

# **Willamette Water Supply System Commission**

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**Board Meeting**  
**Thursday, February 4, 2021**  
**12:00 – 2:00 PM**

**Microsoft Teams Meeting**  
In compliance with COVID-19 restrictions,  
this meeting is dial-in only.

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# Willamette Water Supply System Commission

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**Willamette Water Supply System Commission  
Board Meeting Agenda  
Thursday, February 4, 2021 | 12:00 – 2:00 PM**

**Microsoft Teams Dial-in Conference**

To slow the spread of COVID-19, this meeting is dial-in only. It will not be held at a physical location.

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• If you wish to attend via conference call and need dial-in information, please contact [Faye.Branton@twwd.org](mailto:Faye.Branton@twwd.org) or call 971-329-5523. • If you wish to address the Willamette Water Supply System Board, please request the Public Comment Form and return it 48 hours prior to the day of the meeting. • **All testimony is electronically recorded.**

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**REGULAR SESSION – 12:00 PM**

**CALL TO ORDER**

**1. GENERAL MANAGER'S REPORT – Dave Kraska**

*(Brief presentation on current activities relative to the WWSS Commission)*

**2. PUBLIC COMMENT**

*(This time is set aside for persons wishing to address the Board on items on the Consent Agenda, as well as matters not on the agenda. Additional public comment will be invited on agenda items as they are presented. Each person is limited to five minutes unless an extension is granted by the Board. Should three or more people testify on the same topic, each person will be limited to three minutes.)*

**3. CONSENT AGENDA**

*(The entire Consent Agenda is normally considered in a single motion. Any Commissioner may request that an item be removed for separate consideration.)*

A. Approve the January 7, 2021 meeting minutes

B. Adopt Corrective Action Plan to Address the WWSS Commission Audit Findings

**4. BUSINESS AGENDA**

A. Approve Correction of April 2021 Regular WWSS Board Meeting Date – *Dave Kraska*

B. Approve Amendment to Real Estate Services Contract – *Joelle Bennett*

C. Approve Amendment to WTP\_1.0 Design Services Contract – *Mike Britch*

**5. INFORMATION ITEMS**

A. Planned March Business Agenda Items – *Joelle Bennett*

B. The next Board meeting is scheduled on March 4, 2021, via Microsoft Teams conference

**6. COMMUNICATIONS AND NON-AGENDA ITEMS**

A. None scheduled.

**ADJOURNMENT**

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# Willamette Water Supply System Commission

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**Willamette Water Supply**  
*Our Reliable Water*

Safety Minute:

Wherever You Are – BE THERE!

1

Wherever You Are – BE THERE

- Keeping your eyes and mind focused on the task at hand can reduce the risk of injuries to you and those around you.



2

## Wherever You Are – BE THERE

- Have you ever:

- grabbed a file folder and sliced your hand on the sharp edge?
- reached to pick up your coffee cup, but knocked it over instead?
- started to sit in a chair only to realize the chair isn't under you?
- hammered your finger instead of the nail?
- wondered if you just ran a red light or was it really green?

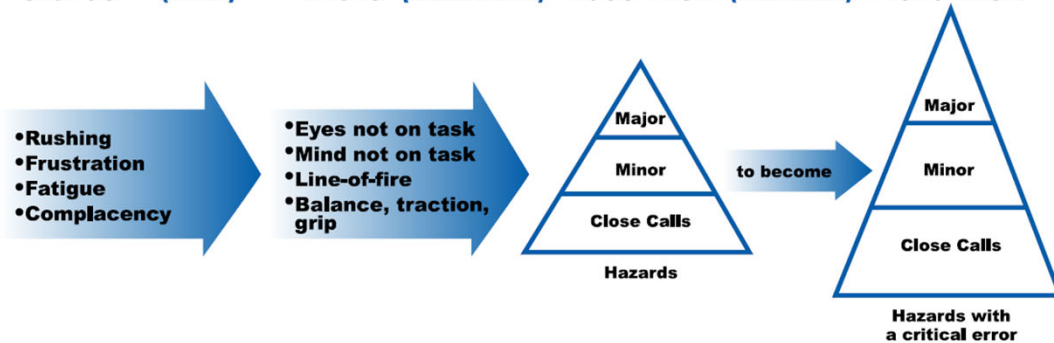


3

## Wherever You Are – BE THERE

### Path to Increased Risk of Accidents

**States** (cause)    **Errors** (which cause)    **Less Risk** (to become)    **More Risk**



Source: <https://safestart.com/articles/>

4

## Wherever You Are – BE THERE

### • EYES ON TASK

- Focus on what you are doing - read instructions, labels, procedures.
- Use your peripheral vision to stay aware while keeping your primary focus on the task.
- If you need to look away from what you are doing, even for a second, first ensure it is safe to do so.



5

## Wherever You Are – BE THERE

### • MIND ON TASK

- Keep your mind focused on the task.
- Don't get distracted by someone or something.
- Be fully engaged and pay attention to what you are doing.
- Be aware of your body mechanics.



6

## Wherever You Are – BE THERE

- Tips for Staying Focused on the Job at Hand

1. Eliminate noises that interfere with your concentration.
2. Eliminate distractions while driving.  
*(Safe driving demands your full attention.)*
3. Get plenty of rest.  
*(It's hard to pay attention to details when tired or drowsy.)*
4. Maintain a clean working environment.  
*(Eliminating clutter improves productivity and increases safety.)*
5. Keep personal life concerns from interfering with your work.  
*(Seek help or counseling if needed. Many resources are available.)*

7

## Wherever You Are – BE THERE

- Being present physically and mentally can help you stay safe and enable you to react quickly, regardless of the activity or situation.



Sources:

<https://safestart.com/articles>

<https://www.clmi-training.com/blog/managing-distractions-6-tips-for-staying-focused-at-work>

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# MEMO

**Date:** February 4, 2021

**To:** Willamette Water Supply System Board of Commissioners

**From:** David Kraska, P.E., General Manager

**Re:** Willamette Water Supply System (WWSS) General Manager's Report

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The following items will be covered during the report by the General Manager (GM):

1. **Remote Meetings Etiquette:** Thank you for your continued flexibility as we hold our meetings remotely, and for adhering to three basic rules:
  - a. Please mute your microphone when you are not speaking.
  - b. Please identify yourself before you speak.
  - c. If someone other than a Board member would like to ask a question or make a comment, please use the chat feature to let the General Manager know and wait to be acknowledged.
2. **Safety Minute** – David Kraska will present today's safety minute.
3. **Approvals and Procurements Forecast** – Attached to this GM report is the approvals and procurements forecast (Forecast) for January through March 2021. The Forecast presents a view of WWSP activities that have recently been approved or are scheduled for approval over the next two months by either the WWSP Director, WWSS Committees, or the WWSS Board.

The Forecast identifies seven business items that are anticipated to be on the March Board meeting agenda. These include one real estate approval, four WWSS intergovernmental agreements, one contract amendment, and one service contract approval by the Local Contract Review Board. Joelle Bennett will present a staff report on these anticipated March business agenda items later in this meeting.

4. **Projects Planning, Permitting, and Communications Updates** – Land use permits were recently approved for the PLM\_4.3, WTP\_1.0, and PLW\_2.0 projects, a permit application was submitted for PLM\_1.3, and land use public notice issued for the PLM\_5.3 project. Annual system-wide reports were submitted to the Oregon Department of Fish and Wildlife, the U.S. Army Corp of Engineers and Oregon Department of State Lands. Permit applications continue to be prepared and submitted for various WWSP projects (MPE\_1.2, RES\_1.0, and a USACE/DSL permit modification bundle for PLM\_4.3, PLW\_2.0, WTP\_1.0 and RES\_1.0 minor modifications). Despite restrictions and modified business practices of the

## GM Report to the WWSS Board of Commissioners

February 4, 2021

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permitting agencies related to COVID-19, our permits continue to be processed in a timely manner.

**5. Projects Design Status Updates** – Work on multiple design projects continues, including eleven pipeline projects, the Water Treatment Plant (WTP\_1.0), the Distributed Controls System (DCS\_1.0), and the Terminal Storage project (RES\_1.0). All the design projects are progressing according to plan.

**6. Projects Construction Status Updates** – There are six active construction projects:

Project	Description	Progress Since Last Month
1. RWF_1.0	Raw Water Facilities project located at the Willamette River Water Treatment Plant	Proceeding with deep soil mixing work at the riverbank. Constructed pile foundations for electrical improvements and the air burst system, and continued caisson construction for the creek crossing.
2. PLM_1.1	Raw water pipeline project in Wilsonville that extends from our RWF_1.0 project to Wilsonville Road	Project is substantially complete. Few punch list items remain.
3. PLM_1.2	Raw water pipeline project being completed in partnership with the City of Wilsonville's Garden Acres Road project	Completed annular grouting of the trenchless section. Completed and passed the pressure test. Preparing to tie into PLM_3.0.
4. PLM_5.1	Finished water pipeline project being completed in partnership with Washington County's Roy Rogers Road project	6,305 LF (87%) of waterline installed so far. Continued installation of appurtenances and corrosion protection system.
5. PLM_5.2	Finished water pipeline project along SW Scholls Ferry and SW Tile Flat roads that we are working to complete in advance of development work in the area	Project is substantially complete. Closing project permits, completing property restoration and punch list items.
6. PLW_1.3	Finished water pipeline project in South Hillsboro from SW Farmington Road to SE Blanton Street	Continued the microtunnel shaft construction. Began installing 30-inch pipe along Rosedale Road.

**GM Report to the WWSS Board of Commissioners**

February 4, 2021

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All projects remain on track and are progressing according to plan, and all contractors are remaining in compliance with the Governor's Executive Order No. 20-12 regarding hygiene and social distancing.



