

IMPACT STATEMENT

Legislation title: Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Rose Quarter Planter Box Project (Ordinance)

Contact name: Karl Lisle, Spectator Facilities and Development Coordinator, OMF
Contact phone: 503 823 5876
Presenter name: Karl Lisle

Purpose of proposed legislation and background information:

This ordinance will authorize the City to procure and execute a contract with a contractor to perform repairs on seven large above-ground planter boxes in the Plaza (as defined by the Rose Quarter Arena Ground Lease and other agreements) at the Rose Quarter. The City's standard formal procurement procedures will be followed.

The primary purpose of the work is to replace the waterproof membrane within the planters. The original membrane was installed in 1993 and has reached the end of its useful life. As a result of the failed membrane, water is beginning to infiltrate into various areas of the Rose Quarter complex located below the Plaza.

All trees and soil must be removed from the planters to allow the replacement of the waterproof membrane. The planters will then be refilled with soil and replanted with new trees. While the soil is removed, additional repairs of the planters will be completed as needed.

According to section 17.14 of the Rose Quarter Arena Ground Lease, the City is responsible for the cost and performance of Capital Repairs and Replacement of Plaza Improvements (as these terms are defined in the Lease). Most capital repair and replacement projects at City-owned spectator facilities are required to be performed by the contracted operators of the facilities, but per the terms of the Lease, the Plaza is an exception.

Financial and budgetary impacts:

Funding for this project was included in the requested FY 15-16 Spectator Facilities Program Budget. This expenditure will not diminish the Spectator Facilities Fund's capacity to make required debt payments, or increase risk to the City's General Fund. There is no change to appropriations.

Failure to repair the waterproof membrane now will lead to further water infiltration and potentially damage within the structures below the plaza and/or further deterioration of the planter box structures themselves. Deferring this capital repair project may increase future repair costs.

The project cost is estimated at \$466,200. This is below the \$500,000 threshold above which Council authorization is required. While staff and project consultants are reasonably confident in

the construction cost estimates for the replacement of the waterproof lining and associated tree and soil removal and replacement, the overall confidence in the cost estimate is described as medium, because of the potential to discover additional issues within the planters after removal of the trees and soils. Council authorization is sought now because of this possibility, and the possibility that the cost could increase to more than \$500,000.

Community impacts and community involvement:

City staff and contracted professional staff has worked closely with Portland Arena Management to develop the project scope and timeline. The City will clearly specify the need to schedule work around major events at the Rose Quarter in the procurement materials and construction contract.

There is no known opposition to this City procurement contract.

Budgetary Impact Worksheet

Does this action change appropriations?

- ☐ **YES:** Please complete the information below.
☒ **NO:** Skip this section

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