

## IMPACT STATEMENT

**Legislation title:** Authorize a Site Access Agreement with the Metropolitan Exposition Recreation Commission (MERC) for the Force Ave Pump Station Remodel, Project E10611 (Ordinance)

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### **Purpose of proposed legislation and background information:**

The Force Ave. Pump Station Remodel project is a complete remodeling, and upgrade of a 43-year old pump station to meet current standards for safety, future growth and reliability. This project is in the predesign phase, with two site alternatives under evaluation. The existing site is on property owned by the Bureau of Parks and Recreation, while the second potentially feasible site is on property owned by MERC.

Geotechnical investigation has been completed for the existing site but will be necessary for the alternative site on MERC property. While deep layers of soil are expected to be similar to layers found at the existing pump station site, surface layers may differ and will be a consideration for the new building foundation design. Geotechnical investigation includes one, 80 to 120-foot depth boring at the approximate location of a future wet well and stormwater infiltration testing. Geotechnical investigations are expected to require two days' time and will involve hiring a drilling contractor.

The presence of wetlands would affect the site layout of the future pump station. A site visit by the permitting consultant identified a need for a wetland boundary delineation at both sites. Subsequent investigation identified wetlands that would require extensive permitting efforts to expand the existing site. The presence or absence of wetlands at the MERC site needs to be investigated for the alternative analysis to assess the cost and schedule impacts to compare development between sites. Wetland boundary delineation at the METRO site is anticipated to require two days' work and will involve site visits by the permitting consultant team and Portland Bureau of Transportation surveyors.

MERC's attorney requires inclusion of an indemnification clause to finalize the Site Access Agreement for geotechnical boring, infiltration testing and wetland boundary delineation. This clause holds BES responsible for claims, damages or fines levied as a result of geotechnical investigations or wetland boundary delineation. The Site Access Agreement includes a requirement for contractors or consultants to indemnify BES and add MERC as an additional insured.

Council authorization is required for the indemnification provisions in the proposed Site Access Agreement. The proposed Site Access Agreement is attached; the relevant clauses are under articles 4 and 9.

### **Financial and budgetary impacts:**

This legislation authorizes the proposed Site Access Agreement, including indemnification language. It does not affect current or future staffing levels or appropriations. It does not affect current or future City revenue.

### **Community impacts and community involvement:**

Environmental Services values how the bureau interacts with the people we serve – our ratepayers – and the way we deliver our services. Our Public Involvement and Community Outreach program is a service designed

for and involving our program managers, design and construction teams, other staff, consultants, contractors, and ratepayers. Effective public involvement ensures that Environmental Services is responsive to stakeholder concerns and needs and is focused on actions to meet those needs.

Our outreach for the Force Avenue Pump Station Upgrade Project began in June 2016. From the beginning, Environmental Services has demonstrated an ability and willingness to incorporate public involvement and stakeholder input into the decisions made. We've ensured that listening, understanding, and acting on the views, concerns, and needs of all members of our program, project teams, and stakeholder groups are given the same priority as technical standards and financial performance.

Since June 2016, Environmental Services has been working collaboratively with all adjacent property owners, all potentially impacted property owners, and their representatives. Primary stakeholders for the Force Avenue Pump Station Upgrade Project include MERC, Portland Expo Center, Portland Parks and Recreation, Heron Lakes Golf Course, American Petroleum Environmental Services, Inc., Harsch Investment Properties, and Peninsula Terminal Company. Because any construction-related activities on or adjacent to N Force Avenue have the potential to impact all users of that roadway, Environmental Services continues to keep all of these property owners and their property managers, business operators, and other representatives informed of all project activities.

Environmental Services has established positive relationships with all of these representatives. Communications have been by phone, email, letters and flyers, and in-person meetings on site. Specific to the Portland Expo Center / MERC, the project team has maintained communications with the Portland Expo Center Director, Operations Manager, General Manager of Visitor Venues, Administrative staff, and METRO attorneys.

The geotechnical drilling, soil sampling, stormwater infiltration study, and wetland boundary delineation activities associated with this Ordinance are not anticipated to impact any properties identified above other than the Portland Expo Center / MERC. The activities and the equipment necessary to perform them are not expected to impede travel on N Force Avenue to and from Portland Expo Center, Heron Lakes Golf Course, American Petroleum Environmental Services, Inc., Harsch Investment Properties, or Peninsula Terminal Company.

With the exception of a truck that might need to be parked on N Force Avenue, all activities will be performed on the Portland Expo Center / MERC property. Any vehicles needing to be parked on N Force Avenue will not impede travel in the vehicle lanes.

Environmental Services developed and maintains a project webpage at [www.portlandoregon.gov/bes/ForceAvePS](http://www.portlandoregon.gov/bes/ForceAvePS) that includes a project overview, schedule, map, prior and current outreach materials, and the variety of ways for interested parties to stay informed about the project.

**Budgetary Impact Worksheet****Does this action change appropriations?**☐ **YES:** Please complete the information below.☒ **NO:** Skip this section

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>