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## 191065

Emergency Ordinance

### **\*Authorize competitive solicitation and contract with the lowest responsible bidder for construction of the Farragut Park Improvements Project for an estimated cost of \$2,200,000**

Passed

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. Farragut Park is located in the Piedmont neighborhood of North Portland. The park's existing amenities include a play area, a restroom building with two restrooms, picnic tables, benches, paved pathways, a splash pad, a basketball court, a paved multi-use area, and a softball field with lighting and perimeter fencing. Farragut Park is predominantly a neighborhood park, but it draws users from outside the neighborhood during softball and youth baseball seasons. Applegate Head Start shares a southern border with the park, and the students utilize the paved multi-use area and play area.
3. From 2020 through 2022, PP&R identified various growth and maintenance needs at Farragut Park, including the needs for toddler play equipment, the remediation of multiple accessibility barriers identified in PP&R's Americans with Disabilities Act (ADA) Transition Plan, restroom building maintenance, and the reconstruction of a basketball court. The Farragut Park Improvements Project ("the Project") was created to address these needs through a variety of funding sources.
4. PP&R and its design consultants engaged the public through open houses and online surveys to reach the final preferred design for the project. Community engagement for the Project began in December 2021 and was completed in February 2023.

Introduced by

[Commissioner Carmen Rubio](#)

Bureau

[Parks & Recreation](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

**Requested Council Date**

November 9, 2022

**Time Requested**

10 minutes

5. Community members provided input on the location of the new toddler play area, types of play opportunities to be provided by the new play area, the theme of the new play area, preferred color scheme, and expressed the desire for PP&R to re-open the basketball court.
6. The Project will include the construction of a new toddler play area; reconstruction of several park pathways, entrances, benches, picnic tables and the existing play area to ADA standards; the demolition of an existing restroom structure and installation of two Portland Loo restrooms; and the reconstruction of a structurally deficient basketball court.
7. Funding for this Project is included in the 5-year Capital Budget beginning in FY 2022-23 through PP&R System Development Charges, PP&R Major Maintenance Fund, and Loo Royalty Funds, with a total project budget of \$3,005,220.
8. The construction cost for the Project provided by the consultant team led by Greenworks is estimated to be approximated at \$2.2 million.
9. PP&R's confidence level in the cost estimate is medium due to the current bidding and construction market, low contractor availability, and pricing risk from uncertainties in material supply chains for estimates and project bids.
10. PP&R seeks Council's authorization for Procurement Services to issue a competitive solicitation and execute a contract for the construction of the Project.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer is authorized to facilitate the use of the competitive solicitation process to obtain the lowest, responsible, and responsive bid for the construction of the Farragut Park Improvements Project. Procurement will utilize its standard Subcontractor Equity Program specification.
- B. Upon Council acceptance of the Chief Procurement Officer's Report recommending the lowest, responsive and responsible bidder, the Chief Procurement Officer, or designee, 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 Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the PP&R System Development Charge funds when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because the construction bidding climate is currently volatile and competitive with high cost escalation rates. Immediate passage of this Ordinance is necessary to ensure the economic viability and feasibility of the project by procuring additional funds prior to the start of construction in Summer 2023, if necessary; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
November 9, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## Impact Statement

### Purpose of Proposed Legislation and Background Information

Council approval is required for construction projects with a value over \$1 million. Approval of this action will authorize the Chief Procurement Officer to proceed with bid solicitation and awarding a contract for construction of the Farragut Park Improvements project.

The Farragut Park Improvements project, located in the Piedmont neighborhood of North Portland, includes a number of elements that enhance accessibility and the park-user experience, while also addressing long-term maintenance and operations concerns. These elements include:

- Expanding toddler play opportunities and experiences by constructing a new toddler play area.
- Ensuring access to all park users by re-constructing several park pathways, entrances, benches, picnic tables, and the existing play area to Americans with Disabilities Act (ADA) standards.
- Reducing maintenance and operations needs by removing a structurally deficient restroom building and replacing it with two Portland Loo restrooms.
- Addressing failing assets by rebuilding a basketball court that has been fenced off due to tripping hazards caused by heaving pavement.

