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# 191258

Emergency Ordinance

## **\*Authorize contract with Weatherproofing Technologies, Inc. for construction of a new roof, building façade, and windows at the Columbia Boulevard Wastewater Treatment Plant Dodd Building for an estimated cost of \$2,371,255 (amend Contract 30008399)**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services (BES) needs to replace the roof, façade, and windows of the Columbia Boulevard Wastewater Treatment Plant Dodd Building. These components have aged beyond their useful life, are causing significant water leakage, and must be replaced to allow continual operation of the critical functions housed in the Dodd Building.
2. While repairs have been made to the roof, the system can no longer reliably prevent water from entering the building and replacement is required before the onset of the next rainy season.
3. The Dodd Building houses many functions that are critical to the daily operation and maintenance of the Columbia Boulevard Wastewater Treatment Plant. Approximately 75 essential employees work in the Dodd Building, ensuring the 24/7 continuity of treatment operations. The Dodd Building is essential to delivering the levels of service required by BES as a public utility dedicated to environmental protection and public health and safety.
4. Immediate attention is required to resolve these emergency conditions, especially in consideration of potentially long lead times for construction materials due to supply chain shortages.
5. The Bureau of Environmental Services requires an emergency procurement contract in accordance with PCC 5.34.110, and as authorized by ORS Chapter 279C, that provides for construction contract awards without the use of competitive sealed bidding.
6. Emergency conditions have been declared by the Commissioner-in-Charge pursuant to Title 5 of the City Code and Charter authorizing

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Environmental Services](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date  
May 3, 2023

- the City to enter into an emergency procurement contract to perform this work.
7. The Bureau of Environmental Services has selected Weatherproofing Technologies, Inc. to perform this work through emergency procurement procedures and to rapidly respond to emergency conditions.
  8. The established cost is \$2,371,254.66. The Confidence Level Index Rating for this contract is "High." Funds are available in the Sewer System Operating Fund, FY2023-2024 Budget, Bureau of Environmental Services, WBS Element E11348.
  9. The Chief Procurement Officer entered into emergency contract #30008399 under the emergency authority and now seeks Council approval of that Contract under PCC 5.34.110.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer is authorized to negotiate and execute on behalf of the City an emergency procurement contract with Weatherproofing Technologies, Inc. for the purposes described in Section 1, provided the contract has been approved as to form by the City Attorney's Office.
- B. The Mayor and Auditor are hereby authorized to pay for the contract from the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

Section 2. The Council declares that an emergency exists because the Columbia Boulevard Wastewater Treatment Plant Dodd Building roof, façade, and windows must be replaced as soon as possible; 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  
May 3, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

The Dodd Building houses many functions that are critical to the daily operation and maintenance of the Columbia Boulevard Wastewater Treatment Plant (CBWTP), which is the largest wastewater treatment plant in Oregon. Approximately 75 essential employees work in the Dodd Building, ensuring the 24-7 continuity of treatment operations. The Dodd

Building is essential to delivering the levels of service required by BES as a public utility dedicated to environmental protection and public health and safety.

Specifically, the Dodd Building houses:

- The Communication Center, which contains the computer equipment for controlling the CBWTP, Tryon Creek Wastewater Treatment Plant, pump station and CSO systems. Proper operation and maintenance of this equipment is required to protect public health, water quality and the environment and to meet requirements of the City's NPDES and Air Quality permits.
- The Storeroom, which provides parts for the repair and maintenance of essential machinery and personal protective equipment (PPE) for operations staff.
- The Electrical and Instrumentation shop, as well as workshops for automation, operations and mechanical maintenance staff, who ensure that treatment processes and pumping systems are working properly to meet regulatory requirements.

The Dodd Building roof is from the original construction in the early 1990's and has been repaired numerous times. Despite these repairs, the roof is now leaking in multiple locations. Recent facility inspections revealed unforeseen leakage from the roof into the outer walls. Water is being trapped behind the outer fascia, forcing leakage around window casings and through interior walls into workspaces. This leakage can present slip and fall hazards, electrical hazards, unsanitary workspaces and can create ideal conditions for mold growth within wall cavities, creating substantial threats to the health and safety of BES employees. If mold is detected, effective mitigation cannot occur until the source of moisture is eliminated by repairing the roof, fascia and windows. The current leakages are also posing a substantial risk of loss, damage and interruption of services due to water entry into the Communications Center. Leaks from the ceiling are in close proximity to the computer mainframe and pose a serious risk to equipment that controls City-wide treatment and pumping systems that protect public health, water quality and the environment. The Electrical and Instrumentation Shop is also experiencing significant leakage, posing risks to staff and critical operations.

Immediate attention is required to resolve these emergency conditions, especially in consideration of potentially long lead-times for construction materials due to supply chain shortages. Therefore, BES requested proposals from three contractors and plans to select Weatherproofing Technologies, Inc. to perform the work based on their site-specific experience and approach. Upon approval of this emergency declaration, BES will immediately begin working with this firm to replace leaking roof, windows and fascia of the Dodd Building.

## Financial and Budgetary Impacts

- The action will not create an immediate or long term financial or budgetary impact.
- Long-term, the new façade, windows and roof will require less staff time and budget for maintenance, and cause less lost time due to deteriorating facilities and the needs for repeat spot repairs.

## Community Impacts and Community Involvement

- Continuous operation of the Dodd Building is essential to delivering the levels of service required by BES as a public utility dedicated to the environment and public health and safety. Interruptions in operation would cripple BES' ability to operate its wastewater treatment processes, jeopardize regulatory compliance and adversely affect the non-BES entities who rely upon dependable and uninterrupted service from the Columbia Boulevard Wastewater Treatment Plant. Because the work does not directly impact the community and the community is not involved in replacement of the roof, windows and façade of the Dodd Building, public input did not shape the bureau's recommended action.
- The legislation directly impacts the health and safety of City employees working at the Columbia Boulevard Wastewater Treatment Plant. Employees will directly benefit by working in an environment free of water leaks and related health and safety hazards.
- The legislation impacts the Columbia Boulevard Wastewater Treatment Plant in the St. Johns Neighborhood.
- Businesses, institutions and interest-based organizations are not directly affected by this legislation.
- City livability benefits from this legislation because it allows for the continuous operation of wastewater treatment, keeping the river and local waterways clean and safe.
- There are no known objections/concerns with this legislation.
- There are no groups anticipated to testify.

## 100% Renewable Goal

- Due to structural limitations of the Dodd Building, energy efficiency cannot be improved by this project. Energy use will remain the same.
- This action does not increase or decrease the City's renewable energy use.

## Budget Office Financial Impact Analysis

This project exists in the BES 5-year Capital Improvement Program and was also budgeted in their FY 2023-24 Requested Budget. This project will be funded with a combination of sewer rate revenue and/or sewer rate revenue bond proceeds. Operations and maintenance as well as lifecycle

replacement costs—required by FIN 2.03.02 to be estimated for new capital assets—are not available at this time.

## Agenda Items

### 344 Consent Agenda in [May 3, 2023 Council Agenda](#)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea