

**Willamette Water Supply System Commission
Board Meeting Agenda
Thursday, April 2, 2020 | 12:00 – 2:00 PM
Skype Dial-in Conference**

To slow the spread of COVID-19, this meeting is dial-in only. It will not be held at a physical location.

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- If you wish to attend via conference call and need dial-in information, please contact Faye.Branton@tvwd.org or call 503-969-0031. • If you wish to address the Willamette Water Supply System Board, please request the Public Comment Form and return it 48 hours prior to the day of the meeting. • **All testimony is electronically recorded.**
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REGULAR SESSION – 12:00 PM

CALL TO ORDER

1. GENERAL MANAGER'S REPORT – Dave Kraska

(Brief presentation on current activities relative to the WWSS Commission)

2. PUBLIC COMMENT

(This time is set aside for persons wishing to address the Board on items on the Consent Agenda, as well as matters not on the agenda. Additional public comment will be invited on agenda items as they are presented. Each person is limited to five minutes, unless an extension is granted by the Board. Should three or more people testify on the same topic, each person will be limited to three minutes.)

3. CONSENT AGENDA

(The entire Consent Agenda is normally considered in a single motion. Any Commissioner may request that an item be removed for separate consideration.)

- A. Approve the March 5, 2020 meeting minutes.
- B. Approve the March 17, 2020 special meeting minutes.

4. BUSINESS AGENDA

- A. Approve Modifications to WWSS Management Authority Matrix – *Dave Kraska*
- B. Adopt MPE_1.0 Resolution of Necessity – *Joelle Bennett*
- C. Approve PLM_1.2 Construction Contract (City of Wilsonville Contract) Change Order to add Day Road Crossing – *Mike Britch*

5. INFORMATION ITEMS

- A. Planned May Business Agenda Items – *Joelle Bennett*
- B. The next Board meeting is scheduled on May 7, 2020, at Hillsboro Civic Center, Room 113B/C, 150 E. Main Street, Hillsboro, Oregon or via Microsoft Teams Conference

6. COMMUNICATIONS AND NON-AGENDA ITEMS

- A. None scheduled.

ADJOURNMENT

Willamette Water Supply System Commission

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Willamette Water Supply
Our Reliable Water

Safety Moment:

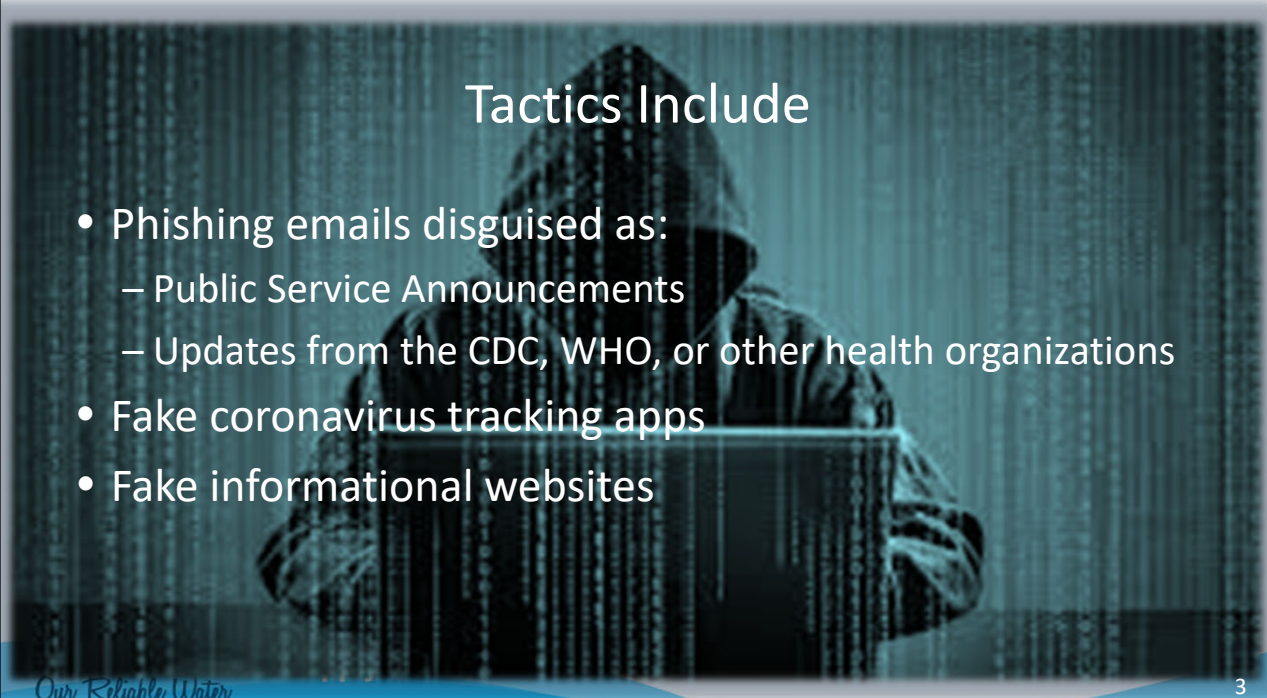
Be Alert – Be Suspicious – Be Safe

1

Recent reports have shown that ransomware hackers are taking advantage of public fears surrounding COVID-19.

Our Reliable Water

2

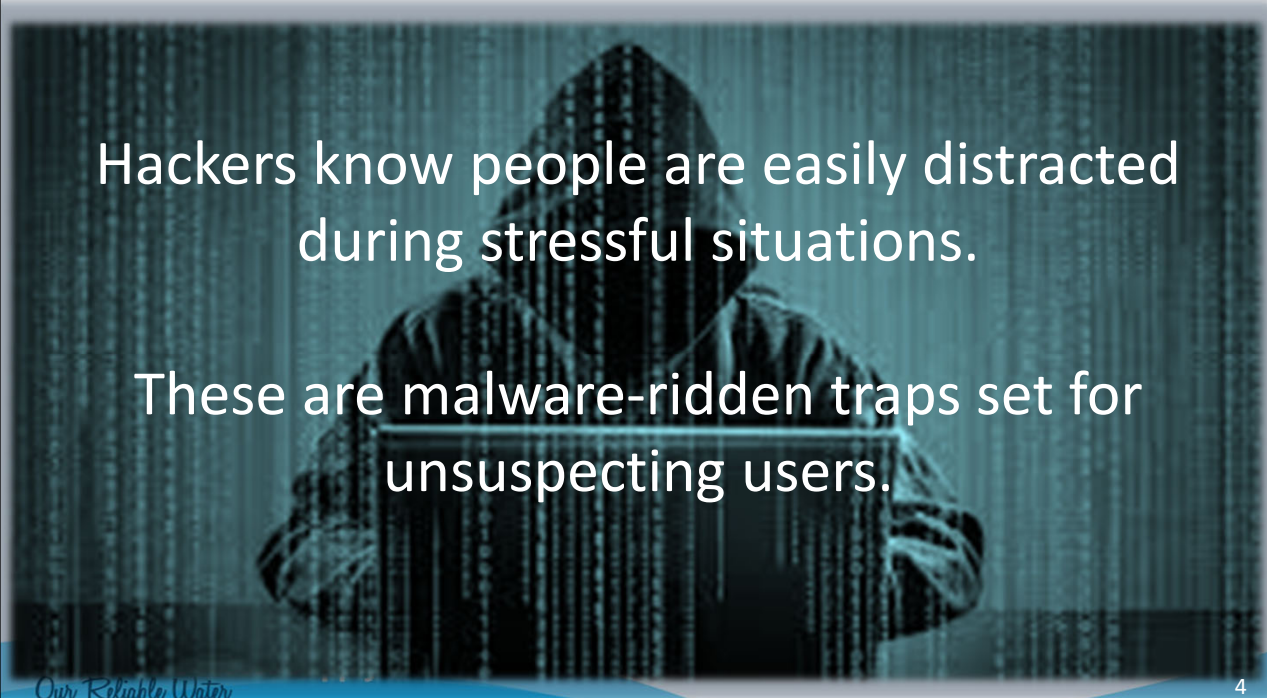


Tactics Include

- Phishing emails disguised as:
 - Public Service Announcements
 - Updates from the CDC, WHO, or other health organizations
- Fake coronavirus tracking apps
- Fake informational websites

Our Reliable Water 3

3



Hackers know people are easily distracted during stressful situations.

These are malware-ridden traps set for unsuspecting users.

Our Reliable Water 4

4



How to Avoid Malware

- Stay alert. Don't let your guard down.
- Don't click on links from unknown sources.
- Only download or install software from trusted sources.
- Verify that the URL of any website that asks for a password is accurate.

Our Reliable Water 5

5



Be Alert Be Suspicious Be Safe

Our Reliable Water 6

6

Willamette Water Supply System Commission

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MEMO

Date: April 2, 2020

To: Willamette Water Supply System Board of Commissioners

From: David Kraska, P.E., General Manager

Re: Willamette Water Supply System (WWSS) General Manager's Report

The following items will be covered during the report by the General Manager (GM):

1. **Remote Meetings Etiquette** – For remote meetings like this one, it is best practice to follow some basic rules:
 - a. Please mute your microphone when you are not talking – the echoes and background noise from open microphones can make it hard to follow the discussion.
 - b. Identify yourself before you speak – though we can generally identify people by the sound of their voice, it is important for the record to make sure we know who is speaking.
 - c. If someone other than a Board member would like to ask a question or make a comment, please use the chat feature to let the General Manager know and wait to be acknowledged.
2. **Safety Minute** – David Kraska will present today's safety minute.
3. **Approvals and Procurements Forecast** – Attached to this GM report is the approvals and procurements forecast (Forecast) for March 2020 through May 2020. The Forecast presents a view of WWSP activities that have recently been approved or are scheduled for approval over the next two months by either the WWSP Director, WWSS Committees, or the WWSS Board.

The Forecast shows four business items this month, but one item will actually happen next month. On the site of our RES_1.0 project we have been working with local agencies and organizations to identify salvage and training opportunities before we remove the structures and perform clearing operations. Two of these agencies are requiring that we execute intergovernmental agreements before they proceed with on-site training. We anticipated that the agreement with the Washington County Sheriff would be ready for this meeting, but instead we will bring it to the Board for consideration at the May meeting along with a similar agreement with Tualatin Valley Fire & Rescue.

The forecast also lists various real estate activities and intergovernmental agreements that are in process, and contract change orders that are being negotiated. These items are largely the same as they were presented last month.

GM Report to the WWSS Board of Commissioners

April 2, 2020

Page 2

- 4. Projects Planning, Permitting, and Communications Updates** – With the on-going COVID-19 pandemic, every agency has had to modify its practices including closing many public buildings and switching to remote work. So far, this transition does not appear to be impacting our ability to get needed permits on time. We have made several permit applications for both the RWF_1.0 project and the PLW_1.3 project, and we still anticipate receiving these permits on time. We will continue to monitor the situation and adjust our practices, as necessary, to keep our projects proceeding according to schedule.

- 5. Projects Design Status Updates** – Work continues on multiple design projects, including nine pipeline projects, the Water Treatment Plant, the Distributed Controls System, and the terminal storage project (RES_1.0). Design for the PLW_1.3 project is complete, and the project is currently in construction procurement. Responses to the request for proposals were delayed at the request of several contractors. Price proposals are now due on April 9 and written proposals are due on April 16. We still anticipate breaking ground this summer.

- 6. Projects Construction Status Updates** – There are four projects actively under construction:
 1. PLM_1.1 – our raw water pipeline project in Wilsonville that extends from our RWF project to Wilsonville Road,
 2. PLM_1.2 – another raw water pipeline project being completed in partnership with the City of Wilsonville’s Garden Acres Road project,
 3. PLM_5.1 – a finished water pipeline project being completed in partnership with Washington County’s Roy Rogers Road project, and
 4. PLM_5.2 – a finished water pipeline project along SW Scholls Ferry and SW Tile Flat roads that we are working to complete in advance of development work in the area.

