



600 NE Grand Ave.
Portland, OR 97232-2736

Council work session agenda

Tuesday, October 18, 2016

2:00 PM

Metro Regional Center, Council Chamber

1. Call to Order and Roll Call

2. Work Session Topics:

- 2.1 Review Recommendations of the Willamette Falls Locks Task Force [16-0100](#)

Presenter(s): Andy Cotugno, Metro

Attachments: [Work Session Worksheet](#)
[Draft Willamette Falls Locks Task Force Final Recommendations](#)

- 2.2 OCC Exterior Plaza and Entries Re-Design Alternative Procurement [16-0034](#)

Presenter(s): Scott Cruickshank, Metro
Gabriele Schuster, Metro

Attachments: [Work Session Worksheet](#)
[Draft Resolution No. 16-4745](#)
[Draft Exhibit A to Resolution No. 16-4745](#)
[Draft Staff Report](#)

- 2.3 Status of Web-Based "Dashboard" for the Six Regional Outcomes [16-0035](#)

Presenter(s): Jeff Frkonja, Metro
Robb Kirkman, Metro

Attachments: [Work Session Worksheet](#)

3. Metro Attorney Communication

4. Councilor Liaison Updates and Council Communication

5. Adjourn

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។

បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1890 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេបកប្រែសម្រាប់លោកអ្នក។

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Agenda Item No. 3.1

**REVIEW RECOMMENDATIONS OF THE WILLAMETTE FALLS
LOCKS TASK FORCE**

Metro Council Work Session
Tuesday, October 18, 2016
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: October 18, 2016

LENGTH: 20 minutes

PRESENTATION TITLE: Review recommendations of the Willamette Falls Locks Task Force

DEPARTMENT: COO

PRESENTER(S): Andy Cotugno (cotugnoa@aol.com)

WORK SESSION PURPOSE & DESIRED OUTCOMES

- Purpose: Review the recommendations of the Willamette Falls Task Force established by SB 131
- Outcome: Metro Council support of the recommendations

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

In 2011, the US Army Corps of Engineers closed the Willamette Falls Locks for life/safety reasons. In an effort to find an approach to repairing and reopening the Locks, the 2015 Oregon Legislature adopted SB 131 establishing a Task Force to address the long term governance and financing. The Task Force has been convened by Governor Roberts and has included state legislators, state agency department heads, local elected officials and community members. Councilor Collette has been a member on behalf of Metro. For the past year, the Task Force has met to consider alternatives and is nearly completed their recommendations. A final draft recommendation document is attached.

The recommendation lays out a course for determining the final disposition of the Locks by the Corps of Engineers and a companion local process to consider the information and determine an entity to be the transferee. The Corps work program and budget for their Disposition Study has been approved by Congress and there is a need to have a clear lead agency and decision-making process to engage with the Corps at the state and local level. To implement this, the recommendation calls for formation of a Commission, first through an intergovernmental agreement of partnering organizations, then through a legislative action during the 2017 session. This phased approach is important to allow the Commission to keep pace with the Corps of Engineers Final Disposition Study which is commencing quickly.

The Commission decision-making structure is proposed to be up to seven positions based upon funding contributions to the Commission budget. The overall budget to support staff and consulting services is proposed at \$640,000 per year for two years divided among the seven contributing partners on the Commission Board of Directors plus the Oregon Legislature. Metro is proposed as one of the seven partner organizations. Each of the partnering organizations would contribute \$120,000 for the two-year effort (\$60,000 per year). Metro's current budget in support of on-going Willamette Falls Locks efforts is \$53,000 per year, thereby necessitating an increase of \$7,000 per year.

Final disposition of the Willamette Falls Locks is integrally linked to Metro's participation in the Legacy Project. With the Locks repaired and reopened, it would help leverage redevelopment while continued closure or removal would limit possibilities. In addition, with the Locks reopened, it

would facilitate movement of cargo by river, thereby relieving truck impacts on the region's highway system.

QUESTIONS FOR COUNCIL CONSIDERATION

- Does the Metro Council support the repair and reopening of the Locks?
- Is the Metro Council willing to be a partner in the formation of a Commission to determine the future governance and funding for the repair and continued operation?
- Is the Metro Council willing to be a funding partner effective January 1, 2017 with the requested funds from the Oregon Legislature becoming effective on the FY 2017-18 state budget?

PACKET MATERIALS

- Would legislation be required for Council action Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today? Final Draft Task Force Recommendation

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FROM: Willamette Falls Locks Staff Group
TO: Willamette Falls Locks Task Force
SUBJECT: Task Force Recommendations
DATE: October 10, 2016

Overview

Over a two-year period, the US Army Corps of Engineers (USACE) will be conducting a Final Disposition Study of the Willamette Falls Locks. The study will provide valuable information about the engineering condition of the Locks, needed repairs, and potential future uses of the Locks while providing a federal perspective to the economic cost/benefits of the Locks. A parallel effort will be underway at the local level to provide a state and regional perspective to the economic and recreation cost/benefit of the Locks and possibilities for non-federal ownership, operations and funding. At the conclusion of this process, sufficient information will be available so that a decision can be made about the future status and/or ownership, operation, and financing of the Locks.

To conduct the Disposition Study and ensure that critical local interests are considered, the USACE requires a local sponsor to work with throughout the Disposition Study. The local sponsor can be a single entity or a coalition of committed partners.

We suggest that a Facilitating Agency be designated to work with a Decision-Making Group (DMG) consisting of key government partners. In addition, we believe it would be beneficial to form and engage a Stakeholder Policy Advisory Group to assist with the project.

In addition to considering the due diligence of engineering, cost and ownership issues, we also recognize the merit of interim operations during the Disposition Study time period to demonstrate the possibilities for use of the Locks, not just theorize about future possibilities.

On the next several pages, further details are provided about this three-part recommendation:

1. Acknowledge the responsibility and policy framework of the USACE Final Disposition Study as a tool for determining the most appropriate federal course of action.
2. Initiate an effort in cooperation with the USACE Final Disposition Study to understand the due diligence information developed by the USACE, address issues of importance not addressed through the federal study to determine the most appropriate state and local course of action.
3. Seek to implement interim repairs sufficient to allow interim operations during the Final Disposition Study time period to pilot alternative uses of the Locks.

Acknowledge the USACE Final Disposition Study

The USACE operates under numerous federal directives established by Congressional actions, Presidential directives and internal USACE policies and practices. In aggregate, these various requirements address such matters as:

- Priority for Corps investment commensurate with the potential for economic benefits of national significance;
- Recognition of the potential for risk and methods to minimize or mitigate those risks.
- Requirements to address potential environmental impacts, especially where endangered species are involved and including compliance with the National Historic Preservation Act.
- Implementation of stipulations in the Memorandum of Agreement resulting from the consultation process under Section 106 of the National Historic Preservation Act.
- Requirements to ensure adequate public safety.
- Requirements to apply appropriate engineering practices consistent with national standards.
- Consideration of potential economic, environmental and social consequences of disposition alternatives, including potential cultural and historic impacts (the Locks are included on the National Register of Historic Places).
- Consideration of any treaty provisions of Native American Tribes associated with the facility.

In recognition of these and other requirements, on August 22, 2016 the USACE issued Interim Guidance on the Conduct of Disposition Studies. These are intended to provide a transparent basis for the ultimate USACE decision and consistency across multiple disposition studies across the United States.

In order to undertake this Final Disposition Study, the President has recommended in the FY '16 budget and Congress has acted through its appropriation actions for FY '16 and '17 the authorization and initial funding for the study. Funding has or is expected to be provided as follows:

- FY '16 - \$60,000
- FY '17 - \$280,000
- FY '18 - \$240,000 (anticipated)

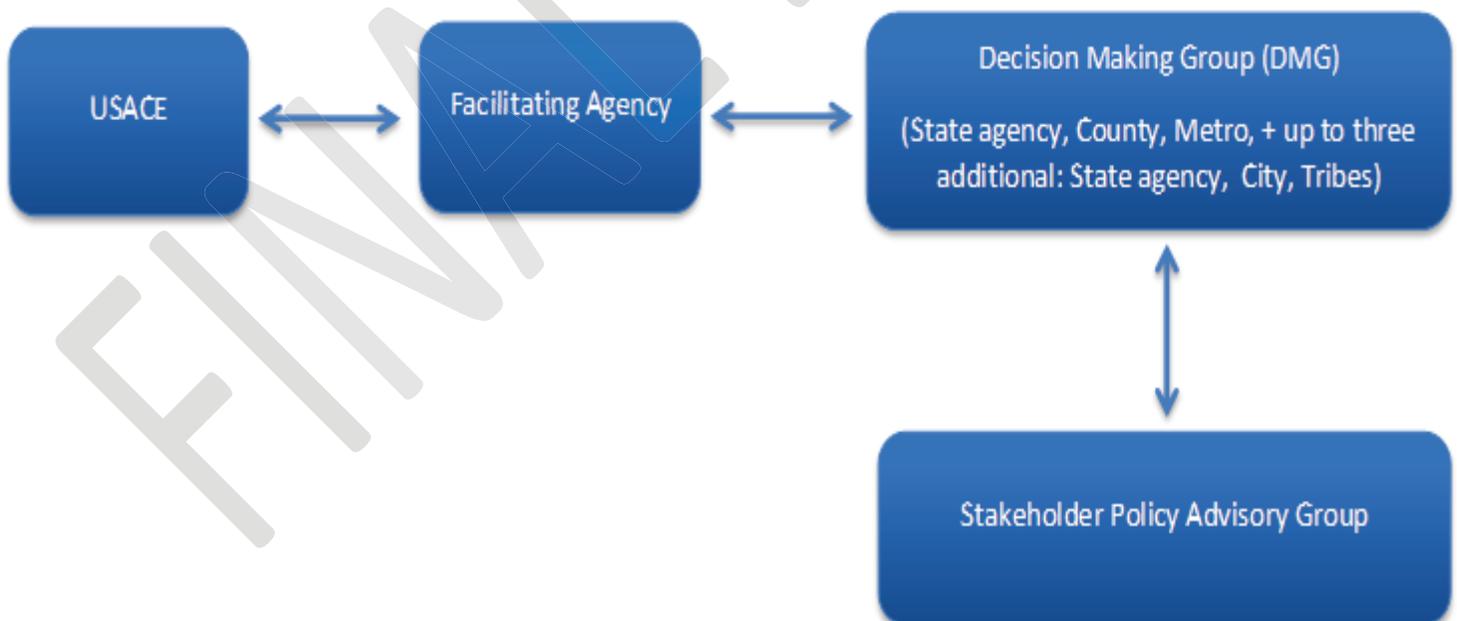
Based upon funding authorization currently available, the USACE has formally initiated the Final Disposition Study and accomplished the first milestone. On August 15, there was a Decision Meeting convened under the authority of the USACE Chief of the Planning and Policy Division at Headquarters in Washington DC. Participants included other Headquarters offices, including the Assistant Secretary for Civil Works, the Real Estate Division, the Operations Division, the Portland District office and many others. The purpose of this Decision Meeting was to assess the federal, state and local interests and readiness and determine if there is a reasonable expectation that the Final Disposition Process will lead to a fruitful result. Based upon this assessment, authorization to proceed was approved. The USACE study process is now underway.

The need for a state and local companion effort to the USACE Final Disposition Study

The USACE will produce a significant amount of valuable information designed to inform a federal decision about future actions related to potential disposition of the Locks. However, there is a need to establish a state and local due diligence process to enable a local decision to be made, especially if it involves a transfer of the facility to a non-federal entity at the state or local level. At a minimum, it is important to understand the information generated by the USACE Final Disposition Study and accept the evaluation methods and validity of the results. More important, if the Final Disposition involves transfer to a state or local entity, there is a need to evaluate alternative ownership, governance, operations and funding options and decide which the preferred approach is for such a transfer. Finally, if information is needed to inform a state or local decision that is not being generated by the USACE process, that information will need to be generated locally. To date, there is an identified need to develop information about the economic and recreation benefits of state and local significance since the USACE study will be based only upon information generated about economic benefits of national significance.

Initiation of this state and local due diligence effort does not fit entirely within the mission of any single existing state, regional or local government. However, there is a united interest of diverse state and local entities to repair and reopen the Locks for the benefit numerous constituencies and public policy objectives. As such, it is recommended that this state and local effort be undertaken as a collaborative process supported by a budget to carry out the needed work in partnership, with contributions from multiple leading organizations.

Presented in the next several pages is a description of a proposed structure for ongoing coordination and engagement at the state and local level, working in close coordination with the USACE Final Disposition Study. Three groups are formed to provide the structure to move the project forward. The roles and responsibilities of the three groups are described after the graphic below.



Decision-Making Group (DMG). A group comprised of at least three entities: one agency designated as the Facilitating Agency; Metro; and Clackamas County and up to four additional positions: one additional state agency; one position to collectively represent the interests of cities; one position to collectively represent the interests of business/economic development/tourism/river users and The Confederated Tribes of the Grand Ronde. Upon creation of the Commission by an act of the Legislature, the DMG would include four ex-officio members appointed by Legislative Leadership (as described below). This group would serve as the primary decision-making body providing direction to the Facilitating Agency throughout the Disposition Study. The DMG would be a legislatively created commission with the start-up work program, budget and funding contributions agreed to through an ORS 190 intergovernmental agreement (more discussion below). Members of the DMG would each contribute financially to support the effort.

Facilitating Agency. A single entity and member of the DMG that serves as the primary point of contact with the USACE throughout the Disposition Study. This agency would have a full-time staff position dedicated to working with the USACE on the Disposition Study and related matters and would serve as the liaison and project manager to/for the DMG and would report directly to the DMG.

Stakeholder Policy Advisory Group. A group comprised of interested stakeholder representatives such as state agencies, nonprofit organizations, local governments, Tribes, businesses and others as appropriate. Members would be appointed by the DMG and would provide input into key DMG decisions. In order to maintain close coordination, there would be frequent meetings between the DMG and Stakeholder Group (such as quarterly).

OPTIONS FOR THE DMG

The primary role of the Facilitating Agency is to work with the Corps of Engineers on the Final Disposition Study, with direction and funding from the partnership of agencies. The primary role of the partnership of agencies is to provide leadership and overall direction to the project and serve as the decision-making body.

Recommendation: Legislatively Created Commission and State Agency. The Oregon Legislature creates a new Willamette Falls Locks Commission as the primary governing body with a State Agency serving as the facilitating agency and staff to the Commission. The Board of Directors of the new Commission would consist of representatives from the facilitating state agency, Metro, Clackamas County and up to four additional positions: one additional state agency, one position to collectively represent the interests of cities, one position to collectively represent the interests of business/economic development/tourism/river users and The Confederated Tribes of the Grand Ronde. In addition, the group would include four ex-officio members appointed by Legislative leadership to include both chambers of the Legislature and both the majority and minority parties. The purpose of including these non-voting members is to maintain a strong relationship with the full Oregon Legislature.

Recommendation: Initiate the work program and budget through an Intergovernmental Agreement and transition to the Legislatively created Commission. In order to maintain alignment and schedule with the USACE Final Disposition Study, it is necessary to initiate the work program by January 1, 2017. Since the Legislatively created Commission and state funding contribution cannot be accomplished until the start of fiscal

year 2017-18, it will be necessary to enter into an agreement using ORS 190.010 to identify the Facilitating Agency, establish the governance structure dedicate the staffing and initiate the work program with non-state funding contributions.

The next part of this memo gets more specific and describes some potential components of the framework. The wording used is similar to wording one would find in an actual agreement or in legislation.

FINAL DRAFT

WILLAMETTE FALLS LOCKS COMMISSION A POSSIBLE GOVERNANCE FRAMEWORK

1. Members. The membership on the Commission or partners on the Decision Making Group for the intergovernmental entity is as follows (depending upon agreeing to contributing to the budget):

- a) The agency selected as the Facilitating Agency will be a member of the Decision-Making Group. The funding contribution on behalf of the agency will be sought from the 2017 Oregon Legislature.
- b) Metro will be a member of the Decision-Making Group if they are a funding contributor.
- c) Clackamas County will be a member of the Decision-Making Group if they are a funding contributor.
- d) There will be a member of the Decision-Making Group to represent the collective interests of cities along the Willamette River. Since the Locks are located in West Linn, West Linn should provide the leadership in working with the other cities to obtain funding contributions and determine who should be the member and alternate on behalf of cities on the Commission.
- e) There will be a member of the Decision-Making Group to represent the collective interests of business, economic development agencies, tourism and users of the Willamette River. Those organizations should work together to determine funding contributions and determine who should be the member and alternate on behalf of these interests.
- f) There will be a member of the Decision-Making Group from the Confederated Tribes of the Grand Ronde if they are a funding contributor.
- g) If all of the parties described above are funding contributors and members of the Decision-Making Group, there will be a second state agency (likely Oregon State Parks) to represent the broader interests of the State of Oregon.

With the exception of the representative of the Confederated Tribes of the Grand Ronde who will be appointed by tribal council, all of the positions described above will be nominated by their respective organizations and appointed by the Governor of Oregon, assuming the DMG will be a Legislative Commission. If it becomes an intergovernmental entity, then the appointments would be made by the respective governmental organization.

- h) Upon creation of the Commission through Legislative action, there will four ex-officio, non-voting members of the Legislature appointed by the Senate President, Senate Minority Leader, Speaker of the House and House Minority Leader.

In general, the size of the Decision-Making Group is intentionally small to allow it to be nimble and efficient in interacting with the USACE while including the appropriate diversity of interests. It is

intended that regular meetings will be held between the Decision Making Group and the Stakeholder Policy Advisory Committee to ensure that that all parties are informed of progress throughout the study.

2. Purposes of the Commission. A summary list of the Commission's functions includes:

- a. Work in a collaborative partnership to facilitate the repair and reopening of the Willamette Falls Locks.
- b. Direct a Facilitating agency to work with the U.S. Army Corps of Engineers on a Final Disposition Study of the Locks.
- c. Coordinate funding requests to local, state, federal agencies, and governing bodies.
- d. Determine and pursue long-term, sustainable financing to operate the Locks and provide for an appropriate level of repair and maintenance.
- e. Work with Tribal governments, the Willamette Falls Heritage Foundation, the Willamette Falls Heritage Area Coalition, and other heritage stakeholders to develop and promote the historic importance of the Locks and their remarkable natural and historical setting as part of a larger cultural tourism destination.
- f. Coordinate work on the Locks with the partnership group working on the master plan and vision for the Willamette Falls Legacy Project.
- g. Take such other or further actions as are necessary or agreed upon to achieve the goals and objectives of the Commission as may be provided under this Agreement or any subsequent amendments hereto.

A draft Work Program is at Attachment 1.

3. Evolution of Governance Structure. It is likely that the governance structure and the roles of government, nonprofit, and private partners will evolve over time as the needs of the organization change from the present concept stage to future stages involving more detailed planning, implementation, operations and maintenance. As the governance structure evolves, the Parties will need to determine how to reach additional collaborative agreements on overall project priorities and management functions.

4. Meetings. Meetings would be conducted consistent with the provisions of the Oregon Public Meetings Law, ORS 192.610 to 192.710.

5. Decision-Making. The DMG would strive to make decisions and recommendations by consensus. Consensus is defined as “all Board Members can live with the decision or recommendation.” Members are assumed to be contributing input on their own behalf and are not committing their

business, agency, nonprofit, or government to any decision without approval by their associated decision-making body.

6. Officers. There would be a Chair and Vice Chair of the Commission, as determined by election among the members.

7. Committees. The Commission may establish standing and special committees. If committees are used, they should each have their own governance framework, which, at a minimum, should include: a purpose statement; the appointment process for members; and the requirements of a specific work program and an annual meeting with the Board of Directors.

8. Public Records. The Commission shall comply with the Oregon Public Records Act, ORS 192.410 to 192.505.

9. Project Budget; Appropriation of Funds. Each party to the intergovernmental agreement represents that it has appropriated the funds set forth in Attachment 2—Project Budget—for the fiscal year(s) covered by such party's appropriation. Each party to the agreement will represent that it has authorized use during such fiscal year(s) of the appropriated funds in accordance with the Project Budget and this Agreement. The Project Budget may be revised from time to time by the parties, within the amounts appropriated by the parties in their individual capacities. Spending in future fiscal years is subject to appropriation by each party's governing body, in such body's sole legislative discretion, and all spending under this Agreement is subject to audit. The project budget presented in Attachment 2 is intended to accomplish the milestone of agreement with the USACE on the long-term party responsible for ownership, operation and funding of the Locks. Upon agreement, future costs and funding contributions to implement the agreement will be determined.

10. Administrative Agent. The Commission shall appoint a staff person or entity to serve as Administrative Agent for the Commission. Administrative support services to be provided by the Administrative Agent may include: (i) providing public notices; (ii) maintaining public records; (iii) receiving funds and making payments; (iv) assisting the Commission in complying with applicable public contracting requirements; (v) maintaining financial records; (vi) preparing budget reports; (vii) providing related clerical support; and (viii) other administrative support functions as explicitly agreed by the Administrative Agent and Commission.

11. Actions Needing Ratification. Certain actions of the Board of Directors may need to be formally ratified by each Board member's parent organization. Members of the Board of Directors shall be responsible for determining whether an action contemplated by the Board requires ratification of the member's parent organization.

Willamette Falls Locks and Canal “Commission”

Work Program

It is recognized that the US Army Corps of Engineers “Final Disposition Study” will produce a significant amount of information needed to arrive at a final conclusion on the long-term future for the Locks and Navigation Canal, particularly whether it will be transferred to a state or local organization. However, it is also recognized that the information sufficient for the Corps to make their decisions on the disposition is not sufficient for state and local entities to make their decisions. As such, there is a need for a state and local effort to parallel the Corps effort, agree with and understand the information produced, develop additional information needed to make decisions at the state and local level and take steps to implement desired future steps. Key elements of this work program are as follows:

- Facilitation through Oregon Solutions of the state and local evaluation and decision-making process.
- Expanded economic benefit study to account for economic benefits of state and local significance using \$100,000 of funds appropriated by the 2016 Legislature.
- Pursue implementation of Interim repair using \$400,000 of funds appropriated by the 2016 Legislature. This would allow interim operations enabling “pilot projects” for using the Locks as a means of demonstrating the potential for future uses (such as shipping of gravel and paper products, kayaking and boating, wine and farm tours from Portland to the Willamette Valley, support for redevelopment plans on the Legacy site, etc.).
- Evaluation of the Corps engineering assessment and development of a cost-effective short and long-term repair program.
- Evaluation of alternative state and local entities for ownership and operation and determination of the preferred approach.
- Evaluation of alternative state and local approaches to finance needed capital repairs, on-going repair and maintenance and annual operations and determination of the preferred approach.
- Consultation with the public, interested stakeholders, interested Legislators and the Governor, state agencies and local governments.
- Negotiation with the Corps on the final disposition and an appropriate contribution from the Corps towards implementation.
- Legal support to pursue Congressional and Legislative implementation actions.
- Legal support for the formation of any new entity or an added function of an existing entity, including establishment of governance structure, financing mechanisms, hiring and contracting practices, establishment of operating policies and practices.
- Advocacy with the federal, state and local governments in support of evaluation process and ultimate implementation.
- Compliance with state and federal meeting and notice requirements, contracting requirements and personnel requirements.

