City *of* Tigard

Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL, LOCAL CONTRACT REVIEW BOARD & TOWN CENTER DEVELOPMENT AGENCY

MEETING DATE AND TIME:	MARCH 7, 2023 - 6:30 p.m. Business Meeting
MEETING LOCATION:	Hybrid - City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223 - See PUBLIC NOTICE below

PUBLIC NOTICE: In accordance with the City of Tigard's Safety Plan related to COVID-19 and Oregon House Bill 4212, this will be a hybrid meeting where some Council, staff or public will participate in person and some will participate remotely.

How to comment:

- Written public comment may be submitted electronically at www.tigard-or.gov/Comments by noon the day before the meeting.
- If attending the meeting in person, please fill out the public comment sign-in sheet at the front of the room and come to the microphone when your name is called.
- If you prefer to call in, please call 503-966-4101 when instructed to be placed in the queue. We ask that you plan on limiting your testimony to three minutes.
- You may comment through video through the Teams app. Go to this link to learn how to participate by video: March 7, 2023 Tigard City Council Meeting (https://www.tigard-or.gov/Home/Components/Calendar/Event/3328/372).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-718-2419 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

VIEW LIVESTREAM ONLINE: https://www.tigard-or.gov/boxcast

CABLE VIEWERS: The City Council meeting will be shown live on Channel 21 (1st Tuesdays) and Channel 28 (2nd & 4th Tuesdays) at 6:30 p.m. The meeting will be rebroadcast at the following times on Channel 28:

Thursday 6:00 p.m. Friday 10:00 p.m. Saturday 7:30 p.m. Sunday 11:30 a.m. Monday 6:00 a.m.

City *of* Tigard

Tigard Business Meeting –Agenda

TIGARD CITY COUNCIL, LOCAL CONTRACT REVIEW BOARD & TOWN CENTER DEVELOPMENT AGENCY

MEETING DATE AND TIME: MARCH 7, 2023 - 6:30 p.m. Business Meeting

MEETING LOCATION: Hybrid - City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

6:30 PM

1. BUSINESS MEETING

   A. Call to Order

   B. Roll Call

   C. Pledge of Allegiance

   D. Call to Council and Staff for Non-Agenda Items

2. PROCLAMATIONS AND RECOGNITION **6:35 p.m. estimated time**

   A. PROCLAIM MARCH AS WOMEN'S HISTORY MONTH

3. PUBLIC COMMENT

   A. Follow-up to Previous Public Comment

   B. Public Comment – Written

   C. Public Comment – In Person

   D. Public Comment – Phone-In or Video

4. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board) The Consent Agenda is used for routine items including approval of meeting minutes, contracts or intergovernmental agreements. Information on each item is available on the city's website in the packet for this meeting. These items may be enacted in one motion without separate discussion. Council members may request that an item be removed by motion for discussion and separate action.

A. ESRI (ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE) ENTERPRISE LICENSE AGREEMENT RENEWAL

B. CONSTRUCTION CONTRACT FOR ABANDONMENT OF RESERVOIRS 9-1 AND 9-2 AND PUMP STATION 11

C. CONTRACT FOR DESIGN AND ENGINEERING OF THE NICK WILSON MEMORIAL PLAZA

- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*

5. LEGISLATIVE PUBLIC HEARING: AMENDMENTS TO TIGARD MUNICIPAL CODE CHAPTER 10.30 **6:45 p.m. estimated time**

6. CONSIDER DEDICATION OF STREET RIGHT-OF-WAY TO THE PUBLIC ACROSS TAX LOT 300 AT RESERVOIR 4 **6:55 p.m. estimated time**

7. RESERVOIR 18 AND PUMP STATION PROGRESSIVE DESIGN BUILD CONTRACT AMENDMENT **7:05 p.m. estimated time**

8. NON-AGENDA ITEMS

9. ADMINISTRATIVE REPORT **7:50 p.m. estimated time**

10. EXECUTIVE SESSION: The Tigard Town Center Development Agency (TCDA) will go into Executive Session to discuss real property negotiations, under ORS 192.660(2) (e). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. **7:55 p.m. estimated time**

11. ADJOURNMENT **8:15 p.m. estimated time**

AIS-5148 **2. A.**

Business Meeting

Meeting Date: 03/07/2023

Length (in minutes): 5 Minutes

Agenda Title: Proclaim March Women's History Month

Authored By: Nicole Hendrix

Presented By:

Item Type: Proclamation

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

The month of March is federally observed as Women's History Month. The city of Tigard acknowledges that women, including and especially Black, Indigenous and women of color, have made historic contributions to the growth and strength of our nation and community in countless recorded and unrecorded ways while being consistently overlooked and undervalued.

We celebrate women in leadership roles in city government, recognizing this field is historically male-dominated and the road to leadership for a woman in any male-dominated sphere is often particularly difficult. We support strides to encourage more female leaders and celebrate our first-ever female Mayor, Heidi Lueb.

ACTION REQUESTED

City teammates ask Mayor and Council to issue the proclamation to recognize and celebrate the current and past contributions of women.

BACKGROUND INFORMATION

The 2023 national Women's History Month theme "Celebrating Women Who Tell Our Stories" honors women in every community, including Tigard, who have devoted their lives and talents to improving the human condition decade after decade.

Externally, Tigard will feature educational resources for anyone to join in celebrating women's history. This will include a video featuring Tigard's past and present female electeds, website featuring fearless female leaders in Tigard and women-owned businesses, and more. Internally, Tigard teammates will join Portland Story Theater to develop story-telling skills with the goal to help share and celebrate all stories.

ALTERNATIVES & RECOMMENDATION

City teammates recommend issuing this proclamation, although the City Council could choose not to.