All projects remain on track and are progressing according to plan. While our projects have been able to proceed, it is critical everyone involved maintains compliance with the Governor’s Executive Order No. 20-12 regarding hygiene and social distancing. We provided letters to our contractors to make sure that they are taking the necessary steps including: (1) designating an employee or officer to establish, implement, and enforce social distancing policies; (2) requiring workers to practice appropriate social distancing while performing work; and (3) utilizing appropriate hygiene measures, including the use of personal protective equipment as needed. In addition, our construction managers provide regular reminders to the field staff on these and other safety related matters.

Approvals and Procurement Forecast: March 2020 through May 2020

This report provides a three-month projection of (1) forthcoming actions under the WWSS Management Authority Matrix and (2) ongoing and forthcoming procurements.

a = Actual date
e = Email approval
FC = Finance Committee
LCRB = Local Contract Review Board
MC = Management Committee
N/A = Not applicable
OC = Operations Committee

Rec. = Recommendation
t = Tentative date
TBD = To be determined; sufficient information not available to project a date
Note: Dates in red text indicate meetings needed outside the normal meeting schedule

Type	Description	Projected Action	Body/Position (projected action date)		
			Program Director	WWSS Committees	WWSS Board
Program Baseline or Related Plans	1. WWSS FY 2020-21 Annual Work Plan	Approve	N/A	MC: 2/20/2020 a FC & OC: 1/16/2020 a	3/5/2020 a
		Execute	N/A	N/A	N/A
	2. WWSP 2020 Rebaseline Schedule and Budget	Approve	N/A	MC: TBD	TBD
		Execute	N/A	N/A	N/A
Real Estate	3. PLW_1.3 Resolution of Need	Approve	N/A	MC: 1/23/2020 a	2/6/2020 a
	4. MPE_1.0 Resolution of Need	Approve	N/A	MC: 3/19/2020 t	4/2/2020 t
	5. PLM_4.3 Resolution of Need	Approve	N/A	MC: 5/21/2020 t	6/5/2020 t
IGAs, MOUs, Permit Commitments, & Similar Agreements	6. PLW_1.3 Hagg Lane (Butternut Creek) Agreement Amendment	Approve	N/A	N/A	N/A
		Execute	3/31/2020 t	N/A	N/A
	7. PLW_1.2 WCLUT Design IGA Amendment 1	Approve	N/A	N/A	N/A
		Execute	3/17/2020 t	N/A	N/A
	8. PLM_5.2 Metropolitan Land Group Developer Agreement	Approve	N/A	N/A	N/A
		Execute	3/31/2020 t	N/A	N/A
	9. RES_1.0 Emergency Responder (Sheriff) Training Exercise Agreement	Approve	N/A	MC: 3/19/2020 t	4/2/2020 t
		Execute	4/3/2020 t	N/A	N/A
	10. RES_1.0 Emergency Responder (TVFR) Training Exercise Agreement	Approve	N/A	MC: 4/23/2020 t	5/7/2020 t
		Execute	5/8/2020 t	N/A	N/A
Contracts	11. PLW_1.3 Construction Contract	Approve	N/A	MC:4/23/2020 t	5/7/2020 t
		Execute	5/8/2020 t	N/A	N/A

Type	Description	Projected Action	Body/Position (projected action date)		
			Program Director	WWSS Committees	WWSS Commission Board
Contract Amendments and Change Orders <i>continued</i> (above Program Director's Authority)	12. PLM_5.3 Design Amendment for Implementing Selected Alternative Alignment	Approve	N/A	MC: 2/20/2020 a	3/5/2020 a
		Execute	3/6/2020 a	N/A	N/A
	13. PLM_1.2 Construction Contract Change Order to add Day Road Crossing	Approve	N/A	MC: 3/19/2020 t	4/2/2020 t
		Execute	4/3/2020 t (by Wilsonville)	N/A	N/A
	14. WTP_1.0 Design Amendment for Scope Modifications	Approve	N/A	MC: 4/23/2020 t	5/7/2020 t
		Execute	5/8/2020 t	N/A	N/A
15. RWF_1.0 Contract Amendment for Guaranteed Maximum Price (GMP) for Phase 1 Construction	Approve	N/A	MC: 4/23/2020 t	5/7/2020 t	
	Execute	5/8/2020 t	N/A	N/A	
Local Contract Review Board (LCRB) Rules Exemption	16. Findings for Exemption from Competitive Bidding for RES_1.0, PLM_5.3	Approve	N/A	4/23/2020 t	6/4/2020 t
		Execute	N/A	N/A	N/A
Other Actions	17. WWSP Management Authority Matrix Revisions	Approve	N/A	3/19/2020 t	4/2/2020 t
		Execute	N/A	N/A	N/A

**Willamette Water Supply System Commission
Board Meeting Minutes
Thursday, March 5, 2020**

Commissioners present:

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

Committee Members present:

TVWD: Tom Hickmann, Management Committee
Justin Carlton, Finance Committee
Carrie Pak, Operations Committee
Hillsboro: Niki Iverson, Management Committee
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
Bill Van Derveer, WWSP Program Manager
Clark Balfour, TVWD Counsel
Faye Branton, WWSP Administrative Assistant; WWSS Commission Recorder

Other Attendees:

Mike Britch, WWSP Engineering and Construction Manager
Chris Wilson, City of Hillsboro-JWC Water Treatment Manager
Tommy Brooks, Partner, Cable Huston, LLP

No members of the public were present.

CALL TO ORDER

Chairman Duggan called the regular Willamette Water Supply System (WWSS) Commission meeting to order at 12:00 p.m.

1. GENERAL MANAGER'S REPORT

Mr. Kraska presented a safety moment on fatigue management. ([See presentation.](#))

The General Manager's report included an overview of the Approvals and Procurement Forecast; updates on projects planning, permitting, and communications; and status updates on the design and construction of projects.

2. PUBLIC COMMENT

There were no public comments.

3. CONSENT AGENDA

- A.** Approve the February 6, 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.

In response to Commissioner's suggestion, around-the-room introductions were made welcoming Chad Lynn, City of Beaverton Public Works Director and new member of the WWSS Commission Management Committee.

4. BUSINESS AGENDA

- A.** Consider adopting Resolution No. WWSS-04-20, adopting the Willamette Water Supply System Commission Annual Work Plan and Budget for the 2020-21 fiscal year. – *Staff Report*
– *Dave Kraska*

Mr. Kraska presented the staff report requesting the Board's adoption of Resolution No. WWSS-04-20.

Staff added that if the revised baseline planned for consideration in May results in any material change to the FY 2020-21 budget, that change will also be brought to the Board for consideration at that time.

Motion was made by Judah, seconded by Doyle, to adopt Resolution No. WWSS-04-20, adopting the Willamette Water Supply System Commission Annual Work Plan and Budget for the 2020-21 fiscal year. The motion passed unanimously with Doyle, Duggan, and Judah voting in favor.

- B.** Consider approving an amendment in the amount of \$1,396,759.20 and a contract term extension through September 30, 2024 to the Jacobs Engineering Group Inc. contract to continue to provide design services, bidding support, and engineering services during construction for the PLM_5.0 Project of the Willamette Water Supply Program.
– *Staff Report* – *Mike Britch*

Mr. Britch presented an overview and background of the PLM_5.0 project and its three phases of work, PLM_5.1, PLM_5.2, and PLM_5.3, and requested the Board's approval of the requested amendment and term extension to the Jacobs Engineering Group Inc. contract for the Willamette Water Supply Program PLM_5.0 Project. ([See presentation.](#))

In response to Commissioners' questions, staff replied that the estimated construction cost savings resulting from the PLM_5.3 realignment is still retained in the budget. Citing examples, staff also replied that it is unlikely that there are opportunity projects that have not been evaluated by the WWSP team.

Motion was made by Doyle, seconded by Judah, to approve an amendment in the amount of \$1,396,759.20 and a contract term extension through September 30, 2024 to the Jacobs Engineering Group, Inc. The motion passed unanimously with Doyle, Duggan, and Judah voting in favor.

5. INFORMATION ITEMS

- A.** Planned April Business Agenda items – *Staff Report – Dave Kraska*

Mr. Kraska presented information on anticipated business agenda items for the April 2, 2020 WWSS Commission Board meeting. Items included PLM_1.2 construction contract change order, WTP_1.0 design contract amendment, MPE_1.0 Resolution of Public Necessity, and WWSP Management Authority Matrix Revisions for Real Estate Transactions.

Mr. Kraska noted that a special Board meeting may be needed prior to the April 2 regular Board meeting regarding a property easement for the PLM_5.2 project. If needed, this special meeting may be conducted by phone.

- B.** The next Board meeting is scheduled on April 2, 2020, at the Hillsboro Civic Center – Room 113B/C, 150 E. Main Street, Hillsboro, OR.

6. COMMUNICATIONS AND NON-AGENDA ITEMS

- A.** None scheduled.

ADJOURNMENT

There being no further business, Chairman Duggan adjourned to Executive Session at 12:40 p.m.

James Duggan, Chair

Denny Doyle, Vice Chair

Willamette Water Supply System Commission

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Willamette Water Supply
Our Reliable Water

Safety Moment:

Fatigue Management

1

Fatigue Management



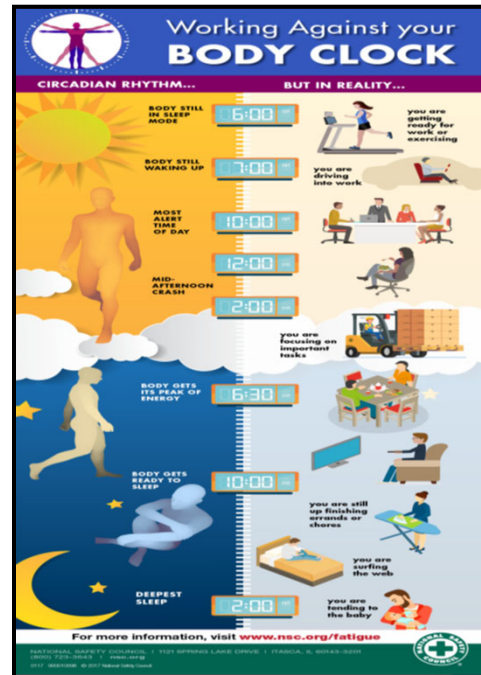
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2

2

- Work often requires us to override our natural sleep patterns.
- More than 43% of workers are sleep-deprived.
- Those most at risk work night shift, long, or irregular shifts.

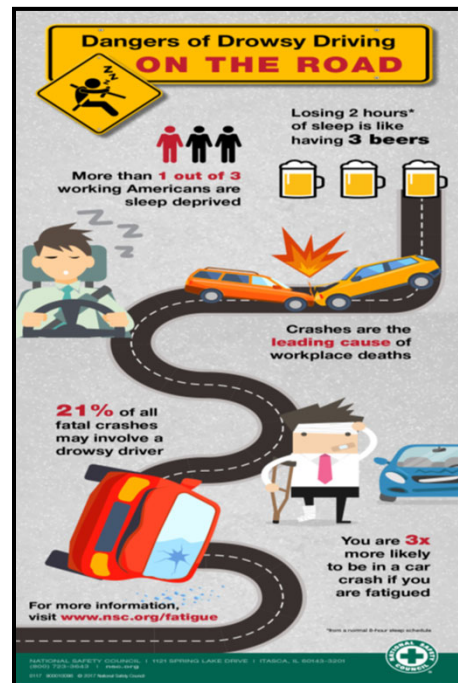
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3

- Drowsy driving is impaired driving.
- We wouldn't allow a friend to drive drunk, but we rarely take the keys away from our tired friends or insist they take a nap before heading out on the road.

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4

- Adults should sleep 7 or more hours per night on a regular basis to promote optimal health.