Willamette Falls Locks "Commission" Draft Budget

Core Budget

		2017	2018	2-Year Total
Senior Project Manager	1.0	\$85,000		
Administrative Assistant	1.0	\$45,000		
Fringe	37%	\$48,100		
Salary Total		\$178,100		
Overhead (rent, utilities, computers, copiers, etc.)	56%	\$99,736		
Subtotal Personnel		\$280,000	\$290,000	\$570,000
Oregon Solutions facilitation		\$65,000	\$70,000	
Engineering Consultant		\$75,000		
Legal Support:				
Evaluation of options			\$50,000	
Implementation of options				
Public Outreach		\$50,000	\$50,000	
Advocacy Support		\$145,000	\$150,000	
Materials, Supplies, Travel		\$25,000	\$27,500	
Subtotal M&S		\$360,000	\$347,500	\$707,500
EXPENSE TOTAL		\$640,000	\$637,500	\$1,277,500
State Funding:				
2017 Legislative Request on behalf of State Agencies		\$340,000	\$337,500	\$677,500
Non-State Funding:				
The Confederated Tribe of the Grand Ronde		\$60,000	\$60,000	\$120,000
Business/Economic Development/Tourism/River Users		\$60,000	\$60,000	\$120,000
Local Agencies:				
Metro		\$60,000	\$60,000	\$120,000
Clackamas County		\$60,000	\$60,000	\$120,000
Cities		\$60,000	\$60,000	\$120,000
GRAND TOTAL Non-State Funding		\$300,000	\$300,000	\$600,000
REVENUE TOTAL		\$640,000	\$637,500	\$1,277,500

Recommendation to implement interim repairs for interim operations during the Final Disposition Study time period to pilot alternative uses of the Locks

The Willamette Falls Locks have been closed since 2011 and subject to periodic closures since 2002. Because of this unreliable level of service, potential commercial operations have migrated to other destinations via other modes of transport. The best way to test the market for the possibility of transport is to actually repair and reopen the Locks for pilot projects. If interim repairs can be economically implemented, these pilot projects could establish the viability of an economic business model for continued operations for the Locks and provide greater confidence to potential organization and governments to justify needed expenditures for the Locks. In addition, actual use of the Locks provides an excellent vehicle for public education on the history, cultural importance and potential future of the Locks.

Potential shippers/users of the Locks could include the following:

- Reestablishment of traditional movement of bulk commodities, including gravel and pulp and paper products;
- Reopening to traditional recreation users including motorized and non-motorized kayaks and pleasure craft and fishermen;
- Establishment of new river-based services associated with the redevelopment of the Blue Heron Legacy Project (on the Oregon City side of Willamette Falls) and in support of the newly created Willamette Falls State and National Heritage Area.

The 2015 Legislature provided an appropriation of \$400,000 toward an interim repair strategy.

Agenda Item No. 3.2

**OCC EXTERIOR PLAZA AND ENTRIES RE-DESIGN
ALTERNATIVE PROCUREMENT**

Metro Council Work Session
Tuesday, October 18, 2016
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: October 18, 2016

LENGTH: 20 minutes

PRESENTATION TITLE: OCC Exterior Plaza and Entries Re-Design Alternative Procurement

DEPARTMENT: OCC, Procurement Services, cPMO

PRESENTER(S): Gabriele Schuster, Gabriele.Schuster@oregonmetro.gov x 1577
Scott Cruickshank, scott.cruickshank@oregonmetro.gov x 1790

WORK SESSION PURPOSE & DESIRED OUTCOMES

Purpose:

- The purpose of this work session is to discuss the recommendation to Council that a Request for Proposal as an alternative process to procure the construction management by general contractor (CM/GC) construction services be authorized for construction of the Oregon Convention Center Plaza and Entries Re-Design

Outcome:

- Council members are aware of their options for procurement of construction services for the OCC Plaza and Entries
- Council members understand the risks to budget, schedule and public safety associated with constructing the OCC Plaza and Entries
- Council members understand how CM/GC construction process helps to address the risks associated with constructing the OCC Plaza and Entries
- Council members understand the opportunities for additional COBID contracting

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

In order to improve wayfinding and better accommodate the guests arriving from the new Convention Center Hotel, the OCC plans to construct a re-designed outdoor plaza at the Northeast corner of the campus and new entry pavilions at the Holladay St. and Martin Luther King, Jr. Blvd. entrances. The OCC is a 25 year-old facility. Updates and improvements are needed in anticipation of the new Convention Center Hotel. Through a competitive procurement process, LMN Architects was hired to provide consulting and design services to create a cohesive master plan for the execution of future capital projects. One of the priority issues LMN identified was the confusion in navigation and ambiguity surrounding the visual identification of the OCC's main entrances. LMN proposed a project to modify the main entrances to be easier to see and access. Additionally, given the fact that the new hotel is on the site directly north across NE Holladay street, the corner plaza has potential to become a significant, more vibrant open space in the Portland's Lloyd District. Currently the plaza has little programmable space for events, activities or gatherings. The existing design's strong orientation to the building suggests a path to the Oregon Ballroom Lobby as the front door of the OCC. This causes confusion in terms of way finding since the two main entry doors are blocks away to the south and west. The existing trees and shrubs have outgrown their spaces. A redesign of the plaza at the northeast corner of the OCC will resolve the programming, physical layout, and maintenance challenges that currently exist. The Entries and Plaza design projects must integrate perfectly and are expected to proceed simultaneously.

The project is critical to the OCC's ability to remain competitive and meet the needs of the additional guests arriving from the new convention center hotel. The scope and cost of the project will require a Type III Land Use review, which will amplify the importance of cost estimating and constructability reviews early in the design process. The vestibule and storm water management features of the design are aligned with Metro's sustainability goals.

CM/GC form of public improvement method allows the early participation of the contracting entity in the design process, and leads to more accurate budgeting and construction cost estimates, affords early constructability review leading to fewer change orders and substantial cost savings to Metro and MERC. CM/GC method also fosters early and continuous collaboration between MERC, OCC and Metro staff, the designer and the contractor. This "overlap" shortens the overall duration of the project, lessening the risks to public safety, disruption of revenue generation, and inflationary increases in construction, materials, and labor costs.

CM/GC offers a distinct advantage over traditional design-bid-build (low bid) method when seeking increased participation by COBID contractors. Contracts are procured by a Request for Proposals, which enables Metro to specifically request and qualitatively evaluate proposer's approach to COBID outreach and partnership and workforce diversity. The CM/GC delivery method offers a better ability for public agencies to increase the use of COBID firms in sub-contracting opportunities.

The attached resolution and findings describe the specialized nature of this project. Based on these findings, the Metro Procurement Manager believes that a value-based selection process is more appropriate than a traditional, competitive bid (which solely considers lowest bid price). OCC and cPMO staff and the Office of Metro Attorney concur.

Therefore, staff seeks Council authorization to pursue the alternative procurement process known as an RFP to procure CM/GC for the OCC Plaza and Entries Re-Design project. This will allow Metro to consider cost as well as experience and expertise in completing similar projects and in selecting the most advantageous contractor for this project.

QUESTIONS FOR COUNCIL CONSIDERATION

List questions for Council's consideration that will help/guide the Council in providing policy direction.

- Does Council have any concerns or recommendations regarding the alternative contracting proposal?
- Is there any additional information staff can provide to assist Council?

PACKET MATERIALS

- Would legislation be required for Council action Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today? Powerpoint

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN) RESOLUTION NO. 16-4745
EXEMPTION FROM COMPETITIVE BIDDING AND)
AUTHORIZING PROCUREMENT OF) Introduced by Chief Operating Officer
CONSTRUCTION MANAGER GENERAL) Martha Bennett in concurrence with
CONTRACTOR SERVICES BY COMPETITIVE) Council President Tom Hughes
REQUEST FOR PROPOSALS FOR THE)
RENOVATION OF THE OREGON CONVENTION)
CENTER EXTERIOR PLAZA AND ENTRIES)

WHEREAS, the Metro Exposition and Recreation Commission (MERC) intends to redesign and renovate the Oregon Convention Center’s northeast Plaza and Holladay and Martin Luther King Jr. Blvd. (MLK) entries to accommodate increased traffic from the new Convention Center Hotel and to resolve programming, physical layout and maintenance challenges that currently exist; and

WHEREAS, renovation of the Plaza and entries is planned for Metro fiscal years 2018 and 2019; and

WHEREAS, ORS 279C.335 and Metro Code 2.04.054 require that all Metro public improvement contracts shall be procured based on competitive bids, unless exempted by the Metro Council, sitting as the Metro Contract Review Board; and

WHEREAS, Metro Code Section 2.04.054(c) authorizes the Metro Contract Review Board to exempt a public improvement contract from competitive bidding and direct the appropriate use of alternative contracting methods that take account of market realities and modern innovating contracting and purchasing methods, so long as they are consistent with the public policy of encouraging competition, subject to the requirements of ORS 279C.335; and

WHEREAS, Metro and OCC wish to obtain an exemption from competitive bidding for the OCC Plaza and entries redesign public improvement project, and instead procure the renovation of the Plaza and exterior entries renovation by an alternative contracting method known as Construction Manager General Contractor (CM/GC); and

WHEREAS, ORS 279C.335(4)(c) and ORS 279C.337 require that CM/GC services be procured in accordance with the administrative rules adopted by the Oregon State Attorney General and set forth in OAR 137-049-0600 to OAR 137-049-0690; and

WHEREAS, said administrative rules and ORS 279C.335(2) and (4) require that the Metro Contract Review Board hold a public hearing and adopt written findings establishing, among other things, that the exemption of a public improvement contract from competitive bidding is unlikely to encourage favoritism in the awarding of public improvement contracts; said exemption is unlikely to substantially diminish competition for public improvement contracts; and that said exemption will likely result in substantial cost savings to Metro; now therefore

BE IT RESOLVED THAT THE METRO CONTRACT REVIEW BOARD:

1. Exempts from competitive bidding the procurement and award of a public improvement contract for the renovation of the OCC Plaza and entries redesign;
2. Adopts as its finding in support of such exemption the justification, information and reasoning set forth on the attached Exhibits A and B, which are incorporated by this reference as if set forth in full;
3. Authorizes the Chief Operating Officer to prepare a form of Request for Proposals for CM/GC services that includes the following evaluation criteria: contractor's proposed contract management costs for pre-construction services; contractor's proposed overhead and profit costs for construction services; contractor's demonstrated public improvement project experience and expertise; contractor's demonstrated CM/GC project experience; contractor's record of completion of projects of similar type, scale and complexity; contractor's demonstrated quality and schedule control; contractor's experience in incorporating sustainability construction practices and design into projects; and contractor's demonstrated commitment to workforce diversity and record of use of businesses Certified by the Office of Business Inclusion and Diversity (COBID); and any other criteria that ensures a successful, timely, and quality project, in the best interests of Metro and in accord with ORS 279C.335(4)(c) and OAR 137-049-0600 to OAR 137-049-0690; and
4. Following the approval of said form of Request for Proposals by the Office of Metro Attorney, to issue such approved form, and thereafter to receive responsive proposals for evaluation; and
5. Following evaluation of the responses in the Request for Proposals, authorizes the Chief Operating Officer to execute a contract with the most advantageous proposer for renovation of the OCC Plaza and entries.

ADOPTED by the Metro Council this _____ day of October, 2016.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney

EXHIBIT A

Findings in Support of an Exemption from Competitive Bidding and Authorizing the Procurement by RFP of CM/GC Services for Construction of the Oregon Convention Center Plaza and Entries Redesign

Pursuant to ORS 279C.335(2) and (4), and Metro Code Section 2.04.054 (c), the Metro Contract Review Board makes the following findings in support of exempting the procurement of the Oregon Convention Center Plaza and entries redesign from competitive bidding, and authorizing use of an RFP solicitation for a Construction Manager General Contractor (CM/GC) public improvement construction contract:

1. The exemption is unlikely to encourage favoritism or substantially diminish competition.

The Metro Contract Review Board finds that exempting the procurement of the construction of the Oregon Convention Center (OCC) Plaza and entries redesign from competitive bidding is “unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts” as follows: The RFP will be formally advertised with public notice and disclosure of the planned CM/GC alternative contracting method and made available to all qualified contractors. Award of the contract will be based on the identified selection criteria and dissatisfied proposers will have an opportunity to protest the award. Full and open competition based on the objective selection criteria set forth in the Metro Contract Review Board resolution will be sought, with the contract award going to the most advantageous proposer. Competition for the RFP will be encouraged by: Posting on ORPIN (Oregon Procurement Information Network), utilizing the Oregon Daily Journal of commerce and a minority business publication for the public advertisement; performing outreach to local business groups representing minorities, women, and emerging small businesses and by contacting contractors known to Metro to potentially satisfy the RFP criteria. The CM/GC subcontractor selection process will be a low bid competitive method for contracts by requiring a minimum of three bids per scope, unless there is an approved exception. Competition among subcontractors will be encouraged by: contacting local sub-contractors, including COBID firms and notifying them of any opportunities within their area of expertise and by performing outreach to local business groups representing minorities, women, and emerging small businesses.

