

IMPACT STATEMENT

Legislation title: Amend contract with BergerABAM, Inc. for the Tryon Creek at Boones Ferry Culvert Replacement BES Project No. E08682 in the amount of \$316,298.05, (Ordinance; amend Contract No. 30003652)

Contact name: Scott T. Gibson, PE

Contact phone: (503) 823-7615

Presenter name: Scott T. Gibson, PE

Purpose of proposed legislation and background information:

The purpose of this legislation is to amend Contract No. 30003652 with BergerABAM, Inc. to increase compensation and include scope of work for the Tryon Creek at Boones Ferry Culvert Replacement Project. (Project).

This work was originally budgeted to be completed by the Portland Water Bureau (PWB). Though PWB originally agreed to develop the utility engineering work for the Project current staffing and project timing precludes PWB assistance. Amendment No. 5 will allow BergerAbam, Inc. to incorporate the water utility engineering work into the grading and improvement engineering plans.

In accordance with PCC 5.68, BES is requesting an increase to the contract through Amendment No. 5 in the amount not to exceed \$316,298.05. The amendment will provide additional funding to support the increased project management and coordination, assistance during bidding, construction services, and hydraulic design work to be completed by BergerABAM, Inc. The revised contract amount will be \$1,075,605.44.

The original Ordinance authorizing the contract with BergerABAM, Inc., identified that approximately 14% of the total contract dollars were assigned to Minority, Women and Emerging Small Business (MWESB) participation. Amendment No. 5 will provide for \$219,135 or approximately 20.53% of the total contract dollars to certified MWESB subconsultants.

Financial and budgetary impacts:

This legislation will provide for an amendment to increase the contract in the amount of \$316,298.05. This will amend the total contract amount to \$1,075,605.44, the level of confidence is high. It does not affect current or future staffing levels or appropriations. It does not affect current or future City revenue.

Funding in support of the amendment to the contract is available in the Sewer System Operating Fund, FY 2017-18 Budget, Bureau of Environmental Services, WBS Element E08682.

Community impacts and community involvement:

The project itself will have community impacts related to watershed improvements such as fish passage and stream conveyance and recreational improvements in the completion of a trail gap on the Metro Regional Trail (Hillsdale to Lake Oswego Trail). Negative impacts of the project will include traffic rerouting due to full closure of SW Boones Ferry Road during the construction of the project.

Community involvement has been ongoing for over a decade:

- From 2001 through 2006, citizens and agency representatives served on the Fanno and Tryon Creeks Watershed Management Plan 2005 (Plan) Advisory Committee. The Plan identified the Boones Ferry Road Culvert as an action item and the project was presented at a series of open houses and media.
- From April 2006 through June 2008, this project and others were further developed through the Fanno/Tryon Water Quality and TMDL CIP Pre-design. That process included an advisory committee and the project was presented to the public at a series of open houses, meetings and media.

When the pre-design report was released, this project created keen public interest from the restoration and pedestrian communities. Since the culvert aligns with SW Trail #6 (Hillsdale to Lake Oswego) several organizations were interested to also include pedestrian passage through the new culvert.

- From 2013 to present, agency and community involvement has been through a SW Boones Ferry Road project advisory committee to provide feedback through design and construction. The advisory committee recommended that BES replace the culvert with a bridge based on the alternative analysis and community values and worked with BES to secure additional funding for the bridge from Metro's Nature in the Neighborhood Capital Grant Program. The project is anticipated and supported by the community. Please contact Lisa Moscinski 503-823-3663 for additional information.
- The project team has presented at Arnold Creek Neighborhood Association, West Portland Park Neighborhood Association, and Marshall Park Neighborhood Association meetings and sent several mailings to the larger neighborhood to share information and gather feedback about the design and construction of the project. The project team is working closely with Oregon Parks and Recreation Department on design of the project specifically the trail alignment.

Budgetary Impact Worksheet

188877

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

Task	DESCRIPTION	Original Task Budget Amounts	Amendment No. 2 Amounts	Amendment No. 3 Amounts	Amendment No. 5 Amounts	Adjusted Task Budget Amounts
1	Project Management	\$93,469	\$14,297.80	-	\$53,732.05	\$161,498.85
2	Information Gathering	\$77,537	\$6,785.85	-	-	\$84,322.85
3	Alternatives Analysis	\$56,809	(\$7,056.74)	\$16,606.62	-	\$66,358.88
4	Final Design	\$297,416	\$92,221.08	\$4,839.90	\$129,306.32	\$523,783.30
5	Construction Services	\$82,274	\$6,438.40	(\$21,446.52)	\$67,785.12	\$135,051.00
6	CLOMR and LOMR	-	\$39,116.00	-	\$6,773.56	\$45,889.56
7	BES Managed Foreseen Additional Work Items (New)				\$58,701.00	\$58,701.00
TOTAL CONTRACT AMOUNT		\$607,505	\$151,802.39	-	\$316,298.05	\$1,075,605.44

Amendment 1 - Schedule extension for additional time to determine replacing the existing culvert with a culvert or a bridge, and availability of possible funding sources from outside agencies for the bridge upgrade alternative. No increase to contract total.

Amendment 2 - Technical scope adjustment for Tasks 1, 2, 4, and 5 for bridge upgrade alternative. Cost re-allocation from unused funds in Task 3. Addition of Task 6.

Amendment 3 - Task 3 and 4: Added Steel Bridge vs. Concrete Bridge Evaluation and design of a steel bridge section, respectively. No increase to contract total.

Amendment 4 - Schedule extension to accommodate additional engineering and construction schedule. No increase to contract total

Amendment 5 – Technical scope adjustments for Tasks 1, 4, 5, and 6 for 100% grading design, water design inclusion, and expanded construction services. Task 7: Added BES Managed Foreseen Additional Work Items.