



[Home](#) / [Council Documents](#)

# 191510

Ordinance

## Amend contract with Wolf Water Resources, Inc. for professional engineering services for the Johnson Creek Oxbow Enhancement Project E08406 not to exceed \$662,023 (amend Contract 30007086)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Chief Procurement Officer authorized Contract No. 30007086 with Wolf Water Resources, Inc. (Consultant), effective from November 1, 2019 to October 31, 2022, for professional technical services for the Johnson Creek Oxbow Enhancement Project, BES Project No. E08406, in the amount of \$813,481.
2. The Chief Procurement Officer authorized Amendment 1 to the contract, effective on March 1, 2020, revising the scope and hourly rates.
3. The Chief Procurement Officer authorized Amendment 2 to the contract, effective on October 1, 2021, extending the term from October 31, 2022 to December 31, 2024, increasing the original not-to-exceed amount to \$1,007,269, revising the scope, and revising the consultant key personnel table and hourly rates.
4. A third amendment to Contract No. 30007086 is needed to authorize additional PTE design and permitting scope through October 31, 2027. Additional scope will cover new property purchased by the City and added to the project since the last amendment was authorized. The amendment will cover additional scope to prepare an application with the Federal Emergency Management Agency for a Letter of Map Revision and provide a historical resources survey. Amendment 3 proposes to increase the contract by an amount not to exceed \$662,023. The amended contract amount will be \$1,669,292, which is an 81% increase of the original contract amount, with an overall 96% D/M/W/ESB firm participation. The level of confidence for the PTE contract is high. Funds are available in the Sewer System Operating

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Environmental Services](#)

Contact

Ali Young

Capital Project Manager II

✉ [Ali.Young@portlandoregon.gov](mailto:Ali.Young@portlandoregon.gov)

📞 [503-865-6110](tel:503-865-6110)

Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

November 8, 2023

Fund, WBS Element E08406 in the Bureau of Environmental Services'  
FY2023-2024 Budget.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer is authorized to execute on behalf of the City an amendment to Contract No. 30007086 with Wolf Water Resources, Inc. in a form substantially in accordance with the attached Exhibit A in an amount not to exceed \$662,023.
- B. The Mayor and City Auditor are hereby authorized to pay for the contract from the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

## Documents and Exhibits

 [Exhibit A](#)

191.64 KB

(<https://www.portland.gov/sites/default/files/council-documents/2023/30007086-wolf-water-resources-amendment-3-unsigned.pdf>)

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
November 8, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

The purpose of the Johnson Creek Oxbow Enhancement Project (Project) is to improve habitat and water quality in Johnson Creek while managing nuisance flooding. Johnson Creek is one of the last free-flowing streams in the Portland area and provides important habitat for coho and chinook salmon, steelhead, and cutthroat trout. Wolf Water Resources (W2r) was contracted in 2019 to assist BES with engineering design and permitting of the Project.

The Project is listed as one of eight high priority projects in the Johnson Creek Restoration Plan (JCRP). The JCRP was approved by the Portland City Council in 2001, and calls for managing nuisance flooding, while at the same time improving habitat and water quality. The Project will build upon three previous restoration projects in the area: Tideman Johnson (2006), Errol Heights Wetlands (2007), and Errol Creek Confluence (2009) and incorporate the Johnson Creek Oxbow Scour Project (2018).

The central feature of the Project site is the namesake “oxbow” meander of Johnson Creek. This oxbow is bounded on the south by a bypass channel which truncates the oxbow creating an island. The channel was constructed by the Works Progress Administration (WPA) in the 1930s. The WPA project included armoring the bed and banks of the bypass channel, armoring portions of the main channel with elevated levees, and creating a fish ladder in the oxbow to maintain fish passage. The goal of the WPA work was to convey flood flows efficiently downstream, but instead the confined channels became hydrologically disconnected from adjacent floodplains and wetlands, exacerbating flooding.

