

**Council Convention Center Committee Minutes**

Tuesday, May 10, 1988

4:00 p.m.

Metro, Convention Center Project Office

Attending: Councilors Cooper, Hansen, Knowles, Van  
Bergen, Waker.

Staff: Neil McFarlane, Dan Cooper, Sandy Bradley,  
Sandy Stallcup, Berit Younie

Guests: Lee Fehrenkamp, General Manager,  
E-R Commission

Chairman and Councilor Cooper, Chair, called the meeting to order at 4:05 p.m.

Neil McFarlane, Convention Center staff requested that Agenda Item 1 be discussed when Dan Cooper, Metro legal counsel, arrived. Councilor Cooper acknowledged request.

Agenda Item 3. RFP for Testing Services. Sandy Bradley introduced the proposal for testing and inspection and said that the proposal was for comprehensive testing and inspection of steel, masonry, concrete, glazing, welding and fireproofing. She further stated that the RFP was reviewed by the City of Portland's Bureau of Buildings, the project architect, the project structural engineer and the construction manager. The estimated amount of the contract is \$150,000 to \$200,000, based on work done on the Federal Office Building East and the Veterans' Hospital. The DBE/WBE requirements would be applicable. The initial mailing went to eight firms and the proposal is being advertised in the Daily Journal of Commerce.

Councilor Van Bergen asked if there were prequalifications requested. Bradley said there is the qualifications suggested by Fred Deis of the City of Portland that there be an ASTM engineer registered in Oregon and have five years experience on a similar project.

Councilor Cooper asked who would be on the review committee for the RFP candidates. Bradley listed Zimmer Gunsul Frasca Partnership, kpff, Turner Construction Company, Neil Saling and any ACDC member who desires to be on the review committee. Bradley said that the RFP candidates and preference would be presented to the Council Convention

Center Committee on May 27 and will go to the full Council on June 9 for final approval. She indicated that the RFP includes a draft contract which should assist with the fast turnaround schedule.

MOTION: Council Van Bergen moved, Councilor Waker seconded to approve the Testing and Inspection Request for Proposal.

VOTE: The motion was unanimously passed.

Agenda Item 4. Street Vacation Status Recording. Councilor Cooper asked if Metro has met all of the City's requirements of the street vacation activities. Neil McFarlane said all requirements have been met. He further stated that ODOT is doing a good job and will be under contract in January, 1989, which is well within schedule.

Councilor Cooper asked if our street project boundaries go from curb to curb. McFarlane answered that it varies from street to street. Union Avenue is Metro's responsibility. First Street is also entirely in the contract. Glisan Street, back of sidewalk to back of sidewalk is ODOT's responsibility. Metro will do all of the landscaping. McFarlane noted for the Committee that Ron Kleinschmidt is the new project manager of the Portland Department of Transportation and that he comes to the project with high recommendations.

Agenda Item No. 2. Rose City Plating Status Report. Neil McFarlane stated that we asked Dames & Moore for the following goals: 1) expedite cleanup, 2) have a sampling/evaluation program to satisfy EPA/DEQ requirements. 3) perform pre-sampling, including data review, sump removal, disposal and debris removal and storage. McFarlane said the sump contained a lot of sludge material and that there was 8,500 gallons of sludge and water. Cooper noted that there were two tanker trucks on the site. McFarlane indicated that one was full of water and one was full of sludge removal from the sump. The sampling program will reveal how deep and widespread contamination may be. Tests will include surface soil, subsurface soil samples in six different locations (8-20 feet), ground water samplings and permeability sampling.

McFarlane stated that three wells have already been installed to monitor the underground water table. These wells are in accordance with the DEQ methodology. Ground water was discovered at 60 feet. McFarlane suggested being more careful and taking an expedited case towards the cleanup.

Councilor Van Bergen asked if this testing would violate the project. McFarlane stated that it would not, but it may slow it down. It is possible that the contamination was from a surface spill and has not penetrated or contaminated the site.

Dan Cooper, Metro General Counsel, stated that Metro would have to pay additional costs from the work program to remove and clean the floors, etc. Councilor Cooper inquired about holding Rose City Plating liable for the costs. Dan Cooper stated that if it is a pre-existing condition, the previous owner would be liable. He further noted that there have been three to four owners of the property since the early 1970's.

