



July 15, 2013

Heather Buch
St Vincent De Paul Society
of Lane County, Inc.
PO Box 24608
Eugene, OR 97402

Re: *Determination Whether Project is Subject to Prevailing Wage Rate*
Project: Oakridge Mobile Home Park
Requested by: St. Vincent DePaul Society of Lane County, Inc.

Dear Ms. Buch:

On July 8, 2013, you submitted a request asking whether a proposed project is subject to the prevailing wage rate law. Sufficient information to make a determination was received on July 11, 2013, and therefore, the commissioner issues the following determination:

FINDINGS OF FACT

1. The St. Vincent DePaul Society of Lane County, Inc. (SVDP), a domestic non-profit corporation, plans to purchase and rehabilitate a property known as the Oakridge Mobile Home Park (OMHP). OMHP is currently owned by HOCA, LLC, a domestic limited liability company.
2. Rehabilitation of the property will commence once the sale of the property to SVDP has closed. SVDP will be the sole owner of the completed project.
3. The OMHP property currently contains one house, two apartments, and 66 mobile home spaces. SVDP proposes to remodel the apartments and the house for use as offices, a laundry room, and a community center. Other planned site improvements include repaving park roads as needed, installation of locked mailboxes, and the construction of a garbage and recycling area for resident use.
4. Sixty-three of the sixty-six units will be restricted to households at or below 50% of the area median income. One on-site manager unit will be income exempt.

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
(541) 322-2435
FAX (541) 389-8265

MEDFORD
Apprenticeship and Training
119 N Oakdale Ave.
Medford, OR 97501-2629
(541) 776-6201
FAX (541) 776-6284

SALEM
3865 Wolverine St. NE; E-1
Salem, OR 97305-1268
(503) 378-3292
FAX (503) 373-7636

Oregon Relay TTY:711

www.oregon.gov/boli
AN EQUAL OPPORTUNITY EMPLOYER

PENDLETON
Civil Rights
1327 SE 3rd St.
Pendleton, OR 97801-4101
(541) 276-7884
FAX (541) 276-5767



5. The total project cost will be \$1,716,913. Funding for the project includes the following sources:
 - a. Funds of a public agency: \$600,000
 - i. Oregon Housing and Community Services Department MDPP Grant: \$600,000
 - b. Other Funds: \$1,116,937
 - i. Affordable Housing Program loan from the Federal Home Loan Bank of Seattle: \$566,937
 - ii. Permanent loan from Network for Oregon Affordable Housing: \$550,000

CONCLUSIONS OF LAW

1. The proposed project does not meet the definition of “public works” under ORS 279C.800(6)(a)(A) because the project will be carried on and contracted for by St Vincent DePaul Society of Lane County, Inc., a private corporation.
2. The proposed project does not meet the definition of “public works” under ORS 279C.800(6)(a)(B) because the project will not use \$750,000 or more of a public agency.

DETERMINATION

Based on the foregoing, the prevailing wage rate laws, ORS 279C.800 to ORS 279C.870, and OAR Chapter 839, Division 025, will not apply to the Oakridge Mobile Home Park 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, and 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: July 15, 2013

Brad Avakian, Commissioner
Bureau of Labor and Industries

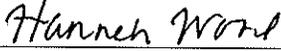


Gerhard Taeubel, Administrator
Wage and Hour Division
Bureau of Labor and Industries

Certificate of Service

On July 15, 2013, I mailed, by certified mail, the Prevailing Wage Rate Determination for the Oakridge Mobile Home Park project to the requestor and any public agencies identified by requestor as being associated with this project, as follows:

Heather Buch
St. Vincent DePaul Society of Lane County, Inc.
PO Box 24608
Eugene, OR 97402



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