2. The exemption will likely result in substantial cost savings to Metro

The Metro Contract Review Board finds that exempting the procurement of the construction of the OCC Plaza and entries redesign from competitive bidding will likely result in substantial costs savings to Metro, considering the following factors required by OAR 137-049-0630 and ORS 279C-335 2(b):

- a. **Number of entities available to bid.** This factor has no application to the Construction of the OCC Plaza and entries redesign, as there are numerous firms interested in participating in the procurement, many of which would have bid on the project the in absence of the exemption from competitive bidding.
- b. **Construction budget and future operating costs.** Utilizing an RFP process to select a CM/GC will allow Metro to obtain cost reductions through pre-construction services by the contractor during the design phase, including a constructability

review, value engineering, and other services. Involving the contractor early in the design process fosters teamwork that results in a better design, fewer change orders, and faster progress with fewer unexpected delays, resulting in lower costs to Metro. The ability to have the CM/GC do early work prior to completion of design shortens the overall duration of construction, resulting in less disruption and risk to revenue generation to the OCC. Faster progress and an earlier completion date will also help Metro avoid the risk of inflationary increase in materials and construction labor costs.

CM/GC constructability review also allows for an ongoing review of the long term operating costs of design options, allowing for midcourse design choices leading to a project having lower long term operating maintenance and repair costs.

Metro has experience benefitting from CM/GC on constructability review with Elephant Lands, the zoo's largest project to date.

- c. **Public Benefits.** The expeditious completion of the project by using the CM/GC process will help ensure that the re-designed Plaza and entries are available for convention center guests and the general public as quickly as possible, thus enhancing the visitor experience. The concert area and outdoor receptions spaces that will be created by the plaza re-design will provide additional revenue to the OCC. In addition to the public benefits from the cost savings noted above, the procurement of a CM/GC construction contract through the RFP process will help realize Metro's goal of obtaining COBID participation by enabling a qualitative review of proposers' approach to COBID outreach and mentoring partnerships.
- d. **Value Engineering.** The CM/GC process will enable the contractor to work with the project architect and OCC staff to help reduce construction costs by providing early input and constructability review to designers, avoiding costly redesign and change orders, and providing opportunities for the architects and contractor to work together on both practical and innovative solutions to complex design issues. This type of contract will allow the designers to more easily explore with the contractor the feasibility of innovative design solutions and incorporate ongoing value engineering.
- e. **Specialized Expertise Required.** The Plaza and entries redesign includes work which will require a design team and contractor with depth of experience, including but not limited to: environmentally sustainable site design, stormwater management, guest safety, project phasing to minimize impacts to guests, pedestrian circulation and wayfinding, and convention and event logistics and operations. The selection of a contractor with such specialized expertise to construct the project will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on or ahead of schedule, resulting in lower costs and increased benefit to the community. The ability to factor expertise and experience into contractor selection is inherent in the RFP process, but is not part of the traditional low bid process.
- f. **Public Safety.** The Plaza and entries redesign is a complex project subject to a tight schedule. Construction will occur across the entire Northeast corner of the OCC site, including two of the three entrances, while the OCC continues to be safely open to the public. The CM/GC contracting process will enable the contractor to work with the project architect and the Metro and OCC project management and facilities staff to plan for minimizing safety hazards and conflict between the project and ongoing

OCC operations by providing early input into issues of project phasing, construction staging areas, construction access corridors, and scheduling. Such integrated early planning efforts are expected to limit risks to public safety, thus reducing the risk of costly injury claims. Metro's experience using CM/GC on elephant Lands demonstrated the successes in planning in advance for visitor needs and safety

- g. **Reduces risk to Metro and the public.** The Plaza and entries redesign is a major construction project that will take place along the access from the light rail and the new Convention Center Hotel as well as at two of the three public entrances to the facility itself. As such, it will have an impact on the revenue-generating operations of the Oregon Convention Center. The use of CM/GC will reduce the risk to OCC operations by minimizing the duration of the construction disruption through early work amendments. Early Construction manager involvement in project phasing and planning will inform the decisions of designers and OCC staff so that OCC operations may continue in and around construction efforts meanwhile preserving the safety of visitors. Early involvement by the CM reduces the risk of change orders, thus shortening the likely duration lessening the risk of late delivery. Metro's experience with CM/GC on Elephant Lands demonstrated the reduced risk in change orders on a large scale project.
- h. **Exemption's effect on funding.** The exemption of the Plaza and entries redesign project will have no effect on funding for the project.
- i. **Effect on ability to control impact of market conditions.** The ability to implement early work amendments will enable Metro to save on labor and material costs for early work elements in an environment where construction costs are escalating rapidly. The ability to do early work shortens the project's overall duration, allowing bids to be obtained sooner, before further inflationary increases occur. The CM/GC firm will be working alongside the design team to identify measures to keep the project within budget during the design phase.
- j. **Technical complexity.** The design and construction of sitework and grading which abuts public transportation and roadways, as well as complex phasing and highly coordinated scheduling required around public facilities that must remain open to and safe for the public require technical expertise, knowledge, and experience, all of which can be factored into the contractor selection in the RFP process. The selection of a contractor with demonstrated experience and success in implementing similar projects will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on budget, with fewer construction delays and change orders, resulting in lower costs and increased benefit to the community. The RFP process will take into account each contractor's past performance and technical knowledge. Based on the necessary quality of the finished project, and the technical complexity of the undertaking, the Procurement Manager believes an alternative contracting process to be necessary and in the best interest of the agency.
- k. **New construction, renovation or remodel.** The OCC Exterior Plaza and entries redesign project involves new construction which much tie in to the existing building, as well as extensive excavation, grading, and sitework on the building exterior adjacent to the entries. Some of this work could impact the lower levels of the Convention Center interior. Some of the design limitations and conditions are likely to be unknown until uncovered by work performed under an early work

amendment, which can be performed during design development to inform the design process.

- l. **Occupancy during construction.** Construction will take place at the exterior access and entries to the OCC, while the entire facility must continue to operate safely and be open to the public. The CM/GC contracting process will enable the contractor to work with the project architect and the OCC & Metro staff to minimize conflict between the project and ongoing OCC operations, by providing early input into issues of project phasing, construction staging areas, construction access corridors, and scheduling. Such integrated early planning efforts are expected to limit conflicts and thus reduce the risk of construction delays and costly change orders.
 - m. **Multi-phase construction.** The OCC Exterior Plaza and entries re-Design project can be conducted in phases, allowing for early work amendments to start on the beginning construction phases while finalizing overall design, which ultimately saves time on the overall project. Early work phases are expected to uncover latent conditions at the project site that, once exposed, will then be addressed efficiently and less expensively during ongoing design, avoiding costly redesigns and change orders.
 - n. **Availability of personnel, consultant and legal counsel with CM/GC expertise.** The Office of Metro Attorney, Project Manager, and Project Architect have the necessary qualifications and expertise to negotiate, administer, and enforce the terms of Metro's CM/GC public improvement contract, including prior experience governing large CM/GC projects and managing them to a successful completion.
3. Other substantial benefits to Metro – additional findings

Industry practices, surveys, trends. In February 2011, Pinnell/Busch, Inc., an experienced construction management firm in Portland, Oregon, worked with the Zoo's bond project team and a number of industry experts in alternative contracting methods (primarily members of the Oregon Public Contracting Coalition) to survey industry practices and results. The team's final report recommended Construction Management by General Contractor CM/GC as a beneficial contracting process for Zoo bond projects. The report determined that properly implemented CM/GC contracting provides a process that ensures a successful project.

Frequently cited benefits of the method include:

1. Results in a better design that meets the owner's objectives
2. Encourages competition, especially for COBID subcontractors
3. Can be completed in a faster time frame
4. Costs less than a design-bid-build project that is designed and constructed in the traditional manner
5. Reduces the risks of delays, cost overruns, and disputes
6. Limits the number of change orders for unforeseen conditions

Past experience and evaluation of Elephant Land CM/GC.

The Zoo Elephant Lands project, now complete, is the largest construction project in the Zoo's history. The benefits to the Elephant Lands Project achieved through the CM/GC process include:

1. The Zoo obtained cost reductions through pre-construction services by the contractor during the design phase, including a constructability review (e.g, materials, phasing, layout and design) and value engineering.
2. Phased construction starting with relocation of Wildlife live and new service road in March 2013. These two scopes of work were able to start while the main elephant project design was still being developed, which saved approximately eight months on the overall schedule and allowed for construction access to the site without disrupting Zoo activities.
3. Phased construction in relation to the elephants themselves, allowing the herd to stay at the Zoo rather than temporary relocation.
4. Five percent of GMP in change orders. On a project of this size and complexity, one would ordinarily expect a ratio of at least ten percent or greater in change orders increasing the cost of construction.
5. The project achieved nine percent COBID participation, with approximately \$4M going to the COBID community.
6. The Zoo was able to safely maintain visitor attendance and all normal activities during two and one-half years of construction

Benefits and drawbacks of CM/GC to the OCC Plaza and entries redesign. The CM/GC method provides an invaluable means of addressing the risks to Metro presented by the project's site conditions and timeline.

1. Facility must remain open and operational, and the work will take place at the exterior approach and entries.
2. Widespread public access and need to preserve a quality visitor experience to maintain current revenues.
3. Need to complete work before the completion of the Convention Center Hotel.
4. Adjacency to public transportation and state highway infrastructure.
5. Extensive program goals with somewhat limited budget for the anticipated scope.

By involving the contractor extensively during the design process, the OCC will be able to better account for, plan around, and address the above factors prior to commencing construction. This avoids project delays and expensive change orders, helps to reduce liability and revenue risks to Metro, and provides a foundation of cooperation upon which a high-quality result may be achieved, on schedule and on budget. Pre-construction services provided during the process include a constructability review, value engineering, and other service during design. Involving a contractor during the design fosters teamwork that results in a better design, faster progress with fewer delays, and less costs.

Given the Zoo Bond program's experience with CM/GC on the Elephant lands project, staff foresees no drawback to adopting the CM/GC method to implement the OCC Exterior Plaza and entries redesign project.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 16-4745 FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION FROM COMPETITIVE BIDDING AND AUTHORIZING PROCUREMENT OF CONSTRUCTION MANAGER GENERAL CONTRACTOR SERVICES BY COMPETITIVE REQUEST FOR PROPOSALS FOR THE RENOVATION OF THE OREGON CONVENTION CENTER EXTERIOR PLAZA AND ENTRIES

Date: September 10, 2016

Prepared by: Nancy Strening and
Gabriele Schuster

BACKGROUND

The Oregon Convention Center (OCC) has a terraced, landscaped plaza located at the northeast corner (MLK & NE Holladay). The symmetrical terraces are suited for casual everyday use but there is little programmable space for events, activities or gatherings. The strong orientation to the building suggests a path to the front door of the OCC, which causes confusion in terms of way finding, since the two main entry doors are blocks away to the south and west. The existing trees and shrubs have outgrown their spaces. A redesign of the plaza at the northeast corner of the OCC will resolve the programming, physical layout, and maintenance challenges that currently exist.

Given the fact that a new convention center hotel is being planned for the three block site directly north across NE Holladay street, the corner plaza has potential to become a significant, more vibrant open space in Portland's Lloyd District.

The OCC is a 25 year-old facility. Updates and improvements are needed in anticipation of the headquarters hotel. Through a competitive procurement process, LMN Architects was hired to provide consulting and design services to create a cohesive plan for the execution of future capital projects. LMN conducted the initial phase project recommendations and cost estimating. One of the priority issues LMN identified was the confusion in navigation and ambiguity surrounding the visual identification of the OCC's main entrances. LMN proposed a project to modify the main entrances to be more visually identifiable. The OCC now wishes to proceed with the design of these entry modifications.