ADDITIONAL RESOURCES

www.tigard-or.gov/WomensHistory

Attachments

Proclamation - Women's History Month 2023

Proclamation

City *of* Tigard

Women's History Month
March 2023

WHEREAS, the month of March is federally observed as Women's History Month; and

WHEREAS, women, including and especially Black, Indigenous and women of color, have made historic contributions to the growth and strength of our Nation and community in countless recorded and unrecorded ways while being consistently overlooked and undervalued; and

WHEREAS, women have played and continue to play critical economic, cultural, and social roles in every sphere of life by constituting a significant portion of the labor force working inside and outside of the home, and whose household labor is often invisible and underappreciated; and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, the City of Tigard celebrates women in leadership roles in our city government, as staff and elected officials, recognizing this field is historically male-dominated and the road to leadership for a woman in any male-dominated sphere is often particularly difficult; and

WHEREAS, the 2023 National Women's History Month theme "Celebrating Women Who Tell Our Stories" honors women in every community, including Tigard, who have devoted their lives and talents to improving the human condition decade after decade;

NOW THEREFORE BE IT RESOLVED the City of Tigard City Council does hereby proclaim its support for March as,

Women's History Month

in Tigard and encourages all community members to celebrate women and their contributions to our community.

Dated this 7th day of March, 2023

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

_____
Heidi Lueb, Mayor
City of Tigard

Attest:

_____
Carol A. Krager, City Recorder

AIS-5117 **4. A.**

Business Meeting

Meeting Date: 03/07/2023

Length (in minutes): Consent Item

Agenda Title: ESRI ELA CONTRACT RENEWAL

Authored By: Preston Beck

Presented By: GIS Program Administrator Preston Beck

Item Type: Motion Requested

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

Approval of contract for an enterprise license agreement (ELA) from Environmental Systems Research Institute, Inc. (ESRI) for Geographic Information System (GIS) core software. This will be the 6th such renewal by the City of the small government ELA with ESRI since they started offering the umbrella license agreement back in 2008.

ACTION REQUESTED

Staff recommends the Local Contract Review Board approve the contract for the enterprise license agreement from ESRI.

BACKGROUND INFORMATION

Environmental Systems Research Institute, Inc. (ESRI), the software vendor for the City's GIS (geographic information system), offers a tiered licensing program for municipalities of under 50,000 population, greater than 50,000, and over 100,000 population. The licensing program institutes an Enterprise License Agreement (ELA) and essentially allows a municipality to have a single umbrella license agreement covering ESRI's core software suite, rather than individual licenses for each piece of software, as well as complicated licensing schemes for software on servers.

The renewal of ELA program is $56,700 per year and requires the City to commit to another 3-year term for a total of $170,100 over the term. Billing will occur on an annual basis and after the 3 years, the municipality can again renegotiate the program. City staff evaluated licensing cost compared to its current original licensing cost and found it still to be a better value for the City. In addition, staff time related to software procurement and license administration was greatly reduced with the ELA.

The licensing program also allows the City to use additional functionality and software extensions previously unavailable, which allows for a much more robust set of analytical tools for desktop users and further increase the City's ability to deploy the enterprise GIS to even more users. In addition, new software applications introduced by the vendor and been included in the ELA further increasing the value the City receives from the agreement. Furthermore, Tyler software uses ESRI map services and is presently being configured in modules using a map interface. Based on this evaluation, entering into a new ELA term with ESRI will continue to provide a better value for the City and is therefore recommended.

Under Tigard Public Contracting Rule 10.125 (Software), the city may award a contract without a formal competitive process if it is determined that little competition exists for the required software. Factors in the determination on whether or not competition exists include:

- The extent to which software is integrated with the City's systems, including both hardware and software
- The stability of the software company
- The overall cost of the software Under these conditions, especially the integration factor of the ESRI software as noted above, staff recommends the Local Contract Review Board award the contract for an enterprise license agreement to ESRI for their core GIS software.

ALTERNATIVES & RECOMMENDATION

No other alternative exists at a reasonable cost and effort level for the city's existing GIS system.

Are there other options? Yes, open source is an option: TriMet has pursued this route for many of its applications, but still uses ESRI for its core data maintenance and analysis. Open source is more practical in larger organizations. There is often a risk with open source in that for smaller organizations without the staffing resources to support building and maintaining an open-source environment. And if there are staff changes, often a custom solution will result in fewer people that are familiar with a "home grown" system: vs something that is widely used and ubiquitous.

What would be the precipitating event?

- Exorbitant fees, locked into a bad fee structure or potential fee change
- Poor customer service
- Dissatisfaction by our user base
- Lack of vendor innovation in GIS industry
- Software outdated

ADDITIONAL RESOURCES

Benefits of the ELA for the City's GIS

- The ELA streamlines licensing issues by providing an umbrella license enabling the City to deploy software at will on servers and desktops.
- The ELA opens access to a large suite of analytical software to City employees.
- The ELA provides the City with access to in-the-cloud mapping system ArcGIS Online which has given enhanced abilities to deploy our GIS over smart phones and tablet PCs, which is a fast growing segment of our user base as well as deploy rich interactive applications, such as story maps, for the public.

ESRI's software has allowed the city to develop, maintain, analyze, share, and provide decision supporting many business functions including:

- Utility systems management (sanitary, stormwater, water, streets)
- Parks
- Mapping and analysis of crime data
- Permitting
- Planning
- Engineering
- Utility Billing
- Document management
- EOC (Emergency Operations Center)
- Police calls for service and reporting crime mapping

- Equity mapping and analysis
- GIS is integrated with most major business systems and is also part of the Tyler implementation
- Field workers can now locate city utilities using field devices and can initiate work orders
- Police vehicles can use mapping applications while in the field
- The self-service nature of GIS provides savings for both staff and the community's time by providing 24-hour access to a wealth of information in a map-based environment
- ESRI software is also used by nearly all government operating GIS.
- Tigard benefits by having access to de facto standard data formats for exchange and updates of data sets of which Tigard is a participant at the local, regional, and state level.