5

Recognizing Fatigue

- Emotional Signs
 - More quiet or withdrawn
 - Less energy
 - Increased irritability
 - Poor attitude and morale
 - Lacking motivation



6

Recognizing Fatigue

- Mental Signs

- Difficulty in:
 - Concentrating
 - Remembering
 - Paying attention
 - Communicating
 - Planning



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7

Recognizing Fatigue

- Physical Signs

- Yawning
- Drooping eyelids
- Rubbing of eyes
- Head dropping
- Microsleeps



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8

8

Tips to Fight Fatigue

- Put your phone away at night
- Go to bed early; get quality sleep
- Stand up; get moving
- Eat regular meals; healthy snacks
- Take regular breaks
- Drink more water and less caffeine
- Change your environment; fresh air



Daylight Savings Starts March 8

- Tips for an Easy Time Change
 - Skip the afternoon latte
 - Go to bed early Saturday night
 - Avoid the temptation to sleep in
 - Expose yourself to bright light as early as possible
 - Don't schedule early morning meetings next week



Willamette Water Supply System Commission

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Willamette Water Supply *Our Reliable Water*

PLM_5.0 Design Contract Amendment (Contract No. 2017-002 Amendment 9)

March 5, 2020

1

Current PLM_5.0 Project Structure

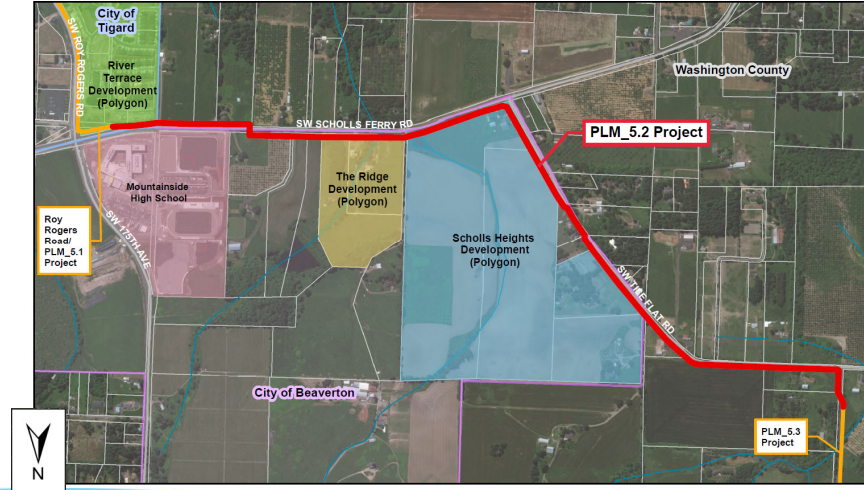
- Three phases of work:
 - **PLM_5.1** includes 7,712 feet of 66" pipeline in SW Roy Rogers Rd (Partner Project with Washington County)
 - **PLM_5.2** includes 9,921 feet of 66" pipeline in SW Scholls Ferry Rd and SW Tile Flat Rd to SW Grabhorn Rd
 - **PLM_5.3** includes 20,205 feet of 66" pipeline from SW Grabhorn Rd north to SW Rosedale Rd



2

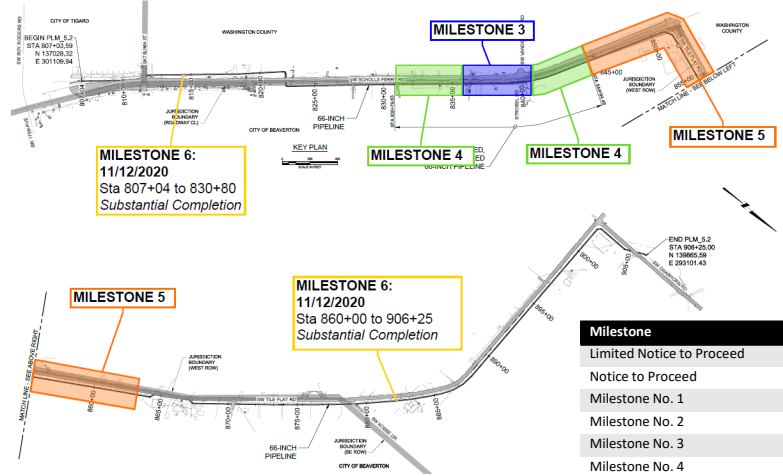
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Creation of PLM 5.2 Due to Coordination with Other Work/Development Projects



3

Sequencing and Milestones to Meet Development Schedules



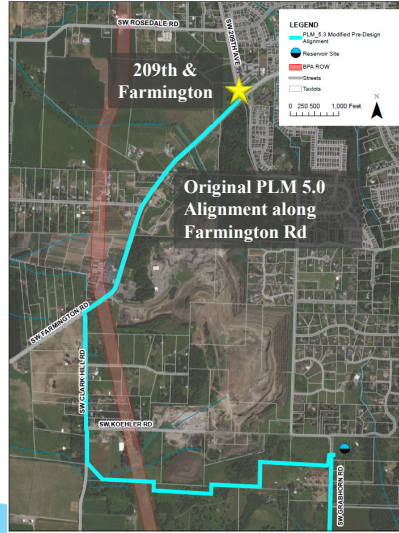
MILESTONE 6:
11/12/2020
Sta 807+04 to 830+80
Substantial Completion

MILESTONE 6:
11/12/2020
Sta 860+00 to 906+25
Substantial Completion

Milestone	Date
Limited Notice to Proceed	4/17/2019
Notice to Proceed	5/30/2019
Milestone No. 1	7/15/2019
Milestone No. 2	3/1/2020
Milestone No. 3	7/15/2019
Milestone No. 4	8/12/2019
Milestone No. 5	12/20/2019
Milestone No. 6 – Substantial Comp.	11/12/2020
Milestone No. 7 – Final Completion	2/5/2021

4

PLM_5.2/5.3 Alignment Changes



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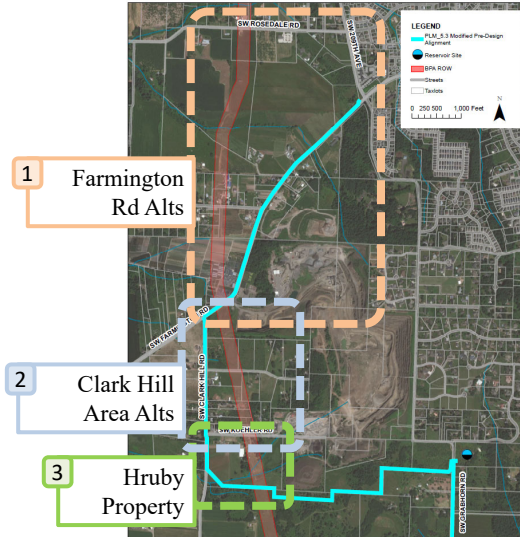


Anchorage, Alaska November 30, 2018
Southbound lanes near Mirror Lake

6

PLM 5.3 Alignment Changes Reduce Construction Costs

- 1. Farmington Rd Alignment Change
- 2. Clark Hill Rd Area Alignment Change
- 3. Hruby Property Alignment Change



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PLM_5.3 Realignment



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Summary of Changes

- Originally two work packages - PLM_5.2 accelerated to focus on development area
- Remaining ~20,000 ft became PLM_5.3
- Schedule increase of 22 months to incorporate work
- Budget impact to design contract:

Initial Contract Value	\$9,657,854.48
Amendments 1 through 8	\$1,230,820.86
Current Contract Value	\$10,888,675.34
Proposed Amendment 9	\$1,396,759.19
Proposed Contract Value	\$12,285,434.53

Requested Board Action

- Approve amendment in the amount of \$1,396,759.20 and a contract term extension through September 30, 2024 to the Jacobs Engineering Group Inc. (Jacobs) contract to continue to provide design services, bidding support, and engineering services during construction for the PLM_5.0 Project of the Willamette Water Supply Program (WWSP)

QUESTIONS

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11

11

**Willamette Water Supply System Commission
Special Board Meeting Minutes
Tuesday, March 17, 2020**

Commissioners present via conference call:

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

Committee Members present via conference call (attendance optional):

TVWD: Not available
Hillsboro: Niki Iverson, Management Committee
Beaverton: Not available

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:

Tommy Brooks, Cable Huston, WWSS Counsel; Nikki Swift, Cable Huston, WWSS Counsel

No members of the public were present.

CALL TO ORDER

Chairman Duggan called the special Willamette Water Supply System (WWSS) Commission meeting to order at 9:21 a.m.

1. **GENERAL MANAGER'S REPORT – N/A**
2. **PUBLIC COMMENT – N/A**
3. **CONSENT AGENDA – N/A**
4. **BUSINESS AGENDA**

- A. Consider granting WWSS staff authority to make offers to acquire the property easements as discussed in the March 17, 2020 WWSS Board special executive session.

Motion was made by Doyle, seconded by Judah, to acquire the property easements as discussed in the March 17, 2020 WWSS Board special executive session. The motion passed unanimously with Doyle, Duggan, and Judah voting in favor.

5. INFORMATION ITEMS – N/A

6. COMMUNICATIONS AND NON-AGENDA ITEMS

Mr. Kraska thanked the Board and all attendees for their participation and timeliness with today's conference call meeting. Commissioners extended thanks to staff for contributing to and executing a successful conference call meeting during this challenging time and exhorted everyone to stay healthy.

ADJOURNMENT

There being no further business, Chairman Duggan adjourned the meeting at 9:24 a.m.

James Duggan, Chair

Denny Doyle, Vice Chair

STAFF REPORT

To: Board of Commissioners

From: David Kraska, P.E., Willamette Water Supply System General Manager

Date: April 2, 2020

Subject: Resolution Modifying the Management Authority Matrix for the Willamette Water Supply System (WWSS) Commission

Requested Board Action:

Consider adopting a resolution modifying the established Management Authority Matrix (MAM) for additional clarity related to the right of way acquisition process.

Key Concepts:

- To enable continued progress delivering the WWSS, the Board of Commissioners and its designees need to approve various actions including real property acquisitions.
- The established WWSS MAM defines approval authorities for typical actions needed to complete the WWSS and place it into service.
- The proposed MAM edits provide additional detail on negotiation authority for acquisitions to more clearly define negotiation limits and prioritize Board of Commissioner approvals for high-value acquisitions, significant value increases during negotiations, and eminent domain proceedings.

Background:

A long-term instrument that defines approval authorities for typical actions is needed for efficient functioning of the WWSS Commission Board, WWSS Committees, and Willamette Water Supply Program (WWSP). On September 5, 2019 the WWSS MAM was adopted by the WWSS Commission through Resolution WWSS-06-19. The MAM reflects the authorities defined in the intergovernmental agreement that established the WWSS Commission and several years of experience operating under the WWSP MAM. The WWSS MAM guides decision-making and approvals for capital delivery of the WWSS.

Through application of the MAM, WWSS staff and legal counsel have identified proposed modifications that would provide additional clarity on real property acquisition approvals and to better distinguish between property interests acquired by pure negotiation and those acquired through a more formal condemnation process:

- There is no change to the requirement for the Board to adopt resolutions declaring public necessity to acquire property.
- Real property transactions negotiated prior to the initiation of eminent domain proceedings (i.e. prior to any 40-day offer letter) may be approved by the Program Director (Tier III) if less than or equal to \$150,000 and by the Board of Commissioners if the value is over \$150,000.

Resolution Modifying the Management Authority Matrix for the WWSS Commission

- For real property acquisitions occurring after initiating the eminent domain process (the approach taken when negotiations reach an impasse or property owners are unresponsive), the following negotiation limits are proposed:
 - Option 1: Negotiation results in proposed compensation up to 100% greater than the appraised value (twice the appraised value), provided that additional amount is less than or equal to \$150,000 over the appraised value. The Program Director (Tier III) is authorized to approve these acquisitions.
 - Option 2: Negotiation results in proposed compensation exceeding 100% greater than the appraised value (more than twice the appraised value), or the negotiated amount exceeds \$150,000 over the appraised value. The Board of Commissioners (Tier 1) is authorized to approve these acquisitions.
- Note: Authority to initiate the eminent domain process is provided to WWSS staff through the Board’s adoption of each project’s resolution declaring public necessity to acquire property. Inherent in a resolution of need is that the WWSS Commission is willing to pay the appraised value of the property interests identified in the resolution as being necessary for the WWSS.