# Willamette Water Supply System Commission

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## Approvals and Procurement Forecast: January 2021 through March 2021

This report provides a three-month projection of (1) forthcoming actions under the WWSS Management Authority Matrix and (2) ongoing and forthcoming procurements.

a = Actual date  
 e = Email approval  
 FC = Finance Committee  
 LCRB = Local Contract Review Board  
 MC = Management Committee  
 N/A = Not applicable  
 OC = Operations Committee

Rec. = Recommendation  
 t = Tentative date  
 TBD = To be determined; sufficient information not available to project a date  
 Note: Dates in red text indicate meetings needed outside the normal meeting schedule

Type	Description	Projected Action	Body/Position (projected action date)		
			Program Director	WWSS Committees	WWSS Board
<b>Program Baseline or Related Plans</b> (above Program Director's Authority)	1. WWSP Annual Baseline Schedule, Annual Work Plan and Budget	Approve	N/A	MC: 2/18/2021 t	3/4/2021 t
		Execute	N/A	N/A	N/A
	2. WWSS Fiscal Year 2021-2022 Work Plan and Budget	Approve	N/A	MC: 3/18/2021 t	4/1/2021 t
		Execute	4/2/2021 t	N/A	N/A
<b>Real Estate</b>	3. PLM_5.3 Resolution of Need (fifth supplemental approval)	Approve	N/A	MC: 12/17/2020 a	1/7/2021 a
	4. MPE_1.2 Resolution of Need (third supplemental approval)	Approve	N/A	MC: 2/18/2021 t	3/4/2021 t
<b>IGAs, MOUs, Permit Commitments, &amp; Similar Agreements</b>	5. MPE_1.1/COB_1.1 City of Beaverton Construction IGA (S.W. Western Ave. from S.W. Beaverton-Hillsdale Hwy. to S.W. Allen Blvd.)	Approve	N/A	MC: 10/22/2020 a	11/5/2020 a
		Execute	1/31/2021 t	N/A	N/A
	6. PLM_4.2 WCLUT Design IGA Amendment 2	Approve	N/A	MC: 10/22/2020 a	11/5/2020 a
		Execute	1/31/2021 t	N/A	N/A
	7. WWSS WCLUT Master IGA Amendment 1	Approve	N/A	MC: 1/21/2021 t	2/4/2021 t
		Execute	3/31/2021 t	N/A	N/A
	8. RES_1.0 WCLUT Grabhorn Road Realignment IGA	Approve	N/A	MC: 2/18/2021 t	3/4/2021 t
		Execute	3/31/2021 t	N/A	N/A
	9. PLM_4.1 WCLUT Construction IGA	Approve	N/A	MC: 2/18/2021 t	3/4/2021 t
		Execute	3/31/2021 t	N/A	N/A
	10. DCS_1.0 Sherwood Broadband Services IGA	Approve	N/A	MC: 2/18/2021 t	3/4/2021 t
		Execute	3/31/2021 t	N/A	N/A
	11. PLM_4.4 WCLUT Construction IGA	Approve	N/A	MC: 3/18/2021 t	4/1/2021 t
Execute		4/2/2021 t	N/A	N/A	
12. PLM_4.2 WCLUT Construction IGA	Approve	N/A	MC: 3/18/2021 t	4/1/2021 t	
	Execute	4/2/2021 t	N/A	N/A	
13. Settlement Agreement with Metro and Hillsboro for OWNPs	Approve	N/A	MC: 3/18/2021 t	4/1/2021 t	
	Execute	4/2/2021 t	N/A	N/A	
<b>Contracts</b> (above Program Director's Authority)	14. None	N/A	N/A	N/A	N/A

Type	Description	Projected Action	Body/Position (projected action date)		
			Program Director	WWSS Committees	WWSS Board
<b>Contract Amendments and Change Orders</b> (above Program Director's Authority)	15. Real Estate Services <ul style="list-style-type: none"> <li>Goal: Amend contract to update level of effort based on updated property counts and revised staffing approach</li> <li>Value: \$707K</li> <li>Consultant: HDR</li> </ul>	Approve	N/A	MC: 1/21/2021 t	2/4/2021 t
		Execute	2/11/2021 t	N/A	N/A
	16. WTP_1.0 Design Contract Amendment <ul style="list-style-type: none"> <li>Goal: Amend contract to reflect Sherwood land use requirements in 100% design</li> <li>Value: \$705K</li> <li>Engineer: CDM Smith</li> </ul>	Approve	N/A	MC: 1/21/2021 t	2/4/2021 t
		Execute	2/5/2021 t	N/A	N/A
	17. Water Supply Integration <ul style="list-style-type: none"> <li>Goal: Amend contract to add Integration Plan</li> <li>Value: \$840k</li> <li>Engineer: Confluence Engineering Group</li> </ul>	Approve	N/A	MC: 1/21/2021 t	2/4/2021 t
		Execute	2/5/2021 t	N/A	N/A
<b>Local Contract Review Board (LCRB) Actions</b>	18. DCS_1.0 Panel Fabrication Services <ul style="list-style-type: none"> <li>Goal: Use of a special procurement to secure control panel fabrication services; amend DCS_1.0 contract with S&amp;B, Inc. if approved and after protest period</li> </ul>	Approve	N/A	MC: 2/18/2021 t	3/4/2021 t

**Willamette Water Supply System Commission  
Board Meeting Minutes  
Thursday, January 7, 2021**

**Commissioners present:**

Tualatin Valley Water District (TVWD): Jim Duggan  
City of Hillsboro: David Judah  
City of Beaverton: Lacey Beaty

**Committee Members present:**

TVWD: Tom Hickmann, Management Committee  
Paul Matthews, Finance Committee  
Carrie Pak, Operations Committee  
City of Hillsboro: Niki Iverson, Management Committee  
Lee Lindsey, Finance Committee  
Eric Hielema, Operations Committee  
City of Beaverton: Chad Lynn, Management Committee  
David Winship, Operations Committee

**Managing Agency Administrative Staff present:**

Dave Kraska, Willamette Water Supply Program (WWSP) Director; WWSS Commission General Manager  
Joelle Bennett, WWSP Assistant Director  
Bill Van Derveer, WWSP Program Manager  
Mike Britch, WWSP Engineering and Construction Manager  
Lisa Houghton, WWSP Finance Manager  
Christina Walker, WWSP Permitting & Outreach Manager  
Clark Balfour, TVWD General Counsel  
Faye Branton, WWSP Administrative Assistant; WWSS Commission Recorder

**Other Attendees:**

Matt Oglesby, TVWD Asset Management Division Manager  
Chris Wilson, City of Hillsboro-JWC Water Treatment Manager  
Shannon Walton-Clark, Chief of Staff and Policy Advisor to Mayor, City of Beaverton  
Rob Annear, Senior Principal Engineer, Geosyntec Consultants, Inc.

**CALL TO ORDER**

Chairman Duggan called the regular Willamette Water Supply System (WWSS) Commission meeting to order at 12:05 p.m. and welcomed City of Beaverton Mayor, Lacey Beaty, to the WWSS Board of Commissioners.

**ROLL CALL**

Ms. Branton administered the roll call and noted attendance.

**1. GENERAL MANAGER'S REPORT**

Mr. Kraska introduced himself and extended a welcome to Commissioner Beaty and presented a safety minute on preparing your car for safe winter driving. (*presentation on file*)

The General Manager's report included an overview of etiquette for remote meetings; the Approvals and Procurement Forecast for December 2020 through February 2021; updates on projects planning, permitting, and communications; and status updates on the design and construction of projects. The report also noted that all contractors are remaining in compliance with the Governor's Executive Order No. 20-12 regarding hygiene and social distancing.

**2. PUBLIC COMMENT**

There were no public comments.

**3. CONSENT AGENDA**

- A.** Approve the December 3, 2020 meeting minutes.

Motion was made by Judah seconded by Duggan to approve the consent agenda as presented. The motion passed unanimously with Beaty, Duggan, and Judah voting in favor.

**4. BUSINESS AGENDA**

- A.** Election of WWSS Commission Officers for 2021 • *Staff Report – Dave Kraska*

Mr. Kraska presented the staff report requesting the Board to elect a Chair and Vice Chair for calendar year 2021, per WWSS Commission IGA section 5.3 Officers. Following the staff report, Chair Duggan opened the floor for election of officers of the WWSS Board of Commissioners for calendar year 2021.

**Election of Chair:**

Nomination was made by Duggan seconded by Beaty for Commissioner Judah to serve as WWSS Board Chair for calendar year 2021. The vote passed unanimously with Beaty, Duggan, and Judah voting in favor.

Commissioner Duggan gracefully transferred the virtual gavel to newly elected Board Chair, David Judah.

**Election of Vice Chair:**

Nomination was made by Judah seconded by Beaty, for Commissioner Duggan to serve as WWSS Board Vice Chair for calendar year 2021. The vote passed unanimously with Beaty, Duggan, and Judah voting in favor.

- B.** Consider adopting Resolution No. WWSS-01-21, declaring public necessity to acquire property interests over, upon, under and through real property for pipeline section PLM\_5.3 for the Willamette Water Supply System. • *Staff Report – Joelle Bennett*

Ms. Bennett presented the staff report and requested adoption of Resolution No. WWSS-01-21.



Motion was made by Duggan, seconded by Judah, to adopt Resolution No. WWSS-01-21, declaring public necessity to acquire property interests over, upon, under and through real property for pipeline section PLM\_5.3 for the Willamette Water Supply System. The motion passed with Duggan, and Judah voting in favor. Beaty abstained.

- C. Consider accepting the WWSS Commission Financial Statements for the fiscal year ended June 30, 2020 and the Report of the Independent Auditor. • *Staff Report – Paul Matthews*

Mr. Matthews presented an overview of the Financial Statements and Report of Independent Auditor including 1) process of creating the WWSS as a financial entity; 2) findings of the independent auditors; 3) review of the financial statements and performance; and 4) discussion of findings on internal controls, concluding with a request for the Board's acceptance of the Commission's financial statements for the fiscal year ended June 30, 2020 and the report of the independent auditor.

Motion was made by Duggan seconded by Judah to accept the WWSS Commission Financial Statements for the fiscal year ended June 30, 2020 and the Report of the Independent Auditor. The motion passed with Duggan and Judah voting in favor. Having left the meeting after giving prior notice of a schedule conflict, Beaty abstained.

In response to Commissioner's request, Managing Agency Counsel confirmed that the voting conducted on the issues brought before the Board today is in compliance with WWSS IGA section 5.1. Composition, Voting, Appointment, Alternates, and Quorum.

## **5. INFORMATION ITEMS**

- A. Planned February Business Agenda Items • *Staff Report – Joelle Bennett*

Ms. Bennett presented information on business agenda items planned for the February 4, 2021 WWSS Commission Board meeting. Staff anticipates recommending approval of:

1. Adopt WWSS Washington County Land Use and Transportation (WCLUT) Master IGA Amendment 1
  2. Adopt PLM\_4.1 WCLUT Construction IGA
  3. Adopt RES\_1.0 WCLUT Grabhorn Road Realignment IGA
  4. Approve Amendment to Water Supply Integration Contract
  5. Approve Amendment to Real Estate Services Contract
  6. Approve (as Local Contract Review Board, or LCRB) Special Procurement for DCS\_1.0 Panel Fabrication Services
  7. Adopt the Corrective Action Plan to Address the WWSS Commission Audit Findings
- B. The next Board meeting is scheduled on February 4, 2021 via dial-in conference, due to continued COVID-19 guidelines.