Fiscal Impact

Cost: 170,100

Budgeted (yes or no): Yes

Where Budgeted (department/program): IT Department

Additional Fiscal Notes:

The cost of the enterprise license agreement is $170,100 over three years. The funds for the cost of the license are annually allocated in the Information Technology Department.

Attachments

No file(s) attached.

AIS-5155	**4. B.**
Business Meeting	
Meeting Date:	03/07/2023
Length (in minutes):	Consent Item
Agenda Title:	Construction Contract for Abandonment of Reservoirs 9-1 & 9-2 and Pump Station 11
Authored By:	Ross Horton
Presented By:	Senior Project Engineer Ross Horton
Item Type:	Motion Requested
Public Hearing Newspaper Legal Ad Required?:	No
Public Hearing Publication Date in Newspaper:	01/11/2023

Information

EXPLANATION OF ISSUE

The purpose of this action is to approve the construction contract for the Abandonment of Reservoirs 9-1 & 9-2 and Pump Station 11 project to GT Excavating, Inc. in the amount of $167,495.

ACTION REQUESTED

Staff recommends the Local Contract Review Board award a construction contract for the Abandonment of Reservoirs 9-1 & 9-2 and Pump Station 11 project to GT Excavating, Inc. in the estimated amount of $167,495.00 and direct the City Manager to take the necessary steps to execute the contract.

BACKGROUND INFORMATION

The adopted 2022-2023 Capital Improvement Plan includes project #96057 Abandon Reservoirs 9-1 & 9-2 and Pump Station 11. Reservoirs 9-1 and 9-2 are located outside of the city's current service area and are inoperable due to the abandonment of the Tualatin Valley Water District (TVWD) supply main required for proper function. These reservoirs are also located at a lower elevation than similar reservoirs in the same pressure zone, leading to an increase in water age and decrease in water quality from these reservoirs. Pump Station PS-11 is only used to create water turnover in these reservoirs and therefore would become obsolete following the abandonment of these reservoirs. Completion of this project will enable the City to better provide clean, safe drinking water to its residents, and reduce ongoing maintenance costs. The City issued an invitation to bid (ITB) for this project on January 11, 2023. The ITB closed on January 31, 2023, and the City received the following 2 bids:

- GT Excavating, Inc. $167,495.00
- Lee Contractors, LLC $241,042.08

Staff vetted these bids and has determined that GT Excavating, Inc., has submitted the lowest responsible bid. GT Excavating, Inc., is not listed on the Oregon Bureau of Labor and Industries list of ineligible contractors and has had no disciplinary actions by the State Construction Contractors Board. As such, staff is recommending the construction contract for the Abandonment of Reservoirs 9-1 & 9-2 and Pump

Station 11 project be awarded to GT Excavating, Inc. for an amount not to exceed $167,495.00.

ALTERNATIVES & RECOMMENDATION

The Local Contract Review Board may choose to not award this contract.

ADDITIONAL RESOURCES

Fiscal Impact

Cost:	$167,495
Budgeted (yes or no):	Yes
Where budgeted?:	Capital Improvement Project 96057
Additional Fiscal Notes:	

Attachments

No file(s) attached.

AIS-5162	**4. C.**
Business Meeting	
Meeting Date:	03/07/2023
Length (in minutes):	Consent Item
Agenda Title:	Contract for Design and Engineering of the Nick Wilson Memorial Plaza
Authored By:	Sean Farrelly
Presented By:	Redevelopment Manager Farrelly
Item Type:	Motion Requested
Public Hearing Newspaper Legal Ad Required?:	Yes
Public Hearing Publication Date in Newspaper:	10/10/2022

Information

EXPLANATION OF ISSUE

The purpose of this action is to approve the contract for design and engineering of the Nick Wilson Memorial Plaza, a planned downtown public space.

ACTION REQUESTED

Staff recommends the Local Contract Review Board award the contract of $430,737 for a total contract amount of $430,737 and direct the City Manager to take the steps necessary to execute the contract.

BACKGROUND INFORMATION

The voter-approved City Center Urban Renewal Plan has as one of its goals to "develop urban spaces that will provide active and passive recreational opportunities for pedestrians and attract residents and visitors to downtown.

The Nick Wilson Memorial Plaza project is named in memory of a former Tigard City Councilor, who helped develop this public space concept and completed a feasibility study in 2014. The project will construct an approximately 6,000 square foot public space/trail connection on an easement next to Fanno Creek on what is now the egress driveway for the brewpub building at 12562 SW Main Street. The project requires widening the current access driveway adjacent to the neighboring building (12564 SW Main Street) to accommodate two-way traffic. This project will provide better access to the natural and recreational resources of the creek and a new connection to the Fanno Creek Trail.

The City issued a Request for Proposals in October 2022 and received one response from a consultant team headed by 2.Ink Studio, a Portland based landscape architecture firm. The team includes sub-consultants for electrical engineering, lighting design, natural resources, land use permitting, cost estimating, and transportation engineering. Staff reviewed and scored proposals based on the following criteria:

- Project Understanding and Approach
- Design Consultant Team Experience with Similar Projects
- Qualifications of Key Staff

After careful consideration, including reference checks and follow-up meetings, staff recommends that the contract be awarded to 2.Ink Studio and their team of subconsultants. It is anticipated that the project to take 28 months from kick-off to completion of construction.

ALTERNATIVES & RECOMMENDATION

The Local Contract Review Board may choose to not award this contract which would delay the project.

ADDITIONAL RESOURCES

None

Fiscal Impact

Cost: $430,737

Budgeted (yes or no): Yes

Where budgeted?: TCDA/Urban renewal

Additional Fiscal Notes:

Approved in the FY 2023 TCDA budget.

