



Home of the Tualatin River National Wildlife Refuge

URBAN RENEWAL AGENCY MEETING PACKET

FOR

Tuesday, March 4, 2014

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

URA Board of Directors Regular Meeting
(Following the City Council Meeting)

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING AGENDA**

**Tuesday, March 4, 2014
(following the City Council meeting)**

City of Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon

REGULAR URA BOARD MEETING

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CONSENT**
 - A. Approval of January 7, 2014 URA Board Meeting Minutes**
- 4. NEW BUSINESS**
 - A. URA Resolution 2014-002 Sherwood Community Center Amendment to Contract for Professional Services (Bob Galati, City Engineer)**
- 5. STAFF REPORT**
- 6. ADJOURN**

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING MINUTES
Tuesday, January 7, 2014
22560 SW Pine Street, Sherwood, Oregon 97140**

URA BOARD REGULAR MEETING

1. **CALL TO ORDER:** Chair Bill Middleton called the meeting to order at 7:39 pm.
2. **BOARD PRESENT:** Chair Bill Middleton, Linda Henderson, Bill Butterfield, Krisanna Clark, Matt Langer, Dave Grant and Robyn Folsom.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Community Development Director Julia Hajduk, Public Works Director Craig Sheldon, City Engineer Bob Galati, Administrative Assistant Colleen Resch and Agency Recorder Sylvia Murphy.

Chair Middleton addressed the Consent Agenda and asked for a motion.

4. CONSENT AGENDA:

A. Approval of December 17, 2013 URA Board Meeting Minutes

MOTION: FROM LINDA HENDERSON TO ADOPT THE CONSENT AGENDA, SECONDED BY ROBYN FOLSOM, MOTION PASSED 7:0. ALL BOARD MEMBERS VOTED IN FAVOR.

Chair Middleton addressed the next agenda item.

5. NEW BUSINESS

A. URA Resolution 2014-001 authorizing the URA District Manager to sign the URA contract for Professional Services Amendment #1 with Murray Smith and Associates Inc.

City Engineer Bob Galati approached the Board and explained why the contract with Murray Smith and Associates needed to be modified. He said that during the bidding process they established a project fee of 12% of an estimated project cost. He stated when the bids came in for the construction costs they maintained that 12% erroneously without taking into account the fact that the bids were so low that the engineering fees would not be enough to cover what we expected them to come in at and it was a mistake on their part not to go back to them and say they needed to bump this up to something that was equivalent to the initial estimate based on the estimated construction cost for the services. He stated because this is a contract amendment we need to have the Board give authorization to cover the cost of the work that was performed under the contract.

Ms. Folsom asked how they caught the error.

Mr. Galati explained that the billing payments come in about 2 months after construction is finished. He said they weren't tracking it and started to see it about the 2nd to the last payment when all the work effort was being incorporated. He said they held off and gave them a large sum of the billing at the end.

He noted the original budget amount covers this cost and stated that they were way below budget and the construction costs came in \$500,000 below. He said they were under budget and on time with little impact to the community and that was due to the work of the consultant and they earned their money. He said it was a mistake on their part and it will not happen again as they will do some fact checking and make sure that they get the numbers right in the beginning.

Ms. Folsom clarified that they did the work and it has been done for 6 months and the billings are coming in and we can't pay them without this amendment.

Mr. Galati stated that we have the funds set aside and we could pay out of the contingency but the amount we have set aside in the contract is basically capped and we capped it when we agreed to the 12% or a certain amount of the construction costs. He said we capped what we could pay them. He said to pay them we have the funds available but need approval to amend the contract to cover the amount.

With no other Board comments, Chair Middleton asked for a motion.

MOTION: FROM LINDA HENDERSON TO ADOPT URA RESOLUTION 2014-001, SECONDED BY ROBYN FOLSOM. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Chair Middleton addressed the next agenda item.

6. STAFF REPORT

Tom Pessemier reminded everyone that on January 10th at 4:00 pm there will be a Ground Breaking Ceremony for the Community Center Project with an open invitation to the community to officially kickoff the project.

7. ADJOURN

Chair Middleton reminded everyone of the holiday lunch on Wednesday December 18th and adjourned the meeting at 7:45 pm.

Submitted by:

Sylvia Murphy, MMC, Agency Recorder

Bill Middleton, Chair

TO: Sherwood Urban Renewal Agency Board of Directors

FROM: Bob Galati PE, City Engineer
through: Joseph Gall, ICMA-CM, URA District Manager and Tom Pessemier, URA Project Manager

SUBJECT: **URA Resolution 2014-002, Sherwood Community Center Amendment to Contract for professional services**

Issue:

Shall the URA Board approve and authorize the URA District Manager to sign Amendment #1 to the existing Professional Services Contract with Ankrom-Moisan Architects, Inc. for design work not covered under the original contract scope and fee.