**6. COMMUNICATIONS AND NON-AGENDA ITEMS**

**A. Confirm Location for Signing Documents Approved at Virtual Board Meetings – *Dave Kraska***

Mr. Kraska asked Chair Judah and Vice Chair Duggan if they were open to continuing the current arrangement of coming to the WWSP office at an appointed time each month to sign documents approved at virtually held WWSS Board meetings.

Both commissioners indicated they are open to this arrangement or any proposals from staff regarding document signing.

Counsel noted that to date the Managing Agency has strived to continue with a wet signature format for official Board meeting actions. As we move ahead, staff will explore electronic signing options for WWSS and plan to report findings to the Board at the earliest possible date.

**ADJOURNMENT**

There being no further business, Chairman Judah adjourned the meeting at 1:02 p.m.

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David Judah, Chair

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James Duggan, Vice Chair

**To:** WWSS Board of Commissioners

**From:** Paul L. Matthews, Chief Financial Officer

**Date:** February 4, 2021

**Subject:** Approval of the Corrective Action Plan for Audit Finding 2020-001

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**Requested Board Action:**

Consider approving by motion the corrective action plan for Finding 2020-001 identified in the independent audit for the fiscal year ended June 30, 2020.

**Key Concepts:**

- The Commission's Board accepted the audited financial statements for the fiscal year ended June 30, 2020 at its meeting on January 7, 2021, board meeting.
- The Commission's auditor, Moss Adams LLC, is also required to communicate with the Board information contained in its report *Communication with Those Charged with Governance*.
- Moss Adams noted an internal control deficiency (Finding 2020-001) in its *Communication with Those Charged with Governance* report and, as required by the Secretary of State's Audit Division (SOS), the Commission is required to submit a Board-approved *Corrective Action Plan (CAP)* to the SOS that identifies actions which will prevent the deficiency in the future.

**Background:**

The WWSS Commission's audited financial statements for the year ended June 30, 2020 were accepted by the Board at its January 7, 2021 meeting. As part of the audit process, Moss Adams is required to provide an official communication with the Board, covering certain topics related to the audit. This official communication is commonly referred to as *Communication with Those Charged with Governance*. That communication is attached to this staff report.

During the audit Moss Adams identified a finding (Finding 2020-001) which requires the Commission to create a CAP. This finding was discussed with the Board at its January 7, 2021 meeting. As discussed during the meeting, management has created a draft CAP for approval by the Board. Once approved by the Board, management will file the CAP with the SOS as required by law.

The draft CAP includes the following elements:

1. The Tualatin Valley Water District (TVWD) Technical Services Accountant will review all asset transfers prepared by accounting staff.
2. TVWD's Controller will approve all transfers.

3. These elements will be implemented throughout the year as assets are being transferred and within 90 days after the Commission's fiscal year end.

Although the CAP identifies specific steps that will be implemented, given the nature of the Commission, very few transactions are likely to occur that require the measures identified. The initial formation of the WWSS as a financial entity required the transfer of certain assets and liabilities from TVWD and the City of Hillsboro. Included in those transfers were lease assets and liabilities that were the subject of Finding 2020-001. These were one-time transfers.

**Budget Impact:**

None. The WWSS budget includes funding for the staff activities required by the CAP.

**Staff Contact Information:**

Paul Matthews; Chief Financial Officer; paul.matthews@tvwd.org; (503) 848-3017

David Shick, CPA; Controller; david.shick@tvwd.org; (503) 848-3032

**Attachments:**

Draft Corrective Action Plan for audit Finding 2020-001

*Communication with Those Charged with Governance* from Moss Adams, LLC

# Willamette Water Supply

*Our Reliable Water*

February 5, 2021

Oregon Secretary of State,  
Audits Division  
255 Capitol St. NE, Suite #500  
Salem, OR 97310

## **Corrective Action Plan (CAP) for Willamette Water Supply System Commission**

Willamette Water Supply System Commission, (Commission) respectfully submits the following CAP in response to the finding reported in our audit of fiscal year ended June 30, 2020. The audit was completed by the independent auditing firm Moss Adams and reported the finding listed below. The CAP was approved by the governing body at its meeting on February 4, 2021. The finding is listed below, including the approved plan of action.

### **Finding 2020-001 – Financial Statement Close Process – Reconciliations (Material Weakness in Internal Controls over Financial Reporting)**

Condition – During the year, assets transferred to the Commission were overstated based on lease payments improperly included in the transfer amount.

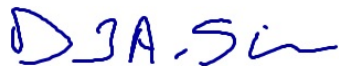
Cause – Though formal review processes were established during the year, the review did not identify improper lease payments in the transfer of assets.

Effect – Management made a significant adjustment after year-end to assets transferred and partner net position.

Recommendation – The Commission’s auditors recommended that management ensures transferred amounts be reviewed in a timely manner alongside general ledger reconciliations.

Corrective Action Plan – The Tualatin Valley Water District (TVWD) Technical Services Accountant will review all asset transfers prepared by accounting staff and TVWD’s Controller will approve all transfers.

Timeframe for implementation – Throughout the year as assets are being transferred and within 90 days after the Commission’s fiscal year end.



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David A. Shick, CPA, Controller



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Paul L. Matthews, Chief Financial Officer

# Willamette Water Supply System Commission

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Willamette Water Supply System Commission

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*[This document is available as a separate attachment](#)  
to the February 4, 2021 WWSS Board meeting packet.*

COMMUNICATIONS WITH THOSE  
CHARGED WITH GOVERNANCE

**WILLAMETTE WATER SUPPLY SYSTEM**

June 30, 2020

MOSSADAMS

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# Willamette Water Supply System Commission

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**STAFF REPORT**

**To:** WWSS Board of Commissioners  
**From:** David Kraska, PE, General Manager  
**Date:** February 4, 2021  
**Subject:** April 2021 WWSS Commission Board Meeting Date Correction

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**Requested Board Action:**

Correct the date of the April 2021 WWSS Commission Board meeting from April 2, 2021 to April 1, 2021.

Suggested Motion: "I move that the regular Commission meeting currently approved as April 2, 2021 be corrected to April 1, 2021 for the record."

**Key Concepts:**

Due to an error found in resolution WWSS-10-20, we need to change the approved date of the April meeting to April 1, 2021. The meeting is correctly scheduled and published as April 1, 2021.

**Background:**

To conduct regular business for the WWSS Commission, the Board of Commissioners needs to set regular business meeting dates. At its June 4, 2020 meeting, the WWSS Board adopted Resolution WWSS-10-20 that set the regular calendar of monthly meetings. Consistent with prior years, the calendar was based on the assumption that WWSS Board meetings would be held on the first Thursday of every month.

Upon further review, it was noticed that there was an error on the date of the April meeting. The subject resolution lists that date as April 2, 2021, when the actual date of the first Thursday is April 1, 2021. The meeting is correctly scheduled and published as April 1, 2021. Therefore, we recommend correcting the date of the April meeting accordingly for the record.

**Budget Impact:**

None.

**Staff Contact Information:**

David Kraska, P.E., WWSS General Manager; 503-941-4561; david.kraska@tvwd.org

**Attachments:**

None

# Willamette Water Supply System Commission

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**STAFF REPORT**

**To:** WWSS Board of Commissioners  
**From:** Joelle Bennett, P.E., WWSP Assistant Program Director  
**Date:** February 4, 2021  
**Subject:** Recommend Approval of Real Estate Support Services Contract Amendment (Contract No. 2017-004 Amendment 4) with HDR

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**Requested Action:**

Consider approving an amendment to the Real Estate Support Services Contract in the amount of \$707,227.85 to HDR Engineering, Inc. (HDR). This amendment allows for continuation of real estate services for the Willamette Water Supply Program (WWSP) to complete planned property acquisitions.

**Key Concepts:**

- Implementation of the WWSP requires property acquisition to secure easements or other property rights, and to construct, operate, and maintain the Willamette Water Supply System.
- HDR was procured through a competitive process to provide real estate support services for the WWSP.
- Proposed contract amendment updates the level of effort required for the scoped services, including updated property counts, revised staffing approach, and other ancillary changes.

**Background:**

HDR was selected through a competitive process to provide the WWSP with real estate support services for the WWSP. The professional services agreement, contract number 2017-004, was approved and awarded November 2016, with an initial expiration date of November 2018, but allowing up to four, two-year extensions to continue services through November 2026.

Since 2016, HDR real estate staff have been working closely with WWSP to build the WWSP property acquisition processes and advise project teams on real estate related issues. Over the past four years, the HDR team has led the acquisition of temporary and permanent easements on approximately 45 properties (of an estimated 115) and provided hours of consultation to avoid impacts on many more pipeline neighbors. Previous amendments to the real estate services contract included changing the original contract term, adding Right of Entry support, and including additional services related to strengthening the WWSP's acquisition processes.

The property acquisition process is dependent upon design project schedules. Over the last year WWSP has made significant progress on defining property needs and detailed construction schedules, which has created changes for real estate services as well as changes in staffing approach. In 2020, the following staffing changes were approved by WWSP and are reflected in this amendment:

- Appraisal services are no longer contracted through HDR, but provided through WWSP's legal services contract
- Appraisal review services has been a subconsultant activity, provided by a new, qualified HDR staff member during 2020, and returning to subconsultant task in 2021

February 4, 2021

Recommend Approval of Real Estate Support Services Contract Amendment (Contract No. 2017-004 Amendment 4) with HDR

- Some project management, property management, and relocation services are provided by a new subconsultant on this contract, a change made to maintain personnel consistency
- Update the HDR project manager role to a new HDR staff member
- Account for changes in property counts and project schedules

This amendment includes all the 2020 changes described above as well as the additional property negotiation efforts anticipated in 2021 and 2022. Each item was carefully reviewed by WWSP staff to make sure it was a justified and necessary change and the costs were negotiated to reflect the current level of effort required for successful property acquisition.

**Budget Impact:**

The proposed amendment would increase the total contract value to \$3,837,230.13 as shown in the table below. The estimated cost share per WWSS member agency shown below is based on ownership percentages within the WWSS IGA (2019). The contract amendment amount will be funded from Management Reserve.

<b>Initial Contract Value</b>	<b>\$ 682,640.00</b>
Amendments 1 – 3	\$2,447,362.28
<b>Current Contract Value</b>	<b>\$ 3,130,002.28</b>
Proposed Amendment 4	\$707,227.85
<i>TVWD Estimated Share<sup>1</sup></i> \$416,698.65	
<i>Hillsboro Estimated Share<sup>1</sup></i> \$255,238.53	
<i>Beaverton Estimated Share<sup>1</sup></i> \$35,290.67	
<b>Proposed Contract Value</b>	<b>\$3,837,230.13</b>

1. Based on overall project ownership percentage from Baseline 5.2 budget and WWSS IGA

**Schedule Impact:**

No changes to the real estate acquisition schedule are anticipated.

**Staff Contact Information:**

Dave Kraska, P.E., WWSS General Manager, 503-941-4561, david.kraska@tvwd.org

Joelle Bennett, P.E., WWSP Assistant Program Director, 503-941-4577, joelle.bennett@tvwd.org

**Attachments:**

1. Exhibit A: Amendment 4 to Agreement 2017-004

**Amendment 4 to Agreement 2017-004**

FOR  
REAL ESTATE SUPPORT SERVICES  
FOR

THE WILLAMETTE WATER SUPPLY PROGRAM

This Amendment, effective the date as signed by Owner, is entered into by and between Willamette Water Supply System Commission ("Owner") and ("Consultant").

WHEREAS, the Owner and Consultant entered into this Agreement for Consultant to provide Real Estate Support Services for the Willamette Water Supply Program.

WHEREAS, the Owner and Consultant desire to amend the Agreement by modifying the terms of the Agreement as follows:

PCO#	Description	Time Impact (Days)	Change Amount
PCO - 196	HDR Agreement 2017-004 Amendment 4	0	\$707,227.85

The Original Contract Sum was	\$682,640.00
Net Change by Previously Authorized Requests and Changes	\$2,447,362.28
The Contract Sum Prior to this Amendment was	\$3,130,002.28
The Contract Sum will change by	\$707,228.00
The New Contract Sum including this Amendment	\$3,837,230.28
The Contract Time will change by	0 Days
The Date of Contract Completion as of this Amendment Therefore is	11/30/2022

Except as modified or changed herein, all other terms and conditions of the original Agreement, or as previously amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment 4 effective as of the date signed by Owner.

**OWNER**

**By:** \_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

## Agreement 2017-004 Amendment 04

This amendment defines the statement of work and estimated fee for services through November 30, 2022.

This amendment takes effect January 1, 2020.

Replace Section 3.1 of the Agreement with the following:

Owners shall pay Consultant for Work completed in accordance with this Agreement, inclusive of all costs, as set forth in Exhibit B-4 – Fee and Rates (“Agreement Price”). The Agreement Price shall not exceed three million eight hundred thirty-seven thousand two hundred thirty and 13/100 dollars (\$3,837,230.13) unless authorized by Owners in accordance with Section 7 of the Agreement.

Exhibit A-4: Revisions to “Exhibit A-3” are as follows. Replace the following sections in their entirety unless specifically detailed otherwise.

**1.0 Introduction** *no changes*

**2.0 Background** *no changes*

**3.0 Scope and Deliverables**

Consultant shall provide ROW program management services and, commencing February 24, 2020, work with Commonstreet Consulting, LLC (“Subconsultant”), as requested by Owner, to deliver real property acquisition and relocation services as described herein.

Consultant services shall be provided for parcels to be acquired by the Program or by other public agencies identified as opportunity projects. Consultant shall perform its services to facilitate acquisition or required ROW to allow WWSS construction to proceed as scheduled, inform Owners of risks to timely ROW acquisitions, and present Owners with strategies to avoid, minimize, or mitigate those risks. Consultant shall work with Owners and Subconsultant to establish necessary acquisitions and ROW schedules, provide input to design teams on projects within Raw Water Facility (RWF\_1.0), Reservoir (RES\_1.0), Water Treatment Plant (WTP\_1.0), Metzger Pipeline East (MPE\_1.0), Pipeline Main (PLM\_1.1, PLM\_1.2, PLM\_1.3, PLM\_2.0, PLM\_4.3, PLM\_5.2, PLM\_5.3), and Pipeline Western Extension (PLW\_1.2, PLW\_1.3, PLW\_2.0), and enable on-time construction consistent with the WWSP baseline schedule (Exhibit C – Project Schedule).

Acquisition and relocation procedures shall generally follow the procedures of the Oregon Department of Transportation. WWSP is a federally funded project; therefore, the Consultant shall acquire necessary parcels in accordance with procedures outlined in the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended, Code of Federal Regulations, Title 40, Part 24 (Uniform Act), and federal regulations regarding ROW acquisition and relocation to adhere to federal funding requirements. Consultant shall adhere to Oregon Statutes as they pertain and apply to the acquisition and relocation of private property for public projects.

For the entire WWSP, there are necessary ROW acquisitions identified as fee and permanent and temporary easements. Consultant shall provide acquisition services for all parcels and maintain a parcel inventory spreadsheet of acquisitions per project phase (work package) level. Consultant shall provide overall ROW costs at the program, project, and project phase (work package) level.

Consultant shall manage and execute the ROW process for the WWSP. The program-level consultant tasks include strategic planning, biweekly status update meetings, risk assessment meetings, assistance with

preparation for TVWD Board of Commissioners meetings, revisions to the WWSP Program Management Plan - Appendix M Real Estate Plan (Plan), scheduling, biweekly updates, monthly invoicing updates, forms and templates preparation, e-Builder training, and overall WWSP ROW training.

All work described below will be performed in each of the six tasks identified in Section 3.8.1.

Consultant shall use WWSP's Project Management Information System (e-Builder). Access to e-Builder is controlled by the WWSP Project Controls Team. Unless indicated otherwise, Consultant will be issued up to three (3) user licenses; the license requirements for e-Builder state that each user is a named user. Each user will be set up with access to the appropriate project(s) and to the required modules with e-Builder. Training on e-Builder and the processes will be provided by the WWSP. Consultant will use e-Builder for archiving record documents by parcel, and for the exchange and storage of project information. All deliverables listed below shall be electronically submitted through e-Builder for logging and tracking. Consultant shall appoint a Document Manager and one alternate as a single point-of-contact for managing documents within e-Builder. Each document received or sent shall be filed in e-Builder in accordance with business, legal, and regulatory requirements. e-Builder will be used to record and sort by the type of document (e.g., appraisal, title report), date received, brief description, status (e.g., draft, final), and assigned action and date due (if action is required).

Consultant will provide:

- Right of Entry (ROE)
- Title
- Acquisition
- Relocation
- Recommendation for Condemnation

Consultant and Subconsultant shall provide:

- Contact Information
- Log of Contacts from Public Outreach/Public Involvement and summaries of discussions, issues, resolutions, etc.

Subconsultant, commencing February 24, 2020, shall provide:

- Appraisal task management

Consultant, through February 23, 2020, and both Subconsultant and Consultant, commencing February 24, 2020, shall provide an electronic/digital copy of such files to the WWSP within thirty (30) calendar days following the closing of the acquisition. Both Consultant and Subconsultant shall provide interim copies of files upon request by Owner.

Assumptions:

- June 2020 – November 2022: hours are based on two (2) technicians eighty (80) hours per month each.
- June 2020 – November 2022: hours are based on forty (40) hours per acquisition; forty (40) hours per relocation and one (1) hour per file for cleanup and closeout.
- December 2021 – November 2022: hours for Commonstreet, Sr. Agent Tamisha Schruck, will begin to taper down as projects move towards completion.

### **3.1 Real Estate Meetings**

Biweekly status update meetings: At least two (2) business days in advance of each meeting, Consultant, through December 31, 2019, and Subconsultant, commencing February 24, 2020, shall upload a draft agenda in e-Builder and provide project status reports. Up to two (2) personnel, including the Project Manager, shall participate in each progress meeting, which will typically be held at the WWSP Program Management Office

(PMO) in Beaverton, Oregon or by teleconference. Consultant, through December 31, 2019, and Subconsultant, commencing February 24, 2020, shall record notes in e-Builder during each meeting.

Deliverables: agenda, meeting notes, and project status reports (commencing February 24, 2020, based on Consultant's reporting to Subconsultant).

Commencing February 24, 2020, biweekly status meetings between Consultant and Subconsultant to last no more than one (1) hour.

Risk assessment meetings: Consultant, through December 31, 2019, and Subconsultant, commencing February 24, 2020, shall prepare for and participate in up to two-hour (2-hour) quarterly ROW risk management meetings to provide input to WWSP Real Estate risks.

Design team meetings: Consultant, through December 31, 2019, and Subconsultant, commencing February 24, 2020, shall attend design team meetings per Section 3.7.1.

### **3.2 Program ROW Training**

Consultant shall provide up to four (4) ROW acquisition trainings at the PMO for necessary project personnel and subconsultants as requested by Owners (completed as of March 10, 2020).

### **3.3 no change**

### **3.4 Project Monitoring – amend last paragraph only as follows**

ROW program estimate: Consultant shall prepare and continuously maintain an inventory of all required property interests to complete WWSS. Such inventory shall be available for regular status updates and reporting. The program estimate shall include, but is not limited to:

- WWSP work package
- Tax lot identification
- Ownership information
- Form of property interest required by WWSP
- Date required for completed transaction
- Schedule and status of Consultant's activities to achieve completed transaction

Updates in e-Builder: Consultant shall, within e-Builder, provide weekly Program-wide updates into the \_System Wide Outreach – Contact Forms, and provide as required Program-wide updates into the \_System Wide Outreach – Contact Processes. Consultant will update information for tax lots and property owners.

Consultant shall maintain files containing at a minimum:

- Contact information
- Log of contacts including participants and summaries of discussions, issues, resolutions, etc.
- Rights of entry (ROE), if necessary
- Title work, valuation materials, environmental reports, written agreements, recorded conveyances, releases, etc.
- Title policies, administrative settlement recommendation, and all payments related to the acquisition of an interest in the property
- All other data related to Real Estate support services



Consultant shall provide an electronic/digital copy, and hard copy of such files, if necessary, to the WWSP within thirty (30) calendar days following the closing of the acquisition. Consultant shall provide interim copies of files upon request by Owners.

Assumptions:

- November 2016-March 2019: hours are based on one (1) technician eighty (80) hours per month for updates
- April 2019-December 2019: hours are based on two (2) hours per file
- January 2020-November 2022: hours are based on two (2) hours per file for up to ninety-five (95) files and two (2) hours per ROE up to twenty-eight (28) ROEs

Legal documents: Consultant shall prepare legal documents for ROEs, General Information Notices, brochures, Offer Benefit Packages, appraisal formats, and closing instructions for up to one hundred fifteen (115) parcels, twenty (20) through December 31, 2019 and an additional ninety-five (95) through the term of this amendment.

### **3.5 Program ROW Budgeting**

Consultant, through December 31, 2019, and Subconsultant, commencing February 24, 2020, shall provide forecasts of Real Estate expenditures for each project annually on a date determined by Owners.

### **3.6 Plan**

Consultant, through December 31, 2019, and Subconsultant, commencing February 24, 2020, shall review and provide written recommendations to the Plan provided by Owners. The Plan shall be updated annually on a date determined by Owners. Consultant shall provide a strategic approach to ROW acquisition and provide proposed language and policy for design scope.

### **3.7 Project ROW Acquisition Services provided on each project**

3.7.1 Pre-Acquisition Services include the following:

3.7.1.1 Project Team Meetings: Consultant, through December 31, 2019, and Subconsultant, commencing February 24, 2020, shall attend project team meetings, provide acquisition schedules for the project, and provide monthly updates reflecting current status of activities. A Senior Agent will attend project meetings, either in person or by teleconference. Attendance at project meetings is based on the attached schedule (Exhibit C) and will be discontinued upon issuance of the last invitation to bid (or similar instrument) for construction for each project. Meetings are typically two (2) hours per meeting per project. The Senior Agent will spend up to four (4) hours per meeting to allow for preparation, travel, and post meeting agenda action items. The Senior Agent will attend two (2) meetings per month per project, unless otherwise directly by Owners.

3.7.1.2 Title Reports and Escrow: Consultant shall coordinate with a bona fide title company doing business in Washington and Clackamas counties to obtain title reports, including, but not limited to, ownership and encumbrance reports, title commitments, title insurance, partial releases or joinders, and other activities needed to obtain clear title on acquired interests in real property. Consultant shall make recommendations on the need for and amount of a title insurance policy. Consultant, through February 23, 2020, and Subconsultant, commencing February 24, 2020, shall also review closing instructions prepared by the Title Company upon settlement of each acquisition for possession. All funds paid for a title commitment shall be credited towards the purchase of a title insurance policy in the amount of compensation paid for such interest in land or a minimum amount of insurance if compensation paid is less. Owners shall send payment for parcel to escrow for payment and recording. Title reports will be required for up to one hundred fifteen (115) parcels (twenty (20) through December 31, 2019 and an additional ninety-five (95) through the term of this amendment) and the

cost is estimated to be three hundred fifty and 00/100 dollars (\$350) per report. It is assumed no clearing will be required. Should title clearing be required, a contract modification will be required and it is assumed clearing will require up to four (4) hours per parcel to contact financial institutions and other lien holders who will need to release liens or receive a portion of funds in order for Owners to obtain possession of an easement or fee parcel.

3.7.1.3 ROEs: Consultant shall prepare and obtain ROE from specified parcels for field survey, physical inspection, geotechnical, cultural, and other activities that may be needed to advance planning and design work for the WWSP. Contact shall follow established WWSP outreach procedures. Contact may be in conjunction with WWSP public involvement personnel and, in that case, this task shall be in support of such activities and follow established protocol for ROE contacts. Consultant shall maintain and submit to Owners logs or information related to property owner interaction. Consultant will obtain up to three hundred (300) ROEs with twenty-eight (28) remaining through the term of this amendment.

3.7.2 Appraisal includes the following services:

3.7.2.1 Consultant, through April 2020, shall provide appraisals and appraisal reviews from an accredited appraiser licensed to perform appraisal work in accordance with Uniform Standards of Professional Appraisal Practice, Oregon Department of Transportation Right of Way Manual, and the laws of the State of Oregon related to eminent domain. Consultant's appraiser shall prepare and deliver narrative appraisal reports as requested by the Owners on specific properties or interests in real property. Appraisers shall send, via certified mail with return receipt requested, a statutory fifteen-day (15-day) inspection letter to all impacted landowners. As of February 24, 2020, Subconsultant shall direct appraisal work.

3.7.2.2 Consultant shall provide appraisal reviews on all identified appraisals. Consultant shall maintain a parcel inventory spreadsheet of all appraisal reviews per project (work package) level. Consultant shall follow the procedures of the Uniform Standards of Professional Appraisal Practice, Oregon Department of Transportation Right of Way Manual, and the laws of the State of Oregon related to eminent domain. All appraisal reviews will be addressed to Client and given to Subconsultant to present to Client. Appraisal Reviewer is an independent review appraiser who shall conduct formal reviews of appraisals and provide recommendations as to the acceptance or rejection. Just Compensation shall be set by Owners.

3.7.2.3 If any submittal of a value opinion from the property owner is made, Consultant, through February 23, 2020, and Subconsultant, commencing February 24, 2020, shall coordinate a review and facilitate a formal recommendation to Owners' legal counsel and the Owners as to the acceptance or rejection of any such opinion.

3.7.2.4 Consultant, through February 23, 2020, and Subconsultant, commencing February 24, 2020, shall obtain up to one hundred twelve (112) appraisals and one (1) partial appraisal: twenty-four (24) and one (1) partially completed appraisal through December 31, 2019 and an additional eighty-eight (88) through the term of this amendment (not all properties require an appraisal).

3.7.2.5 Consultant will obtain up to one hundred seven (107) appraisal reviews: twenty-one (21) through December 31, 2019 and an additional eighty-six (86) through the term of this amendment (not all appraisals require a review).

3.7.3 There are necessary ROW acquisitions identified as fee and permanent and temporary easements. Consultant shall provide acquisition services for all parcels and maintain a parcel inventory spreadsheet of acquisitions per project phase (work package) level. Consultant, through February 23, 2020, and Subconsultant,

commencing February 24, 2020, shall provide overall ROW costs at the Program, project, and project phase (work package) levels. Acquisition includes the following services:

3.7.3.1 General Information Notices: Owners' engineers will provide Consultant ROW engineering maps, drawings, and legal descriptions for each acquisition, after which Consultant shall prepare general information notices for any impacted property. Notices shall be sent to landowners and occupants and shall be sent certified mail with return receipt requested.

3.7.3.2 Offer Benefit Letter and Negotiations: Consultant shall prepare offer benefit packages and initiate negotiations with property owners in accordance with WWSP Real Estate acquisition procedures and Uniform Act, Oregon Department of Transportation Right of Way Manual, and the laws of the State of Oregon. An agent will make initial contact with property owners and negotiate for possession of parcel based on determined just compensation.

3.7.3.3 Final Report and Closing Instructions: Consultant shall provide coordination with the title company on all closings, including WWSP approvals, documents, releases, costs, request for funds, timing, and needed authorities required to close a transaction.

3.7.3.4 Consultant shall manage up to one hundred fifteen (115) closings for properties: twenty (20) through December 31, 2019 and an additional ninety-five (95) through the term of this amendment if required by the Owners.

3.7.3.5 Consultant shall make a recommendation to Owners whether clearing of title is necessary or Owners should consider acquiring "subject to."

3.7.3.6 Consultant shall assist in the coordination to obtain releases or joinders needed for the WWSP to obtain clear title or interests in any real property acquired for the WWSP.

3.7.3.7 Recommendation for Condemnation: Consultant shall provide condemnation support, including preparation, briefings, testimony, contact records, property owner contact diaries files, and other documentation as needed for condemnation litigation or other legal requests in coordination with Owners' legal counsel. Consultant will provide one (1) hour for quality assurance/quality control (QA/QC) per file for up to one hundred fifteen (115) closings for properties: twenty (20) through December 31, 2019 and an additional ninety-five (95) through the term of this amendment. Consultant assumes two hundred thirty (230) hours to prepare file(s) for legal counsel for condemnation litigation: ten (10) through December 31, 2019 and an additional two hundred twenty (220) through the term of this amendment.

3.7.3.8 Consultant, through February 23, 2020, and Subconsultant, commencing February 24, 2020, shall conduct Final Report and Closing Instructions to Owner, which includes WWSP approvals, costs, and request for funds. Consultant, through February 23, 2020, and Subconsultant, commencing February 24, 2020, shall coordinate with the title company on all closings, including documents, releases, and needed authorities required to close a transaction. Consultant, through February 23, 2020, and Subconsultant, commencing February 24, 2020, shall make a recommendation based on Consultant's recommendation whether clearing of title is necessary or Owners should consider acquiring "subject to."

3.7.4 Relocation includes the following services:

3.7.4.1 Consultant shall provide Relocation planning and Relocation support for one residential relocation of personal property only (PPO), residential relocations, and non-residential relocations required as a result of the WWSP's acquisition activities. Such support shall use the Uniform Act as a basis for the planning, eligibility,

notices, documentation, and verification of relocation activities. There will be up to fourteen (14) PPOs and up to two (2) non-residential relocations for a grand total of sixteen (16) files. Consultant, through February 23, 2020, and Subconsultant, commencing February 24, 2020, shall assist Owners in determining the proper criteria for any appeal activities related to the Relocation Services. Relocation Studies and move claim estimates will be approved by Owners prior to presentation to displacee(s). Additional Relocations determined necessary by the program will be addressed in amendments as required.

3.7.4.2 Estimated cost of acquisitions is based on Schedule provided in Exhibit C and estimated number of files (parcels) per project identified in Exhibit D – List of Properties.

#### **4.0 Deliverables – work will be tracked and invoiced according to the following project list and tasks**

4.1 Consultant’s work will be tracked and invoiced according to the following project list and tasks.

4.1.1 Each file listed below may include permanent and temporary construction easements or be acquired in fee.

- Metzger Pipeline East (MPE\_1.0): six (6) files
- Pipeline Main
  - Program-wide Real Estate support services
  - PLM\_1.1: five (5) files
  - PLM\_1.2: two (2) files
  - PLM\_1.3: fourteen (14) files
  - PLM\_2.0: one (1) file
  - PLM\_4.3: twelve (12) files
  - PLM\_5.2: thirteen (13) files
  - PLM\_5.3: thirty-one (31) files
- Pipeline Western Extension
  - PLW\_1.1: one (1) file
  - PLW\_1.2: one (1) file
  - PLW\_1.3: ten (10) files
  - PLW\_2.0: seventeen (17) files
- RES\_1.0: one (1) file

4.1.2 As of January 1, 2020, the remaining projects to be acquired are listed below:

- PLM\_1.2: two (2) acquisition files; fifteen (15) ROEs
- PLM\_1.3: fourteen (14) acquisition files and thirty-eight (38) ROEs with fourteen (14) remaining
- PLM\_4.3: twelve (12) acquisition files; sixteen (16) ROEs with two (2) remaining
- PLM\_5.2: one (1) acquisition file; twenty-one (21) ROEs
- PLM\_5.3: thirty-one (31) acquisition files; up to eight (8) PPO relocations; seventy-eight (78) ROEs
- PLW\_1.2: one (1) acquisition file
- PLW\_1.3: five (5) acquisition files; two (2) PPO relocations; twenty-eight (28) ROEs
- PLW\_2.0: seventeen (17) acquisition files; forty-four (44) ROEs with one (1) remaining
- MPE\_1.2: six (6) acquisition files, with fifty-one (51) ROEs with eleven (11) remaining

4.2 Consultant, through February 23, 2020, and Subconsultant, commencing February 24, 2020, shall provide the following deliverables; the format (hardcopy, PDF, etc.) and quantity for each electronic and printed deliverable shall be specified by the Owners:

- Property interest inventory
- Value estimates

- Facilitation of appraisal task
- QA/QC on all acquisition deliverables
- Progress meeting agendas and summaries (Consultant, through December 31, 2019, and Subconsultant, commencing February 24, 2020)

4.3 Consultant shall provide the following deliverables; the format (hardcopy, PDF, etc.) and quantity for each electronic and printed deliverable shall be specified by the Owners:

- Monthly progress reports
- Biweekly project reports
- Property owner interaction logs
- Rights of Entry
- Title reports and analysis of encumbrances work
- Appraisals (through March 31, 2020) and appraisal reviews
- Basic data reports
- Negotiation (offers, recommendations)
- Relocation studies and claims
- Closing support
- Condemnation support
- File delivery

#### 5.0 Resource requirements *no changes*

#### 6.0 Key Personnel

Consultant's personnel listed below are considered essential to the Work being performed hereunder. Prior to diverting any of the specified individuals to other projects or in the event any key personnel terminates his/her employment, Consultant shall notify the identified Owners' Representative in advance and shall submit justification, including proposed substitutions, in sufficient detail to permit evaluation of the impact on the WWSP. No diversion or substitution of key personnel or subconsultants shall be made by Consultant without written consent from the Owners. Owners reserve the right to require replacement of key personnel at the sole discretion of Owners.

**(name - title)**

**Pat Thayer, SR/WA** - Program Manager and QA/QC

**Andy McCaskill, PE** - Contract Manager

**Kerri Chipman** - Accounting Manager

**Charles Wells** - Appraisal Reviewer

**Luke Kinch** - Right of Way Agent

**Jason Knutson** - Right of Way Agent

**Kim Disciascio** - Right of Way Agent

**Matthew Schoetz** - Right of Way Agent

**Chandra Cruikshank** - Right of Way Agent

**Michelle Maldonado Fonseca** - Right of Way Agent

**Jennifer Davis** - ROW Technician III

**Chelsea Hickok** - ROW Technician III

**Suzette Egli** - ROW Technician III

**7.0 2020 Rate Table**

	2020 rate
Pat Thayer	\$ 212.68
Andy McCaskill	\$ 265.94
Kerri Chipman	\$ 172.65
Charles Wells	\$ 246.04
Luke Kinch	\$ 98.63
Jason Knutson	\$ 103.41
Kim Disciascio	\$ 90.90
Matthew Schoetz	\$ 84.84
Michelle Fonseca Maldonado	\$ 66.66
Jennifer Davis	\$ 93.48
Chelsea Hickok	\$ 96.84
Suzette Egli	\$ 90.90
Joseph Plaugher	\$ 88.63
Leigh Enger	\$ 218.61
Geri Hall	\$ 199.68
Janine Kidd	\$ 128.65
Hannah Halpenny	\$ 116.59
Tracy Morrison	\$ 108.02
Chandra Cruikshank	\$ 66.66

**8.0 Owners' Representative**

Deborah Rose has been designated as the Owners' Representative for this Agreement and may be reached at 503-544-9551 or by email: [deborah.rose@twwd.org](mailto:deborah.rose@twwd.org)

**Replace "Exhibit B – Fee and Rates" with the attached "Exhibit B-4 – Fee and Rates."**

Summation of revisions to "Exhibit B-3 – Fee and Rates" as follows:

Additions	Commonstreet (includes 5% mark-up)	1,196,965
	Appraisal Reviewer costs to HDR	89,497
	Oregon Sewer & Drain Costs	21,952
	Out of Scope costs to HDR	111,416
Reductions	Moving fee from HDR to Commonstreet	(294,745)
	Moving Appraisal Reviewer balance to HDR	(96,961)
	Removal of Remaining Appraiser Costs	(320,896)
	<b>AMENDMENT TOTAL</b>	<b>707,228</b>

**Replace "Exhibit C – Project Schedule" as of 12/10/2018 with "Exhibit C-4 – Project Schedule" as of 11/16/2020**

**Replace "Exhibit D – List of Properties" as of 12/10/2018 with "Exhibit D – List of Properties" as of 11/16/2020**

## Willamette Water Supply

*Our Reliable Water*

### 4B. Real Estate Contract Amendment (Contract No. 2017-004 Amendment 4)

February 4, 2021

1

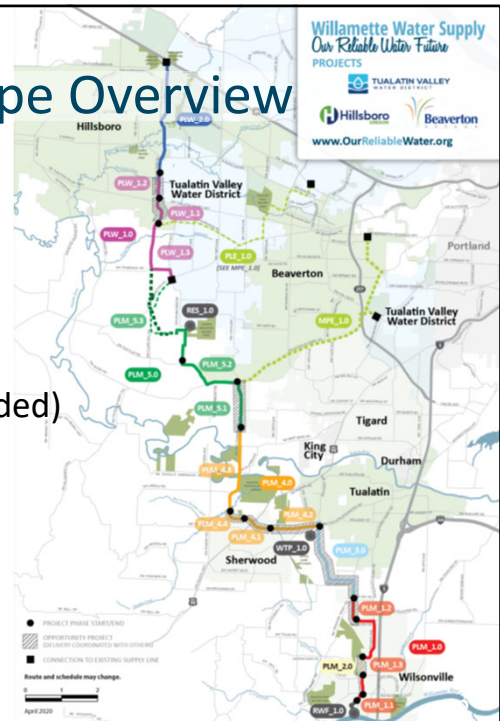
## Real Estate Services - Amendment 4 Overview

- Real Estate Services Amendment 4 requires Board approval to proceed
- Amendment 4 recognizes both additions and reductions in services
- Real estate acquisition is at a critical phase and this amendment prevents future disruptions to progress
- Staff are asking the Board to:
  - Approve an amendment in the amount of \$707,227.85 (with no contract term extension) to Contract No. 2017-004 to HDR Engineering, Inc. to provide additional real estate services for the Willamette Water Supply Program.

2

## Real Estate Services Scope Overview

- Rights of entry
- Easement/real property acquisition
- Title reports and recordings
- Participation in design meetings
- Residential and business relocations (when needed)
- Condemnation support (when needed)



## Major Components of Proposed Contract Amendment

- Additional real estate support effort for remaining projects
- Clean up of needed but out-of-scope work performed
- Staffing changes
  - Commonstreet Consulting
  - Appraisal reviewer
  - Septic sewer services
- Appraisal services (decrease)
  - Now secured through Cable Huston



## Budget Impact

<b>Initial Contract Value</b>	<b>\$ 682,640.00</b>
Amendments 1 – 3	\$2,447,362.28
<b>Current Contract Value</b>	<b>\$ 3,130,002.28</b>
Proposed Amendment 4	\$707,227.85
TVWD Estimated Share <sup>1</sup> \$416,698.65	
Hillsboro Estimated Share <sup>1</sup> \$255,238.53	
Beaverton Estimated Share <sup>1</sup> \$35,290.67	
<b>Proposed Contract Value</b>	<b>\$3,837,230.13</b>

1. Based on overall project ownership percentage from Baseline 5.2 budget and WWSS IGA

## Requested Board Action

Approve an amendment in the amount of \$707,227.85 (with no contract term extension) to Contract No. 2017-004 to HDR Engineering, Inc. to provide additional real estate services for the Willamette Water Supply Program.

# QUESTIONS

**STAFF REPORT**

**To:** WWSS Board of Commissioners  
**From:** David Kraska, P.E., Willamette Water Supply System General Manager  
**Date:** February 4, 2021  
**Subject:** Recommend Approval of WTP\_1.0 Design Contract Amendment CDM Smith (Contract No. 2018-014 Amendment 12)

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**Requested Board Action:**

Consider approving an amendment to the WTP\_1.0 design contract in the amount of \$705,225.63 to CDM Smith. This amendment allows for additional design services on the WTP\_1.0 Project of the Willamette Water Supply Program (WWSP).

**Key Concepts:**

- Implementation of the WWSP requires assistance of design consultants with expertise in water treatment design, roadway design, seismic design, and other areas of engineering.
- CDM Smith was procured through a competitive process to provide design consulting services for the WTP\_1.0 project.
- The WTP\_1.0 project comprises one design package, currently at the 90% Design milestone.
- A December 2020 land use approval for WTP\_1.0 by the City of Sherwood requires WWSP to design and construct improvements to SW 124<sup>th</sup> Avenue along the eastern boundary of the WTP\_1.0 property and redesign SW Orr Drive along the northern boundary of the WTP\_1.0 property.
- Implementing the requirement for roadway improvements and design changes necessitates additional design services for the project and the estimated design costs have increased accordingly.
- The proposed contract amendment would establish a scope of work to complete 100% design.

**Background:**

CDM Smith was selected through a competitive process to provide the WWSP with professional design and construction support services for the WTP\_1.0 project. The professional services agreement contract 2018-014 was approved and awarded July 24, 2018 with an expiration date of February 28, 2026.

The WTP\_1.0 project was planned for design and construction in one design phase. A summary of work performed to date and work remaining is as follows:

- The design of WTP\_1.0 is approaching the start of the 100 percent completion level. The 90 percent design was submitted on December 21, 2020 and is currently under review.

The WTP 60% Design presented the cross-section of Orr Drive with a separated sidewalk and bike path and planting strip width per the existing City of Sherwood Engineering and Transportation Code. Although there were on-going discussions with City of Sherwood's Engineering Manager between WTP 60% and

90% Design, formal direction regarding design was only provided through Conditions of Approval of the Sherwood Land Use Approval in December 2020. Although the Conditions of Approval for Orr Drive do not match current City of Sherwood Code, accepting these requirements helped enable WWSP to secure the land use approval, which was approved without any public comments in Dec 2020.

Since the WWSS WTP property is owned by a public agency, the property is not assessed for taxes. Therefore, WCLUT has no mechanisms to require half street improvements to 124<sup>th</sup> Ave. as a condition of site improvements. Therefore, the original design contracts through 60% Design did not anticipate design impacts. Therefore, through existing Sherwood Code for frontage improvements, City of Sherwood conditioned WWSS to design and construct 124th Ave half-street improvements. Accepting these requirements helped enable WWSP to secure the land use approval, which was approved without any public comments in Dec 2020

Based on direction from the City of Sherwood and Washington County after the 60 percent design submittal, the WWSP staff identified two significant changes to the WTP\_1.0 design scope: design for half street improvements along SW 124<sup>th</sup> Avenue (identified shortly after the 60 percent design was completed in April 2020) and a redesign of SW Orr Drive (identified shortly before the 90 percent design submittal in December 2020) to include updated stormwater requirements and a multiuse path. These changes are the basis of the contract amendment under consideration and are further described, below.

1. SW 124th Avenue Half-Street Improvements Design: The half-street improvements identified by the City of Sherwood and Washington County will be added to the WTP\_1.0 design documents and services during construction. These improvements include two traffic lanes, a planter strip, and a multi-use path along the east property boundary from SW Orr Drive, south to the south property boundary. Approximately 34 drawings will need to be revised and 36 drawings need to be added.
2. SW Orr Drive ROW Design Revisions: New City of Sherwood requirements, and resolution of conflicts within the City of Sherwood requirements, require changes to the design developed through 60% and advanced in 90% to satisfy City of Sherwood objectives for the SW Orr Road right-of-way. SW Orr Drive will be re-designed with a multi-use path (in lieu of the previously provided separate bike paths and sidewalks) and roadside stormwater swales will be converted to planter strips. Approximately 71 drawings will need to be revised.

**Budget Impact:**

The proposed amendment would increase the total contract value to \$24,988,901 as shown in the table below. The estimated cost share per WWSS member agency shown below is based on ownership percentages within the WWSS IGA (7/1/19). The contract amendment amount will be funded from the Management Reserve budget.

<b>Initial Contract Value</b>	<b>\$ 20,867,769</b>
Amendments 1 - 11	\$3,415,907
<b>Current Contract Value</b>	<b>\$24,283,676</b>
Proposed Amendment 12	\$705,225.63
<i>TVWD Estimated Share<sup>1</sup></i>	<i>\$415,542.03</i>

February 4, 2021

Recommend Approval of WTP\_1.0 Design Contract Amendment CDM Smith

<i>Hillsboro Estimated Share<sup>1</sup></i>	<i>\$254,527.82</i>	
<i>Beaverton Estimated Share<sup>1</sup></i>	<i>\$35,155.78</i>	
<b>Proposed Contract Value</b>		<b>\$24,988,901</b>

1. Based on overall project ownership percentage from Baseline 5.2 budget and WWSS IGA

**Staff Contact Information:**

David Kraska, P.E., WWSP Program Director; 503-941-4561; [david.kraska@tvwd.org](mailto:david.kraska@tvwd.org)

Mike Britch, P.E., WWSP Engineering & Construction Manager; 503-941-4565; [mike.britch@tvwd.org](mailto:mike.britch@tvwd.org)

**Attachments:**

1. Exhibit A: Amendment 12 to Agreement 2018-014
2. Exhibit B: Engineer Fee and Rates

# Willamette Water Supply System Commission

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**PCO-30 Contract No. 2018-014  
WTP\_1.0 Design, GMP Development, and SDC**

Amend Exhibit A – Scope of Work and Exhibit B Engineer Rates and Fees tasks:

- 2.12 – Project Management
- 6.2.6 – Draft and Final Land Use Application Package
- 7.3.3 – 90% Drawings and Specifications for GMP Package 2
- 8.1.2 – 100% Drawings and Specifications for GMP Package 2
- 16.1 - Submittals
- 16.2 - Request for Information
- 16.3.1 – Design Clarifications
- Lump Sum ODCs - Design

to include:

1. SW Blake St. Alignment Investigations. Engineer shall research and reconcile the alignment of SW Orr Drive (west side of SW 124th Ave) with SW Blake St. (east side of SW 124th Ave) provided as part of the PGE documents for development of property on the east side of SW 124th Avenue.
2. SW Orr Drive ROW Design Revisions. Engineer shall re-design Orr Drive with a multi-use path (in lieu of the previously provided separate bike paths and sidewalks) and roadside stormwater swales will be converted to planter strips.

Approximately 71 drawings are anticipated to be revised to include

- Grading behind the sidewalks will remain as previously designed
  - Stormwater runoff volume is unchanged
  - Design revision will be accomplished beginning during the 90% design review by WWSP and submitted as part of the 100% design package.
3. SW 124th Avenue Half-Street Improvement Research and Figures. Engineer shall research and prepare preliminary figures evaluating the impacts of these City of Sherwood required improvements to support discussions with the City and County.
  4. SW 124th Avenue Half-Street Improvements Design. Engineer shall add the half-street improvements identified by the City of Sherwood and Washington County to the WTP\_1.0 design documents and services during construction, subject to the following assumptions:
    - Half-street width will be 52 feet from centerline to outer edge of ROW.
    - Design will commence from a new cut line along the pavement at the edge of the current pavement on the west side of SW 124th Ave and extend to the right-of-way and grading on the WTP site. The new pavement section will match the section provided for the PGE half-street improvements on the east side of SW 124th Ave.

- Survey required for the design of the half-street improvements will be completed by the Engineer.
- No new retaining wall or changes to existing retaining wall will be required.
- Design will not include piping profiles or road profiles along SW 124th Ave.
- No Area B efforts (to be accomplished by TCC), except that required to sufficiently tie-in the road improvements to those provided by the developer to the north.
- Geotechnical field work not required, and Geotech Design Report does not require updating or re-issuing. Engineer will reference the geotechnical report, drawings, and other materials provided as part of the SW 124th Ave original construction.
- Stormwater management plan will be updated to include the increased project area and runoff from the road cut slopes and multiuse path.
- Design will provide catch basins, manholes, and piping as needed for stormwater drainage, and connect to TCC storm piping to the north of SW Orr Drive on SW124th Ave.
- Existing infrastructure to the north of the half-street improvements is initially assumed to have adequate stormwater carrying capacity for the anticipated improvements (no off-site work required). This will be verified with Washington County; if additional efforts or provisions are identified from this verification, they will be addressed separately.
- Waterlines and hydrants have been discussed with the City of Sherwood and are assumed to be included in the half street improvements, and fiber conduits are assumed to be required in the PUE.
- A profile of the multi-use path will not be needed
- Road/ROW Sections every 25 feet along the multi-use path and road half will be required
- Design will include the transitions between the half street improvements on 124th north and south of SW Orr Drive.
- The retaining walls along 124th currently in the design near Orr Drive and the Clearwell will need to be revised from the current configurations to accommodate the wider SW 124th Ave.
- Efforts include up to 5 two-hour meetings with COS, WACO, WWSP, and/or TCC/DOWL.
- Additional efforts for engineering services during construction (ESDCs) related to the half-street improvements are included in this change and are based on up to 6 additional submittals, 8 additional RFIs, and 5 additional site visits.
- Approximately 76 anticipated revised and added



<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Units</b>	<b>Unit Price</b>	<b>Net Amount</b>
003	2.1.2 - Project Management			\$	\$61,516.57
079	6.2.6 - Draft and Final Land Use Application Package Figures			\$	\$11,655.00
090	7.3.3 - 90% Drawings and Specifications for GMP Package 2			\$	\$37,350.26
097	8.1.2 - 100% Drawings and Specifications GMP Package 2			\$	\$540,525.63
123	16.1 - Submittals			\$	\$24,489.52
124	16.2 - Requests for Information			\$	\$18,223.65
125	16.3.1 - Design Clarifications			\$	\$5,565.00
136	Lump Sum ODCs - Desgin			\$	\$5,900.00
<b>Total</b>				<b>\$</b>	<b>705,225.63</b>

# Willamette Water Supply System Commission

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# Willamette Water Supply

*Our Reliable Water*

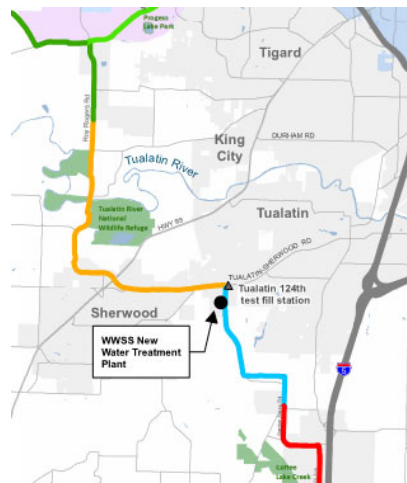
## 4C. WTP\_1.0 Design Contract Amendment (Contract No. 2018-014 Amendment 12)

February 4, 2021

1

### WTP\_1.0 Overview

- 90% Design currently under review
- Land Use Application Approved Dec 2020
- Construction NTP anticipated early 2022



2

## Major Components of Proposed Contract Amendment

- SW 124<sup>th</sup> Ave Half-Street Improvement Design
  - Widen 124<sup>th</sup> Ave 52 feet from centerline
  - Design and construct full half-street improvements including PUE dedication, visual buffer, vegetation strip, multiuse pathway, street trees, streetlights, and new pavement and striping
- SW Orr Drive ROW Design Revisions
  - Redesign of sidewalk and bike lanes to a 12-foot multiuse pathway
  - Update of stormwater design to meet Sherwood requirements

## History of 124<sup>th</sup> Ave. Changes

- Based on coordination with WCLUT before 60%, WWSP did not anticipate the 124<sup>th</sup> requirements
  - WWSS property is tax exempt, therefore, WCLUT could not require half-street improvements as a condition of site improvements
- Sherwood became aware of WCLUT conditions between WTP 60% and 90% Design
  - Through existing Sherwood code for frontage improvements, Sherwood conditioned WWSS to design and construct 124<sup>th</sup> Ave half-street improvements
  - Accepting these requirements helped enable WWSP to secure the land use approval

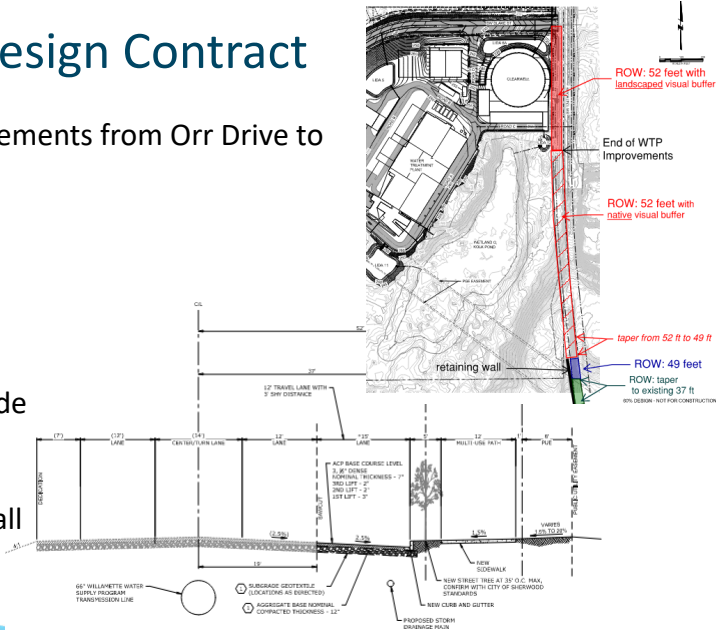
# History of Orr Drive Changes

- WTP 60% Design presented the cross-section of Orr Drive with a separated sidewalk and bike path and planting strip width per the existing Sherwood code
- Discussions with Sherwood’s Engineering Manager between WTP 60% and 90% Design
- Formal direction provided through Conditions of Approval of the Sherwood Land Use Approval
  - Conditions of approval do not match current Sherwood code
  - Accepting these requirements helped enable WWSP to secure the land use approval

# Scope Impact to Design Contract

SW 124<sup>th</sup> Ave – Half street improvements from Orr Drive to south property line

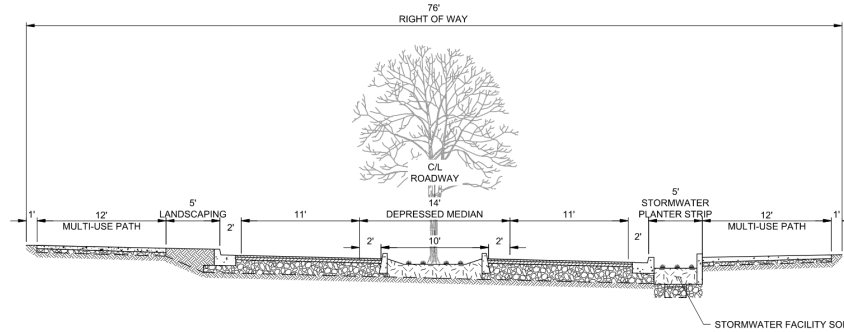
- Additional travel lane
- Planter strip
- Multiuse path
- Street lighting
- Visual buffer and PUE outside of ROW
- Modified road section in area of existing retaining wall
- Stormwater collection



## Scope Impact to Design Contract

### SW Orr Drive

- Combining separate bike and sidewalk into a single multiuse pathway
- Revising stormwater collection method (planter strip vs piping to retaining pond)



## Budget Impact to Design Contract

Proposed Amendment	Total Cost
Orr Drive Improvements	\$129,487
124 <sup>th</sup> Ave Improvements	\$575,739
<b>TOTAL</b>	<b>\$705,226</b>

<b>Initial Contract Value</b>	<b>\$ 20,867,769</b>
Amendments 1 - 11	\$3,415,907
<b>Current Contract Value</b>	<b>\$24,283,676</b>
Proposed Amendment 12	\$705,226
TVWD Estimated Share <sup>1</sup>	\$415,542
Hillsboro Estimated Share <sup>1</sup>	\$254,528
Beaverton Estimated Share <sup>1</sup>	\$35,156
<b>Proposed Contract Value</b>	<b>\$24,988,901</b>

## Schedule Impact

- These changes are expected to have no impact on future schedule
- The 100% design submittal is anticipated in July 2021

## Requested Board Action

Approve an amendment in the amount of \$705,226 (with no contract term extension) to the CDM Smith contract to provide additional design services for the WTP\_1.0 project of the Willamette Water Supply Program (WWSP).

# QUESTIONS



**STAFF REPORT**

**To:** Willamette Water Supply System Board of Commissioners  
**From:** Joelle Bennett, P.E., WWSP Assistant Program Director  
**Date:** February 4, 2021  
**Subject:** Anticipated Business Agenda Items for the March 4, 2021, Meeting of the Willamette Water Supply System Board of Commissioners

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**Key Concepts:**

The next Willamette Water Supply System (WWSS) Commission Board meeting agenda is anticipated to include staff recommendations for the following business agenda items:

1. Adopt MPE\_1.2 Resolution of Need
2. Adopt DCS\_1.0 Sherwood Broadband Services IGA
3. Adopt WWSS Washington County Land Use and Transportation (WCLUT) Master IGA Amendment 1
4. Adopt PLM\_4.1 WCLUT Construction IGA
5. Adopt RES\_1.0 WCLUT Grabhorn Road Realignment IGA
6. Approve Amendment to Water Supply Integration Contract
7. Approve (as Local Contract Review Board, or LCRB) Special Procurement for DCS\_1.0 Panel Fabrication Services

**Background:**

The following actions are anticipated business agenda items for the March 4, 2021, meeting of the WWSS Board of Commissioners. Due to the dynamic nature of the WWSS work, request for approval of some items may be delayed or new items may emerge on the business agenda next month. WWSS staff strive to provide preliminary information one month prior to requesting action and a full staff report describing the recommended action during the appropriate month.

1. Adopt MPE\_1.2 Resolution of Need

WWSS staff are ready to initiate on additional property acquisition for pipeline section MPE\_1.2, located along Scholls Ferry Road from Nimbus Avenue to Western Avenue. The WWSP has progressed the design of this pipeline section to enable identification of property requirements for construction and long-term operation and maintenance of the pipeline. The pipeline alignment was selected through an extensive alternatives evaluation, and the preferred location was selected based upon the best interests of the public and the least injury to private property owners. The proposed resolution will enable the initiation of the property acquisition process, including negotiations with the Property owner and any other applicable interest holders.

At the March WWSS Board meeting, WWSP staff will present the project area and easement need, with a recommendation to the Board to adopt the Resolution of Public Necessity to allow WWSP staff to begin the process to acquire permanent and temporary construction easements for MPE\_1.2.

February 4, 2021

Anticipated Business Agenda Items for the March 4, 2021, Meeting of the Willamette Water Supply System Board of Commissioners

2. Adopt DCS\_1.0 Sherwood Broadband Services IGA

To provide long-term communications capability between the WTP\_1.0 and RWF\_1.0 projects, the WWSP has selected an existing service provider, the City of Sherwood, which operates the Sherwood Broadband network. WWSP staff are working with the City of Sherwood to finalize an intergovernmental agreement detailing the services, cost, and conditions.

At the March WWSS Board meeting, WWSP staff will present the proposed intergovernmental agreement with a recommendation to the Board to adopt it through resolution.

3. Adopt WWSS WCLUT Master IGA Amendment 1

The WWSS has strategically partnered with Washington County Land Use and Transportation (WCLUT) to deliver coordinated pipeline and roadway projects at various locations in the region. To establish the coordination details and cost and schedule terms of partnered projects, the WWSS and WCLUT executed a Memorandum of Understanding (Partnering MOU) in 2016, and a Master Project Coordination IGA in early 2020. The Master Project Coordination IGA restated the parties' commitment to partnering and clarified certain elements of the Partnering MOU. The proposed Amendment 1 clarifies the real estate acquisition term in the IGA regarding responsibility for acquisitions for exclusive waterline use.

At the March WWSS Board meeting, WWSP staff will present the proposed intergovernmental agreement with a recommendation to the Board to adopt it through resolution.

4. Adopt PLM\_4.1 WCLUT Construction IGA

The design of the WWSS and WCLUT partnered project PLM\_4.1 on SW Tualatin-Sherwood Road between Langer Farms Parkway and Borchers Road is nearly complete, and WWSS and Washington County are readying bidding documents. The construction IGA will specify how the two projects will be constructed together and define each agency's specific responsibilities. Washington County will be the lead agency.

At the March WWSS Board meeting, WWSP staff will present the proposed intergovernmental agreement with a recommendation to the Board to adopt it through resolution.

3. Adopt RES\_1.0 WCLUT Grabhorn Road Realignment IGA

The WWSS currently owns property adjacent to the RES\_1.0 site that will be used for construction staging and pipeline construction. At this same location, WCLUT is planning for roadway improvements on Grabhorn Road, as conceptualized in the Cooper Mountain Community Plan. This IGA establishes coordination and cooperation between WWSS and WCLUT to support WWSS RES\_1.0 construction and WCLUT future plans for the Grabhorn Road realignment.

At the March WWSS Board meeting, WWSP staff will present the proposed intergovernmental agreement with a recommendation to the Board to adopt it through resolution.

February 4, 2021

Anticipated Business Agenda Items for the March 4, 2021, Meeting of the Willamette Water Supply System Board of Commissioners

4. Approve Amendment to Water Supply Integration Contract

When the Water Supply Integration Contract with Confluence Engineering Group was executed in late 2018, it did not include the key task of developing the WWSS Integration Plan document. The Integration Plan was intentionally excluded from the scope and fee because the initial years of project work were necessary to define the Integration Plan contents and effort.

The Water Supply Integration project team is now ready to move forward with the Integration Plan development and at the March WWSS Board meeting, WWSP staff will present the contract amendment to the Board with a recommendation for approval.

5. Approve (as LCRB) Special Procurement for DCS\_1.0 Panel Fabrication Services

In June 2019, the WWSP Executive Committee endorsed a “Unit Responsibility” approach to SCADA, meaning that a single service provider would be accountable for the WWSS SCADA system from planning through warranty. This approach reduces delivery risks by avoiding “hand-offs” between multiple SCADA firms. To continue with the “Unit Responsibility” approach, WWSP requires Board approval for a special procurement of additional SCADA-related services.

WWSS staff propose modifying S&B’s existing contract to include services related to fabrication, testing, and warranty of SCADA control and communication panels. This would be a Direct Appointment and it achieves the desired accountability in the selected Unit Responsibility approach.

At the March WWSS Board meeting, WWSP staff will present the request for special procurement to the Board, as the LCRB, with a recommendation for approval.

**Budget Impact:**

Anticipated costs for all of the actions described are reflected in the WWSP 2020 budget. The cost changes for ancillary projects and additional equipment (such as a turnout) are borne entirely by the requesting Partner.

**Staff Contact Information:**

Dave Kraska, P.E., WWSS General Manager, 503-941-4561, david.kraska@tvwd.org

Joelle Bennett, P.E., WWSP Assistant Director, 503-941-4577, joelle.bennett@tvwd.org

**Attachments:**

None.

# Willamette Water Supply System Commission

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**Willamette Water Supply System Commission  
Board Meeting**

**February 4, 2021**

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