The following tables provide the real property acquisition authority levels from the current MAM and the proposed MAM.

<i>CURRENT MAM</i>	Functional Manager	Program Director	WWSS Committees	WWSS Board
Authority Level	Tier IV	Tier III	Tier II	Tier I
Real Estate				
Declaration of public necessity	Recommend	Recommend	MC Informed	Approve
Transactions <\$150k and without Eminent Domain	Recommend	Approve		
Transactions >\$150k or with Eminent Domain	Recommend	Recommend	MC Recommend	Approve

<i>PROPOSED MAM</i>	Functional Manager	Program Director	WWSS Committees	WWSS Board
Authority Level	Tier IV	Tier III	Tier II	Tier I
Real Estate				
Declaration of public necessity	Recommend	Recommend	MC Informed	Approve
Negotiated Transactions <\$150k (No Eminent Domain)	Recommend	Approve		
Negotiated Transactions >\$150k (No Eminent Domain)	Recommend	Recommend	MC Recommend	Approve
Eminent Domain Purchase < or = 100% above Appraised Amount in 40-day Letter AND < or = to \$150k above Appraised Amount in 40-day Offer Letter	Recommend	Approve		
Eminent Domain Purchase > 100% above Appraised Amount in 40-day Letter OR > \$150k above Appraised Amount in Offer Letter	Recommend	Recommend	MC Recommend	Approve

WWSS staff are committed to keeping the Board informed on right of way acquisition and these modifications will not affect our communication.

Budget Impact:

There are no budgetary impacts from this item.

Staff Contact Information:

David Kraska, PE; Willamette Water Supply Program Director; 503-941-4561; david.kraska@tvwd.org

Clark Balfour, TVWD General Counsel; 503-848-3961; clark.balfour@tvwd.org

Attachments:

Proposed Resolution

Resolution Exhibit 1 – Proposed Revised Management Authority Matrix

Willamette Water Supply System Commission

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RESOLUTION NO. WWSS-05-20

A RESOLUTION MODIFYING THE MANAGEMENT AUTHORITY MATRIX FOR THE WILLAMETTE WATER SUPPLY SYSTEM.

WHEREAS, the Tualatin Valley Water District (TVWD), City of Hillsboro (Hillsboro), and City of Beaverton (Beaverton) entered into the Willamette Water Supply System Intergovernmental Agreement creating the Willamette Water Supply Commission (WWSS Commission), an intergovernmental entity formed under ORS Chapter 190; and

WHEREAS, the WWSS Commission is responsible to preside over and govern the design, construction, operation, maintenance, repair and replacement of the Willamette Water Supply System (WWSS); and

WHEREAS, the WWSS Commission adopted a Management Authority Matrix (MAM) for typical decisions and approvals necessary for the planning, design, construction, and commissioning of the WWSS through Resolution WWSS-06-19; and

WHEREAS, TVWD as the Managing Agency proposes modifications to the adopted MAM to clarify negotiation authority for real property acquisitions; and

WHEREAS, the WWSS Commission wishes to adopt the revised Management Authority Matrix and being advised.

NOW, THEREFORE, BE IT RESOLVED BY THE WILLAMETTE WATER SUPPLY SYSTEM COMMISSION:

Section 1: The revised Management Authority Matrix (MAM), attached hereto as Exhibit 1 and incorporated by reference, is hereby approved and decision-making authority is hereby delegated as set forth therein.

Section 2: The Willamette Water Supply System Commission reserves all rights to amend the MAM, but, unless otherwise determined by the WWSS Commission, any such amendment shall not affect any actions taken prior to the effective date of such amendment pursuant to attached Exhibit 1.

Approved and adopted at a regular meeting held on the 2nd day of April 2020.

James Duggan, Chair

Denny Doyle, Vice Chair

Willamette Water Supply System Commission

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Willamette Water Supply
Our Reliable Water

**Willamette Water Supply Program
Management Authority Matrix**

Adopted by WWSS Board of Commissioners: September 5, 2019
[Last Updated by WWSS Board of Commissioners: April 2, 2020](#)

~~September-April 2019~~2020



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Proposed

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Proposed

Section 1.0

Introduction

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Proposed

1.0 Introduction

Tualatin Valley Water District (TVWD), the City of Hillsboro (Hillsboro), and the City of Beaverton collectively referred to as the Parties, identified the Willamette Water Supply System (WWSS) as the best option for future delivery of drinking water to their service areas in Washington County. These Parties established ~~with the~~ WWSS Commission in July 2019. The WWSS Commission oversees the Willamette Water Supply Program (WWSP), which is responsible for planning, designing, constructing, and commissioning the WWSS.

1.1 Overview and Purpose

The WWSS Commission has established a Management Authority Matrix (MAM) for the WWSP that defines approval authorities, including signature authority levels (or tiers). The MAM provides approval authority for the following types of actions:

- Fiscal Year (FY) Budget and Work Plan acceptance and modification
- Master Plan acceptance and modification
- Capital Improvement Plan (CIP) acceptance and modification
- Changes to schedule affecting individual project final completion date
- Changes to a project budget or schedule
- Real estate-property transactions
- Intergovernmental agreements (IGAs), memoranda of understanding (MOUs), and similar agreements acceptance and modification
- Non-government entity agreements acceptance and modification
- Permit and land use applications and acceptance
- Procurement of contracts and agreements
- Issuance of solicitations and intents to award, and negotiating contracts and agreements
- Execution of contracts and task orders
- Changes to existing contracts and agreements
- Incurring WWSP-related incidental expenses and approving invoices
- Hiring WWSP personnel and employment contracts
- Issuance of WWSP-related external communications

WWSP personnel must adhere to the MAM for these types of actions.

1.2 Document Control

The MAM is maintained as an appendix to the WWSP Program Management Plan (PgMP). Requests for changes and clarifications shall be presented to the Program Manager and approved by the Program Director (for Tier IV changes) or WWSS Board (for Tier III or higher changes).

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Proposed

Section 2.0

Management Authority Matrix

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Proposed

2.0 Management Authority Matrix

Table 2-1 WWSP MAM – WWSS Initial Construction Phase

Action	WWSS Managing Agency		WWSS Committees	WWSS Board
	Functional Manager	Program Director		
Authority Level	Tier IV	Tier III	Tier II	Tier I
Program Baseline or Related Plans				
Establish or change WWSS FY Budget and Work Plan (annual process)	Recommend	Recommend	MC, OC, and FC Recommend	Approve
Establish or update WWSS Capital Improvement Plan	Recommend	Recommend	MC, OC, and FC Recommend	Approve
Establish or update WWSS Master Plan	Recommend	Recommend	MC, OC, and FC Recommend	Approve
Change Total WWSS Cost	Recommend	Recommend	MC and FC Recommend	Approve
Change individual project budget	Recommend	Approve if ≤\$500k; otherwise Recommend	MC Recommend if >\$500k	Approve if >\$500k
Change schedule delaying WWSS in-service date	Recommend	Recommend	MC, OC, and FC Recommend	Approve
Change schedule affecting individual project final completion date	Recommend	Approve		
Real Estate Property				
Declaration of public necessity	Recommend	Recommend	MC Informed	Approve
<u>Negotiated</u> Transactions ≤\$150k (No and without Eminent Domain)	Recommend	Approve		
<u>Negotiated</u> Transactions >\$150k or with (No Eminent Domain)	Recommend	Recommend	MC Recommend	Approve
<u>Eminent Domain Purchase < or = 100% above Appraised Amount in 40-day Letter AND < or = to \$150k above Appraised Amount in 40-day Offer Letter</u>	<u>Recommend</u>	<u>Approve</u>		
<u>Eminent Domain Purchase > 100% above Appraised Amount in 40-day Letter OR > \$150k above Appraised Amount in Offer Letter</u>	<u>Recommend</u>	<u>Recommend</u>	<u>MC Recommend</u>	<u>Approve</u>
IGAs, MOUs, Permit Commitments, and Similar Agreements ¹				
IGAs, MOUs, project agreements, and similar	Recommend	Recommend	MC Recommend	Approve

Action	WWSS Managing Agency		WWSS Committees	WWSS Board
	Functional Manager	Program Director		
intergovernmental agreements				
Non-government entity agreements	Recommend	Approve if ≤\$500k and no substantial WWSS liability ² ; otherwise Recommend	MC Recommend if >\$500k or substantial WWSS liability ²	Approve if >\$500k or substantial WWSS liability ²
Permit and land use applications	Recommend	Approve		
Note: Table continues on second page				
Permit and land use conditions or commitments	Recommend	Approve if no long-term operational constraint; otherwise Recommend	MC and OC Recommend if long-term operational constraint	Approve if long-term operational constraint
Contracts^{1,3}				
Solicitations, intent to award contract, and contract negotiations	Recommend	Approve		
Contract execution ^{4,5}	Recommend	Approve if ≤\$500k; otherwise Recommend	MC Recommend if >\$500k	Approve if >\$500k
Expense approval (incidentals and invoices) ⁶	Approve if ≤\$100k; otherwise Recommend	Approve		
Contract Amendments and Change Orders⁷				
Individual amendment or change order	Approve if ≤\$100k and ≤30 days; otherwise Recommend	Approve if ≤\$500k and >30 days or within contract amount previously approved by Tier I; otherwise Recommend	MC Recommend if >\$500k and greater than contract amount previously approved by Tier I	Approve if >\$500k and greater than contract amount previously approved by Tier I

¹ – All agreements/contracts require legal review

² – "Substantial WWSS liability" is defined as the requirement to accept agreement terms that include liability for damages or requirements for indemnification of the other entity

³ – Refer to WWSS IGA Exhibit 5, Section II.C for emergency or unforeseen conditions necessitating contract or procurement action

⁴ – For Master Services Agreement, the anticipated cumulative value of the agreement is used for determining the approval level

⁵ – Tier I may approve an amount greater than the initial contract value to accommodate anticipated scope changes and provide a contract contingency

⁶ – Program Manager may incur a small (<\$1k) incidental expense on behalf of the WWSP only when that expense is deemed urgent and necessary and an authorized representative from the WWSP is unavailable. Such expenses are anticipated to be infrequent

⁷ – Contract amendment and change order amounts are applied on a per transaction basis

