

ORDINANCE NO. 189661

Authorize a contract with West Yost Associates for construction support services for the Washington Park Reservoirs Improvements Project in the amount of \$6,199,300 using a sole source procurement (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland Water Bureau required consultant services for the Washington Park Reservoirs Improvements Project (Project). The Project included constructing buried, finished, water storage generally within the footprint of the existing Reservoir No. 3, disconnecting Reservoir No. 4 from the potable water system, developing support structures for the new finished water storage and constructing surface features for the use and enjoyment of the public.
2. Ordinance 185839 authorized a contract with AECOM Technical Services, Inc. for design and construction support services for the Project.
3. The contract with AECOM Technical Services, Inc. (Contract 30003252) has had several transitions through the life of the Project that have resulted in the subconsultant to the Contract, West Yost Associates, providing the project management services for the Project and being assigned the responsibility of directing the AECOM Technical Services, Inc.'s work for the construction phase services of the Project.
4. West Yost Associate has performed redesign of several elements of the Project and assumed Engineer of Record (EOR) responsibility for some elements of the project. In addition, all subconsultants for Contract 30003252 have been assumed by West Yost Associates as second tier consultants. This transition was completed through approved amendments to the contract and with the coordination and endorsement of the City Attorney's Office and City Procurement.
5. The contract with AECOM Technical Services, Inc. is scheduled to expire June 30, 2021 and their role has been reduced to providing the EOR observations and clarifications required of the structural engineer for construction of the reservoir structure anticipated to be completed by December 2020. Apart from the reservoir structure, AECOM Technical Services, Inc. provides no additional value to the Project as all other construction services for the design product are now provided by the subconsultant, West Yost Associates.
6. Due to construction phasing, the construction services required to complete the Project will extend 4 additional years, ending in Fiscal Year 2024-25. To ensure work is coordinated directly with the consultant performing as lead to the Project and to ensure budget is maintained for the work required it is appropriate to enter into a

sole source contract with West Yost Associates to continue and complete the construction services for the Project.

7. Per Portland City Code Chapter 5.68, the Water Bureau submitted a sole source request to the City's Procurement Office to enter into a contract directly with West Yost Associates. A public notice was posted on BuySpeed for seven calendar days and received no protests. The City Procurement Officer has approved the request and the next required step is an ordinance approving both an exemption from the competitive solicitation process, and the contract itself.
8. After final development of the scope and negotiations the not to exceed amount of the contract for the Project with West Yost Associates is \$6,199,300. Funding is available in the Water Bureau's FY 2019-20 Budget and will be requested for FY 2020-21 through 2023-2024 Budgets.
9. Through negotiations with West Yost Associates, the contract will include the usage of five State of Oregon COBID Disadvantaged, Minority, Women, Emerging or Service Disabled Veteran Owned Businesses as subconsultants. The subconsultants are estimated to receive approximately 18.86% of the subconsultant dollars associated with work required under the contract.

NOW, THEREFORE, the Council directs:

- a. This sole source contract is being acquired as an exception to the competitive selection process identified in PCC 5.68 and the PTE Services Manual, which are hereby waived.
- b. That the Chief Procurement Officer is authorized to execute on behalf of the City a contract with West Yost Associates in a form substantially in accordance with the contract attached as Exhibit A.
- c. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities.

Passed by the Council, AUG 21 2019

Commissioner Amanda Fritz
Prepared by: Jerald Moore
July 11, 2018

Mary Hull Caballero
Auditor of the City of Portland

By  Deputy

Authorize a contract with West Yost Associates for construction support services for the Washington Park Reservoirs Improvements Project in the Amount of \$6,199,300 using a sole source procurement and provide for payment (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Commissioner Amanda Fritz</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler</p> <p>Position 1/Utilities - Fritz <i>Amanda Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p> <p>BUREAU APPROVAL</p> <p>Bureau: Water Bureau Head: Michael Stuhr, P.E. <i>MS</i></p> <p>Prepared by: Jerald Moore Date Prepared: July 11, 2019</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 <i>ML</i></p> <p>Council Meeting Date August 7, 2019</p>	<p>CLERK USE: DATE FILED <u>JUL 30 2019</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: AUG 07 2019 PASSED TO SECOND READING AUG 21 2019 9:30 AM</p>
---	--

<p style="text-align: center;">AGENDA</p> <p><u>TIME CERTAIN</u> <input type="checkbox"/> Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p><u>CONSENT</u> <input type="checkbox"/></p> <p><u>REGULAR</u> <input checked="" type="checkbox"/> Total amount of time needed: 10 minutes (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">FOUR-FIFTHS AGENDA</th> <th colspan="2" style="text-align: center;">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th></th> <th style="text-align: center;">YEAS</th> <th style="text-align: center;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>3. Hardesty</td> <td>3. Hardesty</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA		COMMISSIONERS VOTED AS FOLLOWS:				YEAS	NAYS	1. Fritz	1. Fritz	<input checked="" type="checkbox"/>		2. Fish	2. Fish	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. Hardesty	3. Hardesty	<input checked="" type="checkbox"/>		4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>		Wheeler	Wheeler	<input checked="" type="checkbox"/>	
FOUR-FIFTHS AGENDA		COMMISSIONERS VOTED AS FOLLOWS:																											
		YEAS	NAYS																										
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>																											
2. Fish	2. Fish	<input type="checkbox"/>	<input checked="" type="checkbox"/>																										
3. Hardesty	3. Hardesty	<input checked="" type="checkbox"/>																											
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>																											
Wheeler	Wheeler	<input checked="" type="checkbox"/>																											