Attachments

No file(s) attached.

AIS-5110 **5.**

Business Meeting

Meeting Date: 03/07/2023

Length (in minutes): 10 Minutes

Agenda Title: Legislative Public Hearing on Amending Tigard Municipal Code Chapter 10.30

Authored By: Leigh Erickson

Presented By: Sgt Travis Doughty

Item Type: Motion Requested
Ordinance

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

This ordinance amends the current Residential Parking Zone code to allow for greater flexibility in terminating a portion of the zone as well as with the administration of guest passes.

ACTION REQUESTED

Approve the proposed changes to Tigard Municipal Code Sections 10.30.040 and 10.30.050.

BACKGROUND INFORMATION

These changes will allow for more flexibility to address community issues regarding residential parking zones. Currently, the City has two residential parking zones, both of which were created in the 1990s and are located near Tigard High School. One zone is located south of Durham Road, west of 92nd Avenue and east of Copper Creek Drive and the other zone is located north of Durham Road, west of Hall Blvd and east of Alderbrook Circle. (map attached)

The following changes were the result of community feedback:

TMC 10.30.040 - Adding "or a portion thereof" – this change allows the City Manager to terminate a portion of the previously approved zone based on resident petition. Providing the City with additional flexibility if the needs of the community have changed. It also clarifies that terminating a residential parking zone may occur at the ends of the zone and not creating a zone with "islands."

TMC 10.30.050 - This allows a resident who lives directly adjacent to a zone purchase a guest pass so that they may park a vehicle within the zone, if non-zone options are limited.

TMC 10.30 was last updated via ordinance 19-21 on August 28, 2019 and via ordinance 19-22 on December 3, 2019. These changes created the current version of the residential parking code as represented in TMC 10.30.

ALTERNATIVES & RECOMMENDATION

Council could choose not to approve the proposal and the residential parking zones would remain unchanged.

ADDITIONAL RESOURCES

N/A

Attachments

Ordinance

Map of residential parking zone

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 23-

AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE CHAPTER 10.30.040 REGARDING RESIDENTIAL PARKING ZONE RENEWAL OR REVOCATION 10.30.050 PERMITS

WHEREAS, Tigard's Residential Parking Program is outline in Tigard Municipal Code 10.30; and

WHEREAS, the code, as currently drafted, requires residential parking zones be terminated in their entirety if at least 60% of residents petition to do so; and

WHEREAS, under the current code, only residents within an existing residential parking zone may purchase an on-street parking permit or guest pass; and

WHEREAS, for administrative convenience and flexibility for homeowners, the City wishes to allow residential parking zones to have the ability to terminate a portion of the zone that is directly adjacent to the existing zone if 60% or more of residents petition to do so; and the City wishes to allow residents directly adjacent to the residential parking zone to have the ability to purchase on-street parking permits or guest passes.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Tigard Municipal Code 10.30.040 is hereby amended to read as follows (additional text is underlined and deleted text is shown in ~~strikethrough~~):

A. The city manager receives a petition signed by a resident from least 60% of the addresses in the residential parking zone, or portion thereof, limited to one resident signature per address, requesting termination of the residential parking zone; or

B. The city manager finds it is in the best interest of the city to terminate the residential parking zone, or portion thereof. Prior to termination, the city manager will send notice of a public meeting to all residents in the residential parking zone. Within 30 days following the public meeting, the city manager will determine whether to terminate the residential parking zone or portion and provide notice to all residents of the decision. If the city manager terminates the residential parking zone or portion, a minimum of one year must elapse before a new proposal may be initiated for the same or similar area.

C. A portion of a residential parking zone terminated pursuant to Subsection A or B must be directly adjacent to the end of the zone.

SECTION 2: Tigard Municipal Code 10.30.050 is hereby amended to read as follows (additional text is underlined and deleted text is shown in ~~strikethrough~~):

A. Once a residential parking zone is approved, a resident may apply to the city for an on-street parking permit or guest pass, as provided in the residential parking zone plan. An applicant must show proof of residency within or directly adjacent to the residential

parking zone and proof of vehicle ownership of vehicle(s) registered to that address. A permitted guest has the same rights and permissions as a resident.

SECTION 3: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity does not affect the other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

SECTION 4: This ordinance shall be effective 30 days after its passage by the council, signature by the mayor, and posting by the city recorder.

PASSED: By _____ vote of all council members present after being read by number and title only, this _____ day of _____, 2023.

