

Willamette Water Supply System Commission

Board Meeting

Thursday, September 3, 2020

12:00 – 2:00 PM

Microsoft Teams Meeting

**In compliance with COVID-19 restrictions,
this meeting is dial-in only.**

Willamette Water Supply System Commission

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**Willamette Water Supply System Commission
Board Meeting Agenda
Thursday, September 3, 2020 | 12:00 – 2:00 PM**

Microsoft Teams 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 August 6, 2020 meeting minutes.

4. BUSINESS AGENDA

- A. Adopt PLM_4.3 Supplemental Resolution of Public Necessity – *Joelle Bennett*
- B. Adopt PLM_5.3 Supplemental Resolution of Public Necessity – *Joelle Bennett*
- C. Adopt PLW_2.0 Supplemental Resolution of Public Necessity – *Joelle Bennett*
- D. Approve City of Wilsonville IGA for WRWTP Filtration Pilot Study Participation – *Dave Kraska*
- E. Approve MPE_1.0 Project Management Services Agreement Amendment to add TVWD Connection to 24-inch Pipeline at Oleson Road – *Joelle Bennett*
- F. Approve PLW_2.0 Design Contract Amendment for Scope Modifications – *Mike Britch*

5. INFORMATION ITEMS

- A. Planned October Business Agenda Items – *Joelle Bennett*
- B. The next Board meeting is scheduled on October 1, 2020, via Microsoft Teams conference

6. COMMUNICATIONS AND NON-AGENDA ITEMS

- A. None scheduled.

ADJOURNMENT

Willamette Water Supply
Our Reliable Water

Safety Minute
Fire Prevention During Extreme Hot Weather
September 3, 2020

1

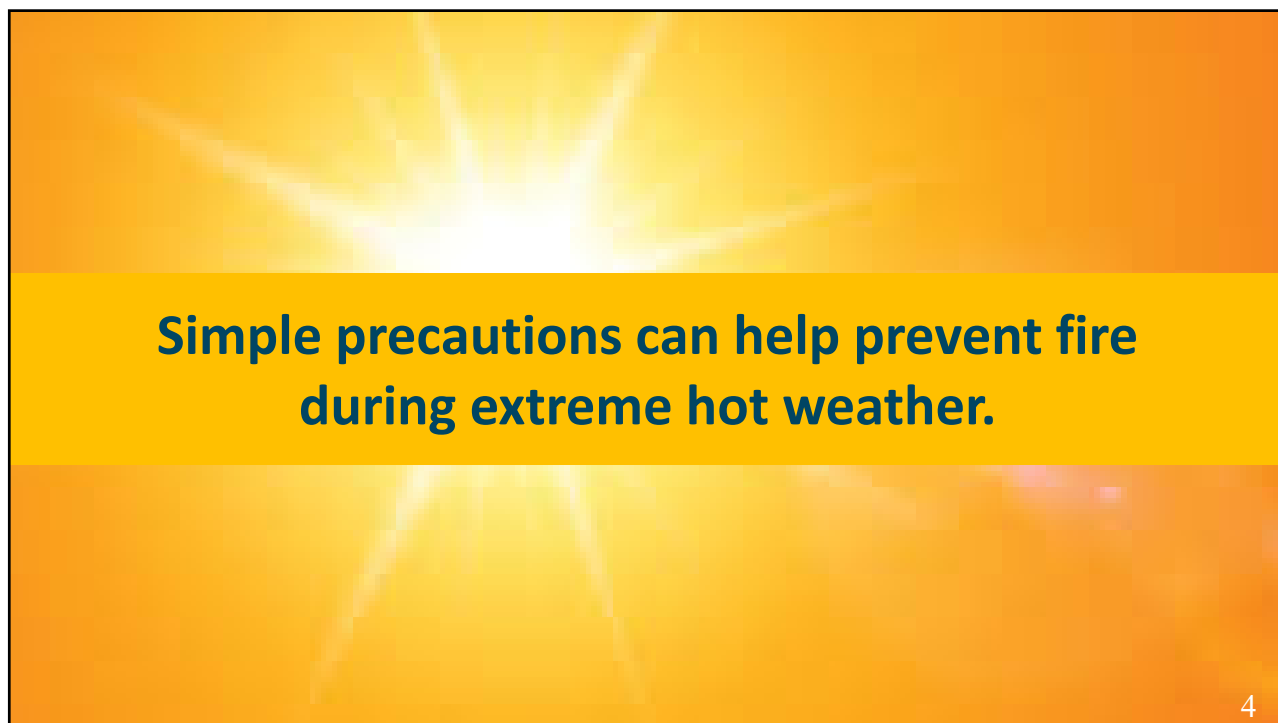
Upcoming Forecast = HOT & DRY!

2

2



3



4

Proper disposal of cigarettes...

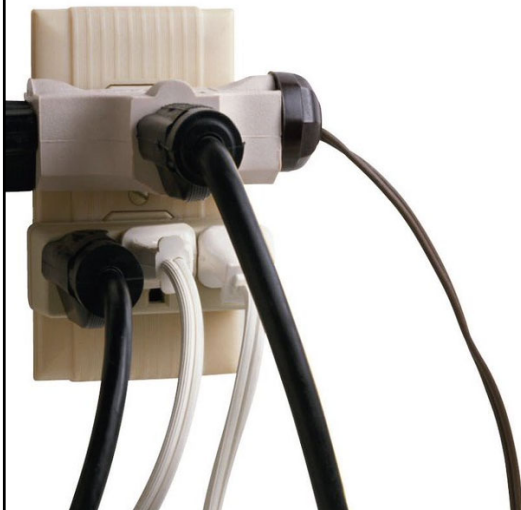


WARNING
**EXTINGUISH
CIGARETTE BUTTS
BEFORE DISPOSAL**

...can drastically lower or prevent fire ignition and spread.

5

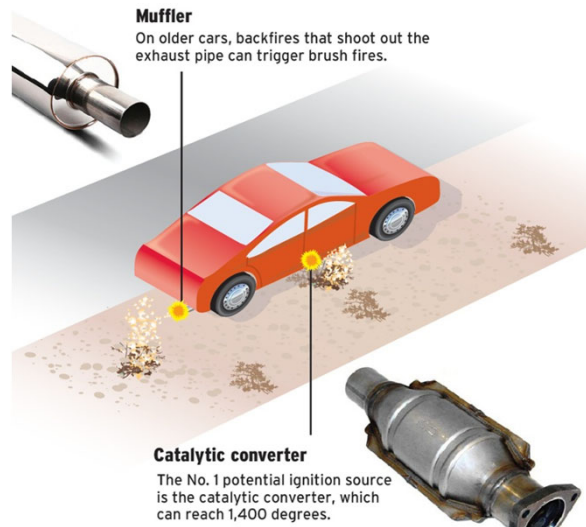
Don't overload extension cords & outlets...



...sparks + hot, dry conditions = fire risk!

6

Don't park and idle on dry grass...



...dry, hot conditions + hot vehicle = fire risk!

7

When there is a burn ban...



...don't burn!

8

Keep a fire extinguisher, bucket and hose ready...



...be prepared to stop a fire from spreading!

9

Pay attention to conditions, practice fire safety,
and enjoy the Labor Day weekend!

10

10

Willamette Water Supply System Commission

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MEMO

Date: September 3, 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:** Thank you for your continued flexibility as we hold our meetings remotely. We request participants continue to adhere to three basic rules:
 - a. Please mute your microphone when you are not talking.
 - b. Please identify yourself before you speak.
 - 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 August through October 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 that we currently anticipate having five business items on the October Board meeting agenda. These include one item pertaining to WWSP real estate activities, two WWSS intergovernmental agreements, a design contract amendment for one project, and Local Contract Review Board (LCRB) approval for use of alternative contracting methods for construction of one project. Joelle Bennett will present a staff report later in this meeting on these anticipated October business agenda items.

The forecast also lists other real estate activities, intergovernmental agreements that are in process, and upcoming contracts and LCRB approvals.

4. **Projects Planning, Permitting, and Communications Updates** – Recent permit approvals have been received for the PLW_1.3, MPE_1.0, and RWF_1.0 projects. Permit applications continue to be prepared and submitted for various WWSP projects (MPE_1.2, PLM_1.2, PLM_1.3, PLM_4.1, PLM_4.3, PLM_5.3, PLW_2.0,

GM Report to the WWSS Board of Commissioners

September 3, 2020

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and WTP_1.0). Despite restrictions and modified business practices of the permitting agencies related to COVID-19, our permits continue to be processed in a timely manner.

5. Projects Design Status Updates – Work continues on multiple design projects, including nine pipeline projects, the Water Treatment Plant (WTP_1.0), the Distributed Controls System (DCS_1.0), and the Terminal Storage project (RES_1.0). All of the design projects are progressing according to plan.

6. Projects Construction Status Updates – There are six active construction projects:

Project	Description	Progress Since Last Month
1. RWF_1.0	Raw Water Facilities project located at the Willamette River Water Treatment Plant	Completed mobilization efforts, tree removal and grading the upper site. Began access road construction.
2. PLM_1.1	Raw water pipeline project in Wilsonville that extends from our RWF_1.0 project to Wilsonville Road	Continued the final creek and utility crossings work.
3. PLM_1.2	Raw water pipeline project being completed in partnership with the City of Wilsonville's Garden Acres Road project	1,200 LF of waterline installed and completed trenchless installation of the casing for the Day Road crossing.
4. PLM_5.1	Finished water pipeline project being completed in partnership with Washington County's Roy Rogers Road project	2,200 LF of waterline installed so far. Installing the 66"x 48" tee for connection to the MPE_1.0 project.
5. PLM_5.2	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	Completed pipeline was successfully tested. Installing the corrosion protection system and restoring adjacent properties.
6. PLW_1.3	Finished water pipeline project in South Hillsboro from SW Farmington Road to SE Blanton Street	Continued mobilization efforts including creating the staging area and the haul route.

All projects remain on track and are progressing according to plan, and all contractors are remaining in compliance with the Governor's Executive Order No. 20-12 regarding hygiene and social distancing.

Approvals and Procurement Forecast: August 2020 through October 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	Projecte d Action	Body/Position (projected action date)		
			Program Director	WWSS Committees	WWSS Board
Program Baseline or Related Plans	1. Delivery Strategy (Capital Improvement Plan) Change to Divide MPE_1.0/COB_1.0 into Work Packages <ul style="list-style-type: none"> Establish work packages (phases) to coordinate design and construction timing with other area projects 		N/A	MC: 7/23/2020 a	8/6/2020 a
Real Estate	2. PLW_2.0 Resolution of Need	Approve	N/A	MC: 7/23/2020 a	8/6/2020 a
	3. PLM_5.3 Resolution of Need (second supplemental approval)	Approve	N/A	MC: 7/23/2020 a	8/6/2020 a
	4. PLM_5.3 Resolution of Need (third supplemental approval)	Approve	N/A	MC: 8/20/2020 t	9/3/2020 t
	5. PLW_2.0 Resolution of Need (supplemental approval)	Approve	N/A	MC: 8/20/2020 t	9/3/2020 t
	6. PLM_4.3 Resolution of Need (supplemental approval)	Approve	N/A	MC: 8/20/2020 t	9/3/2020 t
	7. PLM_1.3 Resolution of Need	Approve	N/A	MC: 9/17/2020 t	10/1/2020 t
	IGAs, MOUs, Permit Commitments, & Similar Agreements	8. MPE_1.0/COB_1.0 Design IGA Amendment 1 to add a City of Beaverton Hall Boulevard 16-inch pipeline to COB_1.0	Approve	N/A	MC: 7/23/2020 a
Execute			TBD	N/A	N/A
9. MPE_1.0 Project Management Services Agreement Amendment to add TVWD connection to 24-inch pipeline at Oleson Blvd.		Approve	N/A	MC: 8/20/2020 t	9/3/2020 t
		Execute	9/4/2020 t	N/A	N/A
10. City of Wilsonville IGA for WRWTP Filtration Pilot Study Participation		Approve	N/A	MC: 8/20/2020 t	9/3/2020 t
		Execute	9/4/2020 t	N/A	N/A
11. MPE_1.1/COB_1.1 City of Beaverton Construction IGA (S.W. Western Ave. from S.W. Beaverton-Hillsdale Hwy. to S.W. Allen Blvd.)		Approve	N/A	MC: 9/17/2020 t	10/1/2020 t
		Execute	10/2/2020 t	N/A	N/A
12. MPE_1.2/COB_1.2 City of Beaverton Construction IGA (S.W. Nimbus Ave./S.W. Scholls Ferry Road to S.W. Western Ave.)		Approve	N/A	MC: 9/17/2020 t	10/1/2020 t
		Execute	10/2/2020 t	N/A	N/A
13. PLW_1.2 Construction IGA to Relocate Existing 18-inch TVWD pipeline		Approve	TBD	TBD	TBD
		Execute	TBD	N/A	N/A

Type	Description	Execute	Body/Position (projected action date)		
			Program Director	WWSS Committees	WWSS Board
Contracts	14. RES_1.0 and PLM_5.3 Project Construction Manager/General Contractor (CM/GC) <ul style="list-style-type: none"> Goal: CM/GC for RES_1.0/PLM_5.3 project Approximate value: \$120 M Contractor: TBD Publish Request for Proposals: 9/2/2020 t 	Approve	N/A	MC: 11/19/2020 t	12/3/2020 t
		Execute	12/4/2020 t	N/A	N/A
Contract Amendments and Change Orders (above Program Director's Authority)	15. MPE_1.0/COB_1.0 Design Contract Amendment for Project Work Packages (phases) <ul style="list-style-type: none"> Goal: Amend contract for design services and engineering services during construction to accommodate project delivery in three phases Value: \$1.998 million Engineer: Brown and Caldwell 	Approve	N/A	MC: 7/23/2020 a	8/6/2020 a
		Execute	8/7/2020 a	N/A	N/A
	16. PLM_1.0 Design Contract Amendment for Completing PLM_1.3 Design and PLM_1.1 Construction Services <ul style="list-style-type: none"> Goal: Amend contract for design services and engineering services during construction to accommodate PLM_1.3 design changes and PLM_1.1 additional construction meetings Value: TBD Engineer: HDR 	Approve	N/A	MC: 9/17/2020 t	10/1/2020 t
		Execute	10/2/2020 t	N/A	N/A
	17. PLW_2.0 Design Contract Amendment for Scope Modifications <ul style="list-style-type: none"> Goal: Amend contract for design services and engineering services during construction to accommodate scope modifications Value: \$612K Engineer: Kennedy Jenks 	Approve	N/A	MC: 8/20/2020 t	9/3/2020 t
		Execute	9/4/2020 t	N/A	N/A
Local Contract Review Board (LCRB) Actions	18. Findings for the Use of Alternative Contracting Methods for Construction of MPE_1.2/COB_1.2 <ul style="list-style-type: none"> Goal: Use of best value selection approach Board approval to initiate public comment 8/6/2020 a 	Approve	N/A	MC: 7/23/2020 a	10/1/2020 t
		19. Findings for the Use of Alternative Contracting Methods for Construction of PLW_2.0 <ul style="list-style-type: none"> Goal: Use of best value selection approach Board approval to initiate public comment 10/1/2020 t 	Approve	N/A	MC: 9/17/2020 t

**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.

James Duggan, Chair

Denny Doyle, Vice Chair

STAFF REPORT

To: Board of Commissioners

From: Joelle Bennett, P.E., WWSP Assistant Program Director

Date: September 3, 2020

Subject: Supplemental Resolution Declaring Public Necessity to Acquire Property Interests Over, Upon, Under, and Through Real Property for Pipeline Section PLM_4.3 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 PLM_4.3 for the Willamette Water Supply System (WWSS).

Key Concepts:

The WWSS includes a section of pipeline along the Roy Rogers Road from Sherwood city limits to approximately 2,700 feet north of Beef Bend Road, in unincorporated Washington County, referred to as PLM_4.3.

- 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 injury to private 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.
- This is the second resolution declaring property needs for PLM_4.3. The first resolution was approved at the June 4, 2020 meeting.

Background:

The pipeline alignment for PLM_4.3 is mostly within unincorporated Washington County. The project begins at approximately 400 feet south of the northern Sherwood city limits on Roy Rogers Road and continues to follow Roy Rogers Road until the project terminates at PLM_5.1, approximately 2,700 feet north of Beef Bend Road. The project area is shown in the attached map. The pipeline will be a 66-inch diameter welded steel pipe.

PLM_4.3 will be located within and adjacent to the current Roy Rogers Road right of way (ROW) except at the Tualatin River crossing. At the river crossing, the pipeline leaves the road corridor in order to align the trenchless river crossing to avoid the bridge.

September 3, 2020

Supplemental Resolution Declaring Public Necessity to Acquire Property Interests for WWSP Pipeline
Section PLM_4.3

The PLM_4.3 pipeline alignment requires permanent and temporary easements to fulfill WWSP standard construction work zone requirements, particularly in the area of the Tualatin River trenchless crossing, as well as provide for the future maintenance and operations of the WWSS pipeline and associated water system facilities.

WWSP continues to coordinate with the City of Sherwood and Washington County during final design.

