

PROSPER PORTLAND

Portland, Oregon

RESOLUTION NO. 7354

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH
CONTINUUM PARTNERS LLC TO SERVE AS PROSPER PORTLAND'S
OWNER'S REPRESENTATIVE FOR SITE PREPARATION ACTIVITIES
RELATED TO REDEVELOPMENT OF THE USPS PROPERTY IN THE
BROADWAY CORRIDOR**

WHEREAS, in September 2016 Prosper Portland acquired the United States Postal Service Processing and Distribution Center ("USPS Property") at 715 NW Hoyt Street in the River District Urban Renewal Area, a site long envisioned by the general public, elected officials, and adopted land use and development plans as one of the most significant redevelopment sites in Portland's Central City;

WHEREAS, the Broadway Corridor Framework Plan, adopted by the Prosper Portland Board of Commissioners ("Board") on October 14, 2015 and by Portland City Council on November 5, 2015, provides a strategic vision for development of the USPS Property and adjacent Prosper Portland-owned properties collectively referred to as the Broadway Corridor study area;

WHEREAS, in November 2017 Prosper Portland issued a Request for Qualifications ("RFQ") seeking a development partner to serve as an advisor providing strategic direction for the Prosper Portland-owned properties within the Broadway Corridor study area and priorities for community benefits to be provided by the redevelopment including work necessary to satisfy the City of Portland's requirements for a Master Plan for the USPS Property ("Development Plan"), and as the preferred developer for the redevelopment of the USPS Property upon completion of the Development Plan ("Preferred Developer Partner");

WHEREAS, Continuum Partners LLC ("Continuum") received a strong recommendation to be selected as the Preferred Developer Partner as the result of an extensive evaluation process which included project stakeholder input;

WHEREAS, on April 11, 2018 the Prosper Portland Board adopted Resolution No. 7268 authorizing the Executive Director to select Continuum as the Preferred Developer Partner for the redevelopment of the USPS Property and as an advisor to Prosper Portland;

WHEREAS, Prosper Portland staff and Continuum have been participating in community and stakeholder meetings and negotiating the Broadway Corridor Master Plan, Community Benefits Agreement, and term sheets for the Broadway Corridor and redevelopment of a portion of the USPS Property;

WHEREAS, as part of the site preparation for redevelopment of the USPS Property, it is necessary to begin demolition of, and environmental abatement and remediation in the land beneath, the former USPS Processing and Distribution Center and the Vehicle Maintenance Facility, removal and interim configuration of on-site utility infrastructure, and hot spot spoils remediation in order to advance the initial phases of public infrastructure and vertical development;

WHEREAS, due to the close proximity of the P&DC building to the existing parking structure/future Interim Post Office, as well as the Broadway Bridge viaduct, design and demolition of the P&DC must be carefully coordinated to ensure safety and minimize disturbances to adjacent operations, and it is prudent to hire an Owner's Representative to manage and oversee integrated coordination of the above activities on behalf of the agency;

WHEREAS, as Prosper Portland's selected preferred development partner and advisor, Continuum and Prosper Portland have common interests in a well-coordinated, timely and cost-effective execution of the site preparation activities, and having Continuum serve as Owner's Representative on a portion of the USPS Property for the demolition and environmental abatement/remediation needed for redevelopment furthers the redevelopment work envisioned in the RFQ; and

WHEREAS, staff has consulted with NAMC-Oregon and the Professional Business Development Group on the solicitations for the site preparation activities, as well as the Healthy Communities Coalition through negotiations of the Community Benefits Agreement for the Property redevelopment.

NOW, THEREFORE, BE IT RESOLVED, that the Prosper Portland Board authorizes the Executive Director to execute a Personal Services Contract ("Contract") with Continuum for an amount not to exceed Seventy Thousand Dollars (\$70,000) per month for a duration of up to thirty (30) months and substantially containing those terms set forth in Exhibit A attached hereto;

BE IT FURTHER RESOLVED, that the Executive Director may approve changes to the Contract if such changes do not materially increase prosper Portland's obligations or risks, as determined by the Executive Director in consultation with Prosper Portland's General Counsel; and

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon its adoption.