Table 2-2 Associated Notes for Table 2-1

Topic
<p>General Expectations</p> <p>Address questions regarding scope and applicability of the MAM to <i>Program Manager or Program Director</i>.</p> <p>Personnel exercising Authority as established through this Matrix are expected to:</p> <ul style="list-style-type: none"> • Make decisions that are in the best interest of the WWSP and WWSS, • Maintain consistency with the plans, budgets, and schedules for WWSP and WWSS, • Approve invoices or pay applications only when consistent with an existing contract, agreement, purchase order, task order, or similar instrument, and • Communicate with higher Authority Tiers to promote awareness of substantive commitments, decisions, and actions.
<p>Definitions</p> <p>approve - formally accepting or ratifying a document or proposed course of action</p> <p>authority - the power to commit the WWSS contractually or to a defined course of action</p> <p>authority tier - Tier I through IV designations signify the hierarchy of authority for WWSP and WWSS management</p> <p>Board - Willamette Water Supply System Board of Commissioners</p> <p>commitments - contractual or other binding obligations of the WWSS</p> <p>consent - agreement with decisions approved by lower authority tier</p> <p>days - calendar days</p> <p>eminent domain - legal term for the process of condemnation</p> <p>FC - WWSS Finance Committee</p> <p>Functional Manager - WWSS General Manager; WWSP Assistant Program Director, Engineering & Construction Manager, Assistant Engineering & Construction Manager, Permitting & Outreach Manager, Finance & Administrative Supervisor, Safety & Security Supervisor, and Willamette Operations Supervisor</p> <p>FY - fiscal year</p> <p>IGA - Intergovernmental Agreement</p> <p>incidental expense - an expense incurred that is not under a current contract, agreement, or similar instrument</p> <p>inform - provide information for awareness purposes, no response or action is required</p> <p>MAM - management authority matrix, also called matrix</p> <p>MC - WWSS Management Committee</p> <p>MOU - Memorandum of Understanding</p> <p>OC - WWSS Operations Committee</p> <p>recommend - review and endorsement of a document or proposed course of action to higher authority tier</p> <p>WWSP - Willamette Water Supply Program</p> <p>WWSS - Willamette Water Supply System</p>
<p>Hiring and Employment Contracts</p> <p>The <i>Board</i> and <i>Managing Agency</i> may hire or execute an employment contract (temporary or permanent) as either deems necessary.</p> <p>The <i>Program Director</i> may hire or execute an employment contract (temporary or permanent) provided the annual, burdened expense for the position within his Authority level and within the currently-authorized WWSS budget.</p>
<p>Program-related External Communication</p> <p>Refer to PgMP Appendix N: Public Outreach and Stakeholder Engagement Plan.</p>
<p>Delegation of Authority</p> <p>Tier I may delegate, in writing, any of its functions to Tier II or III.</p> <p>Tier III and below may to delegate, in writing, their authority to one tier below or to a direct report, provided the delegate is employed by the Managing Agency.</p>

Willamette Water Supply System Commission

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STAFF REPORT

To: Board of Commissioners

From: Dave Kraska, P.E., Willamette Water Supply System General Manager

Date: April 2, 2020

Subject: Resolution Declaring Public Necessity to Acquire Property Interests Over, Upon, Under, and Through Real Property for Pipeline Section MPE_1.0 for the Willamette Water Supply System

Requested Board Action:

Consider adopting an updated resolution declaring public necessity to acquire permanent and temporary construction easements over, upon, under, and through real property for pipeline section MPE_1.0 for the Willamette Water Supply System (WWSS).

Key Concepts:

The WWSS includes a section of pipeline generally along SW Scholls Ferry Road, SW Allen Boulevard, and SW Western Avenue, referred to as MPE_1.0.

- The Willamette Water Supply Program (WWSP) has progressed the design of this pipeline section to enable identification of property requirements for construction and long-term operation and maintenance of the pipeline.
- After consideration of various alignments and alternatives, the identified route will be located in a manner that will be most compatible with the greatest public good and the least private injury to property owners.
- This resolution declares the public need for the property interests and enables the WWSS Commission's agents, including the WWSP team, to begin negotiating with respective property interest holders.

Background:

The WWSS includes a section of pipeline along SW Scholls Ferry Road from SW Roy Rogers Road to SW Allen Boulevard, then following SW Allen Boulevard and SW Western Avenue to SW Beaverton Hillsdale Highway. The project also includes a pipeline on SW Hall Boulevard between SW Scholls Ferry Road and SW Oleson Road. The project area is shown in the attached map. The pipeline will be a 48-inch diameter welded steel pipe.

The WWSP has progressed the design of this pipeline section to enable identification of property requirements for construction and long-term operation and maintenance of the pipeline. The pipeline alignment was selected through an extensive alternatives evaluation, and the preferred location was selected based upon the best interests of the public and the least injury to private property owners. The proposed resolution will enable the submission of the project's land use application in addition to initiation of the property acquisition process, including negotiations with the property owners and other applicable interest holders.

The MPE_1.0 pipeline alignment requires permanent and temporary easements to fulfill WWSP standard construction work zone requirements.

This proposed resolution supports WWSS land use application schedule for pipeline work within Beaverton city limits. It is possible that additional property needs may be identified outside of Beaverton and a second resolution may be proposed to receive Board of Commissioners authorization for additional property needs.

Resolution Summary

The WWSS Commission has authority to acquire real property for the WWSS. The pipeline section MPE_1.0 requires the acquisition of several temporary and permanent easements on private property. The MPE_1.0 pipeline alignment was selected through an extensive alternatives evaluation, and the preferred location was selected based the best interests of the public and the least injury to private property owners. The resolution enables the initiation of the property acquisition process, including negotiations with interest holders.

Budget Impact:

The WWSP real estate team has completed an estimate that represents, in the professional judgment of the real estate team, the budget-level cost required to acquire the easements. The total estimated cost for MPE_1.0's necessary property interests is \$420,000. Funds for purchase of these easements are included in the WWSP baseline budget.

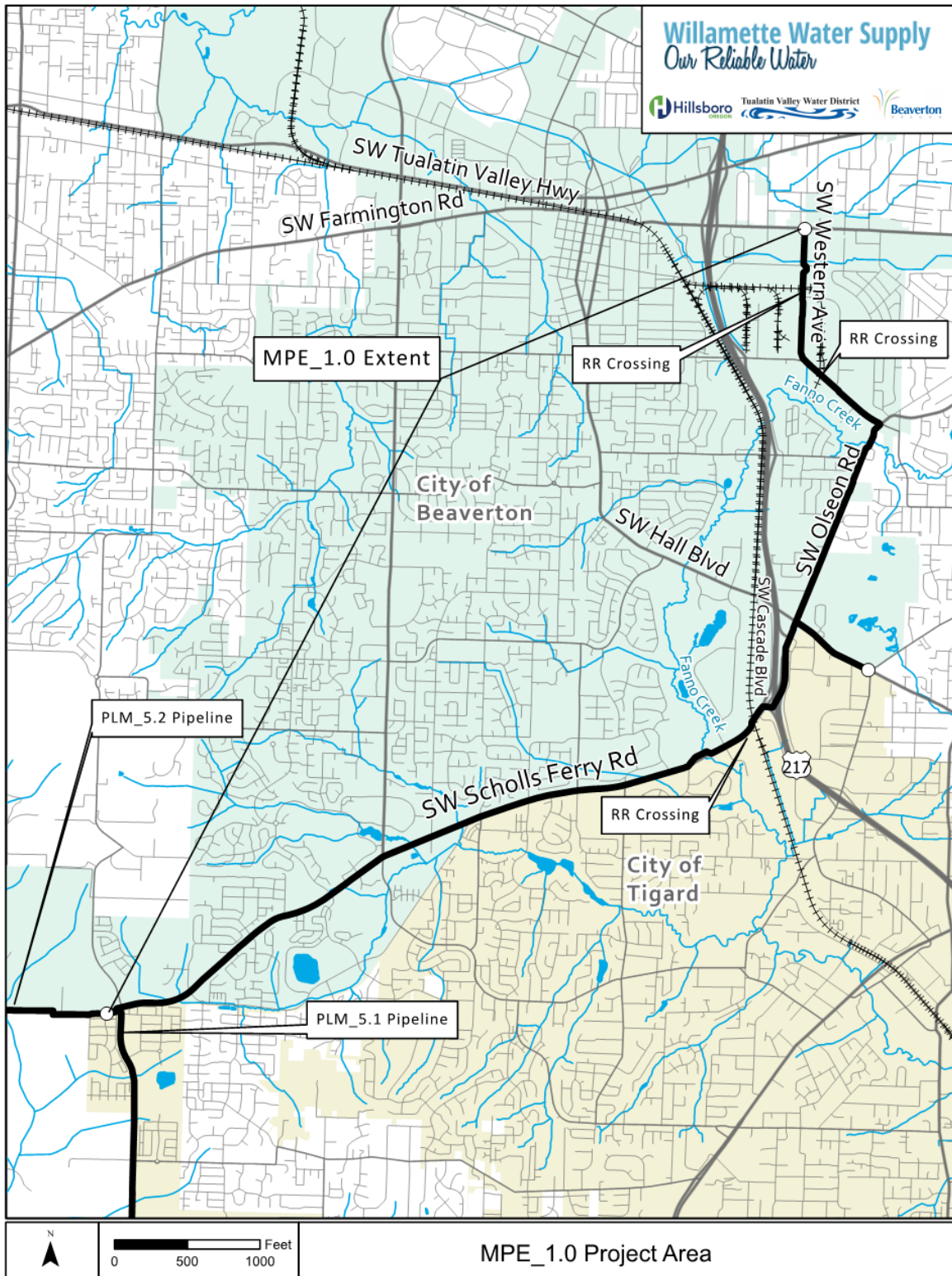
Staff Contact Information:

Dave Kraska, WWSS General Manager, 503-941-4561, david.kraska@tvwd.org
Clark Balfour, General Counsel, 503-848-3061, clark.balfour@tvwd.org

Attachments:

Project area map
Proposed Resolution
Exhibit 1: Property Interests (including Exhibit A Legal Descriptions and Exhibit B Acquisition Maps)

Project area map:



Willamette Water Supply System Commission

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RESOLUTION NO. WWSS-06-20

RESOLUTION DECLARING PUBLIC NECESSITY TO ACQUIRE PROPERTY INTERESTS OVER, UPON, UNDER AND THROUGH REAL PROPERTY FOR PIPELINE SECTION MPE_1.0 FOR THE WILLAMETTE WATER SUPPLY SYSTEM.

WHEREAS, the above-entitled matter came before the Willamette Water Supply System Commission (WWSS Commission) at its regular meeting on April 2, 2020; and,

WHEREAS, the Willamette Water Supply System Intergovernmental Agreement (Agreement) between Tualatin Valley Water District (TVWD), the City of Hillsboro (Hillsboro), and the City of Beaverton (Beaverton) (collectively, Members) created the WWSS Commission, an ORS Chapter 190 intergovernmental entity, effective July 1, 2019, to exercise the powers and duties set forth in the Agreement; and,

WHEREAS, pursuant to the Agreement, TVWD has been designated as the Managing Agency of the WWSS Commission; and,

WHEREAS, the Willamette Water Supply System (WWSS) includes, but is not limited to, an expanded and improved water intake on the Willamette River in the City of Wilsonville currently owned by TVWD and the City of Wilsonville, along with a new raw water pipeline, potable water treatment plant, finished water pipelines, pumping, storage, and other necessary water system facilities to enable the WWSS to utilize existing water rights to provide water system ownership and reliability to the Members' water system users; and,

WHEREAS, the WWSS Commission has been delegated authority by its Members under the Agreement and ORS Chapter 190 pursuant to City Charters, ORS 223.005 to 223.105, ORS 264.240 and Oregon Revised Statutes Chapter 35 to acquire real property by purchase or through eminent domain proceedings; and,

WHEREAS, the WWSS Commissioners determine, consistent with the powers and purposes of the WWSS Commission, that it is necessary for the economic well-being, public health, safety and welfare of the WWSS Commission and the Members' water system users, to acquire fee title to certain real property, as well as necessary rights-of-way, easements, and other property interests, in order to design, locate, construct, operate, and implement the WWSS; and,

WHEREAS, after investigation of various routes for a water pipeline and related water system facilities, the WWSS Commission has determined that certain property interests, are necessary for the construction, location, and operation of the WWSS, and in particular, pipeline section MPE_1.0, and that such use is planned and located in a manner that is most compatible with the greatest public benefit and the least private injury; and,

WHEREAS, such property interests are preliminarily described on Exhibit A and depicted for illustration purposes only on Exhibit B attached hereto and incorporated by reference, with final legal descriptions and easement documents as be determined by TVWD staff, including the Willamette Water

Supply Program (WWSP) and its consultants, as the Managing Agency and on behalf of the WWSS Commission, to be reasonably necessary to accommodate the design and operation of the WWSS (the Easement Interests); and,

WHEREAS, the WWSS Commission finds that declaration by resolution to acquire the Easement Interests for the WWSS is necessary and being so advised.

NOW, THEREFORE, BE IT RESOLVED BY THE WILLAMETTE WATER SUPPLY SYSTEM COMMISSION THAT:

Section 1: The above recitals shall form an integral part of this resolution and shall have the same force and effect as if fully stated herein.