Resolution Summary

The WWSS Commission has authority to acquire real property for the WWSS. The pipeline section PLM_4.3 requires the acquisition of several temporary and permanent easements on private property. The PLM_4.3 pipeline alignment was selected through an extensive alternatives evaluation, and the preferred location was selected based on 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. 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

Joelle Bennett, P.E., WWSP Assistant Program Director, 503-941-4577, joelle.bennett@tvwd.org

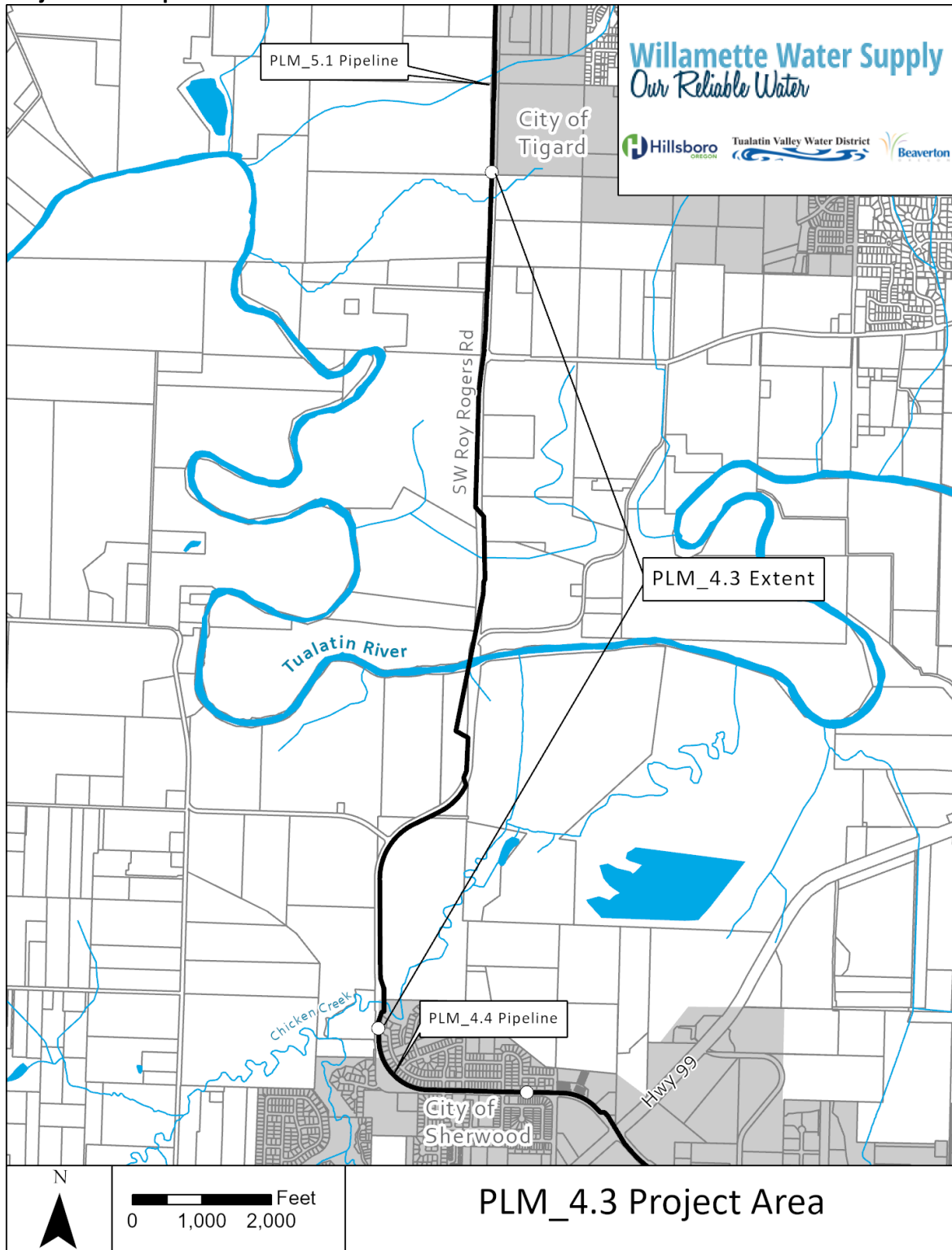
Attachments:

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-18-20

RESOLUTION DECLARING PUBLIC NECESSITY TO ACQUIRE PROPERTY INTERESTS OVER, UPON, UNDER AND THROUGH REAL PROPERTY FOR PIPELINE SECTION PLM_4.3 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 September 3, 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 PLM_4.3, 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 Exhibits A and depicted for illustration purposes only on Exhibits 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 without necessity of 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 3rd day of September 2020.

James Duggan, Chair

Denny Doyle, Vice Chair

Easement Descriptions
 WWSP PLM 4.3
 Washington County, Oregon
 July 27, 2020
 Project No. 0458-020
 Ref: 2S1190001000

EXHIBIT A

Tract 1 (Permanent Easement):

A tract of land lying in the Northeast 1/4 Section 19, Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon; being a portion of that property described in a Deed to Nelson C. Wetzel, Cheryl D. Wetzel, Lloyd G. Wetzel and Glen T. Wetzel recorded as Doc. No. 2014-031556, and as to a conveyance of Nelson C. Wetzel's share to Adam Z. Wetzel and Annette A. Freetage in Doc. No. 2020-033448, both Washington County Deed Records; and being more particularly described as follows:

Beginning at **Point 'A'** being on the east Right-of-Way line of SW Roy Rogers Road, as established in the Right-of-Way Survey by Oregon Department of Transportation filed April 2002 as Washington County Survey Number 28,892, that is easterly 45.28 feet and perpendicular to centerline "L" station 200+23.77;

thence along said Right-of-Way line on curve to the left, having a radius of 2046.59 feet through a central angle of 00°32'24" [the chord of which bears North 04°36'49" West, 19.29 feet] an arc length of 19.29 feet;

thence, North 04°53'01" West, 130.29 feet to the beginning of a curve;

thence along said curve to the right, having a radius of 1956.04 feet through a central angle of 03°16'42" [the chord of which bears North 03°14'40" West, 111.90 feet] an arc length of 111.92 feet;

thence, North 01°36'19" West, 1291.35 feet to the beginning of a curve;

thence along said curve to the right, having a radius of 856.96 feet through a central angle of 62°58'53" [the chord of which bears North 29°53'07" East, 895.28 feet] an arc length of 941.99 feet;

thence, North 61°22'34" East, 218.88 feet, more or less, to a point on the south Right-of-Way line of SW Elsner Road;

thence along said line, North 89°58'52" East, 20.89 feet to the beginning of a line, being parallel with and 10.00 feet southeast from, when measured at right angles to, the southeasterly Right-of-Way line of SW Roy Rogers Road;

thence along said parallel line, South 61°22'34" West, 237.22 feet to the beginning of a curve;

thence along said curve to the left, having a radius of 846.96 feet through a central angle of 04°10'06" (the chord of which bears South 59°17'31" West, 61.60 feet) an arc length of 61.62 feet;

thence leaving said parallel line, South 32°47'32" East, 5.00 feet to the beginning of a non-tangential curve, being parallel with and 15.00 feet southeast from, when measured at right angles to, the southeasterly Right-of-Way line of SW Roy Rogers Road;

thence along said parallel curve to the left, having a radius of 841.96 feet through a central angle of 12°25'25" (the chord of which bears South 50°59'45" West, 182.21 feet) an arc length of 182.56 feet;

thence leaving said parallel line, South 21°15'09" West, 90.44 feet;

thence, South 35°11'03" West, 105.15 feet;

thence, South 48°15'41" West, 93.69 feet to the beginning of a non-tangential curve, being parallel with and 15.00 feet east from, when measured at right angles to, the easterly Right-of-Way line of SW Roy Rogers Road;

thence along said parallel curve to the left, having a radius of 841.96 feet through a central angle of 26°57'26" (the chord of which bears South 11°52'24" West, 392.49 feet) an arc length of 396.13 feet;

thence, South 01°36'19" East, 101.69 feet;

thence leaving said parallel line, South 88°23'41" West, 5.00 feet to the beginning of a line, being parallel with and 10.00 feet east from, when measured at right angles to, the easterly Right-of-Way line of SW Roy Rogers Road;

thence, South 01°36'19" East, 1189.66 feet to the beginning of a curve;

thence along a curve to the left, having a radius of 1946.04 feet through a central angle of 03°16'42" (the chord of which bears South 03°14'40" East, 111.33 feet) an arc length of 111.35 feet;

thence, South 04°53'01" East, 27.72 feet;

thence leaving said parallel line, North 85°06'59" East, 41.40 feet;

thence, South 22°54'51" East, 288.63 feet;

thence, South 23°48'58" West, 46.75 feet, more or less, a point on the south line of said Wetzel property;

thence along said line, South 89°28'46" West, 54.88 feet to **Point 'B'**;

thence leaving said line, North 23°48'58" East, 13.43 feet;

thence, North 22°54'51" West, 186.63 feet;

thence, South 85°59'32" West, 12.35 feet to **Point 'A'** the Point of Beginning.

Containing 60,480 square feet, more or less.

Bearings based on Oregon Coordinate Reference System, Portland Zone.