Because the entries design project and Plaza design project must integrate perfectly and are expected to proceed simultaneously, the preferred approach, and a best practice, is to use the Construction Manager General Contractor (CM/GC) alternative construction contracting method. This will allow staff, the design firm and the construction contractor to work together to better manage public safety while keeping the OCC open and operational for our visitors during construction.

As set forth in the findings attached to the Resolution, the CM/GC form of public improvement contracting allows the early participation of the contracting entity in the design process, and leads to more accurate budgeting and construction cost estimates, affords early constructability review leading to fewer change orders and substantial cost savings to Metro and MERC. CM/GC contracting also fosters early and continuous collaboration between MERC, the designer and the contractor. This "overlap" shortens the overall duration of the project, lessening the risks to public

safety, disruption of revenue generation, and inflationary increases in construction and materials and labor costs.

CM/GC offers a distinct advantage over traditional design-bid-build (low bid) method when seeking increased participation by COBID contractors. Contracts are procured by a Request for Proposals, which enables Metro to specifically request and qualitatively evaluate proposer's approach to COBID outreach and partnership and workforce diversity. The CM/GC delivery method offers a better ability for public agencies to increase the use of COBID firms in sub-contracting opportunities.

The attached resolution and findings in Exhibit A describe the specialized nature of this project. Based on these findings, the Metro procurement manager believes that a value-based selection process is more appropriate than a traditional, competitive bid (which solely considers lowest bid price). OCC and cPMO staff, as well as the Office of Metro Attorney concur.

Therefore, staff seeks Council authorization to pursue the CM/GC alternative procurement process for the OCC Exterior Plaza and entries and redesign. This will allow Metro to consider cost as well as experience and expertise in completing similar projects and in selecting the most advantageous contractor for this project.

ANALYSIS/INFORMATION

1. **Known Opposition:** None
2. **Legal Antecedents:** Metro Code 2.04.54, 2.04.54C; Oregon Revised Statutes 279C.335(4).
3. **Anticipated Effects:** Public procurement process will be open and competitive, but items other than cost will be considered in the awarding of the contract. Increased use of COBID subcontractors is anticipated.
4. **Budget Impacts:** The CM/GC process offers safeguards for cost control of the project, including early involvement by construction contractor in the design process, as well as limited change orders.

RECOMMENDED ACTION

Metro Council, acting as Public Contract Review Board, approve the use of a construction manager general contractor process and exempt this project from traditional competitive bidding. Further, Council authorize the execution of the resulting contract by the Chief Operating Officer in a form to be approved by the Office of Metro Attorney.

DRAFT

Agenda Item No. 3.3

**STATUS OF WEB-BASED "DASHBOARD" FOR THE SIX
REGIONAL OUTCOMES**

Metro Council Work Session
Tuesday, October 18, 2016
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: October 18, 2016

LENGTH: 60 minutes

PRESENTATION TITLE: Status of Web-Based “Dashboard” for the Six Regional Outcomes

DEPARTMENT: Research Center

PRESENTER(S): Jeff Frkonja, jeff.frkonja@oregonmetro.gov x1897
Robb Kirkman, robert.kirkman@oregonmetro.gov x1592

WORK SESSION PURPOSE & DESIRED OUTCOMES

Purpose:

Brief Council on staff progress developing a web-accessible information “dashboard” that measures the region’s status on the six Council-identified regional outcomes. Staff will share an overview presentation, a live demonstration of the first-draft dashboard, and recommended next steps.

Outcome:

Obtain Council guidance on next steps for making the dashboard operational.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

Background

Metro Council identified six outcomes that envision desired qualities of the metropolitan region in the form of: transportation choices, economic competitiveness, environmental health, leadership on dealing with climate change, creating and sustaining vibrant communities, and equity for all residents. Council also sought to have a means of assessing progress towards the outcomes that would support ongoing decision-making, and conceived of a web-delivered “dashboard” as a means of doing so. Such a dashboard would provide Metro Councilors with a data-driven “barometer” of the region’s status on each outcome. Early efforts to complete a regional dashboard were not successful because they were not focused on the six regional outcomes or because they ran into implementation roadblocks.

Status

Metro Council budgeted resources in the 2015-2016 Fiscal Year for the Research Center (RC) to try again to develop a useful dashboard. Recently-hired RC leadership launched a new dashboard effort using those resources. For practical reasons RC chose to work with Portland State University (PSU), whose Greater Portland Pulse (GPP) was in part a product of early efforts toward a Metro dashboard, to most rapidly implement a new design. RC designed a Metro-specific site using the PSU software, working closely with an advisory committee drawn from the staff of the Planning & Development; Property & Environmental Services; Parks & Nature; and Diversity, Equity, and Inclusion Departments. The first-draft dashboard is now operational and thus the project has reached a point where RC and operational department staff need feedback from Council to finalize its design. The working name for the current draft product is “MetroPulse.”

The draft site is available for preview at: <http://metro.portlandpulse.org/>

Materials following this page were distributed at the meeting.

OCC Plaza Construction

October 18, 2016

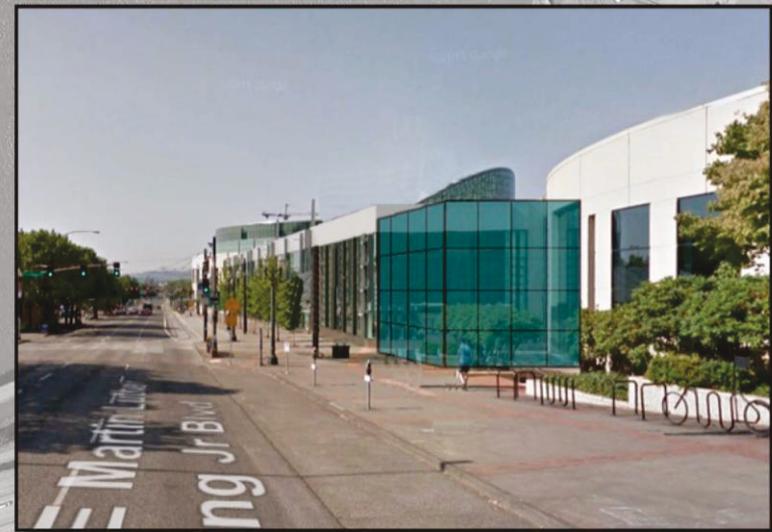


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The Plaza



The Entries



Procurement Approach

- Public Improvement regulated by ORS 279C.335 – requires low bid
- ORS 279C.337 permits alternative procurement method
- Recommended approach – Request for Proposal (RFP)

Benefits of RFP

- Get overall best value
- Allows for evaluation criteria
- Qualification, experience, diversity and sustainability
- Includes cost

Construction Manager General Contractor (CM/GC)

- OCC Plaza – complex, high visible project
- Two contract phases – design and construction
- Increases collaboration
- Reduces risk
- Better cost control – fewer change orders

Questions?

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Desired Outcomes “Dashboard” Status & Next Steps

Metro Research Center

v5

For: Metro Council

October 18, 2016

Jeff Frkonja, Research Center Director

Robb Kirkman, Enterprise Services Division Manager

Special thanks to: Justin Houk, project manager



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As you recall.....

You defined the Six Desired Outcomes

You asked for an information system to measure region's progress

Metro made attempts to develop; PSU produced Greater Portland Pulse (GPP)

You gave Research Center \$ to try again

A decorative green sidebar on the left side of the slide. It features a network of dashed lines and arrows connecting various ecological terms. The terms include 'terrestrial mammals', 'reptiles', 'mammals', 'amphibians', 'wetland core habitat', 'invertebrate', 'habitat linkages', and 'mammals'. The background of the sidebar is a dark green color with a subtle pattern of these terms and arrows.

Today's objectives

Status Report

Look at the functioning 1st-draft system and lessons learned while building it

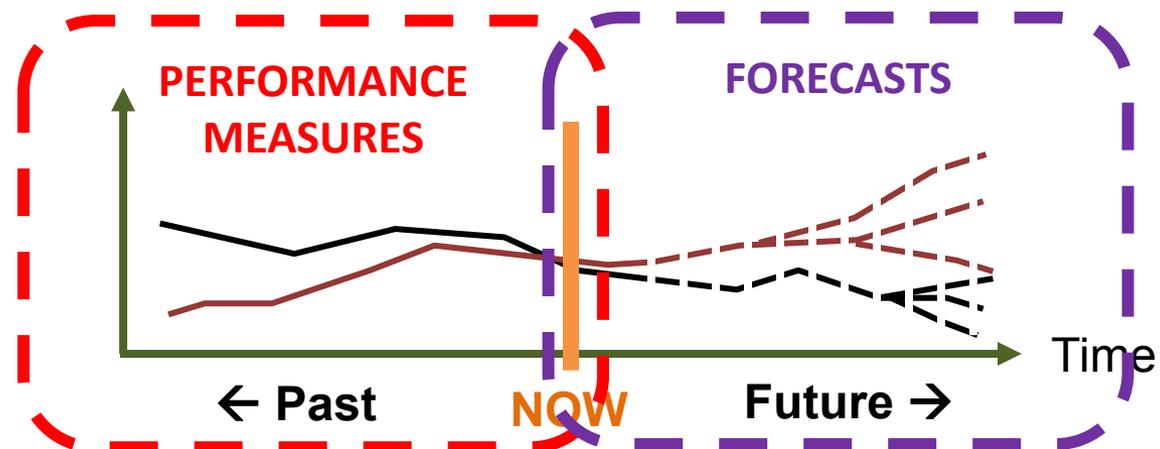
Feedback on Next Steps

Council's thoughts on staff next-steps ideas

What are we talking about?

Web-accessible *performance measures* for the *Six Desired Outcomes* for issue-identification and decision-support:

- Trends (historical past)
- Status (now or recent past)
- Previous actions' effects (data permitting)





What we understand success looks like:

Performance measurement system that:

- Council can use for convening & decision support*
- Management can use for strategy*
- Staff can use for tactics*

** For things we do repeatedly or cyclically*



Vision

What can we be the best in the world at doing?

Metro is a leader in **civic innovation** and services at a regional scale.

Making a great place

What are we passionate about?

We **inspire**, engage, teach and invite people to preserve and enhance the quality of life and the environment for current and future generations.

What generates the resources that enable us to serve?

We **build trust in Metro** by providing needed and valued regional services, building relationships based on exceptional customer service, and collaborating with the communities we serve.

Mission

Resource generator

Status Report

Completed Phase 1 (working *draft*)

- Built via agile, incremental steps
- Inclusive yet nimble project management
- Region-wide measures for the Six Desired Outcomes
- Lessons from other regions
- Identified potential next steps

Beginning Phase 2 (*refine and deploy*)

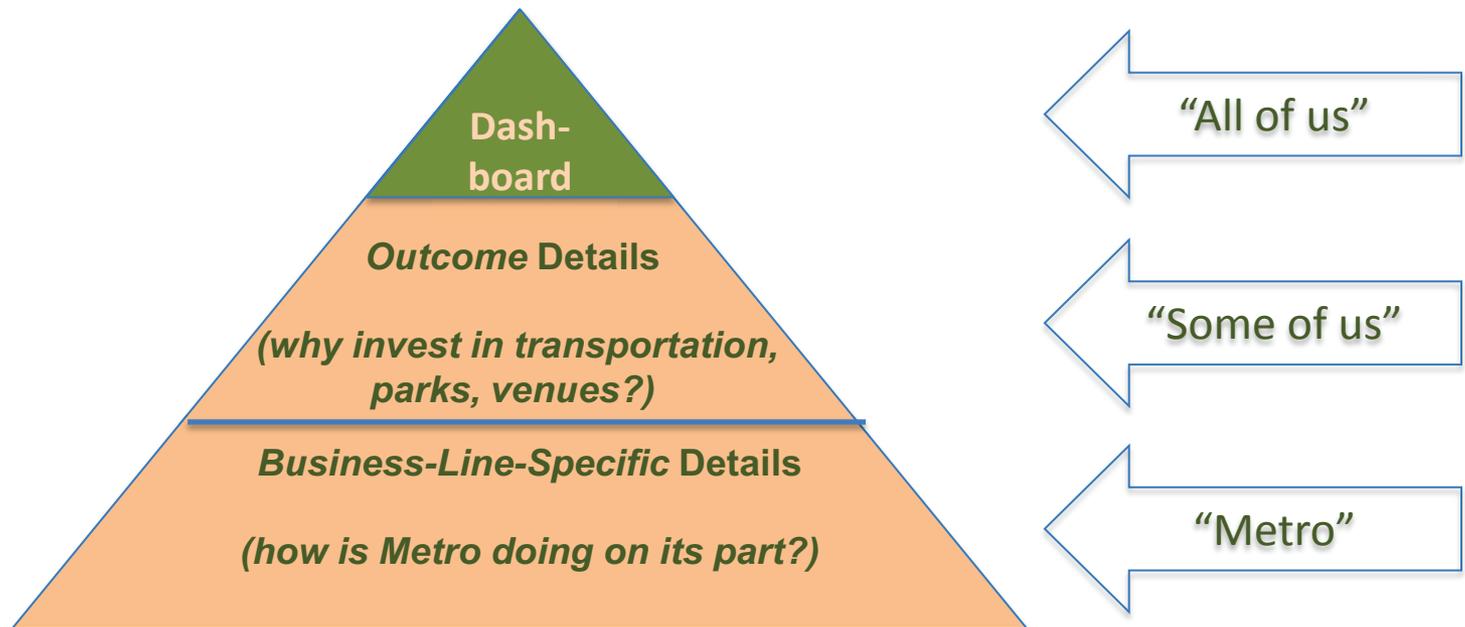


Phase 1 → Phase 2

Provide details

Provide information at multiple levels that all staff can access...

