



September 29, 2014

Mark Shortridge
St. Laurent Properties
120 NE 136th Avenue, Suite 200
Vancouver, WA 98684

Re: *Determination Whether Project is Subject to Prevailing Wage Rate Laws*
Project: West Park II Office Building
Requested by: St. Laurent Properties

Dear Mr. Shortridge:

On September 17, 2014, you submitted a request asking if the Prevailing Wage Rate laws would apply to the proposed renovation project at the West Park II office building. Sufficient information to make a determination was received on September 25, 2014, and therefore, the commissioner issues the following determination:

FINDINGS OF FACT

1. Intercontinental Medical Services, Inc. ("Intercontinental") owns the West Park II office building located at 5240 NE Elam Parkway in Hillsboro, Oregon.
2. Intercontinental proposes to enter into a ten-year lease agreement with the Oregon Department of Human Services ("DHS") to lease part of the space in the West Park II office building. DHS will lease approximately 19,167 square feet, which is 35.13 percent of the office space in the building.
3. As part of the lease agreement, Intercontinental will make improvements to the portion of the building DHS will lease. The improvements include the demolition of existing internal walls and fixtures, building new internal walls, electrical and phone/data wiring, mechanical HVAC work, plumbing for new restrooms, fire sprinkler work, and the installation of new finishes and fixtures such as flooring, paint, and audio-visual equipment. A new sign will be attached to the building over the entrance DHS will use. On the existing monument sign for the building complex, new lettering for DHS will be attached with an adhesive.

PORTLAND

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SALEM

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4. IMS will contract with St. Laurent for all work to be done on the West Park II office building.
5. The estimated project cost is \$458,388.82. IMS will pay the first \$421,154.00 in costs. DHS will pay the amount of project costs in excess of this, which is currently estimated at \$37,234.82.

CONCLUSIONS OF LAW

1. Under ORS 279C.800(6)(b), “public works” does not include the reconstruction or renovation of privately owned property that a public agency leases. As defined in OAR 839-025-0004(23), the “reconstruction or renovation of privately owned property which is leased by a public agency” includes improvements of all types within the framework or footprint of an existing building or structure. For this project, no work will be done outside the framework or footprint of the existing building or structure. Therefore, the project is not a public works project.

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 proposed West Park II Office Building 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

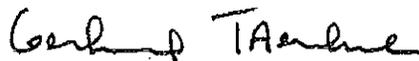
If a written request for hearing is not received within this 21-day period, your right to a hearing shall be considered waived, this determination order will be final, and the agency file on this matter shall serve as the record for purposes of proving a prima facie case.

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 by either 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 order 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 issues a final order by default, the agency file on this matter shall serve as the record for purposes of proving a prima facie case.

Date: September 29, 2014

Brad Avakian, Commissioner
Bureau of Labor and Industries



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

Certificate of Service

On September 29, 2014, I mailed the Prevailing Wage Rate Determination for the proposed West Park II Office Building project to the requestor and associated public agency, as follows:

Mark Shortridge
St. Laurent Properties
120 NE 136th Avenue, Suite 200
Vancouver, WA 98684

Linda Riddell
Department of Human Services
500 Summer Street NE, E-90
Salem, OR 97301-1115



Susan Wooley
PWR Technical Assistance Coordinator
Wage and Hour Division
Bureau of Labor and Industries