

## ORDINANCE No. 185096

\*Authorize contract with GreenWorks, P.C., for design and construction administration services for the Westmoreland Park Nature Play Area for a total not-to-exceed amount of \$109,580. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Citizens and Portland Parks & Recreation (PP&R) staff developed a new master plan for Westmoreland Park in 2004, which offers PP&R an opportunity to “re-naturalize” the Crystal Springs Creek water course and provide habitat for salmon and other resident fish species.
2. Relocating the existing playground is a crucial aspect of the creek restoration process. The current location sits on a low-elevation area directly adjacent to the stream bed, which is also in an environmental protected zone. The playground is saturated almost year-round because it is located in a natural floodplain. Constant foot traffic in the soggy conditions results in further erosion.
3. The practical need for moving the current playground location is to allow the natural floodplain to occur and increase the positive environmental impact of restoring the creek bank to allow for a more natural habitat.
4. This provides an exciting opportunity for PP&R to create a new innovative play experience that reflects the goals of the overall restoration project. It will enrich people’s experience of nature in their neighborhood and help strengthen a physical connection to the region’s ecology.
5. On November 26, 2008, City Council approved Ordinance 182374, accepting a \$150,000 grant from the Metro Nature in Neighborhoods Capital Grants Program to relocate and re-design a nature-themed play area in Westmoreland Park and to restore the Crystal Springs Creek banks in the former playground location.
6. On December 9, 2010, City Council authorized Bureau of Environmental Services (BES) and PP&R to jointly execute agreements for the design and construction of watershed restoration projects in partnership with the U.S. Army Corps of Engineers (COE). COE is currently in design for the Westmoreland Park Section 206 Restoration Project. The scope of the project is to remove concrete lining along the creek and pond banks; align the creek channel through the current duck pond area and create wetlands in the rest of the pond area; remove invasive species and plant native species to enhance habitat diversity, control erosion and reduce water temperatures; construct trail system, viewpoint areas and interpretive signage as shown on the 2004 Westmoreland Park Master Plan; and relocate domestic ducks and geese to local farms and homes in rural areas to address public health concerns, water quality issues, and habitat degradation at the park.

7. The COE Westmoreland Park Section 206 Restoration Project is currently funded through design, and is currently anticipated to be constructed summer 2013, providing federal construction funding is appropriate. That project is funded by the Army Corps of Engineers, PP&Rs local share of the 2006 Regional Natural Area Bond Measure, and TriMet for mitigation for the Milwaukee Light Rail Line. Ordinance 184629 on June 1, 2011 authorized the latter through an Intergovernmental Agreement with TriMet for Wetland Mitigation at Westmoreland Park.
8. Metro Nature in Neighborhoods Capital Grants Program requires a dollar-for-dollar match. Matching resources for the Westmoreland Park Nature Play Area project will come from the Portland Parks & Recreation Capital Improvements Fund in the amount of \$433,000.
9. The services were advertised under RFP No. PKS035 and eight responsive proposals were received. The selection committee reviewed and scored these proposals in accordance with Section 5.68 of the City Code and selected the design team led by GreenWorks, P.C.
10. The City desires to enter into a PTE contract with GreenWorks, P.C. with a not-to-exceed contract amount of \$109,580.
11. The M/W/ESB participation in this contract is 6.8%.

NOW, THEREFORE, The Council Directs:

- a. The Director of Parks & Recreation is authorized to negotiate and execute, on behalf of the City of Portland, a contract with GreenWorks P.C., not to exceed \$109,580, generally in the form attached to this Ordinance as Exhibit A.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks payable to GreenWorks, P.C. chargeable to Portland Parks & Recreation when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because of an expiration date for the Metro Grant of December 31, 2013. Additionally, starting the design earlier will allow the construction to be completed during the dryer summer months of 2013, rather than during the fall, resulting in lower construction costs and an earlier play area opening date. Therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: **JAN 11 2012**  
 Commissioner Fish  
 Prepared by: Sandra Burtzos  
 December 27, 2011

**LaVonne Griffin-Valade**  
 Auditor of the City of Portland

By  
 Deputy

*Susan Parsons*

Agenda No.  
**ORDINANCE NO. 185096**  
 Title

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JAN 06 2012

INTRODUCED BY Commissioner/Auditor: <b>Commissioner Fish</b>	CLERK USE: DATE FILED _____
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish <i>Fish</i> Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland  By: <i>Susan Pearson</i> Deputy
BUREAU APPROVAL Bureau: Parks & Recreation Bureau Head: Mike Abbate <i>Mike Abbate</i>	ACTION TAKEN:
Prepared by: Sandra Burtzos Date Prepared: December 22, 2011	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date <b>January 11, 2012</b>	
City Attorney Approval	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	