...and made transparent to the public to build trust.

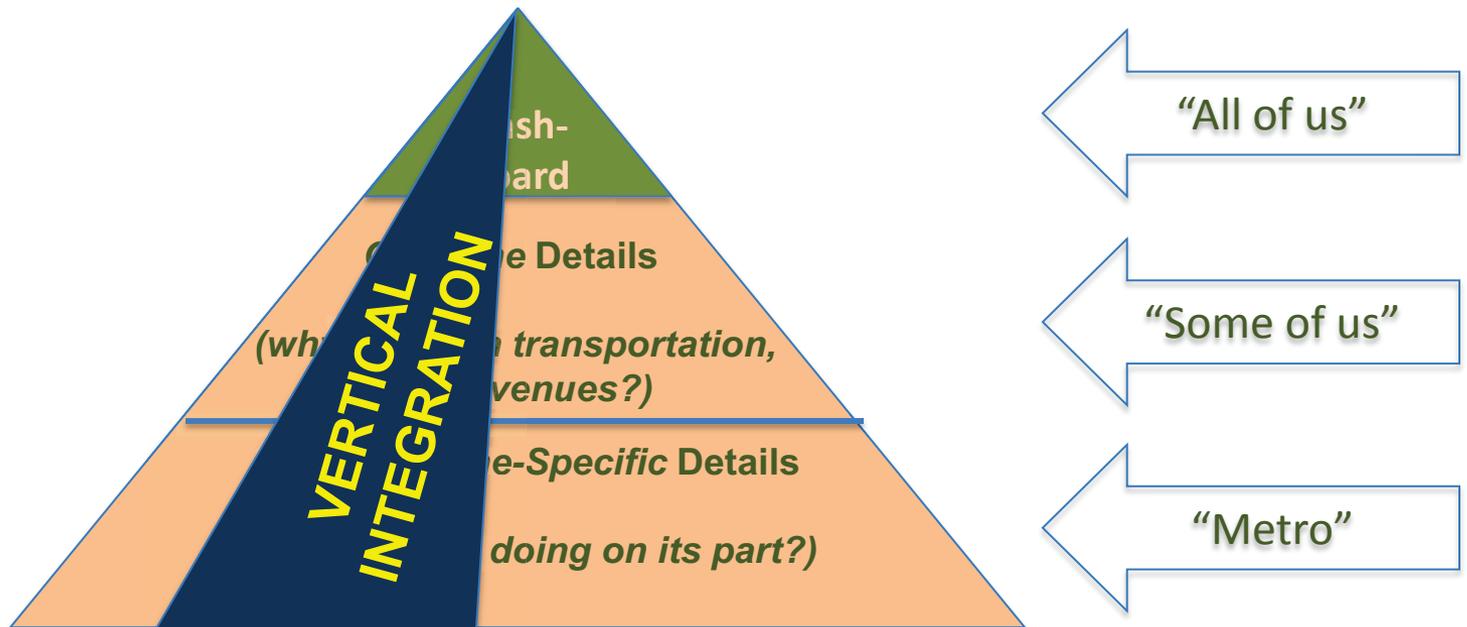


...in selected topics...

Metro Council and Staff need multiple detail levels of information...

...but past attempts to build everything at once did not work.

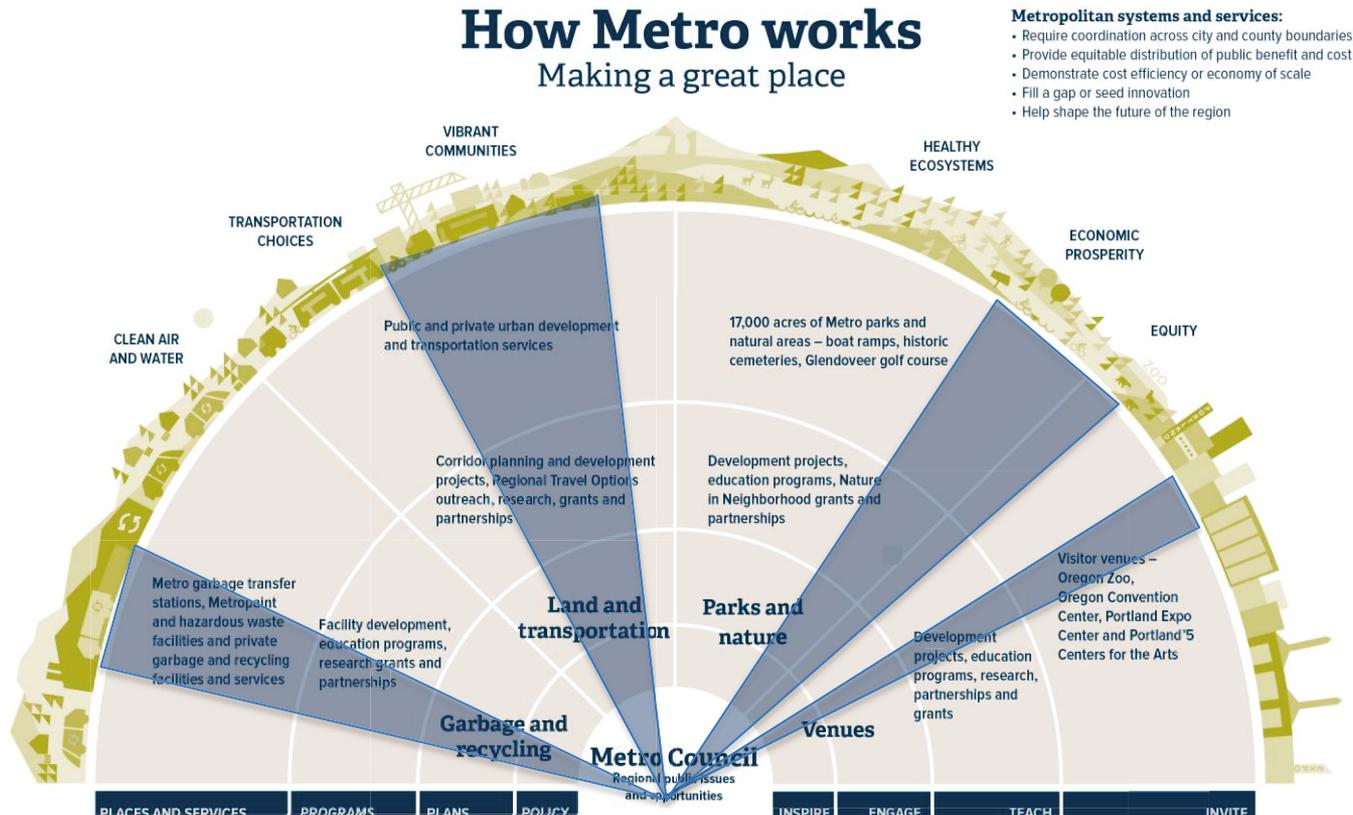
Solution: build priority parts top-to-bottom first, incrementally.



...with some attention to each part of the Metro framework

Metro needs information about different *places* and different *programs*.

Note that data from which such information can be made comes from a variety of public, private, and even volunteer sources so we have opportunities to *partner*.



Demo

<http://metro.portlandpulse.org/>



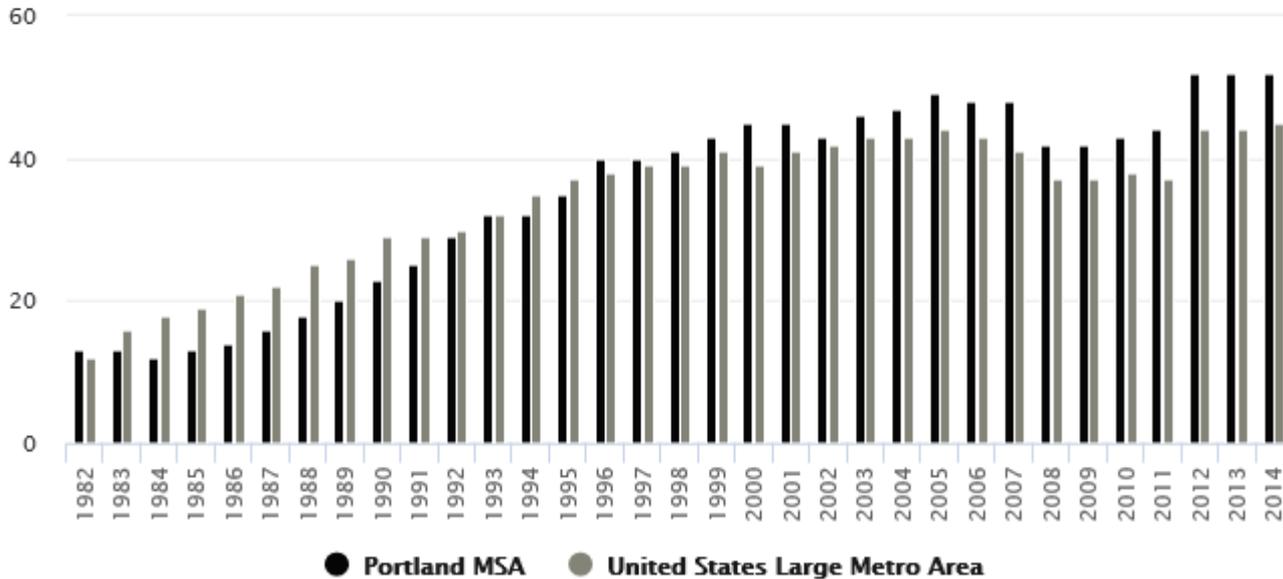
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Existing “All of Us” View: Transportation

TRAVEL DELAY & CONGESTION

Annual hours of delay per auto commuter, Portland MSA, 1982–2014

Source: Texas A&M Transportation Institute, Urban Mobility Report



ices that enhance their quality of life.



itally friendly modes of transportation to commute to work. Higher
ing indicate more choices and a higher quality of life through health

the number of people that must travel farther or through greater

portant policy implications on needs for transportation infrastructure
ldren—groups for whom driving alone is not or is less likely to be an
-auto transportation choices.

h of a population has implications for transportation needs. Higher
numbers of people living below the poverty level suggest needs for lower-cost transport options.

Transit Performance

On-time performance measures how reliable transit options are. The more reliable the buses and trains, the less time people spend waiting and the more time they have for other activities.

Traffic Fatalities

Transportation-related crashes cause personal tragedy, congestion, and loss of productivity while contributing to rising healthcare costs. Decreasing fatalities indicate that the system is becoming safer.

