

IMPACT STATEMENT

Legislation title: *Authorize a contract with R&H Construction in the amount of \$718,991 to complete emergency structural repairs to the Director Park canopy. (Ordinance)

Contact name: Kia Selley
Contact phone: 503/823-5590
Presenter name: Kia Selley

Purpose of proposed legislation and background information:

Construction of Director Park and the canopy was completed in 2009. In the fall of 2014, Portland Parks and Recreation learned that the wood beams supporting the glass canopy of the pavilion had moisture damage and required replacement. Both the design structural engineer and a third-party consulting structural engineer recommended that the wood beams be replaced as soon as possible.

Public use of the space under the canopy continued through the winter of 2014/2015 with an emergency plan in place to close the area under the canopy if snow and/or ice was in the forecast. A design solution has been identified and a Repair Agreement between PP&R and ZGF Architects has been negotiated. ZGF will fund a majority of the \$718,991 repair costs. PP&R will contribute \$188,000 to upgrade to steel beams, providing a longer beam lifespan and lower lifecycle costs. Our engineer recommends against postponing these repairs beyond next winter, therefore PP&R is proceeding with work based upon an approved Emergency Declaration.

To expedite this effort, ZGF has funded and completed the project repair design with PP&R staff input. Because ZGF is funding the repairs, they have selected R&H Construction to review their repair design for constructability and for cost estimating purposes. R&H has been involved in the design and estimating process from the beginning of the repair project, scoping the problem with ZGF to develop a feasible solution. R&H has extensive experience with commercial construction projects and specializes in managing complex and time sensitive repairs. They have an excellent record partnering with MWESB construction companies. The total cost of the repair contract will not exceed \$718,991. The repair work will begin by late September and will be complete by early December 2015, with a majority of the work complete before the downtown street closure moratorium takes effect. This ordinance authorizes R&H to undertake repairs of the Director Park canopy.

Financial and budgetary impacts:

No additional funding is requested of City Council. Our Repair Agreement with ZGF defines financial contributions to the emergency repair work of which ZGF is funding \$530,991 of the \$718,991 total repair cost. PP&R Major Maintenance funding will pay for the \$188,000 cost differential between wood and steel beams. The steel beams are considered an upgrade to the original design and will result in a longer beam lifespan and

lower long-term maintenance costs to the Bureau for this important downtown public open space. The Repair Agreement requires ZGF to fund the first 10% of cost-overruns and additional costs beyond the first 10% will be shared between the City and ZGF.

Community impacts and community involvement:

An extensive public involvement plan will be implemented prior to the start of construction to inform project stakeholders and sponsors, downtown neighbors, and adjacent businesses. PP&R will ask Elephants Café to temporarily close for the two month construction period, however, the public can use their location across the street. The area around the canopy will be fenced for safety and the public will not be allowed under the canopy area while repair work is underway.

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

Finance Manager Approval _____

ORDINANCE No. REFERRED TO COMMISSIONER OF PUBLIC UTILITIES

*Authorize a contract with R&H Construction in the amount of \$718,991 to complete emergency structural repairs to the Director Park canopy. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Construction of Director Park and the canopy was completed in 2009. In the fall of 2014, Portland Parks and Recreation learned that the wood beams supporting the glass canopy of the pavilion had moisture damage and will require replacement. Both the design structural engineer and a third-party consulting structural engineer recommended that the wood beams be replaced as soon as possible.
2. Public use of the space under the canopy continued through the winter of 2014/2015 with an emergency plan in place to close the area under the canopy if snow and/or ice was in the forecast. A design solution has been identified and a Repair Agreement between PP&R and ZGF Architects has been negotiated. ZGF will fund a majority of the \$718,991 repair costs. PP&R will contribute \$188,000 to upgrade to steel beams, providing a longer beam lifespan and lower lifecycle costs. Our engineer recommends against postponing these repairs beyond next winter, therefore PP&R is proceeding with work based upon an approved Emergency Declaration.
3. To expedite this effort, ZGF has funded and completed the project repair design with PP&R staff input. Because ZGF is funding the repairs, they have selected R&H Construction to review their repair design for constructability and for cost estimating purposes. R&H has been involved in the design and estimating process from the beginning of the repair project, scoping the problem with ZGF to develop a feasible solution. R&H has extensive experience with commercial construction projects and specializes in managing complex and time sensitive repairs. They have an excellent record partnering with MWESB construction companies. The total cost of the repair contract will not exceed \$718,991. The repair work will begin by late September and will be complete by early December 2015, with a majority of the work complete before the downtown street closure moratorium takes effect. This ordinance authorizes R&H to undertake repairs of the Director Park canopy.
4. No additional funding is requested of City Council. Our Repair Agreement with ZGF defines financial contributions to the emergency repair work of which ZGF is funding \$530,991 of the \$718,991 total repair cost. PP&R Major Maintenance funding will pay for the \$188,000 cost differential between wood and steel beams. The steel beams are considered an upgrade to the original design and will result in a longer beam lifespan and lower long-term maintenance costs to the Bureau for this important downtown public open space. The Repair Agreement requires ZGF to fund the first 10% of cost-overruns and additional costs beyond the first 10%

will be shared between the City and ZGF.

5. An emergency declaration executed on June 3, 2015 approved Procurement Services to enter into an emergency contract with R&H Construction to complete repairs at Director Park. The purpose of this Ordinance is to execute a construction contract with R&H Construction.

NOW, THEREFORE, The Council Directs:

- a. The Chief Procurement Officer is authorized to execute, on behalf of the City of Portland, a contract and/or amendment with R&H Construction, once such contract and/or amendment has been approved as to form by the City Attorney.
- b. The Director of Parks and Recreation is authorized to allocate \$718,991 which includes ZGF Architecture funding of \$530,991 and \$188,000 of PP&R 2015/16 Major Maintenance Funding for repairs at Director Park.
- c. The Mayor and Auditor are authorized to provide payment, chargeable to the applicable budgets when demand is presented and approved by the appropriate authorities.

Section 2. The Council declares that an emergency exists to complete structural repairs at the Director Park canopy, and further requires these authorizations be in place so to complete the project; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:

Commissioner Fritz

Prepared by: Dale Cook

Date Prepared: 5/18/2015

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

Agenda No.
ORDINANCE NO.
Title

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<p>INTRODUCED BY Commissioner/Auditor: Fritz</p>	<p>CLERK USE: DATE FILED <u>MAY 29 2015</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>Amara Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Parks & Recreation Bureau Head: Mike Abbate <i>[Signature]</i></p> <p>Prepared by: Dale Cook Date Prepared: 5-21-15</p>	<p>ACTION TAKEN:</p> <p>JUN 03 2015 REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date 6-3-15</p>	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	
2. Fish	2. Fish	
3. Saltzman	3. Saltzman	
4. Novick	4. Novick	
Hales	Hales	