

Portland, Oregon  
**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT**  
**For Council Action Items**

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Michelle Lostra		2. Telephone No. (503) 823-7744	3. Bureau/Office/Dept. Water Bureau
4a. To be filed (date): January 5, 2012	4b. Calendar (Check One)  <div style="display: flex; justify-content: space-around;"> <span>Regular <input type="checkbox"/></span> <span>Consent <input checked="" type="checkbox"/></span> <span>4/5ths <input type="checkbox"/></span> </div>		4. Date Submitted to Commissioner's office and FPD Budget Analyst: January 5, 2012
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

**1) Legislation Title:**

Accept contract with Nutter Corporation for the construction of the Powell Butte Reservoir No. 2, Site Development, Phase 1 Project as complete, release retainage, and authorize final payment (Report; Contract No. 30000677)

**2) Purpose of the Proposed Legislation:**

To accept Contract No. 30000677 as complete for a total cost of \$4,607,698.04 and authorize final payment in the amount of \$16,246. In July 2009 the City entered into Contract No. 30000677 with Nutter Corporation for Phase 1 of two projects to construct a new 50MG reservoir at Powell Butte Nature Park, which consisted of site preparation (installation of erosion construction measures including ponds, flow diversion channels and swales, project fencing, road improvement, development of haul routes, clearing and grubbing, and trail relocation) and the preliminary excavation of the reservoir.

**3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?**

- |   |                                    |   |                                |
|---|------------------------------------|---|--------------------------------|
| <input type="checkbox"/> City-wide/Regional                           | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest            | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast                            | <input type="checkbox"/> Southeast | <input checked="" type="checkbox"/> Southwest | <input type="checkbox"/> East  |
| <input type="checkbox"/> Central City                                 |                                    |   |                                |
| <input checked="" type="checkbox"/> Internal City Government Services |                                    |   |                                |

**FINANCIAL IMPACT**

**4) Revenue:** Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source. NA

**5) Expense:** What are the costs to the City related to this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the level of confidence.)

The contract action was approved via Report to Council dated June 12, 2009 based on an engineer's estimate of \$13,200,000 with an optimal confidence rating. The original contract amount was \$3,707,777. The final cost of the project is \$4,607,698.04, which includes \$899,921.04 for Change Orders No. 1 through 13. All work on the contract was completed satisfactorily on June 30, 2011. Liquidated damages in the amount of \$5,000 have been assessed for not meeting the 20% requirements in all trades as required per the Workforce Training and Hiring Program Requirements. The final payment to be made is in the amount of \$16,246, for release of retainage minus liquidated damages.

The final cost is 24.3% over the original contract amount for the project. The primary reasons for the cost increase over the original amount was due to change orders that were executed due to land use requirements for work within an environmental zone (Emmert Property – removal of asphalt concrete and non-native plants and restoring the site with native planting; and Vivian Parking Lot – construct a temporary parking lot for park users to accommodate the loss of parking at the existing Powell Butte Nature Parking Lot), erosion control and site maintenance between the Phase 1 to Phase 2 construction periods, and settling a delay/weather condition claim.

Over \$50 million in funds were available in the Terminal Reservoirs Program combined in FY 2009-10, FY 2010-11, and FY 2011-12 Budgets.

#### 6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No

- **Will positions be created or eliminated in future years as a result of this legislation?**

No

*(Complete the following section only if an amendment to the budget is proposed.)*

**7) Change in Appropriations** *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

**Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]**

## PUBLIC INVOLVEMENT

**8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:**

☐ **YES:** Please proceed to Question #9.

☒ **NO:** Please, explain why below; and proceed to Question #10.

This Report to Council is authorizing final payment for a completed project and does not necessitate public involvement.

Community outreach was performed during the life of this project. Outreach included the following: conducted collaborative outreach effort supported and assisted by the PWB, PP&R, the Friends of Powell Butte, park users, affected three neighborhood associations (Powellhurst-Gilbert, Pleasant Valley, and Centennial), and the news media; attending neighborhood association meetings; schedule Open House events to communicate construction information and impacts; hosting project site tours; posting project notices in the local newspapers and mailers to surrounding neighbors; and, posting of project status updates at the Powell Butte Nature Park facility.

**9) If “YES,” please answer the following questions:**

**a) What impacts are anticipated in the community from this proposed Council item?**

**b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?**

**c) How did public involvement shape the outcome of this Council item?**

**d) Who designed and implemented the public involvement related to this Council item?**

**e) Primary contact for more information on this public involvement process (name, title, phone, email):**

**10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.**

No future public involvement is necessary for this council item as this is the final action for this project.

David G. Shaff, Administrator
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BUREAU DIRECTOR (Typed name and signature)