Background:

After the demolition of the Machine Works Building, the design team was presented with an issue of how to stabilize the site soils so as to prevent additional work and costs in construction of the building foundation systems. It was anticipated that construction would begin in the middle of winter, and that wet weather conditions may cause repaid deterioration of the soils. The design team was presented with two foundation design options: 1) open cut spread footing, and 2) geo-pier deep foundation.

Open cut spread footing creates a substantial amount of site soils disturbance. To mitigate this impact, it was recommended by the project geotech that the soils receive cement treatment. Cement treatment stabilizes the soils against moisture impacts and works best when it is applied in drier weather. Since the construction plans were not yet completed for the building, it was suggested that the soils cement treatment process could be released as an earlier project bid package in order to take advantage of the dry season weather.

Ankrom-Moisan Architects was given approval to proceed with development of soils treatment bid package, which would include an associated professional services contract amendment since the work was outside the original contract scope and fee agreement.

The option to switch course and utilize the Geo-pier deep foundation method was made after the bid documents were prepared for performing the soils amendments. The Geo-pier construction method does not require the amount of excavation needed to construction the building footings. This and the fact that it would be a more cost effective method of footing construction supported the reversal of design decision and ended up saving monies and time for the construction of the building.

Financial Impacts:

The original contract amount with Ankrom-Moisan Architects, Inc. for professional design services was \$416,224.00. Contract Amendment #1 amount of \$26,768.75 is an increase of 6.43%. The current budget includes a 10% contingency for architectural services so the amount of this change order is anticipated in the project budget.

Recommendation:

Staff respectfully requests adoption of URA Resolution 2014-002, Sherwood Community Center Project, Ankrom-Moisan Architects Professional Services Contract Amendment #1, authorizing the URA District Manager to sign the contract amendment.



URA RESOLUTION 2014-002

**SHERWOOD COMMUNITY CENTER
AMENDMENT TO CONTRACT FOR PROFESSIONAL SERVICES**

WHEREAS, the URA entered into a Professional Services Contract (Contract) with Ankrom-Moisan Architects Inc. on April 3, 2013 to prepare documents necessary for the bidding and construction of the Sherwood Community Center (Work); and

WHEREAS, the Contract included a specific Scope of Work and associated Fee for performing the Work; and

WHEREAS, the unforeseen necessity to demolish the Machine Works Building presented issues to the URA design team on how to stabilize the site soils during anticipated winter construction of the building foundation, and preventing additional work and project costs; and

WHEREAS, the design team determined that cement treatment of the soils during dry weather was the appropriate measure, notwithstanding that the building foundation type and design had not been determined/completed; and

WHEREAS, Ankrom-Moisan Architects were directed by URA staff to proceed with preparation of a separate soils treatment bid package with the intent of being issued a contract amendment; and

WHEREAS, preparing a separate soils treatment bid package was outside Ankrom-Moisan Architect's original Scope of Work and Fee covered by the existing Professional Services Contract; and

WHEREAS, Ankrom-Moisan Architects did submit a Scope of Work and Fee for performing the additional design work which was accepted by the URA Project Manager; and

WHEREAS, Ankrom-Moisan Architects did prepare a separate soils treatment bid package which was however, not utilized as a final foundation construction method did not require the use of the soils treatment process; and

WHEREAS, the additional Scope of Work and Fee encompasses an increase of \$26,768.75, for a total amended professional services contract amount of \$442,992.75.

NOW, THEREFORE, THE SHERWOOD URBAN RENEWAL AGENCY BOARD RESOLVES AS FOLLOWS:

Section 1. The Ankrom-Moisan Architects, Inc. did prepare a project bid package for soils treatment at the direction of URA staff, and that said Work was outside the original Scope of Work and Fee established in the April 3, 2013 contract.

Section 2. That the URA Administrator is authorized to sign an Amended Contract with Ankrom-Moisan Architects, for design and bidding services as delineated in their Architect's Detailed Scope of Work and Deliverables and Fees submittal, for an amended fee of \$442,992.75.

Section 3. This Resolution shall be effective upon its approval and adoption.

Duly passed by the Urban Renewal Agency Board this 4th day of March 2014.

Bill Middleton, Chair

Attest:

Sylvia Murphy, MMC, Agency Recorder