

ORDINANCE No.

*Amend contract with Raimore Construction, Inc. for additional compensation to add contract work for the construction of the Gateway Green Access Road, resulting in a total contract authorization of \$5,600,000 (Ordinance; amend Contract No. 30007104)

The City of Portland ordains:

Section 1. The Council finds:

1. Gateway Green Park is a 24-acre site located between I-205 and I-84 in East Portland, a historically underserved community for Portland Parks & Recreation (PP&R) services.
2. In 2014, PP&R acquired the property from the Oregon Department of Transportation (ODOT), with the understanding that vehicular access to the site was limited and needed improvements.
3. In 2015, PP&R began a study to improve emergency and maintenance access options to the site and determined that an alignment along the planned Sullivan's Gulch Trail was the most beneficial and economical option. This alignment became the Gateway Green Access Project ("Access Project").
4. The Gateway Green Access Project and Park Development Project were initiated in parallel with each other but separated eventually, due to the time intensive and complicated permitting and partnership agreements (ODOT, TriMet, UPRR) required to implement the Access project.
5. In January of 2020, PP&R issued the Notice-to-Proceed for the Park Development Project (Contract #30007104) to Raimore Construction, Inc. ("Raimore") for \$2,862,768 million; the contract has a 100% Minority-owned, Woman-owned, or Emerging Small Business participation rate.
6. Construction for the Park Development Project is scheduled to be completed in the winter of 2020/21, with limited access for maintenance and emergency vehicles.
7. In the fall of 2020, PP&R received engineering approval from ODOT and UPRR for the construction of the Access Project.
8. The Access Project will require railroad insurance and site-specific UPRR permits of entry, which involve a lengthy process to obtain and which Raimore has already obtained for the Park Development Project.
9. Recognizing the imminent need for improved access and Raimore's current state of mobilization at the site, PP&R has negotiated a Change Order amount for the

Project Work with Raimore, in the amount of \$2.1 million to achieve project time and cost savings as well as reduce duplicative permitting; estimated efficiencies are 8 months of time and approximately \$100,000 savings.

10. Combining the Access Project work with other contract change orders for the Park Development project, the estimated change in the total contract value is \$2,726,458; confidence is moderate.
11. PP&R seeks Council's authorization to increase Contract No.30007104 with Raimore to \$5,600,000, in order to complete construction of the park and the accompanying access road; the cost change is a 95.6 percent increase of the original contract value.
12. Funding for this Access Project is included in the PP&R FY20-21 budget through PP&R System Development Charges (SDC) funds and contributions from the TriMet's Better Red Improvement project, as documented in City Ordinance No.30007325.
13. The completion of the Development Project and Access Project will provide a unique regional recreational amenity to the underserved neighborhood in East Portland.

NOW, THEREFORE, the Council directs:

- a. The Director of Portland Parks and Recreation Bureau or designee is authorized to execute additions to Contract No. 30007104 with Raimore Construction, Inc. for the purpose and amount described in Section 1 above, up to a revised contract amount of \$5,600,000, upon the City Attorney's approval as to form for the contract amendment.

Section 2. The Council declares that an emergency exists to ensure emergency and park staff vehicular access to the park; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:

Commissioner Carmen Rubio
Prepared by: Ross Swanson
Date Prepared: 11/9/2020

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

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 Agenda No.
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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Carmen Rubio</p>	<p>CLERK USE: DATE FILED <u>December 28, 2020</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler</p> <p>Position 1/Utilities - Rubio/Fritz <small>Tim Crail on behalf of Commissioner Fritz Digitally signed by Tim Crail on behalf of Commissioner Fritz Date: 2020.12.23 13:00:26 -0800'</small></p> <p>Position 2/Works - Ryan</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Mapps</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u>Keelan McClymont</u> <small>Digitally signed by Keelan McClymont Date: 2020.12.28 09:37:21 -08'00'</small> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Parks & Recreation Bureau Head: Adena Long <small>Digitally signed by Adena Long Date: 2020.12.22 09:31:25 -08'00'</small></p> <p>Prepared by: Ross Swanson Date Prepared: 12/1/2020</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <small>Digitally signed by L. Law Date: 2020.12.16 14:58:24 -08'00'</small></p> <p>Council Meeting Date January 6, 2021</p>	<p>ACTION TAKEN:</p>