The project meets goals outlined in the Parks Vision 2020:

- Goal 1 - Ensure the Legacy: The Farragut Park Improvements project helps to meet current and future recreational needs by expanding access to toddler play and sustaining existing park features such as the basketball court and restrooms.
- Goal 2 - Provide Recreation Services and Opportunities for All: The project's design remediates accessibility barriers associated with park

entrances, pathways, benches, and the existing play area, as well providing a new accessible entrance along Kerby Ave.

The project will also remediate 21 accessibility barriers as identified in PP&R's ADA Transition Plan (which currently identifies more than 14,000 barriers system-wide), enabling PP&R to create a more accessible experience for park users.

### Financial and Budgetary Impacts

Contract Price: The construction cost estimate for the project provided by the consultant team led by Greenworks is \$2.2 million. PP&R's confidence level in the cost estimate is *medium* due to the current bidding and construction market, low contractor availability, and pricing risk from uncertainties in material supply chains for estimates and project bids.

The Construction budget: The funding sources for this project are (1) PP&R System Development Charge Fund (SDC), (2) PP&R Major Maintenance funds, and (3) Loo Royalty Revenues. No positions will be created, eliminated or re-classified because of this legislation.

<b>Funding</b>	<b>Amount</b>
PP&R System Development Charge Fund	\$1,500,000
PP&R Major Maintenance Funds	\$245,000
Loo Royalty Revenues	\$455,000
<b>Total</b>	<b>\$2,200,000</b>

This Project will not result in any new or modified financial obligations, and all capital costs are included in the 5-year Capital Budget beginning in FY22-23 budget. The construction resulting from this Ordinance will not impact current or future revenues for the Bureau. Future operations and maintenance costs for built objects will be addressed through the PP&R annual budget process.

### Community Impacts and Community Involvement

The Farragut Park Improvements project will positively impact park users from a variety of different communities within the Piedmont and North Portland neighborhoods. Pathway accessibility upgrades provide enhanced park usability for people within the disabilities community and play area accessibility upgrades provide more play opportunities for children living with disabilities. The toddler play area provides new play experiences and park opportunities for families with young children, including young children living with disabilities. The fully accessible Portland loos enable all park

visitors to stay and spend more time enjoying park amenities, and the basketball court is a beloved neighborhood feature that brings community together through play and sport.

PP&R staff engaged the public through two virtual open house and online survey sessions in December 2021, and February 2023, respectively. The survey and open house information was distributed to 24,000 households in 10 North Portland neighborhoods via Nextdoor.com; 31,000 park users via the PP&R Facebook account; families and staff from Applegate Head Start (which is located immediately adjacent to the park); park users who had signed up for the project email list; and, Farragut Park visitors via lawn signs.

Community members provided input on the location of the new toddler play area, types of play opportunities to be provided by the new play area, the theme of the new play area (the result is a “birdhouse” theme), preferred color scheme, and other desired amenities (e.g. trash cans). Parks staff received many comments about the fenced off basketball court and the desire to have that amenity back in service, so we are glad to have secured funding for the repair of the court and to be able to include it in the project scope.

Project website: <https://www.portland.gov/parks/construction/farragut-park-improvements-project>

## 100% Renewable Goal

N/A

## Budget Office Financial Impact Analysis

This ordinance authorizes a competitive solicitation for a capital project that exists in the FY 2022-23 PP&R Adopted Budget with funding from the bureau’s SDC Fund, existing General Fund discretionary resource, and external revenue sources. The ongoing operations and maintenance costs for this project, required to be identified by FIN 2.03.02, are not currently known but will be absorbed within Parks 2020 Local Option Levy resources in outyears or a Council-approved successor resource, with the understanding that should a successor resource not be adopted, the operations and maintenance costs of this project could go unfunded should Council not direct the bureau to prioritize said costs within its existing base budget.

## Agenda Items

**947 Regular Agenda in [November 9, 2022 Council Agenda](#)**

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Absent

Mayor Ted Wheeler Yea