Section 2: It is necessary for the preservation of economic well-being, public health, safety and welfare of the public served by the Members and the WWSS that the WWSS Commission commence the acquisition process for the Easement Interests through exercise of the power of eminent domain.

Section 3: TVWD staff, including the WWSP, and counsel are authorized to retain real estate appraisers, negotiators, and other consultants, with said appraisals to be prepared under the auspices of WWSS Commission counsel, for initiation of proceedings as described below.

Section 4: TVWD staff, including WWSP, consultants, and counsel, are authorized to negotiate in good faith necessary agreements to acquire the Easement Interests on behalf of and in the name of the WWSS Commission and to pay just compensation and applicable compensable damages in accordance with applicable law, including to the extent just compensable and applicable compensable damages are equal to or greater than \$150,000, without necessity of approval by the WWSS Management Committee or further approval by the WWSS Commission.

Section 5: TVWD staff, including WWSP, and counsel, are authorized to file complaints in condemnation, on behalf of and in the name of the WWSS Commission, and to take other steps as they determine necessary as the Managing Agency, and to prosecute to final determination such actions to acquire title to the Easement Interests if negotiations fail.

Section 6: Upon the trial of any suit or action instituted to acquire the Easement Interests, counsel acting for and on behalf of the WWSS Commission are authorized to make such stipulation, agreement or admission as in their judgment may be for the best interest of the WWSS Commission and to take possession of the Easement Interests at such time as appropriate in their judgment without necessity of further WWSS Commission approval.

Approved and adopted at a regular meeting held on the 2nd day of April 2020.

James Duggan, Chair

Denny Doyle, Vice Chair

T.H.P.R.D.
Washington County, Oregon
March 17, 2020
Project No. 0458-023

EXHIBIT A

A Tract of land situated in the Northwest One-Quarter of Section 26, Township 1 South, Range 2 West, of the Willamette Meridian, County of Washington, State of Oregon, being a portion of that Tract of land as conveyed to Tualatin Hills Park and Recreation District, recorded June 6, 1977 in Book 1171, Page 713, Washington County Deed Records, and being more particularly described as follows:

Permanent Easement:

All that portion of said Book 1171, Page 713, a variable width strip of land lying on both sides of the following described centerline:

Beginning at point 'A' on the northerly Right-of-Way of SW Scholls Highway, as established in the Right-of-Way Survey by Oregon Department of Transportation and recorded November 1993 as County Survey 25,453, that is opposite and northerly 56.83 feet from centerline station 1095+94.94 of said SW Scholls Highway;

thence, along said centerline being 15.00 feet on each side, North 36°44'46" East, 176.39 feet;

thence, North 67°10'40" East, 440.67 feet to point 'B', said point being an angle point, the sidelines of which lay 20.00 feet on each side of said centerline;

thence, South 46°31'57" East, 20.98 feet to the northerly Right-of-Way line of said SW Scholls Hwy that is 50.00 feet opposite of centerline station of 1101+99.29 and the terminus of said centerline, subject to lengthening or shortening of sidelines so as to terminate on the right of way line.

Contains 11,361 square feet, more or less.

TOGETHER WITH, Temporary Construction Easement #1 being more particularly described as follows:

Commencing at said point 'A'; thence, South 63°32'33" West 33.27 feet to the Point of Beginning of the land described herein;

thence along the following 4 courses:

North 15°17'05" East, 60.95 feet,
North 01°51'32" West, 62.22 feet,

North 60°48'57" East, 66.69 feet,
South 28°52'26" East, 105.31 feet to the said northerly Right-of-Way line of Scholls Hwy

thence, South 63°32'33" West 137.53 feet to the Point of Beginning

Contains 6,685 sq. ft., more or less, excluding the Permanent Easement above.

ALSO TOGETHER WITH, Temporary Construction Easement #2 being more particularly described as follows.

Commencing from said point 'A'; thence, North 63°32'33" East 99.82 feet to the Point of Beginning of the land described herein;

thence, along the following 5 courses;

North 28°52'26" West 105.31 feet,

North 60°48'57" East 160.26 feet,

South 29°25'46" East 84.86 feet,

South 58°44'24" West 125.68 feet,

South 36°44'46" West 38.99 feet to the Point of Beginning.

Contains 9,349 square feet, more or less, excluding the Permanent Easement above.

Bearings based on Oregon Coordinate Reference System, Portland Zone.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1990
GARY R. ANDERSON
2434

RENEWS: 12-31-21

Willamette Water Supply System Commission

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Pacific Place Center
Washington County, Oregon
March 17, 2020
Project No. 0458-023

EXHIBIT A

A Tract of land situated in the Northwest One-Quarter of Section 34, Township 1 South, Range 2 West of the Willamette Meridian, County of Washington, State of Oregon, being a portion of that Tract of land as conveyed to Pacific Place Center, LLC, Recorded June 29, 2004 in Document No. 2004-074553, Washington County Deed Records, and being more particularly described as follows:

Permanent Easement:

All that portion of said Document No. 2004-074553, lying within a 30.00-foot wide strip of land lying 15.00 feet on each side of the following described centerline:

Beginning at point 'A' on the northerly Right-of-Way of SW Scholls Highway, as established in the Right-of-Way Survey by Oregon Department of Transportation and recorded November 1993 as County Survey 25,453, that is opposite and northerly 56.83 feet from centerline station 1095+94.94 of said SW Scholls Highway;

thence, along said centerline being 15.00 feet on each side, North 36°44'46" East, 176.39 feet;

thence, North 67°10'40" East, 440.67 feet to point 'B', said point being an angle point, the sidelines of which lay 20.00 feet on each side of said centerline;

thence, South 46°31'57" East, 20.98 feet to the northerly Right-of-Way line of said SW Scholls Hwy that is 50.00 feet opposite of centerline station of 1101+99.29 and the terminus of said centerline, subject to lengthening or shortening of sidelines so as to terminate on the right of way line.

Contains 7,990 square feet, more or less.

TOGETHER WITH, Temporary Construction Easement being more particularly described as follows:

Beginning at a point which bears North 29°23'36" West 50.00 feet from the centerline of said SW Scholls Ferry Road at station 1100+81.09;

thence, along the following 7 courses:

South 84°55'02" West, 47.16 feet,

North 05°48'49" East, 28.46 feet,

North 21°11'01" West, 28.27 feet,
North 60°42'55" East, 97.56 feet,
South 76°21'37" East, 32.94 feet
North 63°34'49" East, 90.85 feet
South 26°14'21" East, 45.99 feet to a point on the northerly right of way of said SW Scholls Hwy

thence, along said north Right-of-Way line South 61°57'58" West 35.10 feet to a point of curvature;

thence, along said curve to the left, having a radius of 6416.20 feet, through a central angle of 01°21'34" (Chord bears South 61°17'10" West 152.22 feet), an arc length of 152.22 feet to the Point of Beginning.

Contains 7,673 square feet, more or less, excluding the Permanent Easement above.

Bearings based on Oregon Coordinate Reference System, Portland Zone.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1990
GARY R. ANDERSON
2434

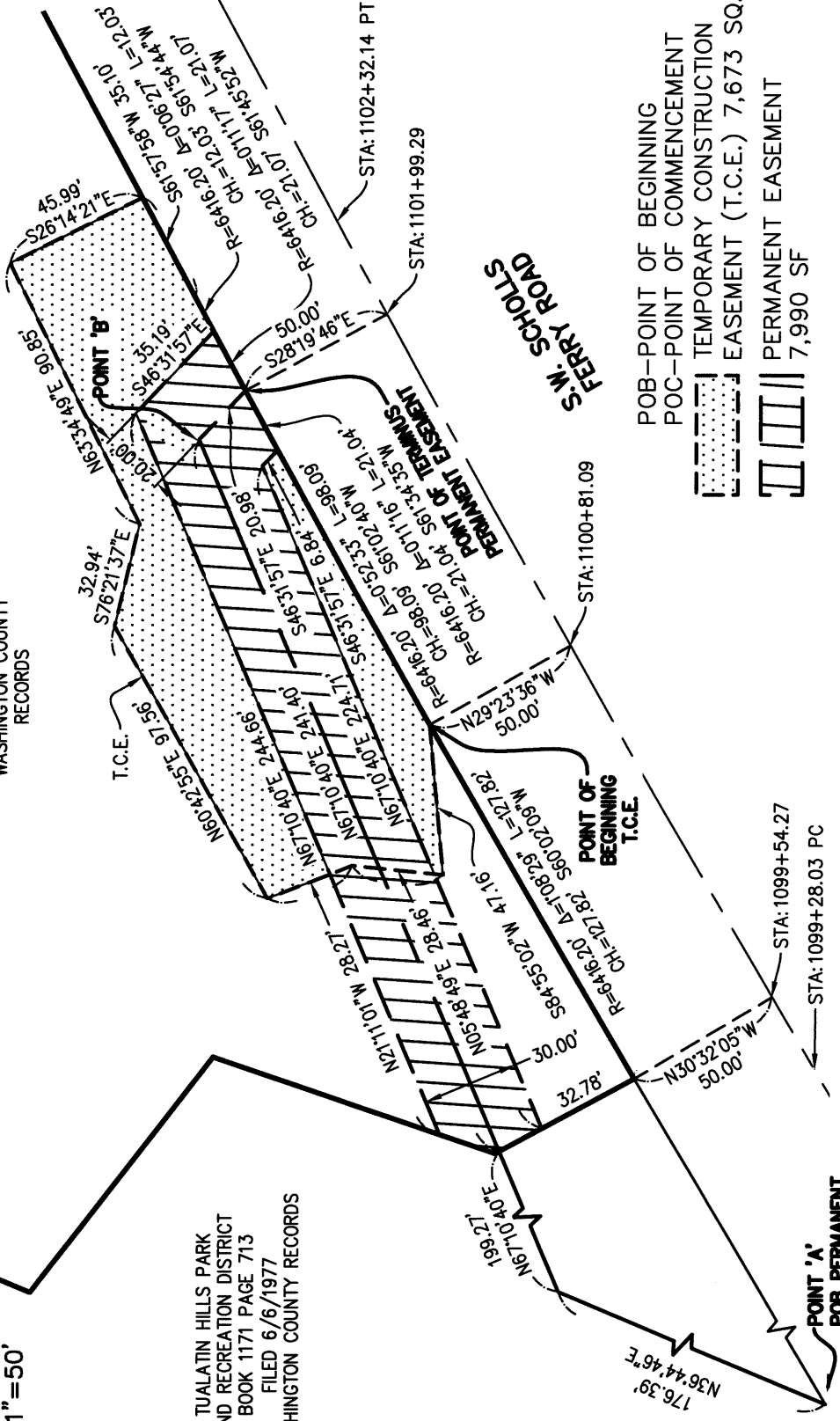
RENEWS: 12-31-21



0 25' 50'
SCALE: 1" = 50'

PACIFIC PLACE CENTER
LLC, AN OREGON LIMITED
LIABILITY COMPANY
DOC. NO. 2004-074553
FILED 6/29/2004
WASHINGTON COUNTY
RECORDS

TUALATIN HILLS PARK
AND RECREATION DISTRICT
BOOK 1171 PAGE 713
FILED 6/6/1977
WASHINGTON COUNTY RECORDS



POB-POINT OF BEGINNING
POC-POINT OF COMMENCEMENT
TEMPORARY CONSTRUCTION
EASEMENT (T.C.E.) 7,673 SQ. FT.
PERMANENT EASEMENT
7,990 SF

DATE	3/17/2020
DRAWN BY	CAJ
CHECKED BY	LJS
REVISION	1
JOB NO.	0458-023

WESTLAKE
CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652
TIGARD, OREGON 97224 (503) 624-0187

EXHIBIT B
LOCATED IN THE NE 1/4 OF SECTION 34
TOWNSHIP 1S, RANGE 1W, W.M.
WASHINGTON COUNTY, OREGON

Willamette Water Supply System Commission

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Loehr
Washington County, Oregon
March 11, 2020
458-023

Exhibit

A tract of land situate in the northeast one quarter of Section 23, T 1 S, R 1 W, W.M., Washington County, Oregon and being a portion of that tract of land described in Warranty deed to Loehr Family Trust , recorded on December 28, 2018, in Document No. 2018-086773, Washington County deed records and being more particularly described as follows:

Beginning at a point on the easterly right of way SW Scholls Ferry Rd. which bears South $68^{\circ}50'45''$ East 35.00 feet from the centerline thereof as established by Washington County Surveyor and recorded in County Survey 32007 at Station 485+37.27, said point also being on the east line of Dedication deed Document No. 2011-83008, said point also being on the north line of Lot 1, Glenmoor, a subdivision recorded in Book 8, page 28, Washington County Plat Records;

thence, along the north line of said Lot 1 South $53^{\circ}49'21''$ East, 11.39 feet;

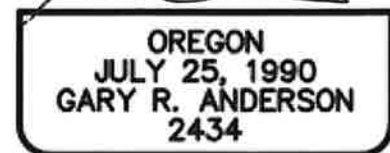
thence, parallel with said easterly right of way of SW Scholls Ferry Rd., South $21^{\circ}09'15''$ West, 103.54 feet, to a point on the north line of SW Merry Lane;

thence, along a 15.00 foot radius curve to the right, through a central angle of $74^{\circ}32'02''$, chord bears North $16^{\circ}06'47''$ West, 18.17 feet to a point on the easterly right of way of said SW Scholls Ferry Rd.;

thence, along said easterly right of way, North $21^{\circ}09'15''$ East, 92.04 feet to the point of beginning.

