

ORDINANCE No. 183582

*Authorize contract with CH2M HILL, Inc. to develop the 2010 Combined Sewer Overflow Facilities Plan required by the State of Oregon to define CSO reduction after the completion of the 20-year CSO Program. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Amended Stipulated Final Order (ASFO), signed by City and State officials in 1994, agreed to a lower-level of CSO control for the Willamette River CSO Program while requiring on-going efforts to further reduce CSO in a cost-effective manner above the level required by December 1, 2011. The ASFO committed the City to submit a facilities plan to the State documenting the on-going CSO reduction strategy. The facilities plan must be submitted by September 1, 2010 for approval by the Oregon Environmental Quality Commission (EQC).
2. After 2011, the demands on the CSO system to capture and treat more water will be driven by the potential risks from increased development, increased regulatory requirements for stormwater, and from potential significant climate change impacts. A risk-management approach to develop a realistic strategy for addressing potential future risks to the CSO system is a prudent step for the required post-2011 CSO facilities plan.
3. The size of East Side Willamette CSO Tunnel was purposely selected in 2005 as part of a strategy to (1) achieve the required level of CSO control by December 1, 2011, and (2) mitigate future increased runoff from development by implementing a series of cost-effective sustainable stormwater projects to remove clean stormwater from the combined system.
4. The City's experience in implementing the CSO Cornerstone Projects, the Clean River Plan, the Sustainable Stormwater Program, and the Tabor-to-the-River Project have all demonstrated conclusively that one of the most cost-effective approaches to reduce CSO impacts is through the implementation of green infrastructure to manage stormwater at the source of origin as a watershed resource. This approach can address both the increased runoff from future development as well as increased runoff from potential climate change impacts.
5. Additional State and Federal required documents must be derived from the strategy recommended in the post-2011 CSO facilities plan report. These reports include a final Nine Minimum Controls report and a technical analysis of the mixing zones established for the discharges from the Willamette CSO outfalls during extreme storms.
6. A consultant selection process was conducted recently (RFP BES102). CH2M HILL was selected based on their leading qualifications, experience and expertise, as well as assigning a major lead role to EPC Consultants, Inc., a local MBE/DBE firm. EPC Consultants is assigned approximately 20% of the contract value.
7. The contract term is 1-year.

8. The established cost to the total contract is not to exceed \$200,000. Funds of \$150,000 are available in the Sewer System Operating Fund, FY 2009-2010 Budget, Bureau of Environmental Services, Cost Center ESEN000019. The remaining \$50,000 for FY 2010-2011 is in the current budget request.

NOW, THEREFORE, the council directs:

- a. The Commissioner of Public Affairs is authorized to execute a contract with CH2M Hill in form substantially similar to the agreement attached as Exhibit A to this ordinance and for the purpose described in Section 1 of this ordinance, in the amount not to exceed \$200,000 for the total cost of the contract.
- b. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to 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 six months time is needed to complete the Facilities Plan report required by the ASFO for submittal to the Oregon Environmental Quality Commission by September 1, 2010. This report is the first of three products to be created under this contract and carries a firm deadline. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

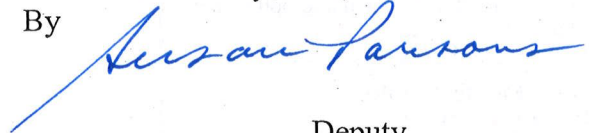
Passed by the Council, **MAR 03 2010**
Dan Saltzman
Commissioner of Public Affairs

Virgil Adderley
February 2, 2010

ESEN000019 – ord

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

882881

Agenda No.
ORDINANCE NO.
Inc. Title

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Clerk flow*

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INTRODUCED BY Commissioner/Auditor:	CLERK USE: DATE FILED <u>FEB 26 2010</u>
COMMISSIONER APPROVAL	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy ACTION TAKEN:
Mayor—Finance and Administration - Adams	
Position 1/Utilities – Fritz	
Position 2/Works – Fish	
Position 3/Affairs - Saltzman <i>Don Saltzman</i>	
Position 4/Safety – Leonard	
BUREAU APPROVAL	
Bureau: Environmental Services Bureau Head: Dean Marriott, Dir. <i>[Signature]</i>	
Prepared by: Virgil Adderley Date Prepared: February 2, 2010	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date February 24, 2010	
City Attorney Approval <i>J.H.</i>	

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: 10 min (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Leonard	4. Leonard <input checked="" type="checkbox"/>	
Adams	Adams <input type="checkbox"/>	