

**RESOLUTION NO. 1553  
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION APPROVING A PERSONAL SERVICES AGREEMENT WITH  
DIVERGENT ENGINEERING SERVICES, LLC TO PROVIDE ENGINEERING  
SERVICES REGARDING PRINEVILLE WATER TREATMENT PLANT  
OPERATIONS**

**RECITALS:**


- A. City of Prineville (“City”) Resolution No. 1266 authorizes the City Council acting as the Contract Review Board for the City to award personal service contracts according to specific criteria that are applicable to the services provided.
- B. The City requires the assistance of a consultant to provide engineering services regarding the Prineville Water Treatment Plant Operations.
- C. Engineering services are considered personal services pursuant to City Resolution 1266.
- D. A public notice was published in the April 4, 2023 edition of the Central Oregonian setting the April 11, 2023 Prineville City Council meeting as the time and place to comment on the City’s draft findings for awarding a personal services contract to Divergent Engineering Services, LLC (“Divergent”) for the personal services.
- E. A public hearing was held April 11, 2023, at the Prineville City Council meeting to allow an opportunity for any interested person to appear and present comment. No interested person was present nor were any comments made.
- F. Pursuant to City Resolution No. 1266, the City Council makes the following findings as their basis of the selection of Divergent for a personal services contract:
1. Total costs to the City for delivery of services:
    - The total costs are estimated not to exceed \$350,000.00. Divergent will provide services on a time and materials basis with a markup of eight percent (8%). Approximately \$113,800.00 of the costs are payments to subcontractors.
  2. Expertise of Divergent in the required area of specialty:
    - Divergent is familiar with the Water Treatment Plant design and has experience with the plant operations and the water treatment technology utilized. Divergent has the required Oregon Health Authority Drinking Water System Operator Level 2 Certification and is Registered in the State of Oregon as a Professional Civil Engineer with a focus in Water Resources and Environmental.
  3. References regarding prior work done by the Divergent:

- City has been provided sufficient references regarding past work completed by Divergent.
4. Capacity and capability to perform the work, including any specialized services within the time limitations for the work:
- Divergent has the capacity and capability to perform the work within the time limitations. Divergent has relationships with capable vendors to provide the required specialty for different components of the facility.
5. Educational and professional records, including past records of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, ability in schedules, and contract administration, where applicable:
- See Factors 2 and 8.
6. Availability to perform the assignment and familiarly with the area in which the specific work is located:
- Divergent is available to perform the work.
7. Timelines of delivery of service:
- Divergent is able to deliver the services requested within the timeline required by the City.
8. Experience in working with the City:
- Divergent staff has a long history of working with the City. City staff found Divergent's work highly satisfactory, timely provided, and reasonably priced.
9. Knowledge of the City's needs and desires related to the Contact:
- Divergent and City have discussed the project in detail and Divergent is fully aware of the City's needs and desires related to the project. Divergent has the institutional knowledge regarding the City's needs and desires regarding the Water Treatment Plant.

**Now, Therefore, the City of Prineville Resolves as Follows:**

1. That the City Council, serving in its role as the Local Contract Review Board for the City, hereby approves the City entering into a personal services contract with Divergent Engineering Services, LLC, to provide engineering services related to the Prineville Water Treatment Plant and authorizes the City Manager to executed, on behalf of the City, such contract and any other related documents.

Passed by the City Council this 25<sup>th</sup> day of April, 2023.

  
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Rodney J. Beebe, Mayor

ATTEST:

  
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Lisa Morgan, City Recorder