Contains 1,114 sq. ft., more or less.

Bearings based on Oregon Coordinate Reference System,
Portland Zone.



RENEWS: 12-31-21

J:\0458-023\174. SURVEY\CAD\DWG\EASEMENT EXHIBITS\0458-023_MPEI.2_EASE_EXHIBITS_WS.DWG 2020-03-05 11:10 AM - SIH



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SCALE: 1"=40'

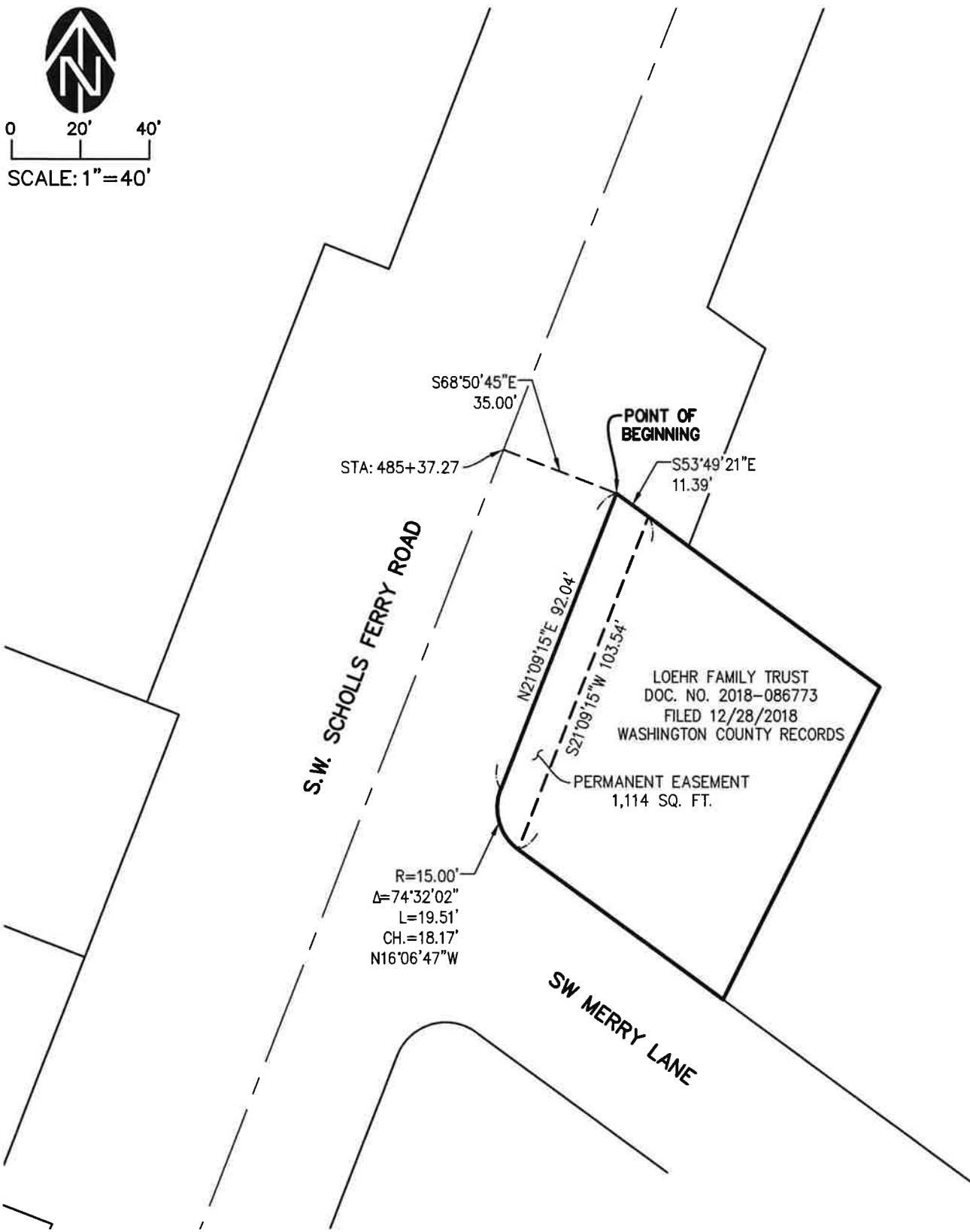


EXHIBIT B

PAGE 1 OF 1

LOCATED IN THE NE 1/4 OF SECTION 23
TOWNSHIP 1S, RANGE 1W, W.M.
WASHINGTON COUNTY, OREGON

DATE	3/2/2020
DRAWN BY	SIH
CHECKED BY	LJS
REVISION	0
JOB NO.	0458-023

WESTLAKE
CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652
TIGARD, OREGON 97224 FAX (503) 624-0157

Willamette Water Supply System Commission

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Brookside Estates
Washington County
March 17, 2020
Project No. 0458-023

Exhibit A

A Tract of land situated in the Northwest One-Quarter of Section 23, Township 1 South, Range 1 West of the Willamette Meridian, County of Washington, State of Oregon, being a portion of that Tract of land as conveyed by Deed to Brookside Estates, LLC, Recorded October 3, 2000 in Document No. 2000-080452, Washington County Deed Records, and being more particularly described as follows:

Permanent Easement:

All that portion of said 2000-080452 lying within the limits of the following described tract of land:

Beginning at a point described at point 'A', which bears South 68°50'45" East 40.00 feet from the centerline of SW Scholls Ferry Rd. (CR 348) at station 485+97.00 as established and Recorded in County Survey 32007, Washington County Survey Records;

thence, along the easterly Right-of-Way line of said SW Scholls Ferry Rd. (CR 348) North 21°09'15" East 171.86 feet to an angle point;

thence, South 68°50'51" East to a line parallel with and 43.00 feet east of last said centerline, also being a point of curvature;

thence, along said curve, to the right, having a radius of 307.00 feet, through a central angle of 18°44'08" (Chord bears North 30°31'13" East 99.94 feet), an arc length of 100.39 feet;

thence, leaving said Right-of-Way along the following 4 courses,

South 22°34'31" West 158.69 feet,
South 67°34'18" East 10.00 feet,
South 22°34'31" West 117.25 feet,
North 54°48'41" West 31.35 feet to the Point of Beginning.

Contains 4,569 square feet, more or less.

TOGETHER WITH, Temporary Construction Easement being more particularly described as follows:

Commencing at said point 'A'; thence, South 54°48'41" East 23.11 feet to the Point of Beginning of the land described herein;

thence, along the following three courses;

North 22°34'31" East 117.25 feet,

North 67°34'18" West 10.00 feet

North 22°34'31" East 158.69 feet to a point along said easterly Right-of-Way, said point being a point of cusp, concave to the southeast, a radial from which bears South 50°06'44" East;

thence, along said Right-of-Way on a curve to the right, having a radius of 307.00 feet, through a central angle of 05° 32'51" (Chord bears North 42° 39'42" East 29.71 feet), an arc length of 29.73 feet to the most northerly corner of said Document No. 2000-080452;

thence, leaving said Right-of-Way along the following 5 courses;

South 22°38'17" West 186.57 feet,

South 03°24'17" West 62.37 feet,

South 66°58'26" West 17.51 feet,

South 22°47'48" West 47.62 feet,

North 54°48'41" West 10.74 feet to the Point of Beginning.

Contains 2,914 square feet, more or less.

Bearings based on Oregon Coordinate Reference System, Portland Zone.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1990
GARY R. ANDERSON
2434

RENEWS: 12-31-21

J:\0458-023\174 SURVEY\CAD\DWG\EASEMENT EXHIBITS\0458-023_MPEI2_EASE_EXHIBITS_WSI.DWG 2020-03-18 3:00 PM - CAJ



0 15' 30'
SCALE: 1"=30'

STA: 488+83.31

43.00'
N50°06'44"W

R=307.00'
Δ=5°32'51"
L=29.73'
CH.=29.71'
N42°39'42"E

S.W. SCHOLLS
FERRY ROAD

STA: 487+68.86 PC

S68°50'51"E 43.00'
40.00'

R=307.00'
CH.=99.94'
Δ=18°44'08"
L=100.39'

S22°38'17"W 186.57'



S22°34'31"W 158.69'

BROOKSIDE ESTATES LLC
DOC. NO. 2000080452
FILED 10/03/2000
WASHINGTON COUNTY
RECORDS

S67°34'18"E 10.00'

EXHIBIT B
PAGE 1 OF 1

LOCATED IN THE NE 1/4 OF SECTION 23
TOWNSHIP 1S, RANGE 1W, W.M.
WASHINGTON COUNTY, OREGON

-  TEMPORARY CONSTRUCTION EASEMENT (T.C.E.) 2,914 SQ. FT.
-  PERMANENT EASEMENT 4,659 SQ. FT.

STA: 485+97.00

40.00'
S68°50'45"E

P.O.B. T.C.E.

POINT 'A'
P.O.B. PERMANENT
EASEMENT
P.O.C. T.C.E.

23.11'
N54°48'41"W
31.35'

N21°09'15"E 171.86'
S22°34'31"W 117.25'
S22°47'48"W 47.62'

S66°58'26"W
17.51'

DATE	3/17/2020
DRAWN BY	CAJ
CHECKED BY	LJS
REVISION	1
JOB NO.	0458-023

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Willamette Water Supply System Commission

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STAFF REPORT

To: WWSS Board of Commissioners
From: David Kraska, P.E., Willamette Water Supply System General Manager
Date: April 2, 2020
Subject: Recommend Approval of PLM_1.2 Construction Contract Amendment (City of Wilsonville Contract No. 2020-028)

Requested Board Action:

Consider approving an amendment to a City of Wilsonville construction contract in the amount of \$2,157,060.00 and with a contract term extension of 4 days for the addition of 540 feet of 66-inch steel pipeline and 145 feet of bore-and-jack pipeline casing to the PLM_1.2 pipeline construction project of the Willamette Water Supply Program (WWSP).