_____
Carol A. Krager, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2023.

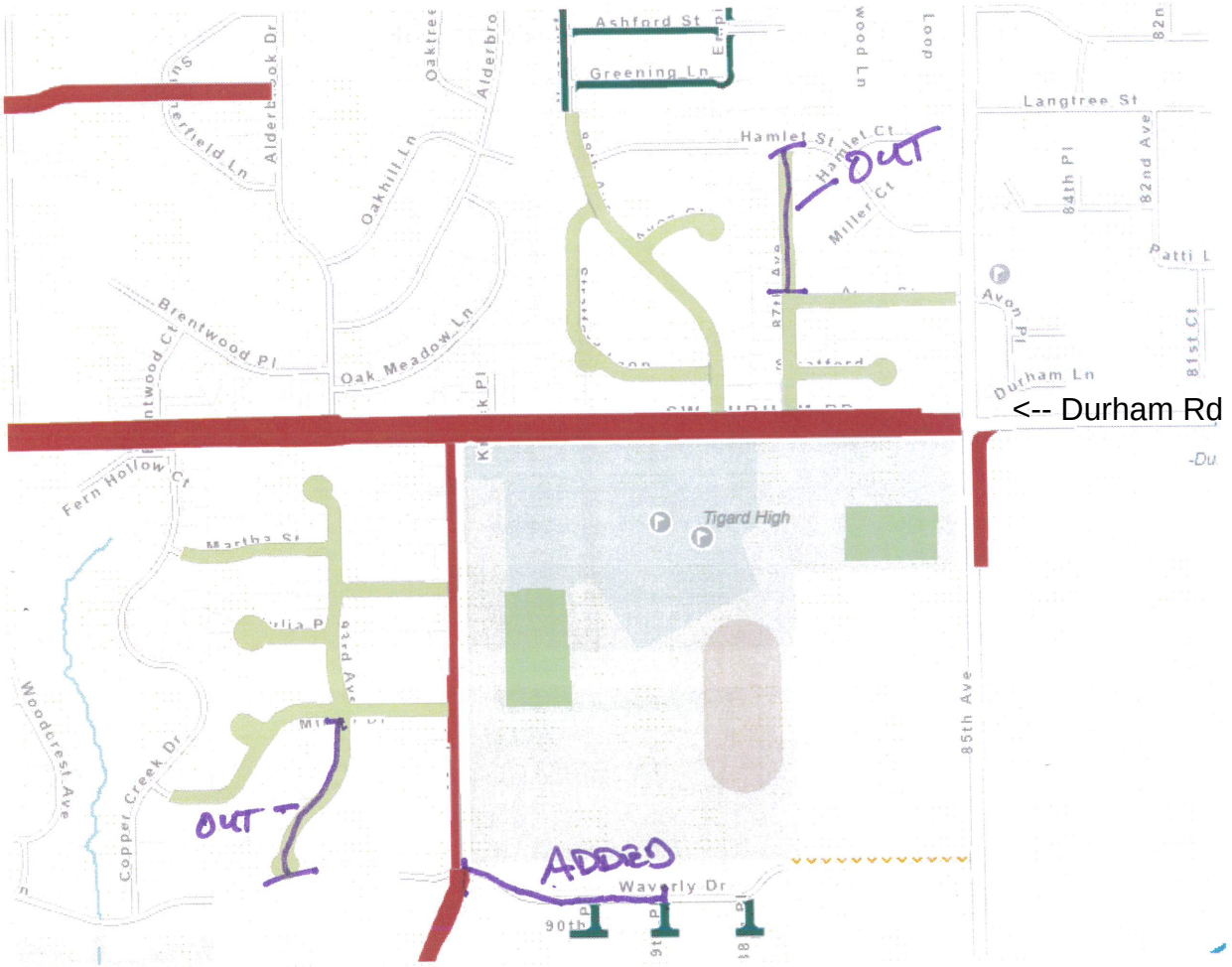
_____
Heidi Lueb, Mayor

Approved as to form:

_____
City Attorney

_____
Date

City of Tigard Residential Parking Zone Map
Zones are in green
Sections which have left the zone in purple



AIS-5157 **6.**

Business Meeting

Meeting Date: 03/07/2023

Length (in minutes): 10 Minutes

Agenda Title: Consider Dedication of Street Right-of-Way to the Public Across Tax Lot 300 at Reservoir 4

Authored By: Joe Wisniewski

Presented By: City Engineer Wisniewski

Item Type: Motion Requested

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

The Bull Mountain Heights development located near Water Reservoir Site #4 was conditioned as part of their Land Use Decision to improve portions of SW 122nd Avenue. To accommodate the required improvements, additional street right-of-way from Reservoir Site #4 are necessary. Without the dedication, the Bull Mountain Heights development will not be able to improve SW 122nd Avenue to meet current City Standards.

ACTION REQUESTED

City Engineer Wisniewski will request a motion from City Council authorizing the City Manager to execute a Right-of-way Dedication Document to convey its rights, title, and interest in the property and dedicate to the public.

BACKGROUND INFORMATION

Reservoir #4 is considered a "System Asset" in the public water system that serves the Tigard Water Service Area. System Assets are operated by Tigard and proportionately owned by Tigard, the City of Durham and the Tigard Water District; these provisions are documented by way of an intergovernmental agreement (IGA). That IGA provides that if any part of System Asset real property is sold or conveyed to others, that the Water Advisory Board (WAB) must provide a recommendation to the city council. Public Works Director Rager presented the item to the WAB on February 8, 2023, and the board voted in favor of such a recommendation to dedicate the right-of-way.