Tract 2 (Long Term Monitoring Easement):

A tract of land lying in the Northeast 1/4 Section 19, Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon; being a portion of that property described in a Deed to Nelson C. Wetzel, Cheryl D. Wetzel, Lloyd G. Wetzel and Glen T. Wetzel recorded as Doc. No. 2014-031556, and as to a conveyance of Nelson C. Wetzel's share to Adam Z. Wetzel and Annette A. Freetage in Doc. No. 2020-033448, both Washington County Deed Records; and being more particularly described as follows:

Beginning at **Point 'B'** as established above in Tract 1, said point being on the south line of said Wetzel property;

thence along said south line, South 89°28'46" West, 32.93 feet;

thence leaving said line, North 23°48'58" East, 38.76 feet;

thence, North 22°54'51" West, 65.00 feet;

thence, North 67°05'09" East, 12.00 feet;

thence, South 22°54'51" East, 94.90 feet;

thence, South 23°48'58" West, 13.43 feet to **Point 'B'** the Point of Beginning.

Containing 1,742 square feet, more or less.

Bearings based on Oregon Coordinate Reference System, Portland Zone.

Tract 3 (Temporary Construction Easement):

A tract of land lying in the Northeast 1/4 Section 19, Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon; being a portion of that property described in a Deed to Nelson C. Wetzel, Cheryl D. Wetzel, Lloyd G. Wetzel and Glen T. Wetzel recorded as Doc. No. 2014-031556, and as to a conveyance of Nelson C. Wetzel's share to Adam Z. Wetzel and Annette A. Freetage in Doc. No. 2020-033448, both Washington County Deed Records; and being more particularly described as follows:

Beginning at **Point 'A'** being on the east Right-of-Way line of SW Roy Rogers Road, as established in the Right-of-Way Survey by Oregon Department of Transportation filed April 2002 as

Washington County Survey Number 28,892, that is easterly 45.28 feet and perpendicular to centerline "L" station 200+23.77;

thence along said Right-of-Way line on curve to the left, having a radius of 2046.59 feet through a central angle of 00°32'24" (the chord of which bears North 04°36'49" West, 19.29 feet) an arc length of 19.29 feet;

thence, North 04°53'01" West, 130.29 feet to the beginning of a curve;

thence along said curve to the right, having a radius of 1956.04 feet through a central angle of 03°16'42" (the chord of which bears North 03°14'40" West, 111.90 feet) an arc length of 111.92 feet;

thence, North 01°36'19" West, 1291.35 feet to the beginning of a curve;

thence along said curve to the right, having a radius of 856.96 feet through a central angle of 62°58'53" (the chord of which bears North 29°53'07" East, 895.28 feet) an arc length of 941.99 feet;

thence, North 61°22'34" East, 218.88 feet, more or less, to a point on the south Right-of-Way line of SW Elsner Road;

thence, North 89°58'52" East, 93.99 feet to the beginning of a line, being parallel with and 45.00 feet southeast from, when measured at right angles to, the southeasterly Right-of-Way line of SW Roy Rogers Road;

thence along said parallel line, South 61°22'34" West, 301.40 feet to the beginning of a curve;

thence along said curve to the left, having a radius of 811.96 feet through a central angle of 16°09'17" (the chord of which bears South 53°17'55" West, 228.18 feet) an arc length of 228.94 feet;

thence leaving said parallel curve, South 21°15'09" West, 87.80 feet;

thence, South 35°11'03" West, 112.25 feet;

thence, South 48°15'41" West, 78.15 feet to the beginning of a non-tangential curve, being parallel with and 50.00 feet east from, when measured at right angles to, the easterly Right-of-Way line of SW Roy Rogers Road;

thence along said parallel curve to the left, having a radius of 806.96 feet through a central angle of 27°22'09" (the chord of which bears South 12°04'45" West, 381.81 feet) an arc length of 385.47 feet;

thence leaving said parallel line, South 01°12'35" West, 101.81 feet to the beginning of a line, being parallel with and 45.00 feet east from, when measured at right angles to, the easterly Right-of-Way line of SW Roy Rogers Road;

thence along said parallel line, South 01°36'19" East, 1189.66 feet to the beginning of a curve;

thence along a curve to the left, having a radius of 1911.04 feet through a central angle of 02°57'44" (the chord of which bears South 03°05'11" East, 98.79 feet) an arc length of 98.80 feet;

thence leaving said parallel curve, South 46°31'24" East, 18.02 feet;

thence, South 22°54'51" East, 339.44 feet;

thence, South 23°48'58" West, 22.79 feet, more or less, to a point on the south line of said Wetzel property;

thence along said line, South 89°28'46" West, 120.73 feet;

thence leaving said line, North 23°48'58" East, 38.76 feet;

thence, North 22°54'51" West, 148.15 feet;

thence, South 85°59'32" West, 3.74 feet to **Point 'A'** the Point of Beginning.

Excepting therefrom those portions of tracts described above as Tract 1 and Tract 2.

Containing 95,370 square feet, more or less.

Bearings based on Oregon Coordinate Reference System, Portland Zone.

Tract 4 (Access Road Easement):

A tract of land lying in the Northeast 1/4 Section 19, Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon; being a portion of that property described in a Deed to Nelson C. Wetzel, Cheryl D. Wetzel, Lloyd G. Wetzel and Glen T. Wetzel recorded as Doc. No. 2014-031556, and as to a conveyance of Nelson C. Wetzel's share to Adam Z. Wetzel and Annette A. Freetage in Doc. No. 2020-033448, both Washington County Deed Records; said tract being that portion of said property lying easterly of the east Right-of-Way line of SW Roy Rogers Road; also being a strip of land 30.00 feet in width, 15.00 feet on each side of a centerline being more particularly described as follows:

Beginning at **Point 'C'** being on the east Right-of-Way line of SW Roy Rogers Road, as established in the Right-of-Way Survey by Oregon Department of Transportation filed April 2002 as Washington County Survey Number 28,892, that is easterly 45.28 feet and perpendicular to centerline "L" station 199+94.22;

thence, South 75°30'12" East, 16.19 feet to the beginning of a curve;

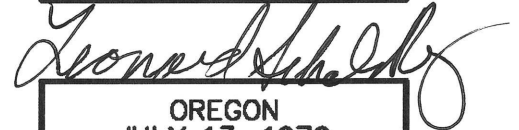
thence along said curve to the right, having a radius of 86.24 feet through a central angle of 49°07'50" (the chord of which bears South 50°56'17" East, 71.71 feet) an arc length of 73.95 feet;

thence, South 26°22'22" East, 123.54 feet;

Containing 6,410 square feet, more or less.

Bearings based on Oregon Coordinate Reference System, Portland Zone.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 13, 1979
LEONARD SCHELSKY
1841

RENEWS: 06-30-2022



0 150' 300'
SCALE: 1"=300'

SCHOLLS-SHERWOOD ROAD

SEE SHEET
3 OF 3
FOR DETAIL

R=856.96'
Δ=62°58'53"
L=941.99'
CH.=895.28'
N29°53'07"E

R=806.96' Δ=27°22'09" L=385.47'
CH.=381.81' S12°04'45"W

R=841.96' Δ=26°57'26" L=396.13'
CH.=392.49' S11°52'24"W

S88°23'41"W
5.00'

(5+629.28)
PT: 184+68.77

S01°12'35"W 101.81'
S01°36'19"E 101.69'

"L" LINE
(SN28892)

TRACT 1
TRACT 3

CHERYL D. WETZEL,
GLEN T. WETZEL,
LLOYD G. WETZEL,
ADAM Z. WETZEL AND
ANNETTE A. FREETAGE
DOC. NO. 2014-031556
FILED 05/29/2014
DOC. NO. 2020-033448
FILED 04/21/2020
WASHINGTON COUNTY RECORDS

SW ROY ROGERS ROAD

N01°36'19"W 1291.35'
S01°36'19"E 1189.66'
S01°36'19"E 1189.66'

R=1956.04' Δ=3°16'42" L=111.92'
CH.=111.90' N03°14'40"W

R=1946.04' Δ=3°16'42" L=111.35'
CH.=111.33' S03°14'40"E

R=1911.04' Δ=2°57'44" L=98.80'
CH.=98.79' S03°05'11"E

(6+022.88)
PC: 197+60.11

(6+057.79)
PT: 198+74.62

(6+097.50)
PC: 200+04.91

(6+132.40)
PT: 201+19.42

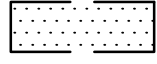
POINT 'C'
POINT 'A'
POINT 'B'



PERMANENT EASEMENT



LONG TERM MONITORING EASEMENT



TEMPORARY CONSTRUCTION EASEMENT



ACCESS ROAD EASEMENT

SEE SHEET
2 OF 3
FOR DETAIL

EXHIBIT B
PAGE 1 OF 3

LOCATED IN THE SE 1/4 OF SECTION 19
TOWNSHIP 2 S, RANGE 1 W, W.M.
WASHINGTON COUNTY, OREGON

DATE	07/30/2020
DRAWN BY	KEL
CHECKED BY	LJS
REVISION	0
JOB NO.	0458-020



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

C:\TEMP\AC\PUBLISH_10192\0458-020X PLM 4.3 EASEMENTS.DWG 2020-07-30 9:39 AM - KEL

SEE SHEET 1 OF 3



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

(6+057.79)
PT: 198+74.62

S04°53'01"E
27.72'

