

## ORDINANCE NO. 186986

Authorize a contract and provide payment for the construction of the Tabor Adjustments Project at an estimated cost of \$4,800,000 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. A finished drinking water reservoir contains water that has been through all the treatment steps required by the federal Safe Drinking Water Act and can be delivered to the public without further treatment. Five of Portland's finished drinking water reservoirs are uncovered. Three are located at Mt. Tabor Park and two are located in Washington Park.
2. The Long Term 2 Enhanced Surface Water Treatment Rule affects uncovered finished drinking water reservoirs by requiring that water systems either cover the reservoirs or provide treatment at the outlets of the reservoirs to remove or inactivate the *Cryptosporidium* and *Giardia* protozoa, and certain viruses.
3. In March 2009, the United States Environmental Protection Agency (EPA) approved a plan adopted by the Portland City Council to discontinue the use of the Mt. Tabor reservoirs as finished drinking water reservoirs by December 31, 2015. The EPA and the Oregon Health Authority require they be disconnected from the City's distribution system in lieu of covering the reservoirs or treating them as the outlets.
4. The Water Bureau is proposing the Tabor Adjustments to disconnect pipes from the reservoirs, construct new 42 inch and 48 inch pipes from Conduit 3 to distribution pipes, and make other necessary system changes to reliably convey water from the conduits to the distribution system, without using the open reservoirs for drinking water.
5. The total estimated construction cost is \$4,800,000 with a high level for the confidence rating.
6. Funding of \$700,000 is available in the FY 2014-15 Budget. Additional funding of \$3,850,000 will be requested in the FY 2015-16 Budget and \$250,000 in the FY 2016-17 Budget for a total construction cost of \$4,800,000.
7. Elements of the Tabor Adjustments are the subject of a pending Type III land use review before the Historic Landmarks Commission, which may result in an appeal of the Commission's decision to the City Council. Approval of this ordinance only authorizes the Water Bureau to solicit bids for implementing the work for the Tabor Adjustments; it does not constitute Council approval of this project or prejudgment of any land use appeals concerning the project that may be filed with the Council.
8. Approval of this ordinance enables the Water Bureau to take the first of several steps to prepare for construction of this project in sufficient time to meet the EPA's December 31,

2015 deadline for discontinuing the use of the reservoirs for finished drinking water. The Water Bureau's ability to begin construction is dependent on receiving the necessary final City land use approval(s) for the project.

NOW, THEREFORE, the Council directs:

- a. Upon the Council's acceptance of the Chief Procurement Officer's report recommending the lowest responsible bidder, the Chief Procurement Officer is authorized to negotiate and execute a contract, provided the contract has been approved as to form by the City Attorney's office.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities.

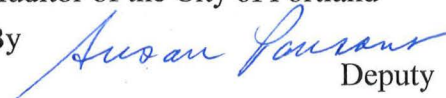
Passed by the Council,

JAN 21 2015

Commissioner Nick Fish  
Teresa Elliott  
January 8, 2015

**Mary Hull Caballero**  
Auditor of the City of Portland

By

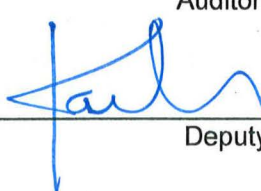
  
Deputy

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Agenda No.  
**ORDINANCE NO. 186986** *Project*  
Title

Authorize a contract and provide payment for the construction of the Tabor Adjustments at an estimated cost of \$4,800,000 (Ordinance)

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| <p style="text-align: center;"><b>INTRODUCED BY</b><br/>Commissioner/Auditor:<br/><b>Commissioner Nick Fish</b></p>   | <p>CLERK USE: DATE FILED <u>JAN 08 2015</u></p>  |
| <p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>   | <p style="text-align: center;">Mary Hull Caballero<br/>Auditor of the City of Portland</p> <p>By:  _____<br/>Deputy</p> |
| <p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Water<br/>Bureau Head: <u>David G. Shaff</u></p> <p>Prepared by: Teresa Elliott<br/>Date Prepared: January 8, 2015</p> <p>Impact Statement<br/>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document<br/>If "Yes" requires City Policy paragraph stated in document.<br/>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b><br/>required for Code Ordinances</p> <p><b>City Attorney Approval:</b><br/>required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date January 14, 2015</p> | <p><b>ACTION TAKEN:</b></p> <p style="font-size: 1.2em;">JAN 14 2015 PASSED TO SECOND READING</p> <p style="text-align: right;">JAN 21 2015 2:30 A.M.</p>  |

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|---|
| <b>AGENDA</b>   |
| <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____<br/>(for presentation, testimony and discussion)</p> |
| <p><b>CONSENT</b> <input type="checkbox"/></p>  |
| <p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <b>5 minutes</b><br/>(for presentation, testimony and discussion)</p>         |

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: |      |
|--------------------|---------------------------------|------|
|                    | YEAS                            | NAYS |
| 1. Fritz           | 1. Fritz<br>✓                   |      |
| 2. Fish            | 2. Fish<br>✓                    |      |
| 3. Saltzman        | 3. Saltzman<br>✓                |      |
| 4. Novick          | 4. Novick<br>✓                  |      |
| Hales              | Hales<br>_____                  |      |