

ORDINANCE No. 189253

* Authorize competitive solicitation and contracting with the lowest responsive and responsible bidder for construction of the Leach Upper Garden Development Project. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Parks & Recreation (PP&R) promotes health, livability and economic vitality through the effective management of the City's award-winning parks and recreation system.
2. Leach Garden is a 17-acre botanical garden located in East Portland, and it serves as both a neighborhood open space and regional botanical educational destination. The garden is run in partnership by Leach Garden Friends (LGF) non-profit organization and PP&R.
3. For the past 5 years, PP&R and LGF have completed strategic development planning, land-use permits and construction documentation for the Leach Upper Garden Development Project ("Project").
4. The Project will construct a pollinator garden, a wooded hillside garden, an aerial tree walk, public gathering spaces, an expanded pedestrian pathway system and other site infrastructure improvements.
5. Through Ordinance no. 189013 (passed June 13, 2018), PP&R secured a Metro Nature in Neighborhoods Grant for \$188,000 to fund portions of the Project. The City Council approved an Intergovernmental Agreement between Metro and PP&R on implementing the Project.
6. On April 2, 2018, PP&R entered into an Intergovernmental Agreement (City Contract 30006499) with Prosper Portland for \$1.89 million to fund portions of construction for the Project. With another prior agreement for funding towards Project design, Prosper Portland has contributed \$2.04 million in total toward the Project.
7. In the Summer of 2018, LGF's capital campaign for the project successfully secured \$1.26 million in donations dedicated to the Project.
8. Funding for the Project is included in the PP&R FY18-19 budget through a combination of PP&R system development charge (SDC) funds, Prosper Portland Urban Renewal funding, Metro Nature in Neighborhoods grant funding and donations from the LGF's Capital Campaign.

9. PP&R seeks Council's authorization for Procurement Services to issue a competitive solicitation and execute a contract for the construction of the Project.
10. The construction cost estimate provided by the consultant team led by Land Morphology, Inc. is approximately \$6.4 million.
11. PP&R's confidence level in the cost estimate is medium due to the high demand currently prevailing within the commercial construction market.

NOW, THEREFORE, the Council directs:

- a. That the Chief Procurement Officer is authorized to facilitate the use of the competitive solicitation process in order to obtain the most responsible and responsive bid for the construction of the Leach Upper Garden Development Project.
- b. Upon Council acceptance of the Chief Procurement Officer's Report, Procurement Services is authorized to negotiate and execute a contract, provided the contract has been approved as to form by the City Attorney's Office.
- c. The Commissioner-in-Charge and Auditor are hereby authorized to draw and deliver checks chargeable to approved bidder for approved services.

Section 2. The Council declares that an emergency exists to meet project schedule and funding requirements and therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: NOV 14 2018

Commissioner: Nick Fish
Prepared by: Ross Swanson
Date Prepared: October 2, 2018

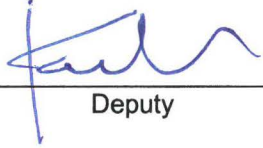
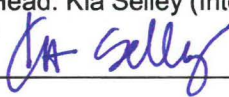

Mary Hull Caballero
Auditor of the City of Portland
By 

Deputy

Agenda No.
ORDINANCE NO.
 Title

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| INTRODUCED BY Commissioner/Auditor: Commissioner Fish | CLERK USE: DATE FILED <u>NOV 06 2018</u> |
| COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly | Mary Hull Caballero Auditor of the City of Portland By:  Deputy |
| BUREAU APPROVAL Bureau: Parks & Recreation Bureau Head: Kia Selley (Interim Director)  | ACTION TAKEN: |
| Prepared by: Ross Swanson Date Prepared: 10/2/18 | |
| 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 checked="" type="checkbox"/> | |
| City Auditor Office Approval: required for Code Ordinances | |
| City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter  | |
| Council Meeting Date 11/14/18 | |

| AGENDA | | FOUR-FIFTHS AGENDA | | | COMMISSIONERS VOTED AS FOLLOWS: | | |
|---|--|--------------------|-------------|---|---------------------------------|--|--|
| 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: <u>5 min</u> (for presentation, testimony and discussion) | | 1. Fritz | 1. Fritz | ✓ | | | |
| | | 2. Fish | 2. Fish | ✓ | | | |
| | | 3. Saltzman | 3. Saltzman | ✓ | | | |
| | | 4. Eudaly | 4. Eudaly | ✓ | | | |
| | | Wheeler | Wheeler | ✓ | | | |