"L" LINE
(SN28892)

POINT 'C'

"L" 199+94.22 45.28'LT

R=2046.59'
Δ=0°32'24"
L=19.29'
CH.=19.29'
N04°36'49"W

(6+097.50)
PC: 200+04.91

S85°59'32"W
12.35'

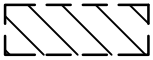
POINT 'A'

"L" 200+23.77 45.28'LT

R=2046.59'
Δ=0°20'09"
L=12.00'
CH.=12.00'
N04°10'33"W

(6+132.40)
PT: 201+19.42

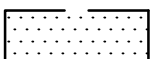
N67°05'09"E
12.00'



PERMANENT EASEMENT



LONG TERM
MONITORING EASEMENT



TEMPORARY CONSTRUCTION
EASEMENT



ACCESS ROAD EASEMENT

EXHIBIT B
PAGE 2 OF 3

LOCATED IN THE SE 1/4 OF SECTION 19
TOWNSHIP 2 S, RANGE 1 W, W.M.
WASHINGTON COUNTY, OREGON

DATE	07/30/2020
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JOB NO.	0458-020

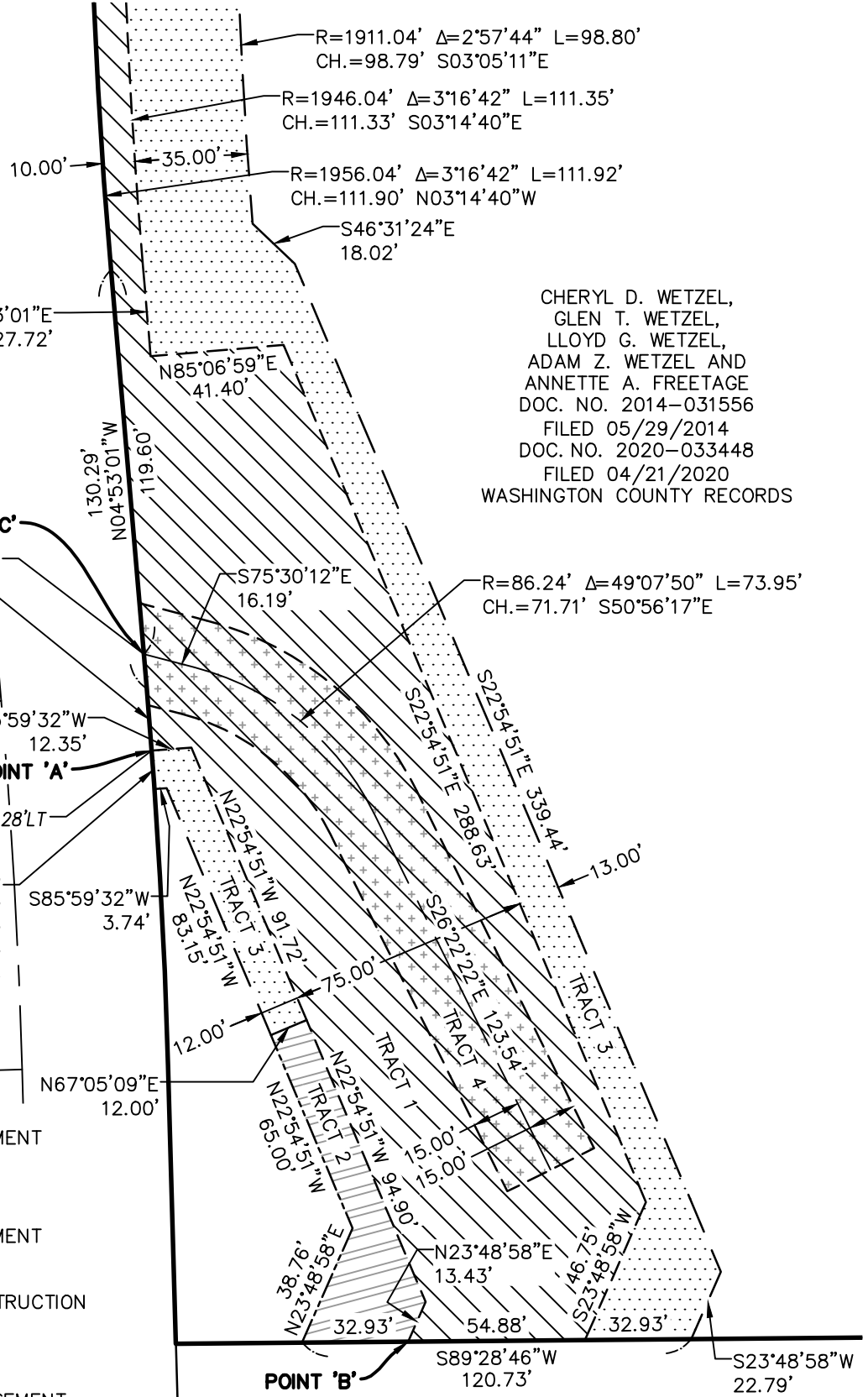


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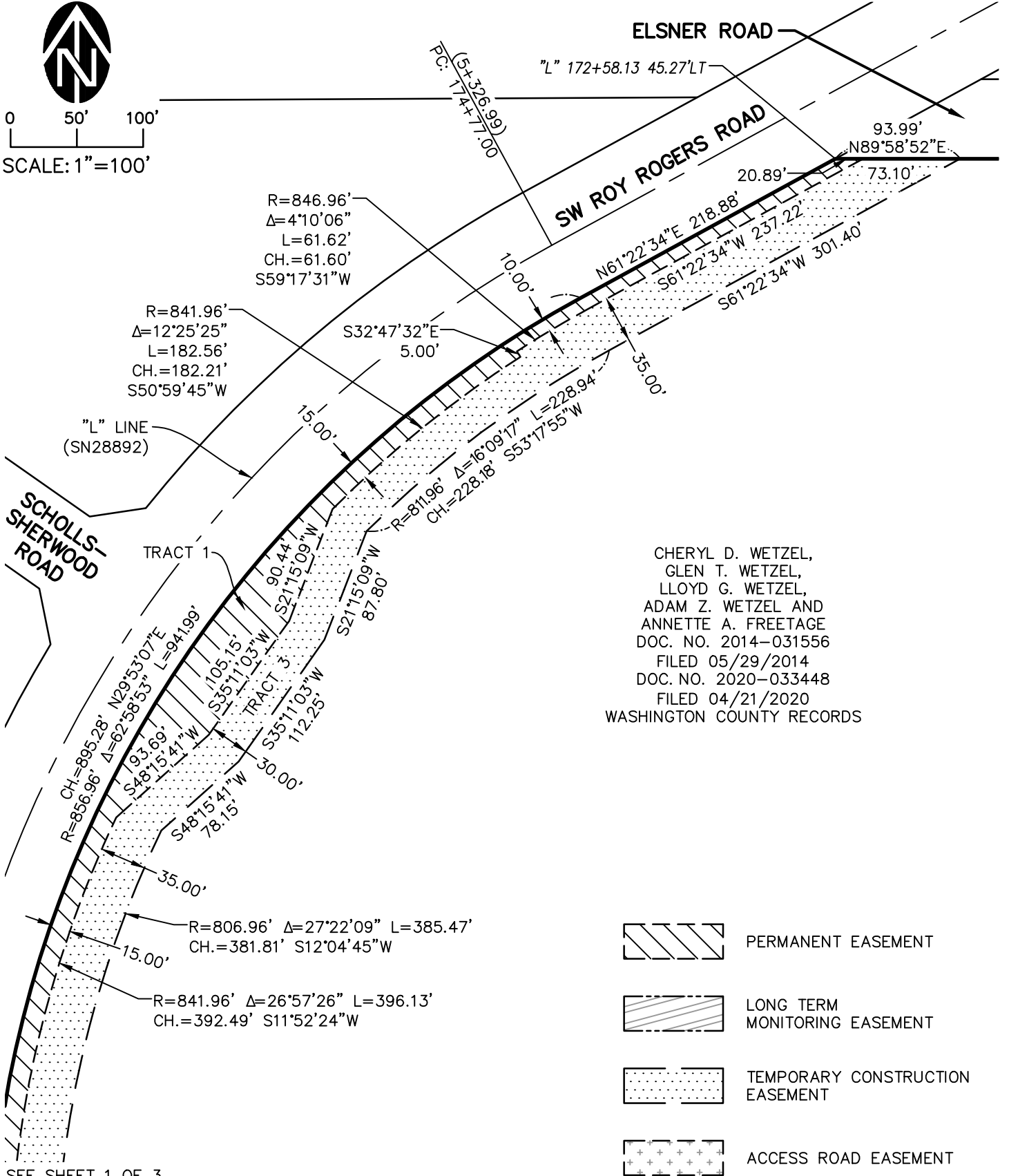
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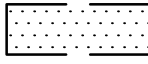
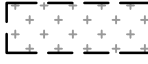
CHERYL D. WETZEL,
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ADAM Z. WETZEL AND
ANNETTE A. FREETAGE
DOC. NO. 2014-031556
FILED 05/29/2014
DOC. NO. 2020-033448
FILED 04/21/2020
WASHINGTON COUNTY RECORDS