Councilor Hansen asked what the immediate impact on the time schedule would be. McFarlane stated that everything should be cleared out by June 30, adding that the time schedule is very important. Councilor Cooper asked if the pilings would be on Rose City Plating ground. McFarlane pointed to a map indicating that the south wall of the building would be over the site.

McFarlane discussed the analysis of the work program. Dames & Moore will test for chrome, lead, silver, zinc and traces of other metals, organic materials, petroleum distillates, cyanide and sulfates. Cyanide was found today in a sizeable concentration in the sludge. The testing is on a Level III quality control, with 10% of the samples evaluated at Level IV. Level IV would increase costs and time. The site is cleared. The north and east walls of the building will come down late this week.

Councilor Hansen noted that the Rose Festival is coming up soon and hoped that the site would provide an opportunity for good will and show off the convention center area. Hansen suggested that curbs and sidewalks be available for the public, saying the visibility and use of the site would enhance public relations.

Councilor Van Bergen wondered about security. Lee Fehrenkamp indicated that when there is a large function at the Coliseum the barricades are moved and people park everywhere. McFarlane noted that there would be two levels of fencing around the Rose City Plating site for security.

Dan Cooper said that DEQ stated we had a very clean file, is in accordance with the federal and state laws. McFarlane stated that we have taken the extra cautious route. Councilor Van Bergen added his concern about potential

lawsuits. McFarlane said that Dames & Moore will give weekly status reports and he handed out the Dames & Moore's progress report dated May 10, to the committee.

Agenda Item 1. Site Package Status of Legal Action.

Councilor Cooper asked Dan Cooper for the status on the site preparation bid legal action. Plaintiff Tri-State, the third lowest bidder is seeking to enjoin Metro from awarding the site contract to either Dewitt (first low bidder) or Elting (second low bidder). Defendants in the action are Metro, Dewitt and Elting, although Elting joined plaintiff Tri-State in declaring Dewitt's bid defective. All parties have stipulated to the facts, which are not in contention. Judge Panner took the case under advisement. The Judge should let Metro know of his decision on Thursday.

Councilor Waker suggested that the site package be rebid in the event the Judge grants the injunction. Dan Cooper agreed that this was a possibility.

Agenda Item 5. Ground Breaking -- May 16th. Berit Younie gave a progress report on the ground breaking ceremonies. She said that over 800 invitations had been sent. All dignitaries have been contacted and the event is expected to be well received. Councilor Cooper asked about parking for the ground breaking ceremonies if one did not arrive on the special MAX train. Lee Fehrenkamp stated that attendees may park free at Gate 8 of the Coliseum.

Councilor Cooper inquired about the plan of action should the notice to proceed with Rose City Plating not occur. Further discussion ensued. Dan Cooper said that the Judge should let Metro know by then. Councilor Waker requested that the Council be notified of the Judge's decision.

Councilor Waker also asked if there will be a revision to the contract compared to what was authorized. McFarlane is finalizing the work program and will send it out to the Committee as soon as it is ready. Councilor Cooper suggested that the work program be sent to the Council.

McFarlane said the cost of the new Dames & Moore work program is \$233,000. The excavation work will be an extra charge.

Councilor Hansen asked if the contaminated area could be capped off or contained so that the contamination would be contained and building work could proceed. McFarlane responded that this is possible, but we would prefer to have a clean closure.

The minutes of the Council Convention Committee meeting of April 18, 1988 were reviewed.

MOTION: Councilor Waker motioned, Councilor Van Bergen seconded to pass the minutes of the April 18, 1988.

VOTE: Passed unanimously.

MERC-ERC. Lee Fehrenkamp, General Manager of the E-R Commission reported on the MERC Commission meeting today in Room 330. All members liked the work session atmosphere in Room 330 better than the formal setting in the Council Chambers. MERC discussed the five-year plan, made some changes and discussed personnel policies regarding compensation and retirement. They also discussed organizational structure based on consolidation. Councilor Cooper stated that he asked Rena Cusma to assign a staff person to help. Councilor Cooper added that MERC requested someone with vision to review the five years work plan. Ray Phelps or Don Rocks will be present at all meetings.

Meeting adjourned at 5:10 p.m.

Submitted by,



Sandy Stallcup