Adopted by the Prosper Portland Commission on January 15, 2020



Pam Feigenbutz, Recording Secretary

OWNER'S REPRESENTATIVE ROLE

Continuum, serving as Owner's Representative on behalf of Prosper Portland (Prosper), will oversee the coordination of critical path scopes of work necessary for the first phase of vertical development and the overall redevelopment of the USPS site. This work includes the following bodies of work, to be planned and executed by three discrete design and CM/GC teams:

1. **P&DC:** Represent Prosper in the successful execution of abatement and demolition of the USPS Processing and Distribution Center (P&DC), including removal of the Electrical Transformer Building and associated hot spot soils remediation, and removal / interim configuration of on-site utility infrastructure. This work includes logistical coordination with the adjacent USPS retail operations to ensure their safety and functionality; as well as coordination with infrastructure construction to optimize schedule and cost efficiencies.
2. **VMF:** Represent Prosper in the successful execution of abatement and demolition of the Vehicle Maintenance Facility (VMF), including removal of underground storage tank and remediation of hot spot soils remediation in the vicinity of the former manufactured gas plant (NW corner) and immediately adjacent to the VMF.
3. **Infrastructure:** Support Prosper in coordination with PBOT, BES and Water (Infrastructure Bureaus) in the planning for and implementation of infrastructure necessary to support Phase 1 / North Zone development. This work will be led and contracted for by the Infrastructure Bureaus. Prosper will retain lead role in coordination with Infrastructure Bureaus.

SCOPE OF WORK

As Owner's Representative, Continuum will fully engage in pre-development, design and permitting coordination, construction/project management, and post-construction and close-out services for the distinct P&DC and VMF scopes of work described (Project). As it relates to these two scopes of work, Continuum will additionally advise Prosper on the Infrastructure Task described above.

Pre-Demolition Services

1. Assist Prosper in the development of an overall schedule and budget for the Project.
2. Assist Prosper in the coordination of Project activities and other work that will need to be done on the Property, especially as such work may impact the schedule of this Project.
3. Review all available drawings and technical specifications on the existing P&DC and VMF buildings to become familiar with essential components of the Project.
4. Assist Prosper with contract negotiations with the selected proposer for each RFP (P&DC demo design, P&DC CMGC, and VMF P&DC), subject to the timing of these negotiations relative to finalizing an agreement for Owner's Representative Services between Continuum and Prosper.
5. Coordinate meetings with the Project Team (i.e., Prosper staff, the selected CM/GCs, Prosper consultants, the selected Demolition Design teams and others as necessary).
6. As necessary, assist Prosper in community outreach on Project-related activities and notification of adjacent property owners.
7. Assist Prosper in preparing for any required Project-related meetings with other public offices and/or permitting agencies.
8. As necessary, conduct pre-work photographic documentation of existing site conditions.
9. Assist Prosper and CM/GC in developing appropriate staging locations, as they relate to any other activities that may be ongoing onsite.
10. Participate in the development of any phasing strategies required to complete the Project.

11. As required, work with the Project Team to make recommendations to Prosper on items to salvage prior to demolition. Assist Prosper and CM/GC in locating and securing any necessary storage space for such salvage items. Prepare an itemized list of salvage items to Prosper.
12. At Prosper's discretion, coordinate/liase with USPS to ensure demolition impacts on ongoing operations are minimized.
13. As necessary, review and familiarize with Prosper's pertinent forms and processes for this work.
14. Perform other tasks as reasonably required by Prosper to execute this scope of services.

Design and Permitting Coordination Services

1. Attend and participate in any pre-design coordination meetings with the Project Team.
2. Attend meetings with the Project Team to review drawing packages for each element of the scope of work at 50% and 100% Plans.
3. As required, assist the Project Team in any permitting activities required to execute the work.
4. Perform other tasks as reasonably required by Prosper to execute this scope of services.

Construction Project Management Services

1. Manage CM/GC to perform abatement, demolition and soils remediation activities as Owner's Representative for Prosper. This work includes:
 - a. participating in weekly onsite meetings with members of the Project Team;
 - b. preparing and distributing related reports and meeting minutes to the Project Team;
 - c. performing field observations and completing field notes of abatement and demolition activities on a not-less-than-weekly basis (more frequent site visits may be required depending on the work being performed onsite), and
 - d. maintaining a photographic log of progress.
2. Manage CM/GC to coordinate any required special inspections, testing, permit inspections, and any other on-site contract work as required.
3. Monitor and advise Prosper staff on any adverse impacts of safety, noise, dust, vibration, utility, traffic disruption, or any pollution discharge, especially as related to any ongoing operations on-site.
4. Monitor the Project budget and CM/GC schedule, advise Prosper staff on any schedule or budget concerns. Manage CM/GC to update the Project schedule and Project budget as necessary.
5. Coordinate with Prosper's Construction Services and Procurement personnel on any requirements for construction documentation and payment processing, as specific to a public agency and public procurement.
6. Perform initial review of CM/GC pay requests, make recommendations on percentage of work completed, submit information to Prosper staff.
7. Coordinate between CM/GC and Prosper to deliver:
 - a. Submittal logs;
 - b. Any substitution requests for information (RFI);
 - c. Change order requests; and
 - d. Other information as necessary.
8. In coordination with CM/GC and Prosper staff, assist in final project inspection, prepare punch list, perform re-inspection, and make recommendations to Prosper staff on Project completion and acceptance.
9. Follow communications protocol established by Prosper to advise the Project Team of all critical issues.
10. Perform other tasks as reasonably required by Prosper to execute this scope of services.