0 50' 100'
SCALE: 1"=100'



CHERYL D. WETZEL,
GLEN T. WETZEL,
LLOYD G. WETZEL,
ADAM Z. WETZEL AND
ANNETTE A. FREETAGE
DOC. NO. 2014-031556
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FILED 04/21/2020
WASHINGTON COUNTY RECORDS

-  PERMANENT EASEMENT
-  LONG TERM MONITORING EASEMENT
-  TEMPORARY CONSTRUCTION EASEMENT
-  ACCESS ROAD EASEMENT

SEE SHEET 1 OF 3

EXHIBIT B
PAGE 3 OF 3

LOCATED IN THE SE 1/4 OF SECTION 19
TOWNSHIP 2 S, RANGE 1 W, W.M.
WASHINGTON COUNTY, OREGON

DATE	07/30/2020
DRAWN BY	KEL
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TIGARD, OREGON 97224 FAX (503) 624-0157

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Willamette Water Supply System Commission

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STAFF REPORT

To: Board of Commissioners

From: Joelle Bennett, P.E., WWSP Assistant Program Director

Date: September 3, 2020

Subject: Supplemental Resolution 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

Requested Board Action:

Consider adopting a resolution declaring public necessity to acquire permanent and temporary construction easements over, upon, under, and through real property for pipeline section PLM_5.3 for the Willamette Water Supply System (WWSS).

Key Concepts:

The WWSS includes a section of pipeline referred to as PLM_5.3.

- 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 injury to private 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, and also authorizes the acquisition of the property interests by eminent domain, to the extent negotiations fail.
- This is the third resolution declaring property needs for PLM_5.3. The first resolution was approved at the July 2, 2020 meeting and the second was approved at the August 6, 2020 meeting.

Background:

The pipeline alignment for PLM_5.3 is located along SW Grabhorn Road, across private property from the RES_1.0 location to near Clark Hill Road, and across private property to the connection point with PLW_1.3 at SW Rosedale Road and the future Cornelius Pass Road. The majority of this pipeline is located in unincorporated Washington County. The project area is shown in the attached map. The pipeline will be a 66-inch diameter welded steel pipe.

The PLM_5.3 pipeline alignment, due to its unique location, requires different types of permanent and temporary easements than other pipeline projects to, among other purposes, fulfill WWSP standard construction work zone requirements and to provide for future maintenance and operations of the WWSS. This portion of the pipeline will include easements for:

- The WWSS pipeline and associated water system facilities

September 3, 2020

Supplemental Resolution Declaring Public Necessity to Acquire Property Interests for WWSP Pipeline
Section PLM_5.3

- Access roads to provide access to pipeline sections not located adjacent to the public right of way
- Limited use easements that protect the pipeline and associated water system facilities from potentially damaging activities such as aggregate mining
- Temporary easements for construction, access to construction areas, and access and monitoring/maintenance of restoration areas

Resolution Summary

The WWSS Commission has authority to acquire real property for the WWSS. The pipeline section PLM_5.3 requires the acquisition of real property for the construction, operation, and maintenance of the WWSS. The PLM_5.3 pipeline alignment was selected through an extensive alternatives evaluation, and the preferred location was selected based on 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, and also authorizes the acquisition of the property interests by eminent domain, to the extent negotiations fail.

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 PLM_5.3 real property needs identified in this proposed resolution is \$1,759,503. Funds for purchase of these easements are included in the WWSP baseline budget.

Staff Contact Information:

Dave Kraska, P.E., WWSS General Manager, 503-941-4561, david.kraska@tvwd.org

Clark Balfour, General Counsel, 503-848-3061, clark.balfour@tvwd.org

Joelle Bennett, P.E., WWSP Assistant Program Director, 503-941-4577, joelle.bennett@tvwd.org

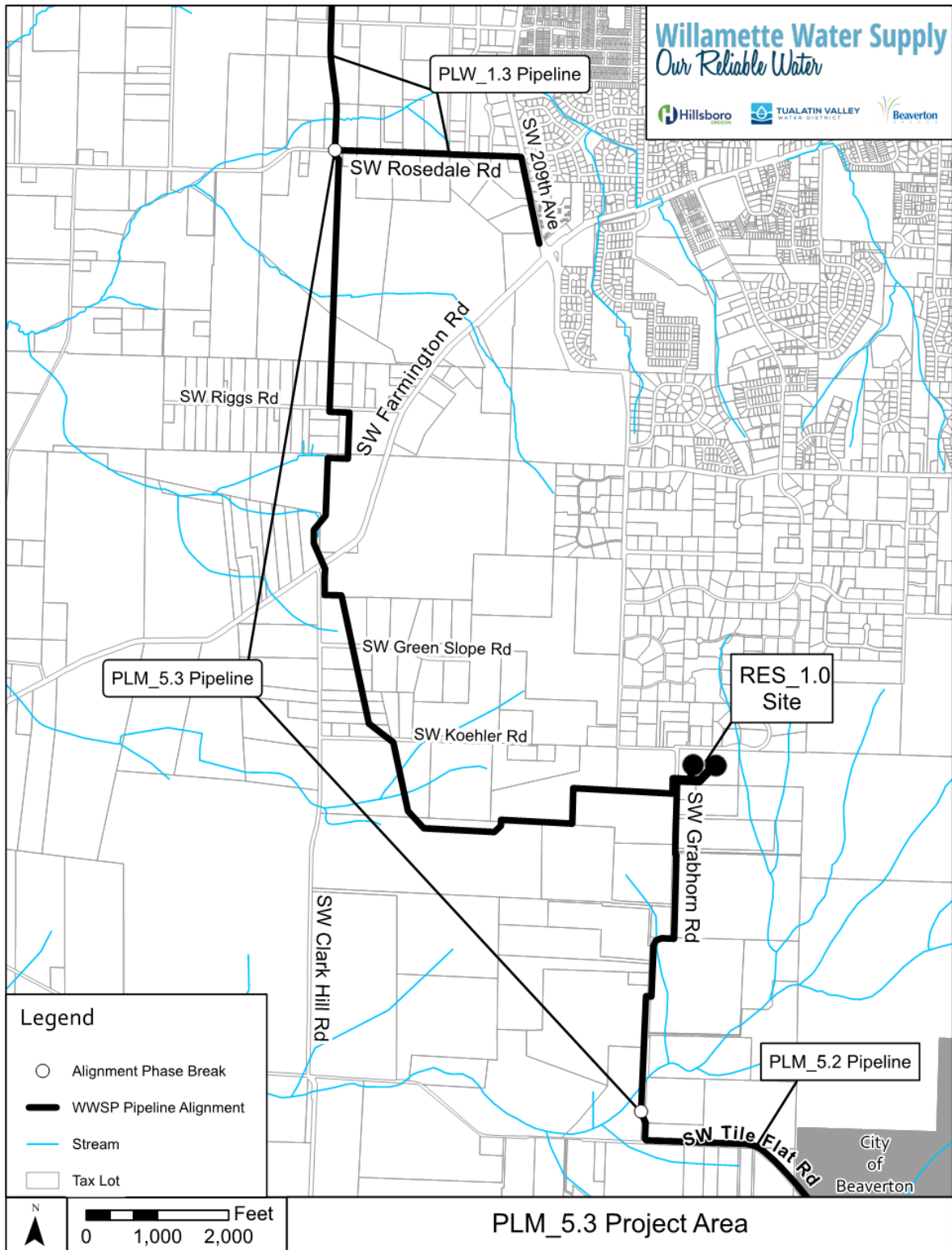
Attachments:

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-19-20

RESOLUTION 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.

WHEREAS, the above-entitled matter came before the Willamette Water Supply System Commission (WWSS Commission) at its regular meeting on September 3, 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 PLM_5.3, 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 Exhibits A and depicted for illustration purposes only on Exhibits B attached hereto and incorporated by reference, with final legal descriptions and easement documents to 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 without necessity of 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 3rd day of September 2020.

James Duggan, Chair

Denny Doyle, Vice Chair

EXHIBIT A

Willamette Water Supply
August 25, 2020

Linda A. Eshraghi
Tax Map No. 1S226B003200

PARCEL 1 – PERMANENT FACILITIES EASEMENT

A parcel of land lying in the Northwest Quarter of Section 26, Township 1 South, Range 2 West of the Willamette Meridian, Washington County, Oregon and being a portion of that property conveyed to Linda A. Eshraghi, recorded November 3, 2016 as Document No. 2016-090765, in the Washington County Book of Records, said parcel being that portion of said property included in a strip of land, variable in width, lying on each side of the following described Pipeline Centerline:

Beginning at Engineer's Centerline Station 957+00.00, said point being S 64°13'36 E, 956.35 feet from the Northwest corner of Section 36, Township 1 South, Range 2 West of the Willamette Meridian.

