

BEFORE THE CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AMENDING THE)	RESOLUTION NO. 99-2777
CONTRACT BETWEEN METRO AND)	
NORTHWEST ECOLOGICAL RESEARCH)	
INSTITUTE (CONTRACT NO. 920892) FOR)	Introduced by
WESTERN PAINTED TURTLE MONITORING)	
AT SMITH AND BYBEE LAKES WILDLIFE)	Mike Burton,
AREA.)	Executive Officer

WHEREAS, Metro executed Contract No. 920892 with Northwest Ecological Institute (NERI) in the amount of \$33,000 to begin the Western Painted Turtle Monitoring Plan at Smith and Bybee Lakes Wildlife Area,

WHEREAS, western painted turtles are listed "critically sensitive" by the Oregon Department of Fish and Wildlife; and

WHEREAS, one of the largest known populations of western painted turtles in the Lower Columbia River basin resides in the Smith and Bybee Lakes Wildlife Area; and

WHEREAS, continued implementation of the monitoring plan is necessary for protection and enhancement of the turtle; and

WHEREAS, financial resources are budgeted for fiscal year 1999-2000 and will be available for future years, subject to Council appropriation; and

WHEREAS, Metro Regional Parks and Greenspaces has established that Northwest Ecological Research Institute has performed the work as specified and satisfactorily within the terms of the contact and provides these services in a cost effective and efficient manner; and

WHEREAS, per Metro Code 2.04.046 (b) such an amendment requires Metro Council approval; and

WHEREAS, the resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore

BE IT RESOLVED,


That the Metro Contract Review Board authorizes the execution of Change Order #1 to the Northwest Ecological Research Institute contract no. 920892 for the Western Painted Turtle

Monitoring Plan, attached as Exhibit A, which increases the contract amount by \$115,000 and extends the contract through the December 31, 2003, subject to Council appropriation via the annual budget process.

ADOPTED by the Metro Contract Review Board this 3RD day of

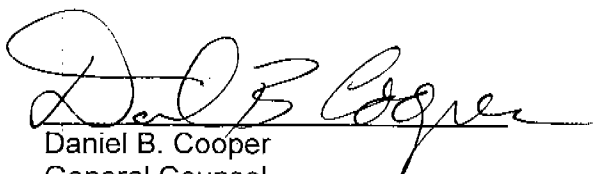
JUNE

, 1999.



Rod Monroe, Presiding Officer

Approved as to form:



Daniel B. Cooper
General Counsel

METRO OPERATIONS COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 99-2777, FOR THE PURPOSE OF AMENDING THE CONTRACT BETWEEN METRO AND NORTHWEST ECOLOGICAL RESEARCH INSTITUTE (CONTRACT NO. 920892) FOR WESTERN PAINTED TURTLE MONITORING AT SMITH AND BYBEE LAKES WILDLIFE AREA.

Date: May 25, 1999

Presented by: Councilor Kvistad

Committee Action: At its May 19, 1999 meeting, the Metro Operations Committee voted 2-0 to recommend Council adoption of Resolution No. 99-2777. Voting in favor: Councilors Atherton and Washington.

Council Issues/Discussion: Charlie Ciecko, Director of the Parks and Greenspaces Department, made the staff presentation. Resolution 99-2777 authorizes a four-year contract extension with Northwest Ecological Institute (NERI), to monitor painted turtles at Smith & Bybee Lake. The western painted turtle is listed as "critically sensitive" by the Oregon Department of Fish & Wildlife. Smith & Bybee lakes are home to one of the largest known populations of western painted turtles in the lower Columbia River system. A five-year study to address habitat, demographics and other issues related to the turtle was instigated at the request of the Smith & Bybee Lake Management Committee and Wildlife Area manager.

NERI was chosen for the initial phase of this contract via a competitive bidding process. The total amount for the project is estimated to be \$148,000, over the five years; with \$118,000 coming from the Smith & Bybee Lakes Trust Fund and \$30,000 from the Port of Portland. \$40,000 is budgeted for fiscal years '99-'00.