ALTERNATIVES & RECOMMENDATION

N/A

ADDITIONAL RESOURCES

N/A

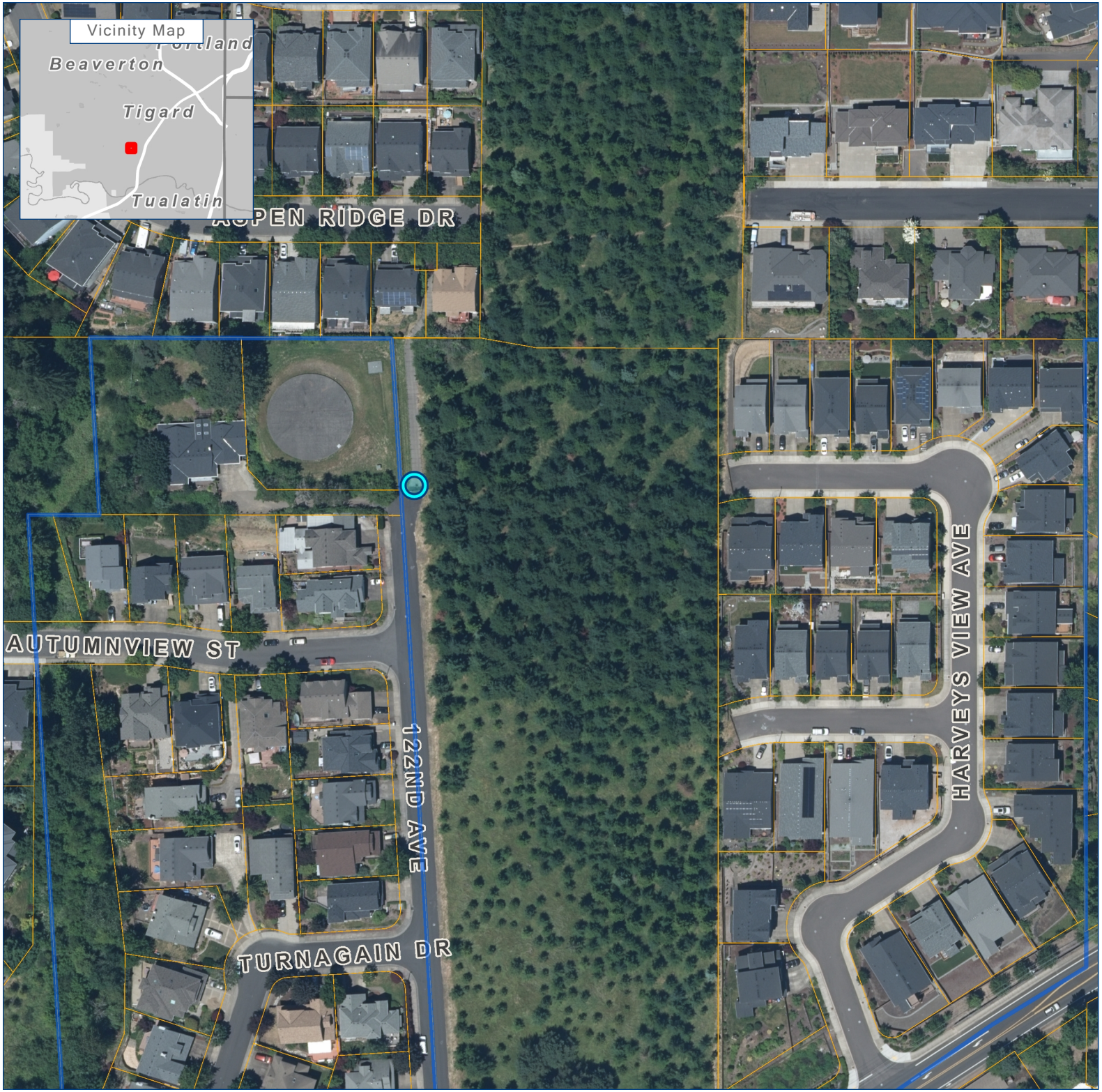
Attachments

Location Map

Dedication Deed
Exhibit A
Exhibit B

Reservoir #4 - Request for Easement

City of Tigard, Oregon



Data is derived from multiple sources. The City of Tigard makes no warranty, representation, or guarantee as to the content, accuracy, timeliness or completeness of any of the data provided herein. The City of Tigard shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused.

Scale: 0.04 Miles

City of Tigard
13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171
www.tigard-or.gov

Map Created:
01/31/2023

RETURN RECORDED DOCUMENT TO:
CITY HALL RECORDS DEPARTMENT,
CITY OF TIGARD
13125 SW Hall Blvd.
Tigard, OR 97223

CORPORATION

File No.

DEDICATION DEED

FOR ROAD OR STREET PURPOSES

Space above reserved for Washington County Recording information

The City of Tigard conveys its rights, title, and interest in the property and dedicates to the public a perpetual right-of-way for street, road, and utility purposes on, over, across, under, along, and within the following described real properties in Washington County, Oregon:

Attached Exhibit "A"

To have and to hold the above-described and dedicated rights unto the public forever for uses and purposes hereinabove stated.

The true consideration for this conveyance is $ 0.00 . However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

IN WITNESS WHEREOF, I hereunto set my hand on this _____ day of _____, 20_____.

The City of Tigard
Name of Corporation

Signature

13125 SW Hall Boulevard, Tigard, Oregon 97223
Address

City Manager
Title

Signature

Tax Statement Mailing Address *(if different from above)*

Title

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on _____(date) by _____
(name(s) of person (s)) as _____ (type of authority, e.g., officer, trustee, etc.) of
_____ (name of party on behalf of whom instrument was executed).

Notary's Signature

My Commission Expires: _____

Accepted on behalf of the City of Tigard this _____day of _____, 20_____.

City Engineer

AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com
OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

AKS Job #4959

EXHIBIT A

Right-of-Way Dedication

A tract of land located in the Southwest One-Quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of the plat "Turnagain Heights", recorded as Document Number 98070612, Washington County Records, also being on the west line of Document Number 2021-132516, Washington County Records; thence along said west line, North 01°49'12" West 25.05 feet to the east northeasterly corner of Document Number 93-000160, Washington County Records, and the Point of Beginning; thence along the northerly line of said Deed, North 88°11'57" West 16.64 feet; thence leaving said northerly line on a non-tangent curve to the right (with a radial bearing of South 54°00'56" East) with a Radius of 40.00 feet, a Central Angle of 11°42'11", an Arc Length of 8.17 feet, and a Chord of North 41°50'10" East 8.16 feet; thence along a compound curve to the right with a Radius of 58.50 feet, a Central Angle of 12°59'30", an Arc Length of 13.26 feet, and a Chord of North 54°11'00" East 13.24 feet to the west line of said Deed; thence along said west line, South 01°49'12" East 14.35 feet to the Point of Beginning.

The above described tract of land contains 135 square feet, more or less.

The Basis of Bearings for this description is based on Survey Number 34130, Washington County Survey Records.