Travel Delay & Congestion

A proxy for the region's transportation-land use priorities based on auto travel. All other things remaining equal, decreased VMT per capita indicates increased use of non-auto modes.

Vehicle Miles Traveled

A proxy for the region's transportation-land use priorities based on auto travel.



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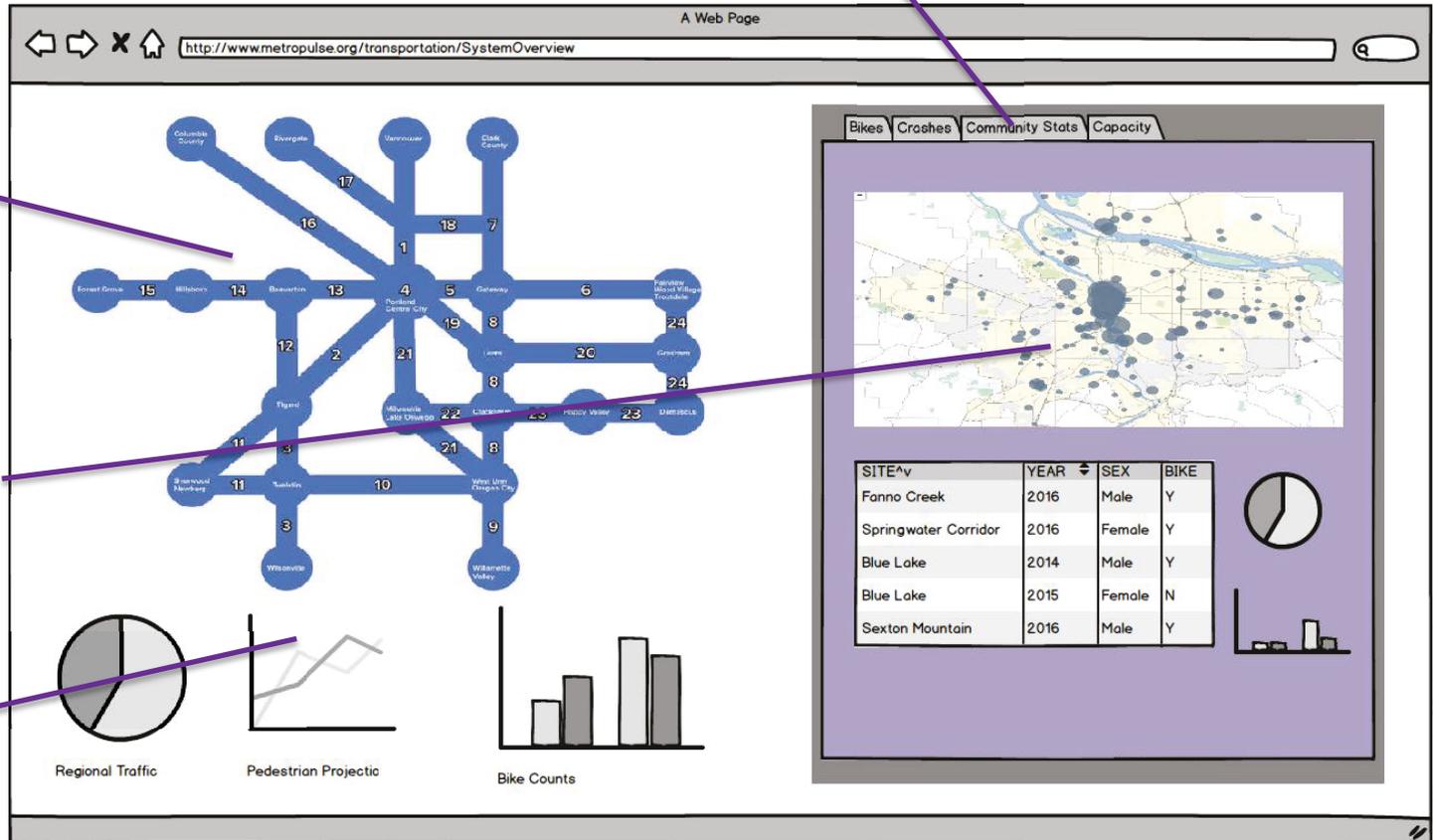
“Some of Us” Concept: Corridor Details

Multiple details available

User picks the corridor (which “some of us”)

Interactive Map

Key Metrics readily visible



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“Metro” Concept: Program Details

Summary of activity and importance

Details for each project

Multiple metrics

Invitation to learn more

A Web Page
http://www.metropulse.org/transportation/Metro_Initiatives

Transportation Initiative: Transit Oriented Development

Icons: Train, Home, Wheelchair, Bicycle

Metro's Transit-Oriented Development Program provides developers with financial incentives that enhance the economic feasibility of higher-density, mixed-use projects served by transit. The program's goal is to implement the region's 2040 Growth Concept through investments in walkable neighborhoods and station areas linked by transit.

The core program activity is providing funding to stimulate private development of higher-density and mixed-use projects near transit. In addition, the program invests in "urban living infrastructure" like grocery stores and other amenities, and provides technical assistance to communities and developers.

Projects Completed
Acadia Gardens
Block 75
Broadway Vantage
Bside6
3rd Central
4th Main

Projects In Progress

Projects Planned

LEARN MORE

Icons: Link, Word, PDF, Map

3rd Central

Gresham, Oregon

Transit-oriented development

Project profile

3rd Central is a four-story mixed-use development situated in historic downtown Gresham featuring 34 market-rate apartment homes and a full service natural foods restaurant, ground floor. Contemporary architecture, panoramic views, secure underground parking, and a private urban courtyard make living at 3rd Central the complete urban experience. A public library across the street, Main Avenue just a block to the east, and a light rail station within a quarter mile, means 3rd Central residents are just footsteps away from a broad array of urban living amenities.

This transit-oriented development would not have been economically feasible without the support of the Metro TOD program and the City of Gresham. Cost premiums resulting from higher density mixed-use development exceeded \$1 million, but the developer helped close the gap by forgoing the developer's fee and most of the construction profit. These partnerships and persistence on the part of the developer demonstrate that mixed-use transit-oriented development can be successful even in the middle of an economic recession. 3rd Central serves as a model for the small ground floor urban grocery retail format which can serve as a tremendous neighborhood amenity and generate transit trips for TOD projects and centers throughout the region.

AT A GLANCE

- Location 255 NW 3rd St. Gresham
- Status Completed 2009
- Total development cost \$6.1 Million
- TOD program funding \$345,000
- Urban Living Infrastructure \$85,000
- Mixed uses 5,450 square feet of ground floor retail, 34 apartments
- Building four stories
- Parking 47 underground spaces
- Site 0.05 acres
- FAR 2.1
- Density 52 dwelling units per acre
- Increased transit ridership 16,400 annual trips

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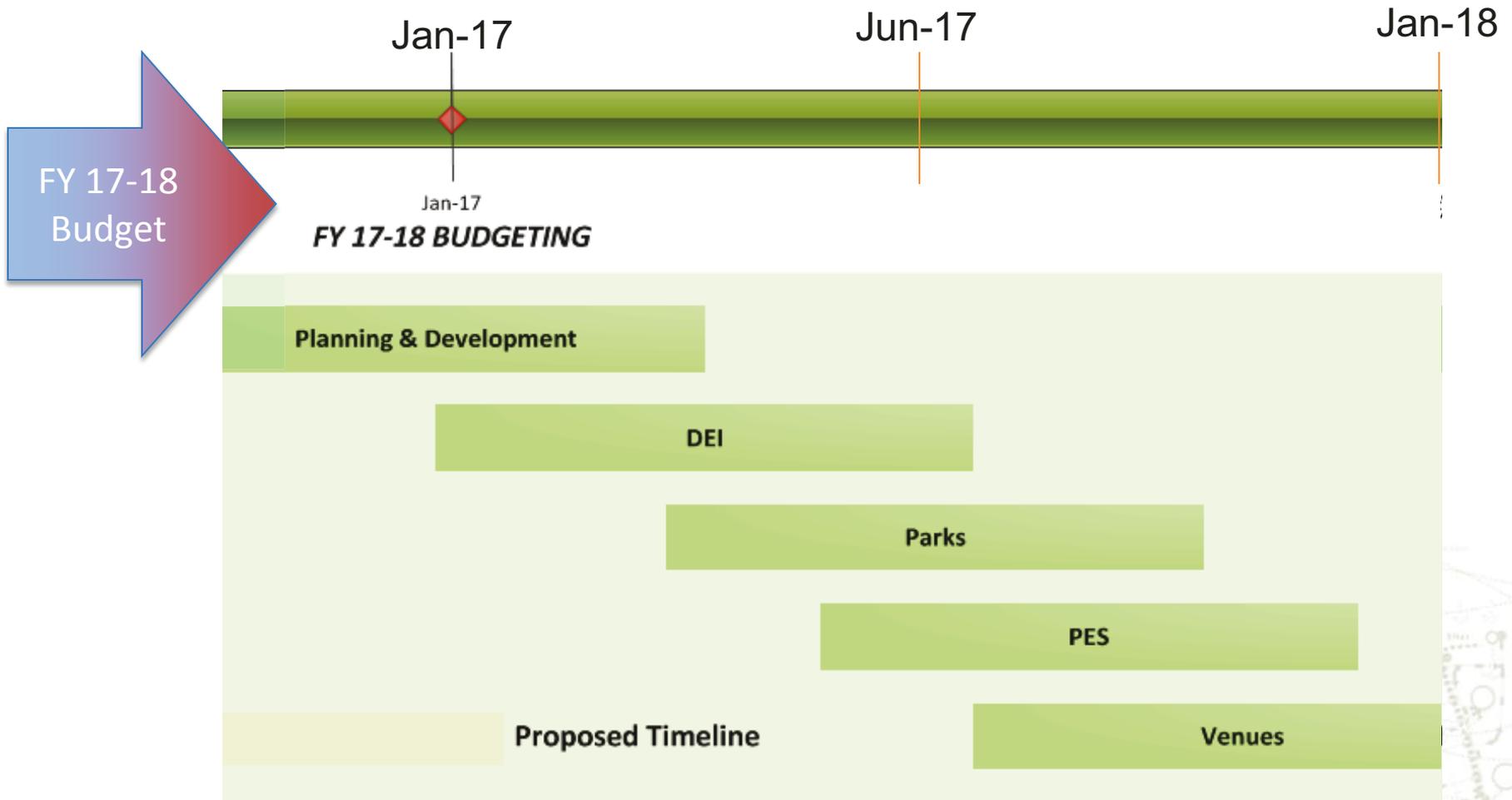
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Phase 2 Additional Benefits

- More detail → more useful for everyone
- Potential to streamline existing processes
- Leverage Metro's core competencies:
 - RC data, data management, and analytic skill
 - Line department data, subject matter expertise