The Project will remove WPA rock and levees along the mainstem to restore floodplain function and help reduce the negative impacts of flooding, improve habitat connectivity, and restore natural resilience to extreme events. Within the creek the Project will improve instream habitat by constructing 24 scour pools and removing the fish ladder, which is a barrier to juvenile salmonids and Pacific lamprey adults most of the year. The Project will improve water quality by truncating stormwater pipe ACZ 290 at the outfall to help treat stormwater before it reaches the creek and protect cold water inputs entering the pipe from the upper pipeshed. The culvert at SE 45<sup>th</sup> Ave is a velocity barrier to all anadromous salmonids trying to migrate through Errol Creek. A 14-FT span box culvert will be installed to facilitate fish passage and sediment transport through the east floodplain and Errol Creek confluence. About  $\frac{3}{4}$  acre of impervious area will be removed adjacent to the Errol Creek wetlands. Twenty acres of riparian area, wetlands, and uplands will be planted with native plants and protected long term as a resilient natural area benefitting the community in the face of climate related natural disasters including flooding, fire, and extreme heat.

A third amendment to Contract No. 30007086 is needed to authorize additional PTE design and permitting scope through October 31, 2027. Additional scope will cover the following:

- Design work covering new property purchased by the City and added to the project since the last amendment was authorized.
- Building a hydraulic model, preparing an application with the Federal Emergency Management Agency for a Letter of Map Revision (LOMR), and providing as-built survey for the LOMR.
- Providing a Cultural Resources Assessment and Report.
- Providing an In Water Work Period variance application and coordination with agencies.
- Providing a tree removal plan for permits and construction.
- Creating a plan set for permit applications.
- Providing engineering support during construction.

## Financial and Budgetary Impacts

This legislation authorizes a contract amendment and allows payment for project with an estimated cost of \$662,023. Funds are available in the Sewer System Operating Fund, with the Bureau of Environmental Services' FY2023-2024 Capital Improvement Plan.

- The level on confidence for the construction cost estimate is high.
- This project will neither generate nor reduce current or future revenue.
- No new City positions will be created.

## Community Impacts and Community Involvement

This project will include environmental and community investments for residents in the Ardenwald-Johnson Creek neighborhood. Low-income and other residents and businesses in the Project area have disproportionately suffered from environmental justice issues including urban heat island effects, poor air quality, and flood hazards. The City has, and continues to, invest in flood management projects and climate resiliency actions such as tree planting that support eastside neighborhood livability.

The Project has been a priority for years. The City of Portland and numerous community groups including the Johnson Creek Watershed Council have coordinated on planning and design work in this area that benefits both nature and the community. The City of Portland has ongoing and planned outreach with the community. Some community project elements include:

- Indigenous, Traditional Ecological and Cultural Knowledge (ITECK) educational presentations, tours and activities with PSU's Indigenous Nations Studies Program.
- Educational access at the Johnson Creek Oxbow site.
- Historic interpretation of the Works Project Administration 1930s era rock work.
- Ongoing Johnson Creek Watershed Council support and partnership.

Neighbors of the Project have voiced support for the project elements but have ongoing concerns about camping, dumping, and violence. BES is highly aware of these concerns. The team will engage with the community to address these issues in design and engage with local community active in the area. The project site falls within the recent Portland Camping Restrictions under City Code 14A.50.020.C.2 and the team can gauge whether these new restrictions are helping to address some of the community's concerns.

## 100% Renewable Goal

This action may not directly impact the City's total energy use. However, streams, riparian areas, and floodplains provide critical ecosystem services that mitigate and adapt to climate change. The Project provides natural protection and climate adaptation benefits to the surrounding Portland neighborhoods by holding more stormwater on City property during flood events, recharging groundwater to protect against drought, storing carbon, expanding riparian forest areas, and enhancing habitat for stressed native plant and animal species.

## Budget Office Financial Impact Analysis

This project is a secondary project under the 1% for green streets primary. Budget for this is currently set aside in E08406 which has \$1.5 million set aside for the Current Year. The scheduled completion date is December 2024.

## Agenda Items

917 Consent Agenda in [November 1, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/11/1)  
(<https://www.portland.gov/council/agenda/2023/11/1>)

Passed to second reading

Passed to second reading November 8, 2023 at 9:30 a.m.

936 Consent Agenda in [November 8, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/11/8)  
(<https://www.portland.gov/council/agenda/2023/11/8>)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea