

# PDC

## PORTLAND DEVELOPMENT COMMISSION

**DATE:** December 1, 2008  
**TO:** Board of Commissioners  
**FROM:** Bruce A. Warner, Executive Director  
**SUBJECT:** Report No. 08-135

Intergovernmental Agreement with Bureau of Environmental Services to provide construction services for work related to the Ankeny Pump Station in Waterfront Park; and amend contract with Brown Contracting, Inc. to perform the work

### EXECUTIVE SUMMARY

#### BOARD ACTION REQUESTED

Adopt Resolution No. 6653

#### ACTION SUMMARY

This action will authorize an Intergovernmental Agreement (IGA) with the City of Portland Bureau of Environmental Services (BES) allowing the Portland Development Commission (PDC) to design and construct necessary in-ground improvements (the Odor Control Facility) related to future upgrades of the Ankeny Pump Station in Waterfront Park. The location of these improvements is within the same area as other improvements being constructed in Waterfront Park at this time to accommodate the relocation of the Portland Saturday Market. If these in-ground improvements are not made at this time, construction in the future will interfere with the use of Waterfront Park by the Portland Saturday Market and the Greenway Trail.

This action will also authorize an amendment to the contract with Brown Contracting, Inc. (currently under contract with PDC constructing other improvements to Waterfront Park) in an amount up to \$1,624,916 for a total contract amount not to exceed \$10,261,236. This increase in the contract will be fully funded by BES.

#### PUBLIC BENEFIT

BES had future plans to incorporate this element into the area adjacent to the Ankeny Pump Station. The approval of this IGA will allow PDC to implement these plans much earlier than anticipated. The public benefit of incorporating this element into the existing contract is twofold. First, the cost to incorporate into an existing contract is significantly lower due to the fact that the bidding process has already occurred, substantially decreasing staff time and the cost to implement the Odor Control Facility. The second benefit is directly related to the amenity of this space for the public and future users. The Odor Control Facility will remediate any undesirable odors created by the Combined Sewage Outfall (CSO) project that may otherwise interfere with the recreational uses that will occur at the future site of Portland Saturday Market.

**This action will support the following PDC goals:**

- Develop healthy neighborhoods
- Provide access to quality housing
- Help businesses to create and sustain quality jobs
- Support a vibrant Central City (urban core)
- Contribute to a strong regional economy

**PUBLIC PARTICIPATION AND FEEDBACK**

There was not a specific public participation plan as it pertains to the Odor Control Facility, but implementing construction of the Odor Control Facility at the same time as the Waterfront Park Project has been deemed by project partners to be in the best interest of the project and the end users. As it pertains to the Waterfront Park Project as a whole, an extensive public process occurred between February and August 2007.

**CONCURRENCE WITH ADOPTED PLANS AND POLICIES**

Completion of the Odor Control Facility is consistent with the following plans and policies:

- Downtown Waterfront Urban Renewal Plan
- The Central City Plan (1988) guides planning in Portland's downtown and close-in neighborhoods, including the area around Ankeny Plaza
- The Old Town/China Town Visions Plan (1997) – and – Development Plan (1999) and the Visions/Development Plan Update are the neighborhood stakeholders' vision of development desired in the district
- The Downtown Waterfront Development Opportunities Study, adopted by the PDC Board of Commissioners (Board) in November 2003, highlights the development potential for Portland's downtown waterfront blocks
- The Waterfront Park Master Plan (2003), developed by Portland Parks & Recreation (PP&R), provides direction for the park's renovation, and addresses related land use and environmental issues
- The Ankeny/Burnside Development Framework adopted by the PDC Board in December 2006 (Resolution No. 6420), was a joint PDC and Bureau of Planning project to create an urban design framework and development strategy for the Skidmore / Old Town Historic District
- PDC's Construction Wage Policy
- PDC's Business and Workforce Equity Policy
- PDC Cost Recovery Policy

**FINANCIAL IMPACT**

There will be no impact on the PDC budget, as costs related to the construction Odor Control Facility will be reimbursed by BES.

**BES ODOR CONTROL ODOR FACILITY**

TOTAL ODOR CONTROL CIVIL WORK (Attachment C)	\$ 1,624,916
PDC STAFF TIME / OVERHEAD COSTS	\$ 168,659
<b>TOTAL AMOUNT DUE PDC UNDER IGA</b>	<b>\$ 1,793,575</b>

**TOTAL NOT TO EXCEED BROWN CONTRACT AMOUNT** \$10,261,236

**RISK ASSESSMENT**

If the Odor Control Facility is not implemented as part of the existing contract with Brown Contracting, it could affect the future operation of Portland Saturday Market and any other users of this area of Waterfront Park when such improvements are ultimately made. If these in-ground improvements are not made at this time, construction in the future will interfere with the use of Waterfront Park by Saturday Market and the Greenway Trail, as well as likely cost more to complete.

**WORK LOAD IMPACT**

PDC intends to retain a consultant to assist with construction project management and these funds are incorporated into the project budget for the Odor Control Facility. Workload for PDC procurement and project manager are within existing resources, although we have made shifts among staff teams within the Development Department to accommodate this workload.

**ALTERNATIVE ACTIONS**

The Board could elect to not authorize the IGA with BES, which would result in the inability of PDC to implement the construction of the Odor Control Facility. Electing not to approve the IGA would require BES to separately contract for the completion of the Odor Control Facility. This lapse in time would have a negative effect on the entire Waterfront Park Project.

**CONCURRENCE**

To accomplish the design and construction of improvements in Waterfront Park will require extraordinary cooperation between many of Portland's bureaus. To help accomplish this, the Bureau Directors Planning & Development Group has agreed to support and actively participate in decision making when necessary to expedite the process of implementing the project

This project has been a key topic among the inter-departmental Urban Renewal Area (URA) team meetings, and where practicable there has been input from other operating departments within PDC.

## BACKGROUND

The improvements in Waterfront Park are directly supportive of the revitalization of Ankeny / Burnside as recommended by the Ankeny Burnside Development Framework. The relocation of Portland Saturday Market (PSM) became a vital component of the revitalization of Ankeny / Burnside due to significant development pressure for parking lots which the Market utilized for their market operations. Finding a long term home for PSM resulted in a preferred layout in Waterfront Park and Ankeny Plaza, thereby requiring a site specific design to accommodate PSM's needs while providing a public space which is flexible for a range of different users when PSM is not operating. The Waterfront Park Project is the culmination of a partnership between PDC and PP&R to come up with a workable solution.

The integration of the Odor Control Facility into the construction of the Waterfront Park Project improvements has been deemed appropriate due to the fact that it will increase the quality of this multi-functional public space from the immediately following construction completion and will eliminate foul odors from the area which will be adjacent to Portland Saturday Market's food court. These improvements were anticipated to be completed at a later date by BES, but the decision has been made to incorporate it into the existing construction contract in order to complete at the same time as the rest of the improvements in Waterfront Park.

BES retained the firm of West Yost Associates for the design of an odor treatment system for the Ankeny wastewater pump station and the nearby Ankeny Shaft, which is part of the West Willamette CSO system. The objective of the odor control treatment facility is to minimize obnoxious (very foul) odors when air is rapidly discharged from the CSO pipe system, typically after a rain event that must be vented to provide maximum wastewater flow. If not treated the odors would be very detrimental to the Portland Saturday Market and other park uses near the pump station.

Originally in early 2008 this project was to have been bid separately by BES and the work completed prior to the start of the Waterfront Park Project. Due to a number of major redesign issues – as part of the major Pump Station \$20 million long-term upgrade project and integration of the design with the Waterfront Park Project – final design was completed in mid-September. There was insufficient time for BES to bid and get a contractor on the site to complete work before February 26, 2009, as well as a number of other coordination and sequencing issues as further detailed in the separate Contract Exemption findings. In September BES asked PDC to assist them with the effort by using Brown Contracting, already mobilized and working at the Waterfront Park Project.

The proposed odor treatment system is a Mineral Media Biofilter type system, which will treat foul air from the pump station wet well and the Ankeny Shaft. The biofilter system shall be sized to treat 7,500 cubic feet per minute (cfm) with an average H<sub>2</sub>S inlet concentration of 1 part per million (ppm) and a peak inlet concentration of 20 ppm. Major components of the project include a biofilter vault, blower vault, and a 24-inch diameter foul air duct between the biofilter and the wet well and Ankeny Shaft. The biofilter will consist of a below grade concrete biofilter vault to contain a proprietary mineral media material (considered a permanent media) and will include four access hatches and a discharge stack. The biofilter vault will be traffic-rated and will include a media irrigation system. The blower vault will also be concrete and will house a single blower and a foul air inlet humidification system. The blower vault will include a sump pump, lighting, and convenience outlets.

The Odor Control Facility civil work will consist of installing the entire "in-ground" portion of the system and will enable the surface finish work to occur as part of the Waterfront Park project.

BES intends by separate contract in mid-2009 to complete all the mechanical and other operational parts of the system with the goal to have a fully operating system by late 2009. A temporary measure to plug and/or bypass odors will be deployed during the interim period.

**ATTACHMENTS:**

- A. DTWF URA Financial Summary
- B. Project Summary and Map
- C. BES Odor Control Budget
- D. Ankeny Odor Facility Diagram

## URA FINANCIAL SUMMARY

### Financial Summary

#### Fund Summary - Five-Year Budget Projections

	<i>Revised FY 2007-08</i>	<i>FY 2008-09 Proposed</i>	<i>FY 2009-10 Forecast</i>	<i>FY 2010-11 Forecast</i>	<i>FY 2011-12 Forecast</i>	<i>FY 2012-13 Forecast</i>
<b><u>Downtown Waterfront URA</u></b>						
<b>Resources</b>						
Beginning Fund Balance	5,851,973	16,801,120	5,797,073	0	0	0
Budgeted Transfers	1,947,303	1,643,988	0	0	0	0
Interest - City Invest Pool	800,000	279,607	100,000	0	0	0
Loans - Interest Earned	340,095	350,000	350,000	0	0	0
Loans - Principal Collection	1,503,000	350,000	350,000	0	0	0
Real Property Sales	5,775,000	5,825,000	1,425,000	0	0	0
Tax Increment - L-T Debt	45,630,000	0	2,158,092	470,656	477,248	473,925
Tax Increment - S-T Debt	7,409,982	0	0	0	0	0
<b>Total Fund Resources</b>	<b>68,857,353</b>	<b>25,049,713</b>	<b>10,178,165</b>	<b>470,656</b>	<b>477,246</b>	<b>473,925</b>
<b>Requirements</b>						
<b>Project Expenditures (does not include Personal Services or Indirect Cost)</b>						
<b>Development</b>						
10025 - DTWF OT/CT Streetscape	25,000	0	0	0	0	0
10213 - DTWF A/B Property Redev	9,900,000	0	4,000,000	0	0	0
10214 - DTWF Fire St Land/Cnst	35,000	0	0	0	0	0
10215 - DTWF A/B Public Imprvt	2,239,738	9,450,000	0	0	0	0
10216 - DTWF Multnomah County	9,200,000	0	0	0	0	0
10219 - DTWF Retail Loan Program	500,000	0	0	0	0	0
10220 - DTWF A/B Historic Pres	120,000	410,000	0	0	0	0
10221 - DTWF Transit Mall Redev	250,000	0	0	0	0	0
11234 - DTWF Burnside/Couch	800,000	0	0	0	0	0
11237 - DTWF Union Station Mgmt	440,000	0	0	0	0	0
11244 - DTWF One Waterfront Place	5,000	0	0	0	0	0
11801 - DTWF Comm Outreach	5,000	0	0	0	0	0
13080 - DTWF Historic Pres DOS	50,000	0	0	0	0	0
13084 - DTWF U&R Redev	300,000	0	0	0	0	0
13130 - DTWF Union Station Environ	50,000	0	0	0	0	0
13152 - CDBG Home Rehab C/W -test	30,000	0	0	0	0	0
14205 - DTWF White Stag Seismic	228,090	0	0	0	0	0
14208 - DTWF Seismic Loans	2,117,000	0	0	0	0	0
16308 - South OT/CT Redevelopment	450,000	0	10,000,000	0	0	0
16309 - DTWF RiverPlace Environ	0	1,400,000	0	0	0	0
16310 - DTWF Signage & Lighting	80,000	0	0	0	0	0
<b>Development Total</b>	<b>26,804,828</b>	<b>11,260,000</b>	<b>14,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Economic Development</b>						
11022 - DTWF Business Retention	100,000	0	0	0	0	0
12202 - DTWF Storefront Grants	545,879	0	0	0	0	0
70011 - DTWF Business Finance	4,108,323	0	0	0	0	0
<b>Economic Development Total</b>	<b>4,752,002</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Housing</b>						
32108 - DTWF Affordable Preservation	0	0	0	0	0	0
32116 - DTWF Blanchet House	1,000,000	0	0	0	0	0
34503 - MFH - Hotel Alder	7,914	0	0	0	0	0
34504 - DTWF Rich/Estate	530,088	0	0	0	0	0
37916 - DTWF Hsg Policy/Planning	5,000	5,000	0	0	0	0
80032 - DTWF Musolf Manor	4,000,000	300,000	0	0	0	0
80033 - DTWF Westshore	309,500	0	0	0	0	0
80034 - DTWF Community Facilities	610,000	0	0	0	0	0
80035 - DTWF Aff Homeownership	0	4,000,000	0	0	0	0
80036 - DTWF Yards At Union Square	3,700,000	0	0	0	0	0
80037 - Grove Apartments	5,200,000	0	0	0	0	0

**URA FINANCIAL SUMMARY**

**Financial Summary**

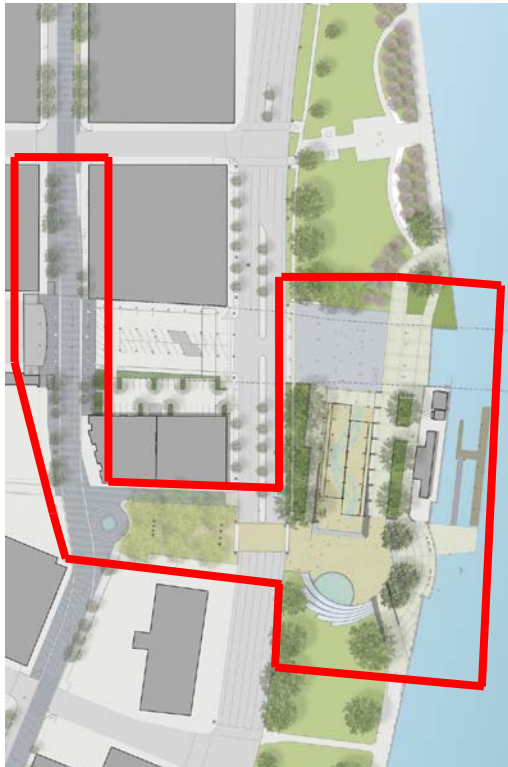
**Fund Summary - Five-Year Budget Projections**

	<i>Revised FY 2007-08</i>	<i>FY 2008-09 Proposed</i>	<i>FY 2009-10 Forecast</i>	<i>FY 2010-11 Forecast</i>	<i>FY 2011-12 Forecast</i>	<i>FY 2012-13 Forecast</i>
<b><u>Downtown Waterfront URA</u></b>						
80038 - Downtown Access Center	500,000	0	0	0	0	0
80039 - 333 Oak	1,850,000	690,000	0	0	0	0
80040 - DTWF Affordable Homeownership	500,000	0	0	0	0	0
80041 - 3rd & Oak Parking Oblig	0	51,840	51,840	30,240	0	0
<b>Housing Total</b>	<b>18,012,500</b>	<b>5,046,840</b>	<b>51,840</b>	<b>30,240</b>	<b>0</b>	<b>0</b>
<b>Central Services</b>						
59155 - DTWF Debt Management	50,000	50,000	0	0	0	0
<b>Central Services Total</b>	<b>50,000</b>	<b>50,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Executive</b>						
60000 - DTWF Westside/Central City	202,209	100,000	0	0	0	0
<b>Executive Total</b>	<b>202,209</b>	<b>100,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Project Expenditures</b>	<b>49,821,539</b>	<b>16,456,840</b>	<b>14,051,840</b>	<b>30,240</b>	<b>0</b>	<b>0</b>
Personal Services	31,791	0	0	0	0	0
Indirect Cost	6,219,879	2,795,800	700,000	0	0	0
<b>Total Fund Expenditures</b>	<b>56,073,209</b>	<b>19,252,640</b>	<b>14,751,840</b>	<b>30,240</b>	<b>0</b>	<b>0</b>
Contingency	0	5,797,073	0	0	0	0
Ending Fund Balance	12,784,144	0	-4,573,875	440,416	477,246	473,925
<b>Total Requirements</b>	<b>68,857,353</b>	<b>25,049,713</b>	<b>10,178,165</b>	<b>470,656</b>	<b>477,246</b>	<b>473,925</b>

## PROJECT SUMMARY

- Project Name:** Ankeny / Burnside Public Realm Improvements
- Description:** Construction of Waterfront Park for Portland Saturday Market's new home, and public safety improvements to Burnside Bridge MAX Station and the underside of the Burnside Bridge and Ankeny Wastewater System Odor Control Civil Work at Waterfront Park.
- Location:** Ankeny / Burnside
- URA:** Downtown Waterfront
- Current Phase:** Implementation
- Next Milestone:** Construction Work In-Progress
- Completion Target:** Substantial Completion of Waterfront Park & Odor Control February 26, 2008
- Outcome:** Revitalization of the Ankeny / Burnside area pursuant to recommendations which were proposed through the Ankeny / Burnside Development Framework planning process and completion of a part of the Ankeny Wastewater System Odor Control facilities.

**Site/Project Map:**





**BES ODOR CONTROL BUDGET**

**BES Odor Control**

Revised 10-28-08

**Construction Hard Costs**

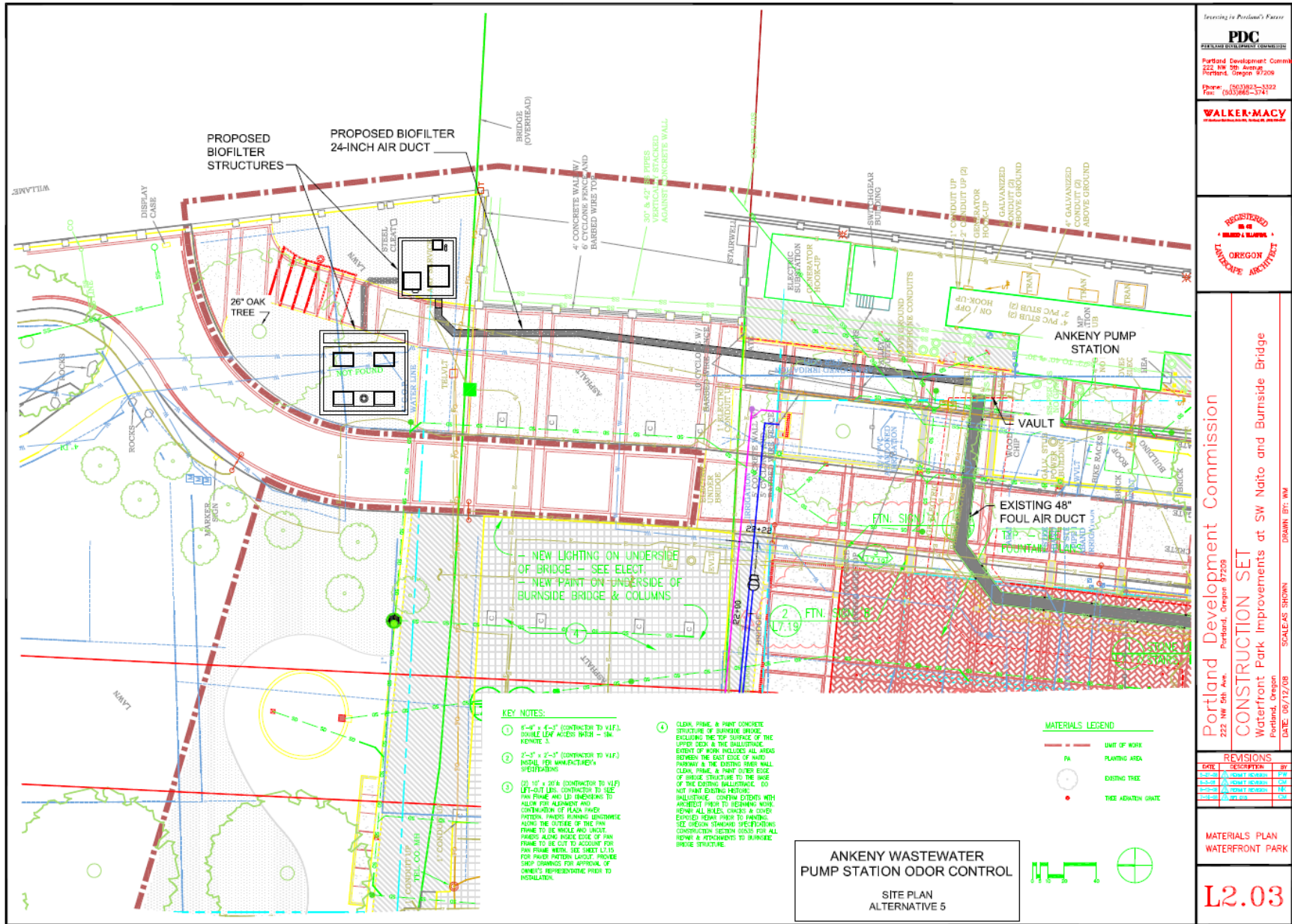
Brown Base Bid Cost	\$ 1,279,970
Add 4" Waterline Reroute	\$ 30,000
Add Pump Station Water Service Mod	\$ 8,000
Add Vent Stack Reroute Mod	\$ 30,000
Add Landscape Site Restoration Mod	\$ 25,000
Add Dewatering & 50% Acceleration	\$ 40,000
Sub Total	\$ 1,412,970
Construction Contingency @ 15%	\$ 211,946
	<b>\$ 1,624,916</b>

**Construction Soft Costs & Proj Mgmt**

KPFF 4" Waterline Engineering	\$ 7,500
WM Design Coordination	\$ 10,000
Special Inspection & Testing @ 2% of Hard	\$ 32,498
PDC Project Mgmt & Administration	\$ 31,970
KLK Owners Rep	\$ 38,860
Misc @ 2% of Hard	\$ 32,498
Sub Total Soft Costs	\$ 153,327
Soft Contingency @ 10%	\$ 15,333
<b>TOTAL Soft Cost</b>	<b>\$ 168,659</b>

<b>Total Base Bid Hard w/ 15% Contingency</b>	<b>\$ 1,624,916</b>
<b>Total Soft Costs w/ 10% Contingency</b>	<b>\$ 168,659</b>
	<b>\$ 1,793,575</b>

<b>Net Funds Available</b>	<b>\$0</b>
<b>Net Funds Required</b>	<b>\$ 1,793,575</b>



*Issued in Pursuant to the Rules*

**PDC**  
 PORTLAND DEVELOPMENT COMMISSION

Portland Development Comm  
 222 NW 5th Avenue  
 Portland, Oregon 97209

Phone: (503)383-1322  
 Fax: (503)968-3741

**WALKER-MACY**  
 ARCHITECTS

**REGISTERED**  
 IN THE  
 STATE OF  
 OREGON  
 LANDSCAPE ARCHITECT

Portland Development Commission  
 Portland, Oregon 97209

**CONSTRUCTION SET**  
 Waterfront Park Improvements at SW Naito and Burnside Bridge  
 Portland, Oregon  
 DATE: 06/12/08  
 SCALE: AS SHOWN  
 DRAWN BY: NM

REVISIONS		
DATE	DESCRIPTION	BY
06/12/08	ISSUED FOR PERMIT	NM
06/12/08	ISSUED FOR PERMIT	NM
06/12/08	ISSUED FOR PERMIT	NM

MATERIALS PLAN  
 WATERFRONT PARK

**L2.03**