

**OREGON INTERNATIONAL PORT OF COOS BAY
REGULAR COMMISSION MEETING
11:00 a.m., Thursday, January 16, 2025**

Port Commission Chambers, 125 West Central Avenue, Suite 230, Coos Bay, Oregon 97420
Watch Live on YouTube: www.youtube.com/portcoos

Mission: Promoting sustainable development that enhances the economy of southwest Oregon and the State.

ORS 777.065: *The Legislative Assembly recognizes that assistance and encouragement of enhanced world trade opportunities are an important function of the state, and that development of new and expanded overseas markets for commodities exported from the ports of this state has great potential for diversifying and improving the economic base of the state. Therefore, development and improvement of port facilities suitable for use in world maritime trade at the Ports of Umatilla, Morrow, Arlington, The Dalles, Hood River and Cascade Locks and the development of deepwater port facilities at Astoria, Coos Bay, Newport, Portland and St. Helens is declared to be a state economic goal of high priority.*

AMENDED AGENDA

- 1. CALL MEETING TO ORDER**
- 2. INTRODUCTION OF COMMISSION, GUESTS AND PORT STAFF**
- 3. PORT PROJECT UPDATE**
 - A. Presentation of 2023/24 Annual Financial Report..... Amanda McCleary-Moore, Moss Adams
 - B. Port Financial Update..... Megan Richardson
- 4. PUBLIC COMMENT**
- 5. CONSENT ITEMS** **Page**
 - A. Approval of December 19, 2024 Regular Commission Meeting Minutes 4
 - B. Approval of December Invoices..... 32
 - C. Approval of December Contracts Awarded 33
- 6. MANAGEMENT REPORTS** **Page**
 - A. Administration..... 35
 - B. Finance 37
 - C. External Affairs 55
 - D. Port Operations / Asset Management 57
 - E. Charleston Operations 58
 - F. Railroad Operations..... 60
- 7. ACTION ITEMS** **Page**
 - A. 2023/24 Annual Financial Report Megan Richardson, 64
 - B. Appointment of FY 2025/26 Budget Officer Lanelle Comstock, 65
 - C. 2025Res01: Declaration of Emergency: Bridge at 763.55 Rick Adamek
- 8. OTHER**
- 9. INFORMATION ITEMS** **Page**
 - A. Coos Bay Rail Revenue Car Loads – December 2024 67
 - B. Tentative Budget Planning Calendar for FY 2025/26 – Port of Coos Bay..... 68
 - C. Tentative Budget Planning Calendar for FY 2025/26 – Coos Bay Rail Line..... 69
- 10. COMMISSION COMMENTS**
- 11. NEXT MEETING DATE** – Thursday, February 20, 2025, 11:00 a.m.
- 12. RECESS TO EXECUTIVE SESSION**
- 13. ADJOURN**

**OREGON INTERNATIONAL PORT OF COOS BAY
BOARD OF COMMISSIONERS
ACTION/DECISION REQUEST**

DATE: January 15, 2025

PROJECT TITLE: 2025Res01: Ratification of Declaration of Emergency – Steel Bridge Repair at MP 763.55

ACTION REQUESTED: Adopt Resolution 2025Res01 ratifying the Declaration of Emergency for emergency hanger reinforcements in span 1 of the North Bend swing span bridge located at MP 763.55

BACKGROUND:

On January 14, 2025, three hangers in span 1 of the North Bend swing span bridge at MP 763.55 were found close to failure during a routine inspection of the bridge by CBRL’s Bridge Inspector. The Bridge Inspector provided photos and information to CBRL’s engineer of record, Stantec, who pulled the bridge out of service until the hangers could be repaired. Port staff was immediately notified of the immediate need to reinforce the hangers on the bridge, and until permanent repairs can be made, rail service south of the bridge will be interrupted.

Without timely repairs, CBRL’s largest customer will be without service. Due to the bridge being out of service due to other matters, the customer south of the bridge has approximately 37 cars waiting for delivery. Three locomotives are also south of bridge unable to be used.

Scott Partney, who has extensive construction knowledge of steel bridge repairs, has replaced the hangers in the past on other spans, and has the ability and the work force to repair the hangers in the time frame necessary to limit the rail down time, was immediately contacted regarding the repairs. Partney provided a quote of no more than \$75,000 to reinforce the hangers and estimated the repairs to be completed by early next week.

On January 15, 2025, Chief Executive Officer Lanelle Comstock signed a declaration of emergency to authorize the Port to enter into a sole source contract with Scott Partney Construction to quickly reinforce the hangers to resolve this emergency condition and bring the bridge back into service. The \$75,000 will be paid for by the Port’s line of credit.

RECOMMENDED MOTION:

Adopt resolution 2025Res01 ratifying the Declaration of Emergency for emergency hanger reinforcements on the steel bridge located at MP 763.55.