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <u>10 min</u> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Rubio	1. Rubio	
2. Ryan	2. Ryan	
3. Hardesty	3. Hardesty	
4. Mapps	4. Mapps	
Wheeler	Wheeler	

IMPACT STATEMENT

Legislation title: *Amend the contract with Raimore Construction, Inc. for additional compensation to add contract work for the construction of the Gateway Green Access Road, resulting in a total contract authorization of \$5,600,000 (Ordinance; amend Contract No. 30007104)

Contact name: Ross Swanson
Contact phone: (503) 823-3577 / (503) 940-5712 cell
Presenter name: Ross Swanson

Purpose of proposed legislation and background information:

Council approval is required for contract amendments that are 25 percent or more of the original bid. Approval of this action will authorize the Director of Portland Parks & Recreation (PP&R) to execute additional compensation to Contract No. 30007104 with Raimore Construction, Inc., for up to \$5,600,000 or 96 percent increase of the original contract value.

This Council action will allow a 5-year planning, design and development process to conclude with the construction of a much-needed emergency and heavy vehicle access road necessary for park operations to a new, unique regional recreation amenity.

Financial and budgetary impacts:

Contract price: The construction cost estimate for the project was provided by the consultant team led by Harper Hough Peterson Righellis Engineers and is \$2.15 million. The confidence level of PP&R in the cost estimate is moderate due to the difficult site location.

The total project budget: The funding source is a combination of PP&R System Development Charges (SDC) and funding from TriMet’s Better Red Service Improvement Capital Project, as outlined in the Intergovernmental Agreement #30007325:

Funding	Amount
PP&R SDC (Park Development allocation)	\$3,750,000
PP&R SDC (Access Road allocation)	\$2,700,000
TriMet Redline Project Contribution	\$ 300,000
TOTAL:	\$6,750,000

This ordinance would consolidate (2) separate but previously approved Park SDC allocations into payment of one contract. These include approved and budgeted allocations for the Park Development Project and the Gateway Green Access project.

The Intergovernmental Agreement for funding was secured with TriMet in return for shared construction access along the road being constructed. One-time dedicated capital project costs will be incurred during FY 20/21.

The construction resulting from this Ordinance will not impact current or future revenues for the Bureau. Future operations and maintenance costs for built objects will be addressed through the PP&R annual budget process in FY 2021. Construction of the access road will alleviate PP&R's need to spend money on flaggers from Union Pacific Railroad (UPRR) needed on a regular basis when large vehicles are to enter the park. O&M for this work will be \$17,061 and be requested in the 2021-22 Requested Budget as Levy funded.

Community impacts and community involvement:

Key community partners have participated the development of Gateway Green since 2014, including Northwest Trail Alliance (NWTa), Outward Bound, Oregon Department of Transportation (ODOT), TriMet and Portland Bureau of Transportation. The NWTa currently provides stewardship for the park's off-road cycling trails and features.

Based on the positive results of the 'Dirt Lab' study, PP&R and Friends of Gateway Green conducted a 6-month community design process led by a Community Advisory Committee (CAC) made up of 14 public representatives and 9 technical advisors. The CAC guided the community design process, meeting six times between November 2017 and April 2018. A community-supported design was developed with public ideas and comments gathered during CAC meetings, at two public Open House events hosted by IRCO, through online surveys and many outreach activities.

Outreach for the access road into the park was limited, due to the restrictions of limited public access from both ODOT and UPRR. The improvements are necessary to access properly serve the park with emergency and maintenance.

100% Renewable Goal:

The improvements at the park were designed with sustainability in mind, however, specific to the questions related to energy use, it will result in an increase in energy use during operations and maintenance. While the energy use will go up, the source for the energy is outside of the parameters of the Project scope.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES:** Please complete the information below.
- NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Claudio Campuzano

Claudio Campuzano
Finance, Property & Technology Manager

12/17/2020

Date