



CITY OF PORTLAND
OFFICE OF MANAGEMENT AND FINANCE

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REGULAR CALENDAR

July 11, 2018

TO THE COUNCIL:

Portland Parks & Recreation ("PP&R") is the steward of over 10,000 acres of land at more than 250 locations throughout the city of Portland. It offers thousands of recreational and enrichment opportunities for people of all ages and abilities giving life and beauty to the city.

Over 50 years ago, the Portland Development Commission ("PDC" now Prosper Portland) took the bold step of redeveloping a 55-block swath of the city as its first urban renewal project. And in what would become a tradition of making public space an intrinsic part of modern Portland's urban fabric, the PDC set aside three full blocks and a series of adjoining streets for parks and garden-lined pedestrian walks. And to design the ensemble, the PDC hired one of the most visionary landscape architecture firms of the 20th century: Lawrence Halprin and Associates.

The Source Fountain, Lovejoy Fountain, Pettygrove Park, Forecourt Fountain (later named Ira Keller Fountain), and the adjacent pedestrian malls—collectively dubbed by Halprin as the Portland Open Space Sequence (the "Sequence")—changed the history of American urban space, pioneering a path from passive parks and squares to more dynamic, participatory merging of parks and art.

Formed in 2001, the Halprin Landscape Conservancy ("the Conservancy") is a non-profit organization under Sections 501 (c)(3) of the Internal Revenue Code. The Conservancy's mission is to honor and preserve the Sequence by increasing awareness of the Sequence as an important city and national cultural resource; improving the Sequence according to the original vision of Lawrence Halprin; and assuring the Sequence's upkeep at the level of a residential garden. Since its formation, the Conservancy has worked with the City, surrounding stakeholders, and donors to carry out several aspects of that mission.

The Conservancy submitted a nomination to the National Parks Service, and the Sequence was designated as a National Historic Registry District on the National Register of Historic Places in March 2013. The Conservancy is pursuing a National Historic Landmark designation at the National Park Service for the Sequence which will recognize the international significance of the Sequence and its architects.

The City's Parks, Maintenance, Transportation, and Water Bureaus all have had responsibility for the operation and maintenance of various elements of the Sequence through a 1979 Ordinance No 147584, titled: "An Ordinance accepting the transfer of

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certain parcels of land for use as pedestrian malls located in the South Auditorium Urban Renewal Project to the City in accordance with Urban Renewal Plan from the Portland Development Commission, and declaring an emergency”.

Over time, simple aging, along with deferred maintenance due to City budgeting challenges, have left the plazas and fountains in dire need of care and restoration. The City recognized the international significance of the Sequence and sought additional support through charitable contributions and participation by the community. The City recognized the contributions of the Conservancy in support of these goals and the Council adopted Ordinance No. 184646 on June 8, 2011 authorizing an agreement with Halprin Landscape Conservancy to fundraise and undertake repair and maintenance of the fountains and surrounding park areas in the Portland Open Space Sequence. The agreement has been amended three times.

The Council adopted Resolution No. 37245 on November 2, 2016 with 71.4% petition support, declaring its intent to initiate local improvement district formation proceedings and establishing the name of the local improvement district as the “Portland Open Space Sequence Local Improvement District”. The goal of the Portland Open Space Sequence Restoration Project is to restore some of the key elements of the four Halprin parks to their original design intent, and make other critical repairs to infrastructure and facilities in order to protect and ensure the public’s safety, continued accessibility and enjoyment of the Sequence.

The Council adopted Ordinance No. 188068 on November 2, 2016 that approved findings to authorize an exemption to the competitive bidding requirements and authorize the alternative contracting method of Construction Manager/General Contractor (“CM/GC”); and authorized payment for construction related to the Portland Open Space Sequence Restoration Project.

The Council adopted Ordinance No. 188165 on December 21, 2016 that created a local improvement district to construct park improvements in the Portland Open Space Sequence Local Improvement District in partnership with the Halprin Landscape Conservancy.

The overall Project Budget including design services, insurance, bonding, escalation, permit fees, project management/staff costs and contingencies is \$3.85 million. The funding sources are \$2,150,000 voluntary LID, \$200,000 2014 Fall BMP General Fund, and \$1,500,000 2016 Fall BMP.

A Request for Proposals for Portland Open Space Sequence Restoration Project Construction Manager/General Contractor (CM/GC) Services, RFP No. 00000617, was issued on May 4, 2017. The proposals were reviewed, evaluated, and scored by a five (5)-member evaluation committee including a member of the Minority Evaluator Program in accordance with Portland City Code 5.34. The evaluation committee selected Stacy and Witbeck, Inc. of Oregon (SWI) as the highest scoring proposer. Pre-construction contract No. 30006003 was executed with SWI on August 1, 2017 for \$153,436. The Pre-Construction Services contract has been amended three times for a

total contract value of \$249,795 to include early construction work and completion of final design.

Halprin Landscape Conservancy has actively been involved in preconstruction services adding valuable historical insight in the final design and coordination with local business owners. The Conservancy has initiated an active fundraising campaign with high aspirations to contribute added funding to the overall effort.

The Chief Procurement Officer recommends the award, of a CM/CG contract to Stacy and Witbeck, Inc. of Oregon for construction related to the Portland Open Space Sequence Restoration Project.

The Guaranteed Maximum Price ("GMP") includes a base bid of \$2,189,336.00 plus the Alternate Bid Items \$342,676.00 for a total of \$2,532,012.00, as stated in the GMP Exhibit A, attached to this report.


Stacy and Witbeck, Inc. and their subcontractors at all tiers have made a commitment of 20% utilization of certified disadvantaged, minority, women and emerging small business ("D/M/W/ESB") subcontractors, material suppliers and manufacturers on this project. This equates to \$437,867.20 of the direct hard construction costs of \$2,189,336.00 base bid amount. The D/M/W/ESB Subcontractor and Supplier Plan is attached to this report as Exhibit B.

Stacy and Witbeck, Inc. has a current City of Portland Business Tax Registration and is in compliance with all of the City's contracting requirements. The company is located in Portland, Oregon, and is not a State Certified D/M/W/ESB Contractor.

It is further recommended that a Performance Bond and a Payment Bond each in the amount of 100% of the contract amount be furnished by the Contractor.

It is also recommended that a two (2) year Maintenance/Warranty Bond for 20% of the final contract amount be furnished by the Contractor before final payment is released.

Recommended by:

Lester Spittler 

Lester Spittler
Chief Procurement Officer

LS:ck

Wheeler	Wheeler		
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Agenda No.

REPORT

Title

Accept Guaranteed Maximum Price of \$2,532,012 from Stacy and Witbeck, Inc. of Oregon for construction related to the Portland Open Space Sequence Restoration Project. (Procurement Report - RFP No. 00000617)

INTRODUCED BY Commissioner/Auditor: <i>Mayor Wheeler</i>	CLERK USE: DATE FILED <u>JUL 03 2018</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - <i>Wheeler</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN: JUL 11 2018 ACCEPTED <u>PREPARE CONTRACT</u>
BUREAU APPROVAL Bureau: BRFS/Procurement Bureau Head: Jennifer Cooperman Prepared by: Celeste King Date Prepared: June 15, 2018	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan	
Council Meeting Date: July 11, 2018	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: Total amount of time needed: (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 15 min. (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<i>[Signature]</i>	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. <i>Novick</i>	<i>[Signature]</i>	
	<i>Wheeler</i>	✓	