Jim Morgan, biologist and regional planner with the department gave additional technical information. Responding to questions from councilor Atherton, he said the study would help establish adequate buffers from development, in those areas not developed around the lakes, that would be sufficient for the turtle's well being. He also expressed confidence in the contractor to carry out the study in a scientifically manner with the least disruption to the turtles possible.

Staff Report

CONSIDERATION OF RESOLUTION NO. 99-2777 FOR THE PURPOSE OF AMENDING THE CONTRACT BETWEEN METRO AND NORTHWEST ECOLOGICAL RESEARCH INSTITUTE (CONTRACT NO. 920892) FOR WESTERN PAINTED TURTLE MONITORING AT SMITH AND BYBEE LAKES WILDLIFE AREA

Date: April 16, 1999

Presented by:

**Charles Ciecko
Dan Kromer**

PROPOSED ACTION

Resolution No. 99-2777 requests amendment of the existing contract between Metro and Northwest Ecological Research Institute (Contract No. 920892) for continued monitoring and data analysis of western painted turtles at Smith and Bybee Lakes Wildlife Area. Approving this resolution would increase the contract by \$115,000 and the length of the contract until December 31, 2003 to maintain continuity in monitoring protocol.

FACTUAL BACKGROUND

There are only two native turtle species in Oregon, the western painted turtle and the western pond turtle. Smith and Bybee Lakes Wildlife Area is home to one of the largest known populations of western painted turtles in the Lower Columbia River system. The western painted turtle is listed "critically sensitive" by the Oregon Department of Fish and Wildlife. With the increase in development in the Rivergate Industrial area and the increase in passive recreational use at the wildlife area, the Smith and Bybee Lakes Management Committee and Wildlife Area Manager felt it was necessary to undertake a monitoring program to assess the turtle population in the area. A five-year monitoring program was established to determine the demographics, nesting sites and habitat uses of the turtle. The information generated from the program will be used to establish management actions at the wildlife area to protect the turtles and their habitat.

In September 1998, Metro entered into a ten month personal services contract with the Northwest Ecological Research Institute (NERI) for western painted turtle monitoring at Smith and Bybee Lakes Wildlife Area. The contract covers a portion of the first phase of the five-year monitoring program. The contract terminates at the end of FY 1998-'99. At that time, the contractor will be in the middle of the first field season. To complete the field season it is necessary to extend the contract. Since the monitoring program calls for five years worth of data, it would be appropriate at this time to extend the contract until December 31, 2003.

Initial Competitive Contracting Process

In August 1998 Metro advertised the request for proposals (RFP) for implementing the western painted turtle survey and monitoring plan in the Daily Journal of Commerce, posted it on the web site and mailed copies to various firms and individuals. Respondents were given two weeks to reply. Metro received two proposals. Three people reviewed the proposals and rated each on the criteria listed in the RFP. NERI was awarded the contract based on experience, overall knowledge of turtles and field personnel.

Specialized Expertise Needed to Complete the Work

NERI is an Oregon non-profit 503(C) corporation whose purpose is to further the knowledge of Pacific Northwest natural history through research, training and dissemination of information. NERI is dedicated to furthering the understanding and conservation of wildlife and natural systems. They have extensive experience in collection of data on native turtle species in Oregon and Washington and at Smith and Bybee Lakes Wildlife Area. They bring these specialized skills to the project:

- Extensive knowledge of western painted turtles.
- Research experience at Smith and Bybee Lakes Wildlife Area.
- Experienced field personnel that are familiar with trapping and handling turtles.
- Ability to train, coordinate and work with numerous volunteers.

As of the end of February 1999, NERI has contributed \$3,500 of pro bono work or about 140 hours to the monitoring contract.

Technical Complexity of the Project

The field season for turtle monitoring starts at the beginning of March and runs through the end of October. During the non-field months, the consultants will be analyzing data and preparing for the next field season. It requires many organizational and technical skills to successfully implement the monitoring plan in such a large area. It also requires a working knowledge of the area, which will be gained through the first field season.

With such a large area and limited amounts of dollars, NERI and Metro are using a large cadre of volunteers to assist with the data collection. To date, one hundred people have volunteered. NERI and Metro have oriented and trained the volunteers about the project and the site. The volunteers will be working with two NERI field supervisors.