Thence along said pipeline the following courses;

N 89°15'16" W, 78.67 feet to Station 957+78.67;
 thence S 0°01'21" E, 215.81 feet to Station 959+94.49;
 thence N 88°27'18" W, 1393.61 feet to Station 973+88.10;
 thence S 0°03'04" E, 496.73 feet to Station 978+84.82;
 thence N 88°36'55" W, 1001.32 feet to Station 988+86.14;
 thence S 0°10'16" W, 84.89 feet to Station 989+71.03;
 thence S 45°46'40" W, 126.13 feet to Station 990+97.16;
 thence N 88°36'55" W, 988.72 feet to Station 1000+85.88;
 thence N 44°14'56" W, 328.47 feet to Station 1004+14.36;
 thence N 13°40'36" W, 985.84 feet to Station 1014+00.20, said point being S 86°03'21 W, 530.54 feet from the North 1/4 corner of Section 35;
 thence continuing along said pipeline N 54°06'50" W, 431.69 feet to Station 1018+31.89;
 thence N 13°40'36" W, 1838.00 feet to Station 1036+69.89;
 thence N 89°58'26" W, 235.89 feet to Station 1039+05.77;
 thence N 1°36'57" W, 264.23 feet to Station 1041+70.00;
 thence N 2°57'43" E, 99.44 feet to Station 1042+69.44;
 thence N 25°40'02" W, 395.23 feet to Station 1046+64.67;
 thence N 1°37'05" W, 187.89 feet to Station 1048+52.56;
 thence N 38°06'59" E, 260.68 feet to Station 1051+13.24, said point being S 77°11'34 E, 84.29 feet from the Northeast corner of the Hiram Johnson D.L.C. number 55;
 thence continuing along said pipeline N 0°32'41" E, 808.24 feet to Station 1059+21.48;
 thence S 89°26'00" E, 280.00 feet to Station 1062+01.48;
 thence N 0°32'40" E, 646.49 feet to Station 1068+47.97;
 thence N 89°25'41" W, 280.00 feet to Station 1071+27.97;
 thence N 0°32'41" E, 3542.23 feet to Station 1106+70.20;
 thence N 44°09'05" W, 88.58 feet to Station 1107+58.78;
 thence N 0°50'55" E, 47.38 feet to Station 1108+06.17 and the Terminus of said pipeline description. Said Terminus also being N 0°46'24 E, 5,089.47 feet from the Northeast corner of the Hiram Johnson D.L.C. number 55.

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**Linda A. Eshraghi
Tax Map No. 1S226B003200**

Widths in feet of said strip of land are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly and Northerly Side of Centerline</u>
1048+52.56		1051+50.21	15.00
1051+50.21		1052+50.21	30.00
1051+50.21		1062+50.00	15.00

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly and Southerly Side of Centerline</u>
1048+52.56		1061+86.49	15.00
1061+86.49		1062+50.00	30.00

The parcel of land to which this description applies contains 40,455 square feet (0.93 acre), more or less.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

That portion of said Eshraghi property included in a strip of land, variable in width, lying on each side of the above described Pipeline Centerline;

Widths in feet of said strip of land are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly and Northerly Side of Centerline</u>
1048+52.56		1062+50.00	55.00

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly and Southerly Side of Centerline</u>
1048+52.56		1049+71.49	50.00
1049+71.49		1049+95.55	50.00 in a straight line to 30.00
1049+95.55		1051+07.04	30.00

Thence N 0°32'41" E, parallel with Pipeline Centerline, 791.44 feet to Engineer's Station 1058+81.47, 20.00 feet right of Pipeline Centerline;

1058+81.47		1062+50.00	40.00
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EXCEPT THEREFROM that portion lying within the above described Parcel 1.

The parcel of land to which this description applies contains 54,686 square feet (1.26 acre), more or less.

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**Linda A. Eshraghi
Tax Map No. 1S226B003200**

PARCEL 3 – TEMPORARY CONSTRUCTION EASEMENT

That portion of said Eshraghi property lying southerly of a line being further described as follows;

Beginning at a point on the southerly West line of said Eshraghi property which bears S 1°37'05" E, 438.63 feet from the Northeast corner of the Johnson D.L.C. No. 55; Thence N 88°22'55" E, 12.00 feet; thence S 46°37'05" E, 18.22 feet; thence N 88°46'46" E, 136.24 feet; thence N 78°20'15" E, 127.29 feet; thence N 54°33'17" E, 119.05 feet; thence S 35°21'20" E, 55.00 feet to the northerly right-of-way of Farmington Road (County Road 1553) and the terminus of this description.

EXCEPT THEREFROM that portion lying within the right-of-way of Farmington Road (County Road 1553).

The parcel of land to which this description applies contains 6,310 square feet (0.14 acre), more or less.

Basis of Bearings is the Oregon Coordinate Reference System (OCRS), Portland Zone.

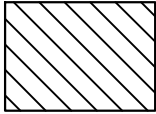


EXPIRES: 6/30/22
SIGNED: 8-25-20

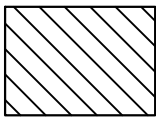
EXHIBIT B



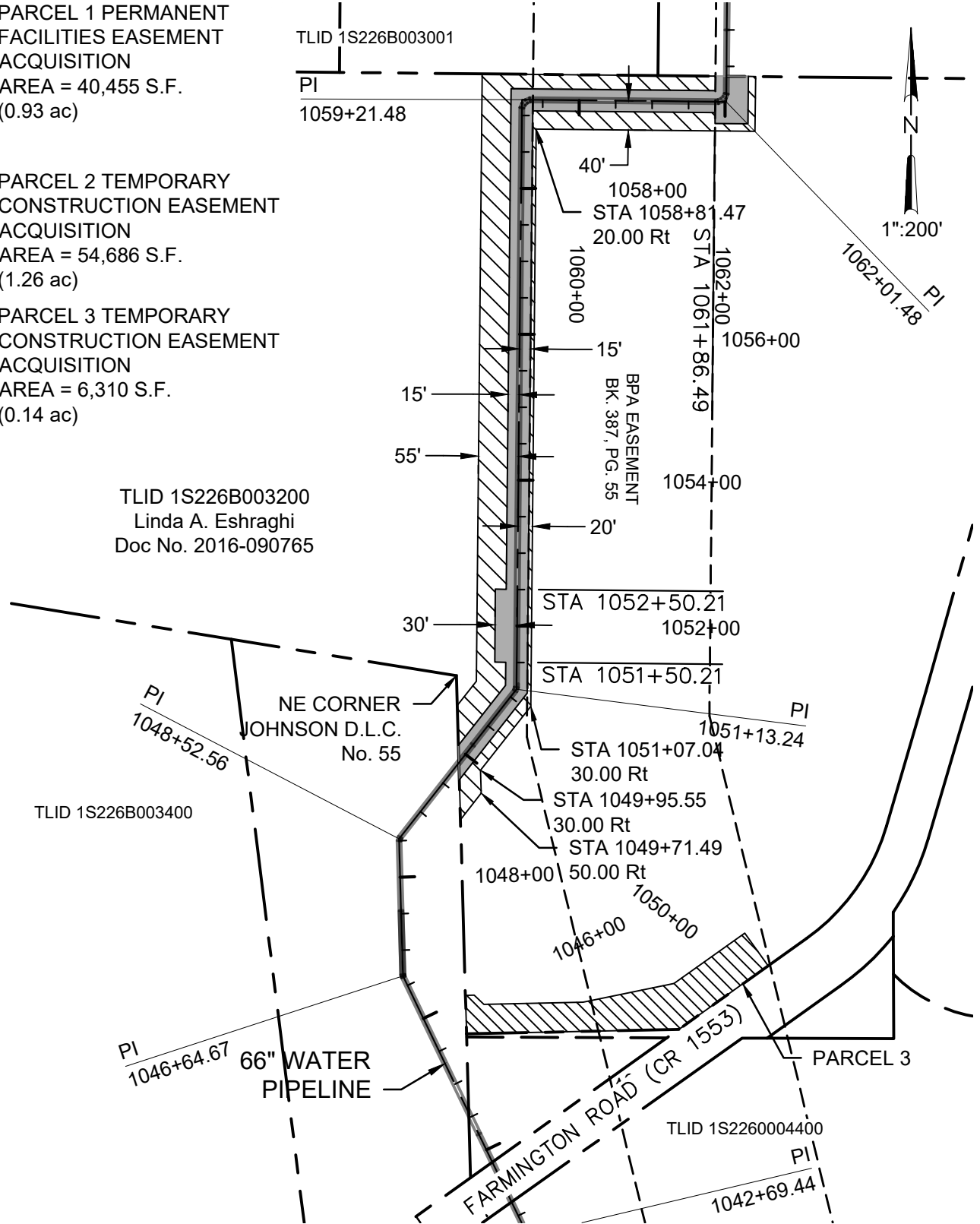
PARCEL 1 PERMANENT FACILITIES EASEMENT ACQUISITION
 AREA = 40,455 S.F.
 (0.93 ac)