RESOLUTION 2025Res01

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE OREGON INTERNATIONAL PORT OF COOS BAY
ACTING IN ITS CAPACITY AS ITS OWN LOCAL CONTRACT REVIEW BOARD
RATIFYING THE EMERGENCY DECLARATION
FOR EMERGENCY REPAIRS TO THE COOS BAY RAIL LINE
AT THE NORTH BEND SWING SPAN BRIDGE AT MILEPOST 763.55**

WHEREAS, the Board of Commissioners of the Oregon International Port of Coos Bay (hereinafter "Port"), pursuant to ORS 279A.060 is the Local Contract Review Board (hereinafter "LCRB") for the Oregon International Port of Coos Bay; and

WHEREAS, the LCRB on April 21, 2011 adopted revised Permanent Public Contracting Rules and Rules of Procedure for Public Contracting for the Oregon International Port of Coos Bay which repeals all prior public contracting rules and procedures; and

WHEREAS, the Chief Executive Officer of the Port has authority under ORS 279C.320, ORS 279B.080, and Section 4.6.5 of the Port's local public contracting rules to declare the existence of an emergency and authorize entry into an emergency procurement for public improvement contracts; and

WHEREAS, in making the findings required by ORS 279B.080, OAR 137-049-0150 and Section 4.6.5 of the Port's local public contracting rules, the Chief Executive Officer of the Port may consider the circumstances creating the Emergency and the anticipated harm from failure to enter into Emergency Repair Contracts and such other factors as may be deemed appropriate; and

WHEREAS, the Board of Commissioners of the Oregon International Port of Coos Bay, acting in its capacity as its own LCRB, has determined that emergency circumstances did exist which required the Port to promptly solicit and execute a contract for emergency repairs to the hangers in span 1 of the North Bend swing span bridge.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The recitals above are true and accurate and are incorporated herein by this reference.
2. The findings contained in the Emergency Declaration by Port Chief Executive Officer, Lanelle Comstock, identified as Exhibit "A" to this resolution, attached hereto and incorporated herein by this reference, document the nature of the emergency and describe the methods used by Port for the selection of Scott Partney Construction for emergency repairs to the hangers in span 1 of the North Bend swing span bridge located at 763.55, are hereby adopted and ratified by the LCRB for the Oregon International Port of Coos Bay.
3. Based upon the contents of Exhibit "A", the LCRB hereby ratifies the declaration of an emergency by the Chief Executive Officer of the Port and further authorizes and ratifies the decision of the Chief Executive Officer, to solicit and enter into a contract with Scott Partney Construction for emergency repairs to the hangers in span 1 of the North Bend swing span bridge located at 763.55. The Port LCRB also ratifies the decision of the CEO to exempt the contract for the repairs from the competitive bidding requirements of ORS Chapter 279C. The LCRB finds that the documents supporting this emergency declaration fully meet and satisfy the requirements of ORS 279C.320 (1), ORS 279B.080 and OAR 137-049-0150, as well as the requirements of LCRB Rule 4.6.5.

APPROVED AND ADOPTED by the Board of Commissioners of the Oregon International Port of Coos Bay this 16th day of January 2025.

Kyle Stevens, President

Elise Hamner, Secretary

**DECLARATION OF EMERGENCY CIRCUMSTANCES
REGARDING EMERGENCY REPAIRS TO THE COOS BAY RAIL LINE
AT THE NORTH BEND SWING SPAN BRIDGE AT MILEPOST 763.55
BY THE OREGON INTERNATIONAL PORT OF COOS BAY**

RECITALS

1. The Oregon International Port of Coos Bay (Port) is an Oregon State Port organized and operated pursuant to ORS 777.915 to 777.953.
2. The Port of Coos Bay owns the Coos Bay Rail Line, which is a railroad with rail lines from Eugene, Oregon to Coquille, Oregon. Coos Bay Rail Line, Inc. ("CBRL") has provided rail service on the rail line for the Port since November 1, 2018.
3. On January 14, 2025, three hangers in span 1 of the North Bend swing span bridge at MP 763.55 were found close to failure during a routine inspection of the bridge by CBRL's Bridge Inspector. The Bridge Inspector provided photos and information to CBRL's engineer of record, Stantec, who pulled the bridge out of service until the hangers could be repaired.
4. Port staff was immediately notified of the immediate need to reinforce the hangers on the bridge, and until permanent repairs can be made, rail service south of the bridge will be interrupted.
5. Without timely repairs, CBRL's largest customer will be without service. Due to the bridge being out of service due to other matters, the customer south of the bridge has approximately 37 cars waiting for delivery. Three locomotives are also south of bridge unable to be used.
6. On January 15, 2025, Port staff determined it is in the public's best interest to sole source Scott Partney Construction to affect the repairs to the hangers, pursuant to ORS 279B.075, based on the following:
 - a. Repairs must be expedited in an effort to mitigate the time-of-service interruption.
 - b. Scott Partney Construction has extensive construction knowledge of steel bridge repairs, has replaced the hangers in the past on other spans, and has the ability and workforce to repair the hangers in the time frame necessary to limit the rail down time to our customers.

Therefore, pursuant to Local Contract Rule 4.6.3:

1. I find the above recitals are true and accurate and are incorporated herein by this reference.
2. I declare an emergency existed that required the Port to immediately repair the damage to the railroad to eliminate the threat of future economic loss to the Port, CBRL, and CBRL customers.

I hereby ratify the award of contract to Scott Partney Construction to affect the repairs to resolve this emergency condition. This declaration shall be placed before the Port Commission for ratification by Resolution at its next regularly scheduled meeting.



By: Lanelle Comstock
Chief Executive Officer