This Amendment is effective upon signature of the parties (Amendment Effective Date).

RECITALS

1. Amendment 1 updates the contract title from a cooperative agreement to an Intergovernmental agreement, updates DCBS’ Contract Administrator, and increases the not-to-exceed amount.
1. The Agreement is hereby amended as follows (new language is indicated by **bold underlining** font, and deleted language is indicated by ~~striketrough~~ font).
- a) The Contract Administrator information is updated as follows:

DCBS	Municipality Clackamas County
Contract Administrator: Blaine Curry Warren Jackson	Contract Administrator: Cheryl Bell
Title: Field Services Section Manager & Building Official	Title: Assistant Director, Development
State of Oregon, Department of Consumer and Business Services, DCBS Building Codes Division	Clackamas County
1535 Edgewater St. NW P.O. Box 14470 Salem, OR 97309-0404	150 Beaver Creek Rd, Oregon City, OR 97045
Phone: (503) 373-7755 Fax: (503) 378-2322	Phone: 503-260-7124 FEIN: 93-6002286
Email: blaine.curry@dcbs.oregon.gov warren.d.jackson@dcbs.oregon.gov	Email: cbell@clackamas.us

- b) Section III. Statement of Work, Section A. Municipality shall, is amended as follows:

III. STATEMENT OF WORK

A. Municipality shall:

1. Contact the Building Official of DCBS, when services are needed.
2. Email inspection requests to the Building Official of DCBS, after confirmation from DCBS inspection assistance is available.
3. Email all requests for plan review to the Building Official of DCBS. After confirmation from DCBS that plan review assistance is available, the Municipality and the Building Official will coordinate receipt of plan review documents.
4. If paper documents are used, send all construction plans for which plan review is requested to:

ATTN: ~~Blaine Curry~~ Warren Jackson
BCD Salem Office,
1535 Edgewater St. NW
Salem OR 97309

5. Remit payment to DCBS within 60 days of receiving the invoice in accordance with Section IV(C).

c) Section IV. Consideration, is amended as follows:

IV. CONSIDERATION

A. Municipality agrees to pay DCBS at the rate of:

- (1) Ninety percent (90%) of the plan review fee collected by Municipality for plan reviews completed under this agreement.
- (2) Eighty-five dollars (\$85.00) per hour for inspections performed on behalf of Municipality.

B. Both parties certify that, at the time this Agreement, as amended, is written, sufficient funds are available and authorized for expenditure to finance costs of this Agreement.

C. Municipality shall remit payment to DCBS on a monthly basis for all services performed. DCBS will invoice Municipality on a monthly basis for all services performed on behalf of Municipality. Municipality will submit payment for all services completed by DCBS within 60 days of receipt of the invoice. All payments shall be made via check. Payment to be sent to the following address:

Building Codes Division BCD FACS
PO Box 14470
Salem OR 97309-0404

- D. With every payment, for the work done under this Agreement during the month for which payment is being remitted, Municipality shall provide DCBS with:
- (1) Documentation of each plan review performed by DCBS and the associated fees collected by Municipality;
- E. Municipality agrees that it shall provide or make available, if and as requested by DCBS, any and all records and information related to this agreement of which Municipality is custodian, within 30 days of such request by DCBS. Municipality further agrees that it shall retain and not destroy any and all documents and records related to this Agreement for a minimum of one year after such document or record is created.
- F. The maximum not to exceed compensation to payable to DCBS under this Agreement is ~~\$480,000.00~~ \$50,000.00.
2. Except as expressly amended above, all other terms and conditions of the Agreement are still in full force and effect. Municipality certifies that the representations, warranties and certifications contained in the Agreement are true and correct as of the Amendment Effective Date and with the same effect as though made at the time of this Amendment.

Signatures on next page.

(Remainder of page left intentionally blank)

3. Signatures

Clackamas County

By: _____

Printed Name: Craig Roberts

Title: Chair, Board of County Commissioners

Date: _____

**STATE OF OREGON acting by and through its
Department of Consumer & Business Services,
Building Codes Division**

Reviewed By: _____

Printed Name: Dawn Bass

Title: Deputy Administrator

Date: _____

Executed By: _____

Printed Name: Miriha Aglietti

Title: Designated Procurement Officer

Date: _____

Approved Pursuant to ORS 279A.140

DEPARTMENT OF ADMINISTRATIVE SERVICES:

By: Not Required per OAR 125-246-0365(4)

Date: _____

Approved Pursuant to ORS 190.430

DEPARTMENT OF JUSTICE:

By: Karen J. Johnson, Sr Assistant Attorney
General

Date: April 1, 2025