9/12/2022

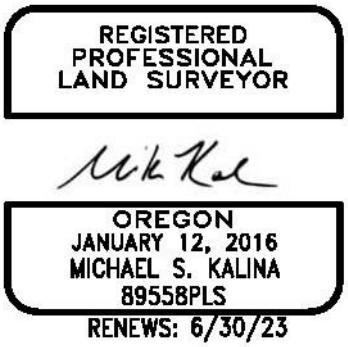
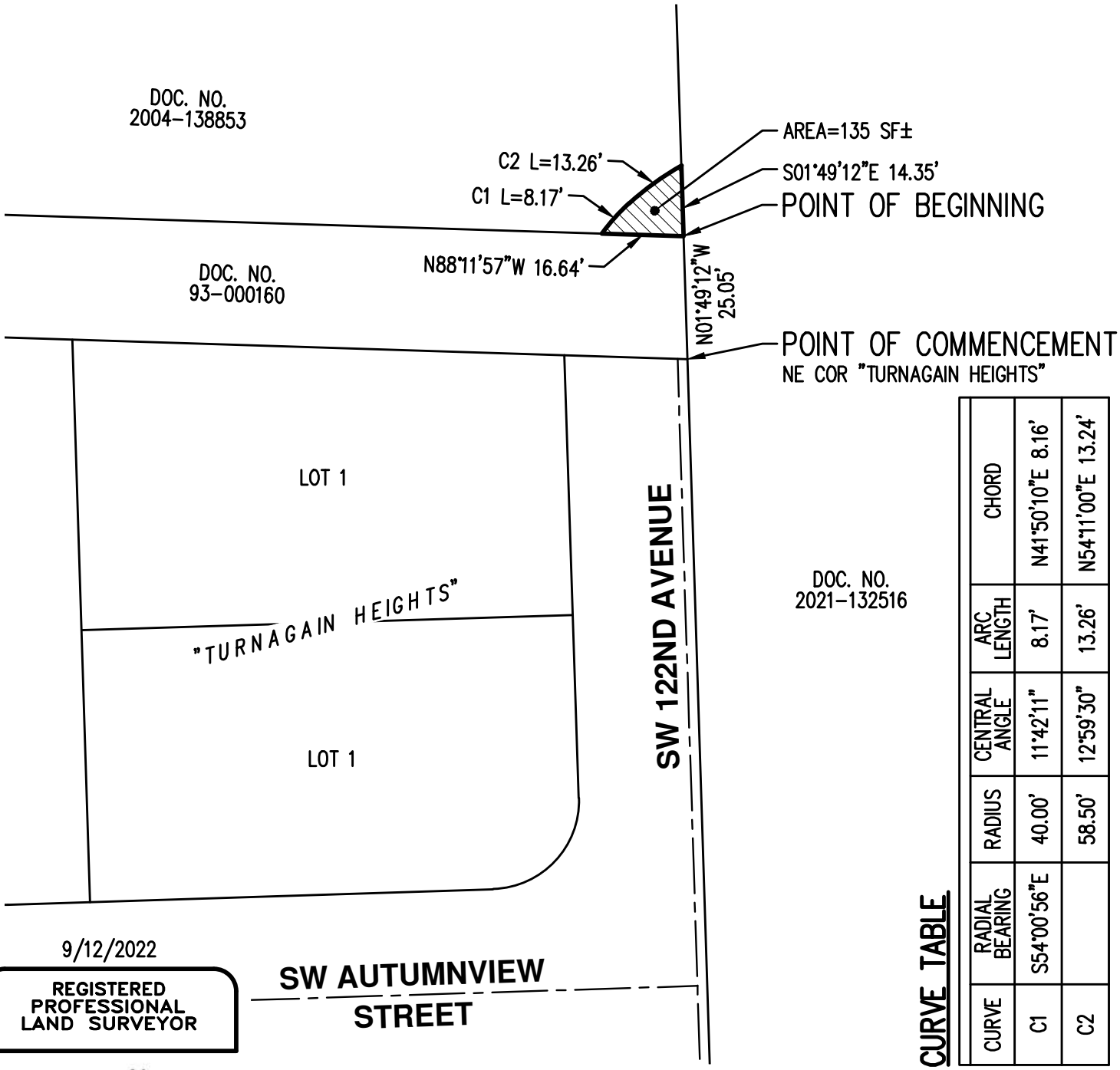


EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON



CURVE TABLE

CURVE	RADIAL BEARING	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD
C1	S54°00'56"E	40.00'	11°42'11"	8.17'	N41°50'10"E 8.16'
C2		58.50'	12°59'30"	13.26'	N54°11'00"E 13.24'

9/12/2022

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS
RENEWS: 6/30/23

SCALE: 1"= 30 FEET

30 0 6 15 30

N

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

RIGHT-OF-WAY DEDICATION

DRWN: WCB	CHKD: MSK
AKS JOB: 4959	EXHIBIT B

DWG: 4959 20220912 EXB | EXB2

AIS-5163	**7.**
Business Meeting	
Meeting Date:	03/07/2023
Length (in minutes):	45 Minutes
Agenda Title:	RESERVOIR 18 AND PUMP STATION PROGRESSIVE DESIGN BUILD CONTRACT AMENDMENT
Authored By:	Shasta Billings
Presented By:	Senior Project Engineer Billings
Item Type:	Update, Discussion, Direct Staff
Public Hearing Newspaper Legal Ad Required?:	No
Public Hearing Publication Date in Newspaper:	

Information

EXPLANATION OF ISSUE

The purpose of this item is to provide a briefing to City Council/Local Contract Review Board (LCRB) on the Reservoir 18 and Pump Station project. The briefing will include a project history, work completed to date, and explanation of the guaranteed maximum price (GMP) contract amendment. This informational meeting is the first of a two-step process. The second meeting will occur on March 14 with the City Council's formal consideration of the GMP contract amendment and any follow-up answers to City Council questions if necessary.