Post-Demolition and Close-Out Services

1. Coordinate with CM/GC to perform project close-out activities, including but not limited to:
 - a. Ensuring compliance with the approved plans and specifications; and
 - b. Ensuring all permits have been satisfactorily closed.
2. Upon completion and acceptance of all work, coordinate with CM/GC to submit to Prosper staff all inspection daily reports, photos, weekly team meeting reports, or other demolition project management reports.

Infrastructure Advisory Services

1. Advise Prosper on the planning, design, and construction of Phase 1 infrastructure to ensure coordination of on-site activities and operations; accelerate implementation schedules and identify opportunities for cost efficiencies.
2. At Prosper's discretion, coordinate/liase with Infrastructure Bureaus to ensure coordination between Project-related activities and Infrastructure-related activities.

Miscellaneous

Any changes to this Scope of Work, including additional project management or other professional services, will only be implemented via a written amendment agreed to by the parties. Prosper shall be responsible for processing all contractor pay applications, ensuring contract compliance, issuing all change orders, and resolving any disputes or claims.

Prosper Portland reserves the right to modify, add, and/or remove certain tasks or activities prior to Agreement execution or through equitable amendment to the Agreement after execution.

Continuum and Prosper shall continue to work diligently and in good faith to reach mutually acceptable terms for a DDA, including roles and remedies for delivery of the Project-related activities.

This proposed scope of services is subject to entering into a mutually acceptable Owner's Representative/Development Management Services agreement where the final scope and associated fees will be more specifically defined – and is subject to approval by Prosper's Board of Commissioners.

PROPOSED PROJECT STAFFING

Continuum will perform the Owner's Representative services described in this proposal with a local Portland-based Continuum representative, supported and overseen by Frank Cannon as Development Director, Mike Anderson serving as Senior Development Manager, and a Senior Construction Manager. The team will continue to be supported by Mark Falcone, and the team will have the support of the full resources of the Continuum organization. Day-to-day coordination will be handled by a local, Portland-based, Continuum project manager. Continuum recognizes that Prosper Portland's Business Equity Program applies to all aspects of the project.

Prosper will have the right to review the qualifications of Continuum's preferred local representative prior to Continuum hiring or entering into a contract with the preferred representative.

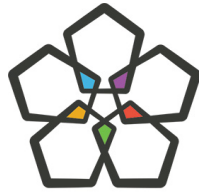
The Continuum team will be working directly with a designated team from Prosper, with a clear understanding of the decision-making process, to ensure seamless integration.

PROPOSED FEE STRUCTURE

Continuum will perform these Owner's Representative services for the following fee:

- Owner's Representative Services: \$70,000/month.
 - Services to commence no later than February 1, 2020.

- Travel included in monthly fee: travel 2x per month for one person. Each trip is assumed to be 2 days. Additional travel, directly necessitated for the performance of Owner's Representative Services, is subject to advance approval by Prosper.
- The anticipated duration of services is 24 months. In the event scope and engagement extends beyond 24 months, the fee will continue monthly thereafter until the scope of work is completed, subject to budget approval by Prosper Portland's Board.



PROSPER PORTLAND

Building an Equitable Economy

RESOLUTION NO. 7354

RESOLUTION TITLE:

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CONTINUUM PARTNERS LLC TO SERVE AS PROSPER PORTLAND'S OWNER'S REPRESENTATIVE FOR SITE PREPARATION ACTIVITIES RELATED TO REDEVELOPMENT OF THE USPS PROPERTY IN THE BROADWAY CORRIDOR


Adopted by the Prosper Portland Commission on January 15, 2020

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Gustavo J. Cruz, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Alisha Moreland-Capua MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Francesca Gambetti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Peter Platt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner William Myers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Regular Agenda				

CERTIFICATION

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Prosper Portland Commission and as duly recorded in the official minutes of the meeting.

	Date: January 24, 2020
Pam Feigenbutz, Recording Secretary	