

Council Convention Center Committee Minutes
Tuesday, October 11, 1988
4:00 p.m.
Metro, Room 145

Attending: Councilors Kelley, Knowles, Van Bergen, Waker
Staff: Neil McFarlane, Neil Saling, Sandy Stallcup,
Glenn Taylor, Berit Younie
Guests: Don Carlson, Jessica Marlitt, Don Rocks, Kim
Duncan, Nancy Meyers

Chairman Knowles called the meeting to order 4:05 P.M.

Agenda Item No. 1, Approval of Minutes for August 24,
September 13 and September 27.

There was brief discussion. Minutes of January 28, February 9, February 23, April 12, April 26, May 10, May 27 and June 21, were requested to be ratified in order to meet the auditor's needs. Minutes for the meetings of August 24, September 13 and September 17 were requested to be approved.

MOTION: Councilor Waker moved that both Package A & B of minutes of previous meetings be approved.

VOTE: The motion was approved by unanimous vote.

Agenda Item No. 2, Review of MERC Proposed Legislation
Regarding Review of Commission Actions.

Don Carlson presented a memo he had written which detailed the proposed MERC legislation which would remove the statutory granted right of an adversely affected or aggrieved person to appeal an action of MERC to the Metro Council. Carlson sensed the purpose of the proposed legislation was to make the Metro review provisions comparable to the review provisions of the City of Portland's ERC, which allows only a City Commissioner to request review of a ERC action. Carlson posed two questions:

(i) What is the problem that is sought to corrected by this legislation? and,

(ii) Does the Council support including this bill which would remove the statutory granted right of an adversely affected or aggrieved person to request a review of a Commission action in its legislative package?

Don Rocks reported that the Executive Officer supported the Metro E-R Commission legislation as a way of inhibiting frivolous requests for review.

Don Rocks could not report the Executive's opinion as to whether the legislation would apply to any other Commissions other than Metro E-R Commission.

Councilor Waker spoke in favor of the legislation, stressing the need to inhibit frivolous requests.

Councilor Van Bergen had the opposite opinion. He felt the current definition of "adversely aggrieved party" in the Metro code does more to stop frivolous reviews than the proposed legislation.

Councilors Kelley and Knowles concurred with Councilor Van Bergen. Councilor Knowles requested Nancy Meyers to convey to Lee Fehrenkamp the first question posed by Don Carlson. It was agreed not to include the proposed legislation as part of the Metro package at this time.

Agenda Item No. 3, Resolution No. 88-992 Considering Amendment to the Metro/Portland Bureau of Water Works Intergovernmental Agreement.

Neil McFarlane reported that the bids were received by the Water Bureau to relocate a water line from the Convention Center Site. The low bid of \$110,000 and the supplemental expenses brought the total cost of the project to \$185,000. The Intergovernmental Agreement was currently at \$100,000 therefore requiring an amendment of \$85,000. Metro previously budgeted \$150,000 for the project and also negotiated a credit from the Water Bureau against future hook-up expenses of approximately \$16,000, resulting in a actual additional cost of \$18,950. This amount would be allocated from Owner's contingency.

McFarlane further reported the Water Bureau was unwilling to guarantee that this would be the final cost to Metro, an understanding that ACDC had previously suggested be pursued.

Councilor Kelley questioned the possibility of re-bidding the work in light of the engineer's estimate which was lower than the bids. Neil McFarlane responded that the timing of the work was critical; that the relocation work must precede

separate but related work to be performed by other contractors.

MOTION: Councilor Waker moved to approve Resolution No. 88-902.

VOTE: The motion was passed unanimously.

Agenda Item No. 4, Resolution No. 88-1000, Considering a Contract Amendment to Zimmer Gunsul Frasca Contract

Neil McFarlane reported on this item, a proposed amendment to the ZGF contract for additional design services. He detailed the four categories of work.

(1) Building Size Reduction \$14,974

This work was necessitated by the reduction of the size of the building during the design phase which, at the time, Metro considered necessary to bring the building back into budget. Councilor Waker felt that this work was not outside the scope of work, but was always included in ZGF's responsibility of designing a building within the \$52 million construction budget. McFarlane reported that ZGF felt there were other more appropriate ways of budget management and that reduction of the size of the building was not necessary. Councilors Kelley and Van Bergen agreed with Councilor Waker. It was agreed not to include this item in the contract amendment.

(2) Responses to City Requirements \$28,518

This work resulted from several changes in code requirements by various city agencies and is considered by ZGF to be outside the original scope of work. Councilor Waker indicated that from his personal experience, dealing with City of Portland agencies can be not only frustrating but also time consuming. The Committee recommended approval of this item.

(3) Design Enhancements \$15,300

ZGF is prepared to commence design work on several items which were not included in the original scope of work. Specifically, the Visitors Information Center, automated teller machines, an inside window washing system and an area designated for additional parking and/or crate storage. There was some discussion as to the necessity and cost of these items. Councilor Van Bergen indicated he was hesitant to go along with design work for the additional parking/crate storage area when there was no estimate on the actual costs

of such an addition. Councilors Kelley, Waker and Knowles voted to approve the additional compensation to ZGF for such services while Councilor Van Bergen voted against such approval.

(4) Public Art Program \$15,350

Additional work is anticipated for incorporating the selected art into the building. Funds necessary will come from the art budget. In light of this, all councilors approved this item.

MOTION: Councilor Waker moved to recommend approval of the revised contract amendment which would compensate ZGF for items 2,3 and 4 only.

VOTE: Councilors Kelley and Knowles voted yes and Councilor Van Bergen objected to item 3. The motion passed.

Agenda Item No. 5, 1% for Art Program Update.

Councilor Knowles reported that currently, contracts were being written and negotiated with the eleven artists whose work will be placed in the building. Contracts will be before the committee for action in the near future. The Metro Council will be receiving a status report on the art program at the Thursday, October 13 meeting.

Agenda Item No. 6, Construction Status Report.

Glenn Taylor presented the first of twice monthly Construction Status reports which he will be preparing for the committee. Taylor reported that one percent of the work has been completed to date and that the project is progressing smoothly. Foundation work is on-going; the first of the structural steel is due to arrive on site November 21, 1988; and the towers should be up by March, 1989.

Councilor Knowles reported that to date he had not received a response from the Executive Office as to a replacement for the position of Project Director. He would continue to pursue this topic.

Councilor Waker inquired as to the status of the change order procedures. Berit Younie indicated that Hoffman-Marmolejo had requested a clarification of this issue and was concerned as to the awkwardness of the system outlined in the contract. Don Carlson reported that he had presented a report to Finance Committee which addressed these issues. The concept has been approved and is scheduled for the Council on October

27. Councilor Knowles requested that Councilor Waker work with Council and project staff to resolve the issue.

There was no further discussion. The meeting was adjourned at 5:10 P.M.

Respectfully submitted,


Sandy Stallcup