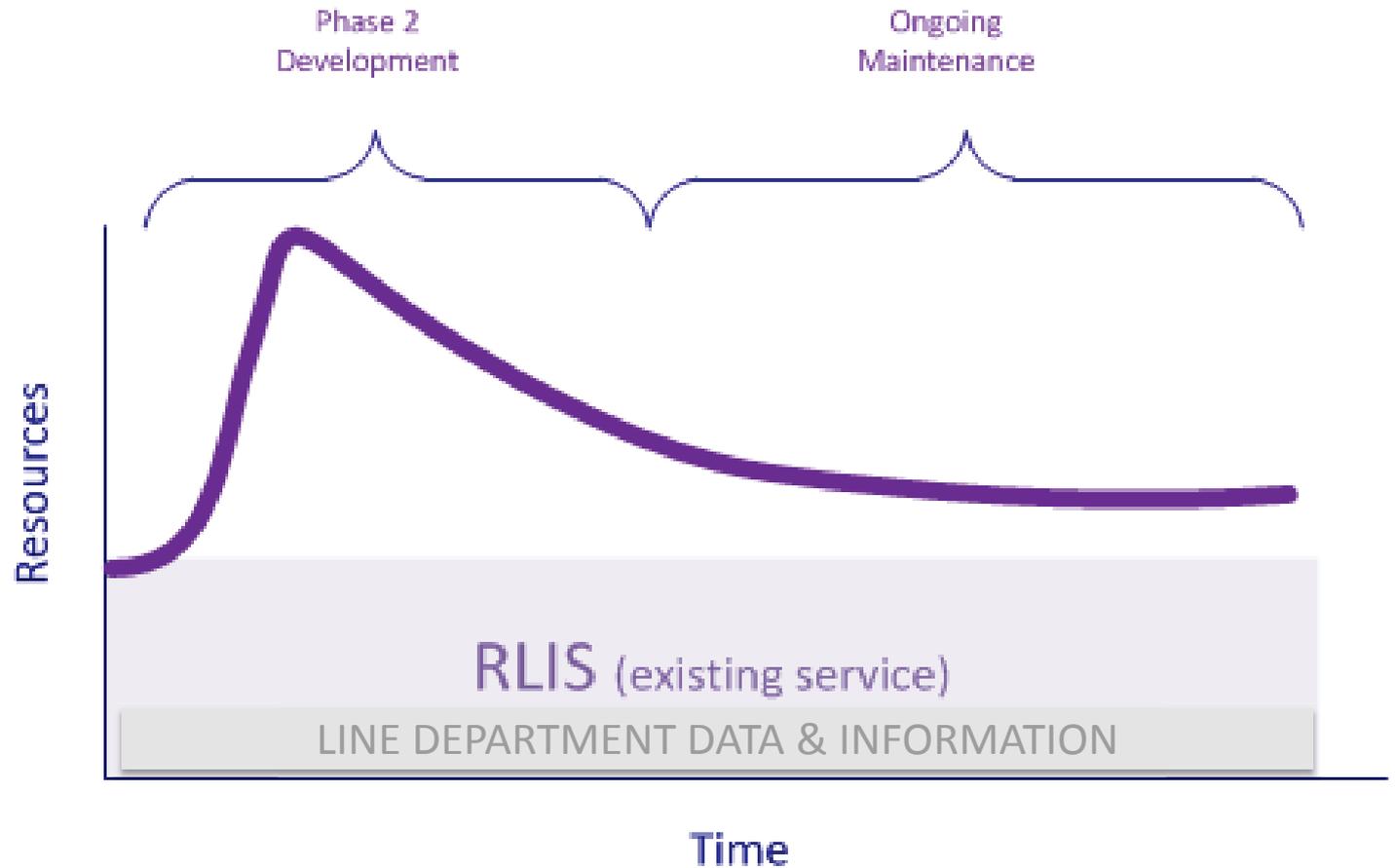
Potential Phase 2 Timeline



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Resources



Details in FY17-18 Budget

Discussion

Questions?

Direction check—are staff on the right track?

How closely do you want to be involved, and how often?



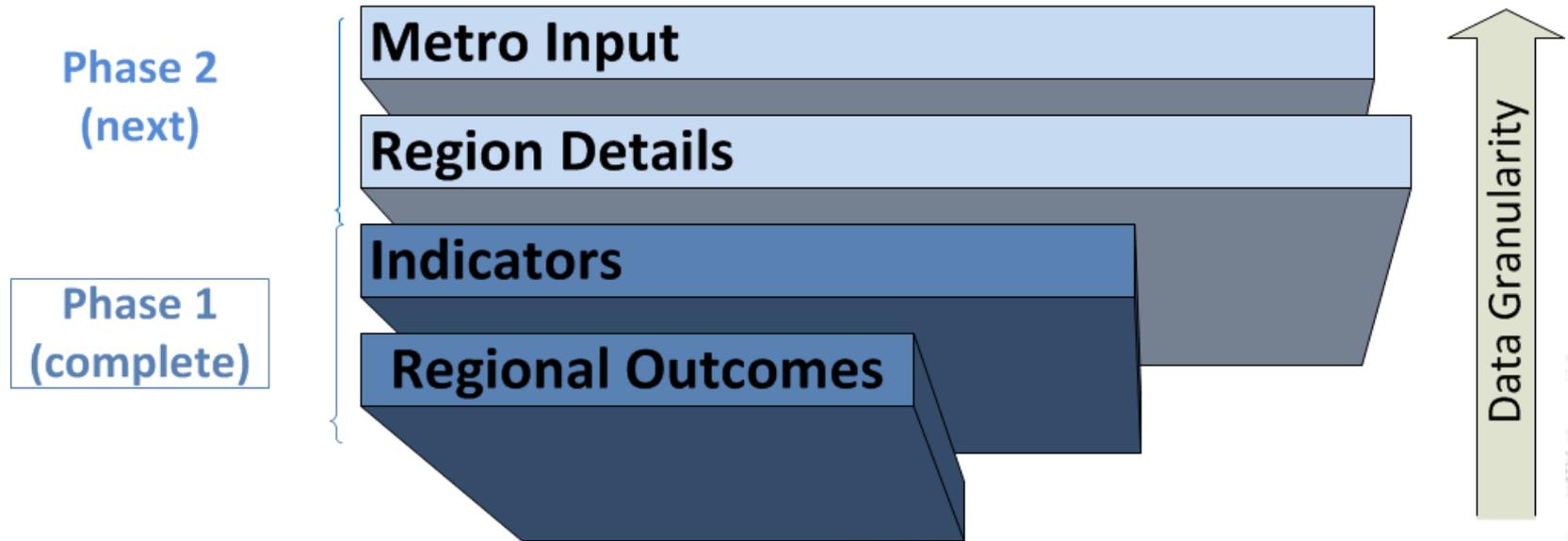
“EXTRA” Slides Follow, NOT part of Council Presentation



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Proposal: add *selected* multiple detail levels

DESIRED OUTCOMES



RC Resource Advantage

**MetroPulse
WITHOUT RC
Investment**

Development

**MetroPulse
WITH RC
Investment**

Customization &
Implementation

Hardware

IT Personnel

Maintenance

Training

Implementation,
Customization
& Training



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Public Value

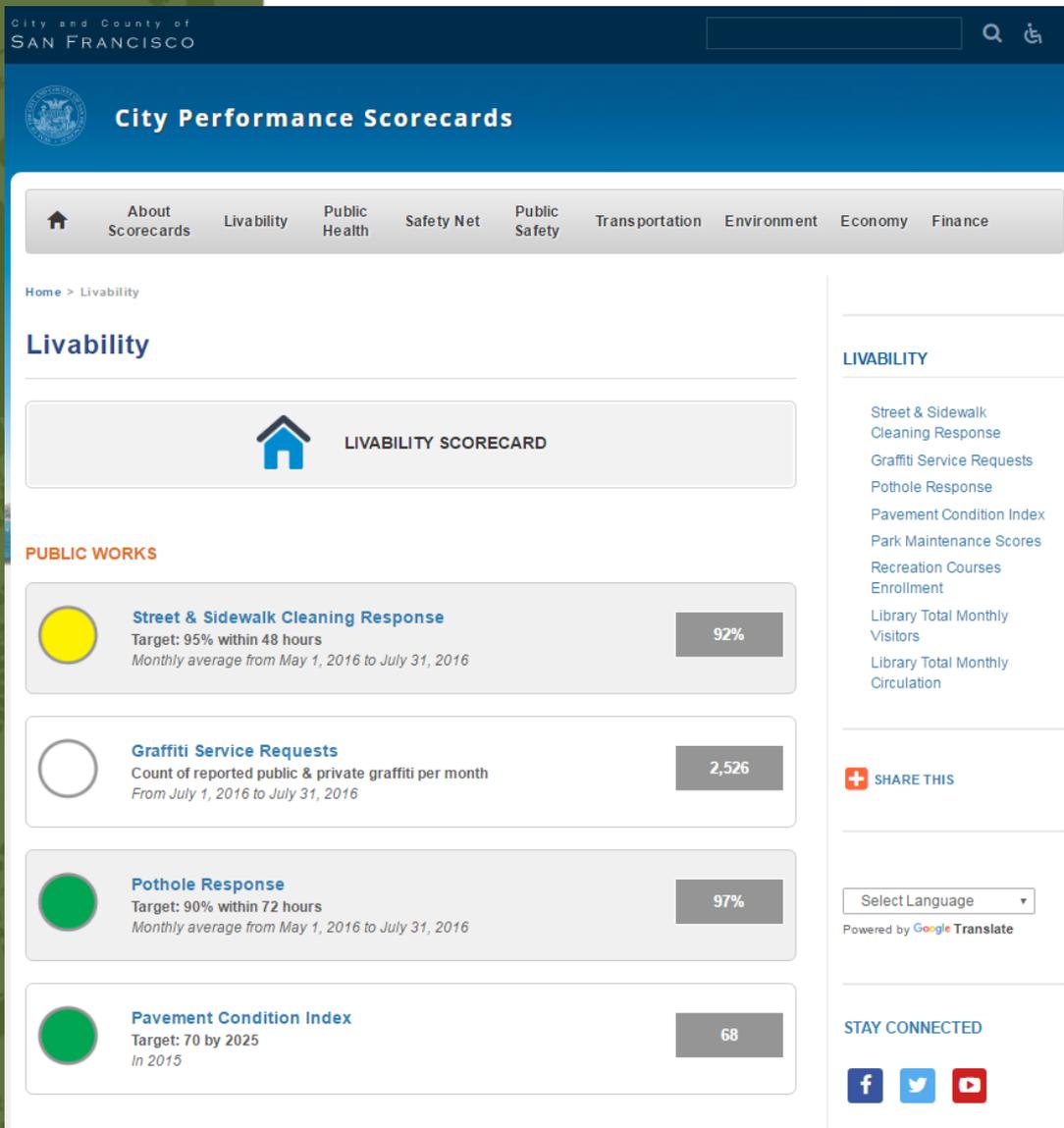
Optimizing monitoring “publication” and streamlining monitoring “production” work lets you spend more time on the cool things you do directly for the public.

Your departments and Research Center are already preparing “monitoring” information in a variety of formats for Council and other audiences.

RC alone could invest more staff time in “higher value” activities if we could point stakeholders to easy-to-produce, easy-to-use, accessible, basic information.



Leadership



Many of our peer agencies already provide dashboards, lead with their data as a key brand identity, or both.

Metro can enhance its leadership in public sector innovation through creating a useful information resource.

Trust

“Showing our work”—letting the public “self discover” the information underlying the great things your staff do—will make Metro more transparent to our citizens and thereby build trust.

We already hear accusations about “black boxes”...

...and get regular pressure from “open data” advocates.



How did we make MetroPulse v0.1?

“Rules of Engagement”

- Assume that the *public is the audience*
- Strive for *completeness*
- Be *quantitative*
- Assume v0.1 will *evolve* based on your feedback
- *Get it done* so we all have something concrete to discuss
- *Use existing resources* so we *get it done* on time & budget
- *...but agree that there are “no bad ideas”*—keep all suggested indicators on the table to serve *completeness...*

MetroPulse v0.1 is...

- A web “dashboard” requested by Council.
- Intended to measure status of the six desired outcomes.
- In FIRST DRAFT form.
- A means of stimulating conversation about what a Metro dashboard should be.
- A way to give feedback to the dashboard project team.



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What is MetroPulse?

1. A web “dashboard” requested by Council, in working, *first draft* form—it is not yet “published”.
2. Intended to measure status of Council’s six regional outcomes (see site map on next page) and support Council’s means of convening important regional discussions.
3. A way to give feedback to the MetroPulse project team about how to improve the first draft dashboard.
4. A means of stimulating conversation about what the dashboard should be as we work to finalize it for use.

Note: “MetroPulse” is the internal code-name staff gave the dashboard and can be changed.

How do I access MetroPulse?

Point your web browser to: <http://metro.portlandpulse.org/>

How do I provide feedback to the MetroPulse project team?

Send email to the project manager Justin Houk (justin.houk@oregonmetro.gov).

What is the plan to finish a “published” version of the dashboard?

- Staff envisions building out multiple levels of detail...
- ...in carefully-selected topic areas. For example, Parks and Nature departments’ efforts in stewardship conservation for Metro-managed natural areas requires multiple levels of detail to understand change over time and inform operational staff, management, and Council about future parks levy discussions.