Because of the need for consistency and the technical complexity of monitoring turtles throughout the wildlife area, it is important to ensure that NERI personnel will continue throughout the entire project. Also, the initial effort and cost of training volunteers will pay off over the long run, as the volunteers become familiar with the monitoring protocols and the field supervisors. They will be able to work with less supervision. The continuity with one contractor will ensure the monitoring protocol is the same from year to year.

Savings to Metro

Extending the contract to include the entire monitoring timeframe will provide a financial saving for Metro and Smith and Bybee Lakes Wildlife Area budgets. By the end of the first field season the majority of the start-up work will be completed. This includes training volunteers, creating data forms and databases, becoming familiar with the site, understanding Metro's requirements and procedures and having a handle on the complexity of the monitoring. If a new contractor were brought in, more Metro personnel time would need to be spent bringing the contractor up to speed on the project. Also, the contractor's time needed to become familiar with the area, protocol and data analysis would be an added expense. Often, a different contractor would want to make changes to the protocol that may also be costly.

As mentioned before, NERI has contributed numerous pro bono hours to the project. The hourly rate for the members of their team range from \$25 to \$50. Similar work from a private consulting firm would range from \$50 to \$80 hour.

BUDGET IMPACT

The total cost of the project is estimated to be \$148,000. \$118,000 is being funded from the Smith and Bybee Lakes Wildlife Area budget subject to Council appropriation via the annual budget process. Metro has entered into an Intergovernmental Agreement with the Port of Portland for the additional \$30,000 over 5 years towards equipment and personnel costs. \$40,000 is included in the FY 1999-'00 budget for the wildlife area under Contracted Professional Services. The additional fees of \$75,000, which includes \$15,000 contribution from the Port of Portland, will be included in future budgets for Contracted Professional Services in the Smith and Bybee Lakes Wildlife Area subject to approval by the Council.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 99-2777.

Scope of Work
Amendment #1, Contract #920892
Western Painted Turtle Survey
Smith and Bybee Lakes Wildlife Area

Duration

The contract is extended to Dec. 31, 2003, allowing for five field seasons of work, time to analysis the date and complete a final report.

Scope of Work

The Scope of Work will be accomplished according to the timelines set forth in this amendment. Schedule changes may be necessary as the project proceeds and will require approval by the Metro project manager.

Description of Work for FY 1999-00

1. The contractor will complete the fieldwork on the demographic study that began in March of 1999.
2. A report summarizing the first year's findings will be completed by December 31, 1999.
3. Protocol for the next field season will be developed and approved by the Wildlife Area Manager. This may include conducting further demographic studies in specific areas, nesting and basking surveys or other components identified in the monitoring plan. The detailed work plan and schedule will be finalized and approved by the Wildlife Area Manager by March 1, 2000.
4. Additional orientation and training for volunteers if necessary.

Description of Work for Fiscal Years 2000-20003

1. The contractor will complete the fieldwork for the agreed upon monitoring protocols for the specific calendar year. A report summarizing the year's findings and incorporating the previous years will be completed by December 31 of each year.
2. The contractor will review the monitoring plan with the Wildlife Area Manager. They will decide on which components of the plan will be implemented during the next field season. By March 1, the contractor will develop a detailed work plan and fieldwork schedule for approval by the Wildlife Area Manager.
3. Additional orientation and training for volunteers if necessary.

Payment

For each fiscal year the Wildlife Area Manager will establish a budget for the turtle monitoring project. The scope of work determined by the contractor and the Wildlife Area Manager will be based on the established budget. The Port of Portland is contributing \$30,000 to the project, \$10,000 the first year and \$5,000 for the next four years. It is anticipated that the budget from July 1, 1999 through December 31, 2003 will not exceed \$115,000.

FY 1999-00

\$40,000 is budgeted for the turtle monitoring project in Contracted Professional Services, this includes \$5,000 from the Port of Portland. The money will be used for professional services, materials and supplies.

Fys 2000-2003

\$75,000 is anticipated for the continuation of the project. The money will be used for professional services, materials and supplies. \$15,000 will be from the Port of Portland and the additional \$60,000 from the Smith and Bybee Lakes Wildlife Area budget subject to approval by Metro Council.