

PROSPER PORTLAND

Portland, Oregon

RESOLUTION NO. 7380

AUTHORIZING CONTRACT WITH MCDONALD EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$1,336,847 FOR THE ABATEMENT AND DEMOLITION OF THE VEHICLE MAINTENANCE FACILITY AND HOT SPOT SOILS REMEDIATION ON THE UNITED STATES POSTAL SERVICE PROPERTY LOCATED AT 715 NW HOYT STREET

WHEREAS, the acquisition and redevelopment of the United States Postal Service (“USPS”) Property (“Property”) at 715 NW Hoyt Street in the River District Tax Increment Finance District has long been 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, Prosper Portland acquired the Property in September 2016 and has been preparing a Master Plan for redevelopment of the Property and initiating site preparation activities to facilitate redevelopment;

WHEREAS, timely remediation of certain contaminated hot spot soils and abatement and demolition of the existing buildings, including the vehicle maintenance facility (“VMF”) are necessary for initial phases of redevelopment;

WHEREAS, the Prosper Portland Board of Commissioners (“Board”) acting as the agency’s Local Contract Review Board (“LCRB”) adopted Resolution No. 7345 on November 13, 2019, thereby exempting the demolition of the VMF from competitive bidding requirements of Oregon Revised Statutes Chapter 279C and the LCRB Rules, and specifically approved the demolition of the VMF for an alternative Construction Manager/General Contractor (“CM/GC”) delivery method and contracting approach;

WHEREAS, McDonald Excavating, Inc. (“McDonald”) was selected as the CM/GC for the hot spot soils remediation and abatement and demolition of the VMF (“Project”) through a competitive Request for Proposals process;

WHEREAS, Prosper Portland has procured the services of Emerio Design, Stantec, and PBS Engineering and Environmental to prepare plans and obtain necessary permits for the Project in coordination with McDonald;

WHEREAS, McDonald has established a guaranteed maximum price of \$1,036,847 and staff is recommending an additional Owner’s Contingency of \$300,000, to be authorized by Prosper Portland if necessary to address owner-directed changes to the scope of work;

WHEREAS, up to \$500,000 of certain eligible expenses can be reimbursed by an Environmental Protection Agency Brownfields Grant as authorized by the Prosper Portland Board pursuant to Resolution No. 7346, adopted November 13, 2019; and

WHEREAS, the Project is anticipated to commence in July 2020 and be completed in October 2020.

NOW, THEREFORE, BE IT RESOLVED, the Prosper Portland Board authorizes the Executive Director to enter into a contract with McDonald in an amount not to exceed \$1,336,847, substantially consistent with the terms and conditions described in Exhibit A, for the abatement and demolition of the VMF and hot spot soils remediation, together with any amendments thereto or modifications thereof that do not materially increase Prosper Portland’s financial obligations or materially alter Prosper Portland’s risks, as determined in consultation with the General Counsel; and

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

Adopted by the Prosper Portland Commission on June 10, 2020

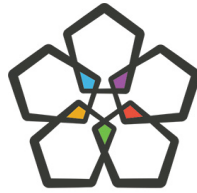


Pam Feigenbutz, Recording Secretary

Exhibit A

Summary of Terms

1. Guaranteed Maximum Price. The guaranteed maximum price is \$1,366,847. The guaranteed maximum price will not be exceeded except due to changes in work, such as differing site conditions.
2. Demolition and Remediation. The scope of work is comprised of the remediation of identified hot spot soils and the abatement and demolition of the Vehicle Maintenance Facility (VMF), located on the Prosper Portland-owned property at 715 NW Hoyt Street.
3. Insurance and Bonds. Payment and performance bonds in the amount of the contract price must be obtained, and the contractor will obtain insurance consistent with or exceeding Prosper Portland's general construction contracting practices.
4. BOLI / Davis-Bacon. Both Oregon's prevailing wage law and the Federal Davis-Bacon Act apply to the project. As provided by ORS 279C.830(1)(d), workers will be paid the higher of state and federal prevailing wage rates.
5. Prosper Portland Policies. Prosper Portland's Business Equity Policy and Workforce Training and Hiring Program apply to the project. Pursuant to Resolution No. 7333, adopted August 14, 2019, the Board exempted the project from Prosper Portland's Green Buildings Policy.



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Building an Equitable Economy

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RESOLUTION TITLE:

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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 checked="" type="checkbox"/>	Commissioner Francesca Gambetti	<input checked="" 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"/>

Consent Agenda 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: June 17, 2020
Pam Feigenbutz, Recording Secretary	