ACTION REQUESTED

Staff requests that Council/LCRB receive the briefing and then participate in a discussion and question/answer forum with staff regarding the GMP amendment.

BACKGROUND INFORMATION

The City of Tigard owns and operates a public water system which supplies potable water to the Tigard Water Service Area (TWSA), which includes approximately two-thirds of the residents, businesses, and public institutions within the city limits, the unincorporated area of Bull Mountain, and the cities of King City and Durham. The TWSA is currently expanding to include the River Terrace area as development continues to occur along the city's western boundary.

Three of the city's six pressure zones are involved in this project and include the 410-foot, 560-foot, and 713-foot pressure zones. The 560-foot pressure zone is currently split into eight subzones with seven subzones relying on the storage, pumping, and transmission facilities that also serve the 713-foot pressure zone. The western slopes of Bull Mountain have seen a sharp increase in development since the city annexed in this area and approved the River Terrace Community Plan. As such, hydraulic analyses show that existing facilities serving the 713-foot pressure zone do not have adequate capacity to continue serving the 560-foot pressure zone. Therefore, the City must construct Reservoir 18 to serve two of the largest subzones in the 560-foot pressure zone.

This project is meant to be designed and constructed in two phases using the progressive design-build (PDB) delivery method: Phase 1 – Preconstruction Phase and Phase 2 – Construction Phase. In December

2021, Emery & Sons Construction Group, LLC (Emery) was selected as the Design-Builder and the Phase 1 contract was awarded to them. The general Preconstruction Phase 1 project scope has included design and permitting of the following upgrades to the water distribution system:

- New, fully buried, 4.5-million-gallon (MG) reservoir (Reservoir 18) at Sunrise Park.
- Replacement of the existing temporary pump station (PS 13) with a bifurcated model, where one outlet branch will pump water from Reservoir 13 to Reservoir 18, and the other branch will serve as a backup to PS 17, that currently pumps water from Reservoir 13 to the 713-foot pressure zone.
- New water lines from PS 13 to both Reservoir 18 and the 713-foot pressure zone.
- New water line from Reservoir 18 to feed the 560-foot pressure zone.

In addition, hydraulic modeling work performed by the PDB team during Phase 1 indicated deficiencies in the 410-foot pressure zone once this project is online and that upsizing of water mains in the distribution system would be required in order to meet level of service requirements. Therefore, this work was added to the Phase 1 design scope via a contract amendment, and the cost for construction has been included in the GMP.

The Progressive Design-Build process allows for the City and Emery to progress through 60% design and collaboratively agree on the GMP for the Phase 2 Construction Services.

ALTERNATIVES & RECOMMENDATION

The LCRB may choose to not enter into this GMP contract amendment with Emery and direct staff to issue a traditional invitation to bid. This would delay the start of the project by several months and likely result in higher construction costs for the project due to the ever-escalating cost of materials.

ADDITIONAL RESOURCES

N/A

Fiscal Impact

Cost: 33,557,000
Budgeted (yes or no): Yes
Where budgeted?: CIP-Water Fund-SDC Water Fund
Additional Fiscal Notes:

Attachments

Presentation

C I T Y O F T I G A R D

Respect and Care | Do the Right Thing | Get it Done

Reservoir 18 and Pump Station

Progressive Design Build

Contract Amendment

Tigard City Council Meeting | March 7, 2023

Agenda

- Project history
- Work completed
- Guaranteed Maximum Price (GMP)
- Discussion and questions

Project History

- Historic need for reservoir on west side of system
  - First identified in Water System Plan over 20 years ago
- Recent hydraulic analyses indicate need is imminent now that River Terrace has begun to develop
  - Main driver for delivering project via alternative method
- Project kicked off in September 2020 by hiring Owner's Representative
  - Kennedy Jenks (KJ)

Work Completed

- KJ guided staff through the exemption from competitive bidding
  - Progressive design-build (PDB) best suited method for project
- RFP prepared for Design-Builder
- Emery & Sons Construction Group, LLC selected
  - Consor Engineering on team as Engineer of Record
- Design work began December 2021

Work Completed

- Site selection completed April 2022
  - Sunrise Park
- 30% Design and cost estimate received August 2022
- Pipe supplier added to PDB team September 2022
  - Enabled 7% cost savings in material pricing by locking in prices early

Work Completed

- 60% Design received November 2022; cost estimate received December 2022
- GMP negotiations began January 2023
  - Reservoir sub package had highest risk to GMP and was bid out February 2023
    - Marion Construction was selected as the lowest responsible bidder
    - Notice to Proceed/Contract award to be issued by Emery following award of GMP contract amendment

CIP Budget

- Total Project Cost in CIP: $33,557,000
- Total External $s in project: $32,966,000
  - Current Let Contracts: $3,568,467.37
  - External $s available: $29,397,532.63
- Funding Source
  - Water Fund: $24,550,000 (73%)
  - Water SDCs: $9,007,000 (27%)

GMP

- GMP based on 60% Design: $28,876,054.84
  - Mobilization: $304,483.53
  - Reservoir 18: $10,262,172.05
  - Reservoir 18 Site Improvements: $1,715,407.16
  - Transmission main PS 13 to Res. 18: $1,176,778.27
  - Pump Station: $3,300,685.33
  - Offsite Water Main: $1,181,985.72
  - Engineering Services: $1,552,406
  - 410 Piping Improvements: $5,148,960.73
  - Indirects and Addons: $397,742
  - General Conditions & Contractor Fees: $3,067,476.05
  - Contractor Contingency: $767,958

GMP Contract Amendment

- GMP Contract Amendment: $28,987,700
  - Emery GMP: $28,876,054.84
  - Owner Contingency: $111,645.16
    - Held in GMP contract amendment due to contract language that stipulates how certain items are paid for

Thank you!

Questions?