

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

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|---|--|---|
| 1. Name of Initiator Scott Gibson | 2. Telephone No. 503-823-7615 | 3. Bureau/Office/Dept. BES/Design Services Division |
| 4a. To be filed (hearing date): 14 March 7, 2012 | 4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/> | 5. Date Submitted to Commissioner's office and FPD Budget Analyst: |
| 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:

Authorize a contract amendment and provide for payment to Otak for professional project management and engineering services for the design of the East Lents Floodplain Restoration Project - Phase 2, Project No. E08464. (Ordinance

2) Purpose of the Proposed Legislation:

BES completed the design for Phase 1 of the East Lents Floodplain Restoration Project, which was constructed summer 2011. There was a need and benefit to seamlessly design and construct Phase 2 of the East Lents Floodplain Restoration Project immediately after Phase 1.

The Otak contract for Phase 1 was amended to include scope and budget for the design of Phase 2. During development of the design for Phase 2, the need for additional public improvements was identified and resulted in the need to add additional scope to the Otak contract for the design for those improvements.

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 checked="" type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |

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.

No impact to revenue.

5) Expense: What are the costs to the City as a result of 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**.)

185221

Legislation will cost the City \$247,200. A portion of the added budget will be spent in FY 11/12 and the remaining portion will be spent in FY 12/13.

There is no matching grant or contract contribution associated with this legislation.

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 positions will be created, eliminated or re-classified in the current year.

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

No positions will be created, eliminated or re-classified in future years.

(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 |
|------|-------------|-----------------|-----------------|----------------|-------|-------------------|--------|
| | | | | | | | |
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[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

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.

9) If "YES," please answer the following questions:

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

The project is expected to reduce nuisance flooding that currently affects SE Foster Rd and property owners in the area.

About 1000 feet of a new public street, SE Cooper Street, will be constructed to provide access to local residents at the southern end of SE 108th Avenue and SE 110th Avenue.

The bridges over Johnson Creek at SE 106th Avenue, SE 108th Avenue and SE 110th Avenue will be removed and the creek banks reconstructed to improve habitat for fish, birds, and other wildlife.

Additionally, construction impacts are anticipated to include noise, vibration, and possible impacts to traffic.

Upon completion, the project will provide opportunities for public recreation and education by constructing parking areas with informational signs on SE Foster Rd and public access to the site via a new pedestrian and bicycle bridge connecting to a maintenance road and trail on top of the flood storage berms.

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?

Project staff and public outreach staff have involved the surrounding property owners, residents and businesses, the Lents Neighborhood Association and the Johnson Creek Watershed Council in the project's design. Public meetings were held in 2007, 2008, 2009, 2010, and 2011. Media events were held in 2010 and 2011. Phase 1 construction, which was completed in October 2011, included frequent notification to residents and businesses via email and postal mail. The same type and frequency of notification to neighbors is anticipated during Phase 2 construction.

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

BES project team members have worked with members of the community, State and Federal agencies, and the staff of other City bureaus throughout the design of the project. Knowledge gained from public involvement efforts informed and influenced the design of the project elements.

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

Bureau of Environmental Services project staff and public involvement coordinators.


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

David Allred, Sr. Community Outreach Representative, 503-823-7287,

David.Allred@PortlandOregon.gov

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

One or more public meetings will be held prior to the beginning of Phase II construction to inform the community about the project purpose and design, and the anticipated construction impacts. The public will be kept informed of activities during construction via briefings at neighborhood meetings, postal mail, email and the BES website. PI staff will attend project site meetings and meet with the community as needed.


Dean Marriott, Director, Bureau of Environmental Services

APPROPRIATION UNIT HEAD (Typed name and signature)



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Dan Saltzman, Commissioner ■ Dean Marriott, Director

City Council
Agenda Item
Staff Supplemental Report

185221

TO: Commissioner Dan Saltzman
THROUGH: Amy Trieu

FROM: Scott Gibson, P.E.
Design Services Division Manager

Scott *Wile FB*

DATE: February 16, 2012

RE: Amend the Otak contract for the design of Phase 2 of the East Lents Floodplain Restoration Project and add scope and budget for the design of additional public access improvements to Project No. E08464.

Requested Council Hearing Date: March ¹⁴ 7, 2012

I. RECOMMENDATION

Endorse approval of amendment to increase the scope and budget of PTE contract 38100 with Otak for the design of additional public improvements to Phase 2 of the East Lents Floodplain Restoration Project.

II. BACKGROUND

Contract 38100 was for the design of Phase 1 of the East Lents Floodplain Restoration Project. The primary purpose of the design for Phase 1 was to mitigate nuisance flooding from Johnson Creek in SE Foster Road in the vicinity of SE 108th Avenue.

During the design of Phase 1, it became evident there was justification to seamlessly design and construct Phase 2 immediately after Phase 1. The Otak contract was amended to include the design of Phase 2. There is a need to add scope to the amended Otak contract. The additional funding will provide budget for the following scope.

Contract Task 13.0 LOMR

Phase 1 will cause excavation and fill to occur within the Johnson Creek floodway, which is regulated by FEMA. As a result, BES is required to apply for a Conditional Letter of Map Revision (CLOMR) from FEMA for both Phase 1 and Phase 2. At the conclusion of the two CLOMR processes, FEMA will require BES to apply for a Letter of Map Revision (LOMR), a process which will revise the local 100-year floodplain map boundaries.

