

**Willamette Water Supply System Commission  
Board Meeting Minutes  
Thursday, August 6, 2020**

**Commissioners present:**

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

**Committee Members present:**

TVWD: Tom Hickmann, Management Committee  
Paul Matthews, Finance Committee  
Carrie Pak, Operations Committee  
City of Hillsboro: Niki Iverson, Management 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  
Clark Balfour, TVWD General Counsel  
Faye Branton, WWSP Administrative Assistant; WWSS Commission Recorder

**Other Attendees:**

Christina Walter, WWSP Permitting and Outreach Manager  
Joel Cary, TVWD Water Resources Division Manager  
Matt Oglesby, TVWD Asset Management Division Manager  
Chris Wilson, City of Hillsboro-JWC Water Treatment Manager

**CALL TO ORDER**

Chairman Duggan called the regular Willamette Water Supply System (WWSS) Commission meeting to order at 11:58 a.m.

**ROLL CALL**

Ms. Branton administered the roll call and noted attendance beginning at 12:00 p.m. after a slight misalignment in the opening time was brought to attention.

**1. GENERAL MANAGER'S REPORT**

Mr. Kraska presented a safety minute covering tips for safely working around bees and wasps.  
*(presentation on file)*

The General Manager's report included an overview of etiquette for remote meetings; the Approvals and Procurement Forecast for June through August 2020; 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.

Following the General Manager's report, Chairman Duggan asked if any business or action needed to come before the Board as a follow up to the Executive Session.

Motion was made by Judah seconded by Doyle that the Commission proceed with the acquisition of the property interest located at 22115 SW Rosedale Road in Beaverton, Oregon, as set forth in Commission Resolution Number WWSS-08-19, and that the Commission fully delegate to the General Manager the authority to acquire that property interest, including through reasonable settlement of the condemnation complaint filed for this property interest. The motion passed unanimously with Doyle, Duggan, and Judah voting in favor.

## **2. PUBLIC COMMENT**

There were no public comments.

## **3. CONSENT AGENDA**

- A. Approve the July 2, 2020 meeting minutes.

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

## **4. BUSINESS AGENDA**

- A. Consider adopting Resolution No. WWSS-15-20 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 requesting adoption of Resolution No. WWSS-15-20.

Motion was made by Judah, seconded by Doyle, to adopt Resolution No. WWSS-15-20 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 unanimously with Doyle, Duggan, and Judah voting in favor.

- B. Consider adopting Resolution No. WWSS-16-20, declaring public necessity to acquire property interests over, upon, under and through real property for pipeline section PLW\_2.0 for the Willamette Water Supply System. • *Staff Report – Joelle Bennett*

Ms. Bennett presented the staff report requesting adoption of Resolution No. WWSS-16-20.

Motion was made by Doyle, seconded by Judah, to adopt Resolution No. WWSS-16-20, declaring public necessity to acquire property interests over, upon, under and through real property for pipeline section PLW\_2.0 for the Willamette Water Supply System. The motion passed unanimously with Doyle, Duggan, and Judah voting in favor.

- C. Consider approving the dividing of the MPE\_1.0/COB\_1.0 project into three work packages and amending Contract No. 2018-006 with Brown & Caldwell Corporation in the amount of \$1,998,389.97 to reflect the packages and extending the contract term through April 30, 2025 to provide design services, bidding support, and engineering services during construction for the three work packages. • *Staff Report – Dave Kraska*

Mr. Kraska presented the staff report covering project background, drivers for the project change, proposal to divide MPE\_1.0/COB\_1.0 into three work packages (MPE\_1.1/COB\_1.1: Western Avenue, MPE\_1.2/COB\_1.2: Greenway Park to Western Avenue, and MPE\_1.3: Roy Rogers Road to Greenway Park), sequencing and prioritization of the three work packages, and the design consultant amendment to reflect the three packages. (*presentation on file*)

In response to Commissioner's question, staff replied that the design consultant fee covering the three work packages is increased by approximately fifteen percent. This equates to approximately a two percent increase in the overall project cost. This is a cost increase for TVWD and a cost decrease for the City of Beaverton, due to some of the work being accelerated. There is no cost impact to the City of Hillsboro.

Prior to Board action, Commissioner Doyle sought and received confirmation from Counsel that there was no conflict of interest prohibiting him from participating in the Board's decision.

