



September 23, 2011

Melora Banker
GSL Properties, Inc.
2164 SW Park Place
Portland, OR 97205-1125

Re: *Determination Whether Project is Subject to Prevailing Wage Rate*
Project: Yards at Union Station Phase C
Requested by: GSL Properties, Inc.

Dear Ms. Banker:

On September 19, 2011, you submitted a request on behalf of GSL Properties, Inc., asking whether a proposed project is subject to the prevailing wage rate law. Sufficient information to make a determination was received by September 19, 2011, and therefore, the commissioner issues the following determination:

FINDINGS OF FACT

1. The City of Portland currently owns the land on which the Project is intended to be built. The City of Portland intends to contribute the land to the Project. The completed Project will be owned by The Yards Phase C Limited Partnership.
2. The Yards Phase C Limited Partnership is a private entity registered as a domestic limited partnership. The General Partner of The Yards Phase C Limited Partnership is listed as GSL Yards Phase C Investors LLC. GSL Yards Phase C Investors LLC sole member is listed as GSL Investors Master LLC.
3. GSL Properties, Inc. proposes to construct a single five (5) story L-shaped building containing 80 units of affordable rental housing. The first floor will be constructed of concrete and will be used for covered parking and building amenities. The top four (4) floors will be residential units and will be built using standard wood construction.

PORTLAND
800 NE Oregon St. Suite 1045
Portland, OR 97232-2180
(971) 673-0761
Fax (971) 673-0762

EUGENE
1400 Executive Parkway, Suite 200
Eugene, OR 97401-7103
(541) 686-7623
FAX (541) 686-7980

BEND
Apprenticeship and Training
Worksource Bend
1645 NE Forbes Rd, Ste 106
Bend, OR 97701-4990
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MEDFORD
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119 N Oakdale Ave.
Medford, OR 97501-2629
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4. The proposed project will use funds of a public agency in the form of River District Urban Renewal Area Tax Increment Financing from the Portland Housing Bureau, in the amount of \$4,400,000, as well as a \$565,000 grant from the City of Portland. Additional sources of funding include \$7,657,706 in Tax Exempt Bonds loaned by the Oregon Housing and Community Services Department, and \$397,222 in private contributions.
5. All occupants of the rental units will have incomes no greater than 60% of the Area Median Income and will be subject to Low Income Housing Tax Credit restrictions.
6. No public agency will occupy or use any part of the completed project.

CONCLUSIONS OF LAW

1. The construction project is intended to be privately owned. \$750,000 or more in funds of a public agency will support the project. Therefore, the definition of a "public works" under ORS 279C.800(6)(a)(B) will apply to this project.
2. The Project does not meet the definition of "Residential Construction" because it is more than four (4) stories high, and therefore does not qualify for an exemption under ORS 279C.810(d).
3. No other exemptions will apply.

DETERMINATION

Based on the foregoing, the prevailing wage rate laws, ORS 279C.800 to ORS 279C.870, and OAR Chapter 839, Division 025, will apply to the Yards at Union Station Phase C project.

This determination is based on the agency's file as of the date of this determination. The commissioner may make a different determination if any of the project information is incorrect, or if the project or project documents are modified or supplemented after the date of this determination.

REQUEST FOR A RECONSIDERATION

After the commissioner issues a determination, the requestor or any public agency served with a copy of the determination may request that the commissioner reconsider the determination. A request for reconsideration must be submitted in writing to the Prevailing Wage Rate Unit, must include the reason or reasons for the request and any documents in support of the request, and must be received within 15 calendar days of the date the determination was mailed. A request for reconsideration does not toll the time period for requesting a contested case hearing on the determination.

RIGHT TO A HEARING

The requestor and any person adversely affected or aggrieved by this determination are entitled to a hearing as provided by the Administrative Procedures Act (ORS 183.413 to 183.470) and ORS 279C.817. If you want a hearing, the Bureau of Labor and Industries, Wage and Hour Division must receive your written request for hearing within 21 days from the date this notice was mailed. Hearing requests should be addressed and delivered to:

Administrator
Wage and Hour Division
Bureau of Labor and Industries
800 NE Oregon St. Suite 1045
Portland, Oregon 97232

If a written request for hearing is not received within this 21-day period, your right to a hearing shall be considered waived.

If you request a hearing, you will be notified of the date, time, and place of the hearing. You have the right to be represented by legal counsel at a hearing. However, if you are a government agency, corporation, partnership, or unincorporated association, you must be represented either by legal counsel or an authorized representative. If you request a hearing, you will receive information on Contested Case Rights and Procedures before the hearing. After the hearing, an order confirming, modifying, or reversing this determination will be issued. This determination shall remain in effect until the final order is issued.

If you request a hearing, but fail to appear at any scheduled hearing, you will have waived your right to hearing, and the commissioner may issue a final order by default. If the commissioner issued a final order by default, the agency file on this matter shall serve as the record for purposes of proving a prima facie case. You are not

entitled to judicial review of this determination order unless you have made a timely request for a hearing.

Date: September 23, 2011

Brad Avakian, Commissioner
Bureau of Labor and Industries

Christine N. Hammond
Christine N. Hammond, Administrator
Wage and Hour Division
Bureau of Labor and Industries

Certificate of Service

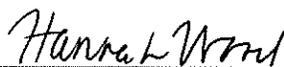
On September 23, 2011, I mailed, by certified mail, the Prevailing Wage Rate Determination for the Yards at Union Station Phase C project to the requestor and any public agencies identified by requestor as being associated with this project, as follows:

Shelly Cullin
Housing and Community Services
North Mall Office Building
725 Summer St NE, Suite B
Salem, OR 97301-1266

Marty Hughes
JP Morgan Chase
CDB Real Estate Lending
1301 Second Avenue, 24th Floor
Seattle, WA 98101

C. Siobain Beddow
City of Portland Housing Bureau
421 SW 6th Avenue, Suite 500
Portland, OR 97204

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GSL Properties, Inc.
2164 SW Park Place
Portland, OR 97205-1125



Hannah Wood, Compliance Specialist
Wage and Hour Division
Bureau of Labor and Industries