Currently BES is in the midst of the second CLOMR process for Phase 2. Results from the Phase 1 CLOMR process revealed the current 100-year floodplain boundary would not match the results from the FEMA one-dimensional HEC-RAS hydraulic model Otak used to design the project to meet FEMA requirements. Some of the Freeway Land II commercial property that was not in the previous 100-year floodplain will be in the revised 100-year floodplain.

To minimize the impact to Freeway Land II property, additional topographic survey on that property is needed to further refine the surface used in the model. The impact of revising the 100-year floodplain map on Freeway Land II property and thus the need for intensive topographic survey on that property was not anticipated and is not included in the current Otak contract.

Contract Task 21.0 Public Access Improvements

In cooperation with Portland Parks Bureau, BES determined it was in the City's and the public's best interests to add public access improvements to the constructed floodplain.

The improvements include a new parking lot off Foster Road, a pedestrian bridge across Johnson Creek and a paved trail from the parking lot, across the floodplain and onto new SE Cooper Street.

Contract Task 22.0 Private Access Improvements

During property acquisition negotiations for three lots on SE 108th Avenue, the City agreed to swap City owned property at the end of SE 108th Avenue for the sought after lots. The terms of the agreements obligated the City to provide equitable services to the former City lots for the new owners.

The need to design street improvements to the end of SE 108th Avenue to meet fire code requirements was not anticipated, and the scope for that work is not in the current amended Otak contract. Funding is needed to design the regrading and paving of SE 108th Avenue and a storm sewer to convey the stormwater runoff.

The need to realign the driveway entrance to the property at 6821-6829 SE 112th Avenue from SE 112th Avenue to new SE Cooper Street was also not anticipated. During design of SE Cooper Street, the Portland Bureau of Transportation determined the proximity of the entrance of the driveway to the entrance of SE Cooper Street would be a safety hazard and required the driveway to connect to SE Cooper Street.

Contract Task 3.0 Engineering and Design Support

The addition of scope for the above described work will increase the scope of work under this task.

Contract Task 23.0 Operations and Maintenance

Most stream restoration projects are left to develop and mutate as necessary while the creek stabilizes after completion of the restoration work. The stream restoration on this project differs in that the stream restoration work is an integral part of the flood control

design. The containment of floodwater that would spill onto SE Foster Road is the primary purpose behind the East Lents Floodplain Restoration Project. The design team realized an operation and maintenance plan must be developed to tell future caretakers of this section of Johnson Creek what stream enhancements are critical to the success of flood control operations, which are not and what to do when Creek waters mutate those enhancements. This scope for this work is not in the amended Otak contact and needs funding.

Contract Task 24.0 Post Construction Monitoring and Evaluation

Because of the fluctuating flows in Johnson Creek, all possible impacts to the constructed work can not be predicted. It is expected that the flows will alter the constructed work. This task will monitor and evaluate the constructed work and make recommendations or design changes to address movements in the constructed work.

III. FINANCIAL IMPACT

This contract amendment will cost \$247,200.

IV. LEGAL ISSUES

There are no known legal issues associated with this legislation.

V. CONTROVERSIAL ISSUES

There are no known controversial issues associated with this legislation.

VI. LINK TO CURRENT CITY POLICIES

As shown in the June 2001 Johnson Creek Restoration Plan that was adopted by Council, the City has documented their commitment toward mitigating flooding and restoring wild life habitat along the Johnson Creek corridor. In the Plan, this project is listed as a high priority and is identified in Reach 15. Approval of this legislation will improve public access and use of public property.

VII. CITIZEN PARTICIPATION

As also shown in the Johnson Creek Restoration Plan, for many decades local citizens and the community have participated in discussions on how to restore the Johnson Creek corridor and mitigate local flooding. And the East Lents Neighborhood Association and the Johnson Creek Watershed Council have participated in the development of the design for this project.

VIII. OTHER GOVERNMENT PARTICIPATION

- FEMA has provided partial funding and administers the CLOMR and LOMR processes.
- Permits are needed from the USACE, DSL, DEQ and City's Bureau of Development Services.

- Portland Bureau of Transportation will participate in the design for a new street from SE 112th Avenue to SE 108th Avenue.
- City Water Bureau will be abandoning portions of their utilities in SE 106th and 108th Avenues. They will also participate in the design of a new water main that will be installed during construction of the new public street.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

The \$247,200 value of this contract amendment will provide partial funding for an estimated 6 Otak employees during administration of the proposed scope of work.

IF THIS ACTION IS CONTRACT-RELATED, PROVIDE INFORMATION ON M/W/ESB PARTICIPATION (NUMBER AND PERCENTAGE)

During development of the designs for Phase 1 and 2, it is estimated that 17.7% of the work is being conducted by MWESB sub-consultants.

X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? YES

WHAT IS THEIR BUSINESS LICENSE NUMBER? 381526-00

IS THEIR ACCOUNT WITH THE CITY CURRENT? YES
IF NOT, HOW MUCH IS OWING? _____