Motion was made by Doyle, seconded by Judah, to approve dividing the MPE\_1.0/COB\_1.0 project into three work packages and amend Contract No. 2018-006 with Brown & Caldwell Corporation in the amount of \$1,998,389.97 to reflect the packages and extend the contract term through April 30, 2025 to provide design services, bidding support, and engineering services during construction for the three work packages. The motion passed unanimously with Doyle, Duggan, and Judah voting in favor.

- D. Consider adopting Resolution No. WWSS-17-20 approving Amendment 1 to the Intergovernmental Agreement between the City of Beaverton and the Willamette Water Supply System Commission for design of the S.W. Nimbus/Scholls Ferry to S.W. Beaverton-Hillsdale Highway pipeline project (COB\_1.0). Amendment 1 adds the Beaverton Hall Boulevard pipeline project to COB\_1.0. • *Staff Report – Joelle Bennett*

Ms. Bennett presented the staff report requesting adoption of Resolution No. WWSS-17-20.

Motion was made by Judah, seconded by Doyle, to adopt Resolution No. WWSS-17-20 approving Amendment 1 to the Intergovernmental Agreement between the City of Beaverton and the Willamette Water Supply System Commission to add the Beaverton Hall Boulevard pipeline project to the COB\_1.0 pipeline project. The motion passed unanimously with Doyle, Duggan, and Judah voting in favor.

- E. Acting as the Local Contract Review Board (LCRB), consider approving a draft resolution declaring an exemption from competitive bidding for the MPE\_1.2 and COB\_1.2 ancillary pipeline projects and approving the use of best value selection method for a construction contractor, receive oral testimony or written comments, and direct that the resolution be brought back for adoption at the October 1, 2020 Board meeting.  
• *Staff Report – Dave Kraska*

Mr. Kraska presented the recommendation to use the best value selection method for the MPE\_1.2 and COB\_1.2 pipeline construction contracts and requested the LCRB's approval to move forward with public notice of intent to approve alternative contracting methods for construction of these projects.  
*(presentation on file)*

In response to Commissioner's question, staff replied that the Willamette Water Supply Program (WWSP) builds some schedule contingency into each project. If the requested exemption from competitive bidding is not approved and WWSP has to start over with the contractor procurement process, a project delay of approximately two months could be expected. Challenges to this type of selection method have historically been rare; however, if the exemption process is challenged, it could impact future selection processes. For MP\_1.2 and COB\_1.2 WWSP is optimistic that the likelihood of protest is remote.

Motion was made by Doyle, seconded by Judah, to approve the draft resolution declaring an exemption from competitive bidding for the MPE\_1.2 and COB\_1.2 ancillary pipeline projects and approving the use of best value selection method for a construction contractor, receive oral testimony or written comments, and direct that the resolution be brought back for adoption at the October 1, 2020 Board meeting. The motion passed unanimously with Doyle, Duggan, and Judah voting in favor.

## **5. INFORMATION ITEMS**

### **A. Planned September Business Agenda items • Staff Report – Joelle Bennett**

Ms. Bennett presented information on anticipated business agenda items for the September 3, 2020 WWSS Commission Board meeting. Staff anticipates recommending approval of (1) PLM\_4.3, PLM\_5.3, and PLW\_2.0 Supplemental Resolutions of Public Necessity; (2) City of Wilsonville IGA for WRWTP Filtration Pilot Study Participation; (3) PLW\_2.0 Metro Letter of Understanding; (4) MPE\_1.0/COB\_1.0 Design Contract Amendment to add a City of Beaverton Hall Boulevard 16-inch pipeline to COB\_1.0; (5) MPE\_1.0/COB Construction IGA for Construction of S.W. Nimbus/Scholls Ferry to S.W. Beaverton-Hillsdale Highway (COB\_1.0 Construction IGA); and (6) PLM\_1.0 Design Contract Amendment for Completing PLM\_1.3 Design and PLM\_1.1 Construction Services.

### **B. The next Board meeting is scheduled on September 3, 2020, via dial-in conference.**

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

### **A. None scheduled.**

Commissioners concurred on the success of today's meeting and expressed appreciation to staff for a well done agenda packet and presentation of items in an easy to understand format.

## **ADJOURNMENT**

There being no further business, Chairman Duggan adjourned the meeting at 1:01 p.m.

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James Duggan, Chair

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Denny Doyle, Vice Chair