Key Concepts:

- The WWSP entered into an Intergovernmental Agreement (IGA) with the City of Wilsonville (City) for the design and construction of the PLM_1.2 pipeline segment with the City's Garden Acres Road Improvement project.
- The IGA encompassed the construction of the PLM_1.2 project both within the City's road construction limits and to the north of the construction limits – a 540-foot segment of pipeline that crosses Day Road and connects to the existing PLM_3.0 pipeline (referred to as the "Day Road Crossing").
- To meet the City's construction bid schedule for the Garden Acres Road Improvement project, the WWSP decided to design only the portion of the PLM_1.2 pipeline within the road construction limits. Design of the Day Road Crossing portion of the work was subsequently completed with the intent to issue that portion of the work as a negotiated change order.
- The value of the amendment, \$2,157,060.00, is within the existing construction budget for the PLM_1.2 pipeline.
- If the amendment is approved by the WWSS Board, the amendment will be brought to the Wilsonville City Council for approval.
- Construction of the PLM_1.2 pipeline is scheduled by the contractor, Moore Excavation, Inc., for June of 2020.

Background:

In May of 2019, the WWSP entered into an Intergovernmental Agreement with the City for the design and construction of the PLM_1.2 pipeline segment with the City's Garden Acres Road Improvement project. The IGA provided the opportunity for the WWSP to construct 3,550 feet of the PLM_1.0 66-inch steel pipeline with the City's road widening project. The IGA stipulates that the City will administer the construction contract with the City's road work and the WWSP pipeline work as separate contract schedules.

Recommend Approval of PLM_1.2 Construction Contract Amendment (City of Wilsonville Contract No. 2020-028)

The City wanted to bid the project in June of 2019. To meet that schedule, the WWSP decided to design and bid the portion of pipeline, 3,010 feet, that was within the City's road improvement area. The Day Road Crossing portion, 540 feet of pipeline connecting to the existing PLM_3.0 pipeline segment, required additional design work that could not be completed by the proposed bid date. The project was bid as planned, without the Day Road Crossing design, and Moore Excavation, Inc (MEI) began work in August 2019.

The Day Road Crossing design included an evaluation and comparison of trenchless methods and open cut trenching. The evaluation included geotechnical considerations and impacts of construction to existing utilities, a heritage tree, and to local traffic. The WWSP selected 145 feet of bore-and-jack construction for the Day Road Crossing. The design was coordinated with and approved by City staff.

Budget Impact:

MEI's proposed change order includes \$2,157,060.00 in costs. WWSP's internal cost estimate for the same scope of work corroborated MEI's proposed cost. In accordance with the Intergovernmental Agreement, an amount equal to the change order value, plus ten percent for construction contingency, would be deposited into a Local Government Investment Pool account. The proposed amendment amount, with contingency, is within WWSP's budget for the PLM_1.2 project.

Schedule:

If the WWSS Board approves the contract amendment, the amendment will be brought to Wilsonville City Council for approval at an April 20, 2020 meeting. If approved, a change order would then be issued to MEI by the City and the contract term would be extended by 4 days, with a revised Substantial Completion date of December 10, 2020.

MEI has scheduled pipe installation to begin June of this year. Installing the pipeline casing under Day Road will occur at the north end of the project as pipeline is installed at the south end. The additional 540 feet of Day Road Crossing pipeline would be constructed once work progresses to the northern end of the project near Day Road.

Staff Contact Information:

David Kraska, P.E., WWSP Program Director; 503-941-4561; david.kraska@tvwd.org

Mike Britch, P.E., WWSP Engineering & Construction Manager; 503-941-4565; mike.britch@tvwd.org

Attachments:

1. Exhibit A: Proposed Amendment Costs from MEI

EXHIBIT A

4C.2



Moore Excavation, Inc.
 P.O. Box 789 Fairview, Oregon 97024

Tel: 503.674-0900 | Fax: 503.674-0909
 WWW.themeigroup.com

OR CCB#28397 | WA# MOOREI166BR

March 23, 2020

Attn: Bobby Jacobson
 HARPER HOUF PETERSON RIGHELLIS INC.
 205 SE Spokane Street | Suite 200
 Portland, OR 97202

RE: Garden Acres Rd Project – Schedule B PLM 1.2 Day Road DC Pricing

Scope:

- Moore Excavation is proposing the following pricing. This pricing is a Lump Sum proposal. The included scopes are listed below the detailed pricing:

Item	Total
Mobilization and Demobilization Sta.310+80.00 to Sta. 315+56.24	\$ 42,000.00
Construction Entrance near Sta. 314+00	\$ 12,250.00
Health and Safety Sta.310+80.00 to Sta. 315+56.24	\$ 5,000.00
Erosion Control Sta.310+80.00 to Sta. 315+56.24	\$ 30,000.00
Sediment Fencing Sta.310+80.00 to Sta. 315+56.24	\$ 4,000.00
Tree Protection Fence Sta.310+80.00 to Sta. 315+56.24	\$ 400.00
Clearing and Grubbing Sta.310+80.00 to Sta. 315+56.24	\$ 41,000.00
Construction Survey Work Sta.310+80.00 to Sta. 315+56.24	\$ 66,000.00
Geotechnical Consultant Sta.310+80.00 to Sta. 315+56.24	\$ 37,000.00
Furnish 66-inch ID MLPCSP, Welded Steel Pipe, min t=0.313-inch wall Sta.310+80.00 to Sta. 315+56.24	\$ 370,000.00
Install of 66-inch ID MLPCSP, Welded Steel Pipe, min t=0.313-inch wall Sta. 310+80.00 to Sta. 311+28.00 and Sta. 312+73 to Sta. 315+56.24	\$ 237,600.00
Blowoff – Type I Sta. 315+45.00	\$ 40,000.00
Trench Cutoff Walls between Sta.310+80.00 to Sta. 315+56.24	\$ 15,000.00
Trenchless Launch Shaft (North Shaft)	\$ 255,000.00
Trenchless Reception Shaft (South Shaft)	\$ 176,000.00
80-inch (min) ID Casing Sta. 311+28.00 to Sta. 312+73, Trenchless Crossing, and Installation of 66-inch Pipe in Casing	\$ 710,000.00
PLM 1.2 to PLM 3.0 Closure Spool	\$ 44,000.00
Cathodic Protection System between Sta.310+80.00 to Sta. 315+56.24	\$ 28,000.00
Pipeline Cleaning and Testing between Sta.310+80.00 to Sta. 315+56.24	\$ 19,000.00
Traffic Control between Sta.310+80.00 to Sta. 315+56.24	\$ 18,000.00
3/4"-0 Aggregate Base Sta.310+80.00 to Sta. 315+56.24	\$ 4,410.00
Level 3, 1/2 Inch ACP Mixture Sta.310+80.00 to Sta. 315+56.24	\$ 2,400.00
TOTAL	\$2,157,060.00

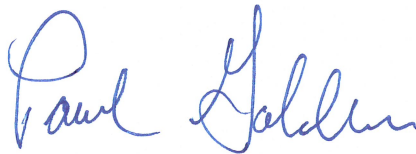
Mobilization
Traffic Control
Construction Entrance
Health and Safety
Erosion Control
Silt Fence
Tree Protection Fencing
Clearing and Grubbing
Tree Removal
Settlement Monitoring Points
Casing Test Stations
Survey
Supply 66" Pipe
Install 66" Pipeline
Blow-Off Type 1
Interior Joint Lining, Locate Stations and Curb Marker
Trench Cutoff Walls
Trenchless Launch Shaft (North) Soil Excavation, Shoring, and Backfill
Trenchless Launch Shaft (South) Soil Excavation, Shoring, and Backfill
Install of 80" Trenchless Casing Pipe
Install of 66" Trenchless Pipe in Casing
PLM 1.2 to PLM 3.0 Closure Spool
Corrosion Protection
Remove and Replace Existing Fence
Permanent Grass Seeding

Estimated Added Contract Duration – 4 Calendar Days per attached schedule

Clarifications:

- Granular Shaft Backfill Only. CDF backfill not included.
- Subgrade Stabilization not included.
- Traffic Control Pricing based on plans dated 10/24/2019 with No Flagging included.
- All permits, fees, compaction testing, proctors, onsite quality control testing, special inspections are not included.
- All hazardous, contaminated or volatile materials testing, handling or abatement and dump fees.
- Rock or boulder excavation not included.
- It is assumed that the soils that will be encountered on this added scope are consistent with soils previously encountered.
- AC Paving Restoration and Striping billed under existing bid items.

Thank you for the opportunity,



Paul Golden
Moore Excavation Inc.
503-849-5804

3/20/2020

STAFF REPORT

To: Willamette Water Supply System Board of Commissioners
From: David Kraska, P.E., Willamette Water Supply System General Manager
Date: April 2, 2020
Subject: Anticipated Business Agenda Items for the May 7, 2020, Meeting of the Willamette Water Supply System Board of Commissioners

Key Concepts:

The May Willamette Water Supply System (WWSS) Commission Board meeting agenda is anticipated to include staff recommendations to approve the following business agenda items:

1. WTP_1.0 design contract amendment
2. WWSP 2020 rebaseline schedule and budget
3. RWF_1.0 contract amendment for guaranteed maximum price
4. RES_1.0 Emergency Responder agreements

Background:

The following actions are anticipated business agenda items for the May 7, 2020, meeting of the WWSS Board of Commissioners. Due to the dynamic nature of the WWSS work, request for approval of some items may be delayed or new items may emerge on the business agenda next month. WWSS staff strive to provide preliminary information one month prior to requesting action, and a full staff report describing the recommended action during the appropriate month.

1. WTP_1.0 Design Contract Amendment Approval Recommendation

The WTP_1.0 team is completing negotiations for a design contract amendment with CDM Smith, Inc., related to additional engineering services provided to date for the increase in plant size, scope, and complexity resulting in an increase in the number of drawing sheets of nearly 200 sheets. WWSP staff have participated in detailed negotiations with CDM Smith, and reduced the additional design fee change to under \$1 million.

At the May WWSS Board meeting, WWSP staff will present the justifications for the design contract amendment, with a recommendation to the Board to approve the change.

2. WWSP 2020 Rebaseline Schedule and Budget Approval Recommendation

The WWSP team has been working on developing an annual rebaseline schedule and budget that can meet partner fiscal constraints. Over the past three months, WWSP staff have developed a cost management approach, currently under review by the WWSS partners, that identifies the potential cost management options available and when they need to be enacted, if desired.

Anticipated Business Agenda Items for the May 7, 2020, Meeting of the Willamette Water Supply System Board of Commissioners

As early as the May WWSS Board meeting, WWSP staff will present the updated baseline schedule and budget, reflective of the selected cost management options, with a recommendation to the Board to approve. If the recommended rebaseline requires an update to the already approved Fiscal Year 2021 annual work plan and budget, staff will propose that change as well.

3. RWF_1.0 Contract Amendment for Guaranteed Maximum Price Approval Recommendation

The RWF_1.0 project is being delivered using the Construction Manager/General Contractor (CM/GC) method. The CM/GC contractor Kiewit Corporation has been onboard since June 2018 participating in the RWF_1.0 project's final design. Since the 100 percent design was completed in February 2020, the CM/GC has been preparing the Guaranteed Maximum Price (GMP) for the first phase of construction. WWSS staff are reviewing the GMP and negotiating to secure value for the WWSS.

At the May WWSS Board meeting WWSP staff will provide an overview of the GMP process and final negotiated amount with a recommendation for approval.

4. RES_1.0 Emergency Responder Agreements Approval Recommendation

As part of WWSS's public outreach and communications efforts, WWSS staff have been coordinating with local agencies to make the best use of the existing structures on the RES_1.0 site prior to their demolition. The Washington County Sheriff's Office and Tualatin Valley Fire & Rescue are interested in utilizing the existing structures for training purposes.

WWSS staff are finalizing the details with Washington County Sheriff's Office and Tualatin Valley Fire & Rescue and will provide agreements for consideration at the May WWSS Board meeting.

Staff Contact Information:

Dave Kraska, P.E., WWSS General Manager, 503-941-4561, david.kraska@tvwd.org
Joelle Bennett, P.E., WWSP Assistant Program Director, 503-941-4577, joelle.bennett@tvwd.org

Attachments:

None.