PARCEL 2 TEMPORARY CONSTRUCTION EASEMENT ACQUISITION
 AREA = 54,686 S.F.
 (1.26 ac)



PARCEL 3 TEMPORARY CONSTRUCTION EASEMENT ACQUISITION
 AREA = 6,310 S.F.
 (0.14 ac)



TLID 1S226B003200
 Linda A. Eshraghi
 Doc No. 2016-090765

TLID 1S226B003400

NE CORNER
 JOHNSON D.L.C.
 No. 55

66" WATER
 PIPELINE

FARMINGTON ROAD (CR 1553)

TLID 1S2260004400

WILLAMETTE WATER SUPPLY PROGRAM

PIPELINE MAIN STEM, SECTION 5.3

ACQUISITION MAP

PAGE 1 OF 1

Jacobs

SURVEY & MAPPING

2020 SW 4TH AVE. SUITE 300 PORTLAND, OR 97201
 PH: (503) 235-5000

FILE No: PLM_5.3-008

SUBMITTAL DATE: AUG 25, 2020

TAX LOT: 1S226B003200

ADDRESS:

TAX MAP: T1S R2W Sec26B

EXHIBIT A

Willamette Water Supply
August 25, 2020

James D. Hruby
Tax Map No. 1S2350000400

PARCEL 1 – PERMANENT FACILITIES EASEMENT

A parcel of land lying in Section 35, Township 1 South, Range 2 West of the Willamette Meridian, Washington County, Oregon and being a portion of that property conveyed to James D. Hruby, recorded June 4, 1985 in Document No. 85020562, in the Washington County Book of Records, said parcel being that portion of said property included in a strip of land variable in width, lying on each side of the following described Pipeline Centerline:

Beginning at Engineer's Centerline Station 957+00.00, said point being S 64°13'36" E, 956.35 feet from the Northwest corner of Section 36, Township 1 South, Range 2 West of the Willamette Meridian.

Thence along said pipeline the following courses;

N 89°15'16" W, 78.67 feet to Station 957+78.67;
thence S 0°01'21" E, 215.81 feet to Station 959+94.49;
thence N 88°27'18" W, 1393.61 feet to Station 973+88.10;
thence S 0°03'04" E, 496.73 feet to Station 978+84.82;
thence N 88°36'55" W, 1001.32 feet to Station 988+86.14;
thence S 0°10'16" W, 84.89 feet to Station 989+71.03;
thence S 45°46'40" W, 126.13 feet to Station 990+97.16;
thence N 88°36'55" W, 988.72 feet to Station 1000+85.88;
thence N 44°14'56" W, 328.47 feet to Station 1004+14.36;
thence N 13°40'36" W, 985.84 feet to Station 1014+00.20, said point being S 86°03'21" W, 530.54 feet from the North 1/4 corner of Section 35;
thence continuing along said pipeline N 54°06'50" W, 431.69 feet to Station 1018+31.89;
thence N 13°40'36" W, 1838.00 feet to Station 1036+69.89;
thence N 89°58'26" W, 235.89 feet to Station 1039+05.77;
thence N 1°36'57" W, 264.23 feet to Station 1041+70.00;
thence N 2°57'43" E, 99.44 feet to Station 1042+69.44;
thence N 25°40'02" W, 395.23 feet to Station 1046+64.67;
thence N 1°37'05" W, 187.89 feet to Station 1048+52.56;
thence N 38°06'59" E, 260.68 feet to Station 1051+13.24, said point being S 77°11'34" E, 84.29 feet from the Northeast corner of the Hiram Johnson D.L.C. number 55;
thence continuing along said pipeline N 0°32'41" E, 808.24 feet to Station 1059+21.48;
thence S 89°26'00" E, 280.00 feet to Station 1062+01.48;
thence N 0°32'40" E, 646.49 feet to Station 1068+47.97;
thence N 89°25'41" W, 280.00 feet to Station 1071+27.97;
thence N 0°32'41" E, 3542.23 feet to Station 1106+70.20;
thence N 44°09'05" W, 88.58 feet to Station 1107+58.78;
thence N 0°50'55" E, 47.38 feet to Station 1108+06.17 and the Terminus of said pipeline description. Said Terminus also being N 0°46'24" E, 5,089.47 feet from the Northeast corner of the Hiram Johnson D.L.C. number 55.

EXHIBIT A

Willamette Water Supply
August 25, 2020

James D. Hruby
Tax Map No. 1S2350000400

Widths in feet of said strip of land are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly Side of Centerline</u>
1002+00.00		1015+00.00	15.00

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly Side of Centerline</u>
1002+00.00		1008+48.97	15.00
1008+48.97		1009+00.63	40.00
1009+00.63		1009+33.97	40.00 in a straight line to 15.00
1009+33.97		1009+95.12	15.00
1009+95.12		1010+50.12	30.00
1010+50.12		1013+07.49	15.00
1013+07.49		1014+00.20	30.00

Thence continuing N 13°40'36" W, 10.17 feet to the South right-of-way of SW Koeler Road (County Road 226).

EXCEPT THEREFROM that portion lying within the right-of-way of SW Koehler Road (County Road 226).

The parcel of land to which this description applies contains 38,008 square feet (0.87 acre), more or less.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

That portion of said Hruby property included in a strip of land, variable in width, lying on each side of the above described Pipeline Centerline;

Widths in feet of said strip of land are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly Side of Centerline</u>
1002+00.00		1004+68.14	20.00 in a straight line to 55.00
1004+68.14		1005+78.79	55.00
1005+78.79		1007+47.67	30.00
1007+47.67		1010+00.00	55.00
1010+00.00		1012+87.41	30.00
1012+87.41		1016+39.07	30.00 in a straight line to 163.85
1016+39.07		1017+09.91	163.85 in a straight line to 214.99
1017+09.91		1017+15.76	214.99 in a straight line to 206.88

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**James D. Hruby
Tax Map No. 1S2350000400**

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly Side of Centerline</u>
1002+00.00		1004+88.64	55.00 in a straight line to 20.00
1004+88.64		1012+98.64	20.00
1012+98.64		1013+36.78	20.00 in a straight line to 331.14

EXCEPT THEREFROM that portion lying within the right-of-way of SW Koehler Road (County Road 226) and above described Parcel 1.

The parcel of land to which this description applies contains 71,466 square feet (1.64 acre), more or less.

PARCEL 3 – TEMPORARY ACCESS EASEMENT

That portion of said Hruby property included in a strip of land, variable in width, lying on each side of the above described Pipeline Centerline;

Widths in feet of said strip of land are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly Side of Centerline</u>
1012+98.64		1016+39.07	44.88 in a straight line to 163.85
1016+39.07		1017+09.91	163.85 in a straight line to 214.99
1017+09.91		1017+15.76	214.99 in a straight line to 206.88

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly Side of Centerline</u>
1012+98.64		1013+36.78	20.00 in a straight line to 331.14

EXCEPT THEREFROM that portion lying within the right-of-way of SW Koehler Road (County Road 226).

The parcel of land to which this description applies contains 43,018 square feet (0.99 acre), more or less.

PARCEL 4 – PERMANENT ACCESS ROAD EASEMENT

That portion of said Hruby property included in a strip of land, variable in width, lying on each side of the above described Pipeline Centerline;

Widths in feet of said strip of land are described as follows:

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**James D. Hruby
Tax Map No. 1S2350000400**

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly Side of Centerline</u>
1008+38.97		1015+00.00	15.00

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly Side of Centerline</u>
1008+38.97		1008+48.97	15.00
1008+48.97		1009+00.63	40.00
1009+00.63		1009+33.97	40.00 in a straight line to 15.00
1009+33.97		1015+00.00	15.00

EXCEPT THEREFROM that portion lying within the right-of-way of SW Koehler Road (County Road 226).

The parcel of land to which this description applies contains 19,454 square feet (0.45 acre), more or less.

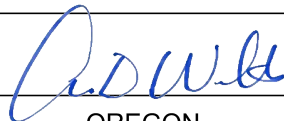
PARCEL 5 – PERMANENT LIMITED USE EASEMENT

That portion of said Hruby property included in a strip of land, 400.00 feet in width, lying 200.00 feet on each side of the above described Pipeline Centerline;

The parcel of land to which this description applies contains 455,154 square feet (10.45 acre), more or less.

Basis of Bearings is the Oregon Coordinate Reference System (OCRS), Portland Zone.

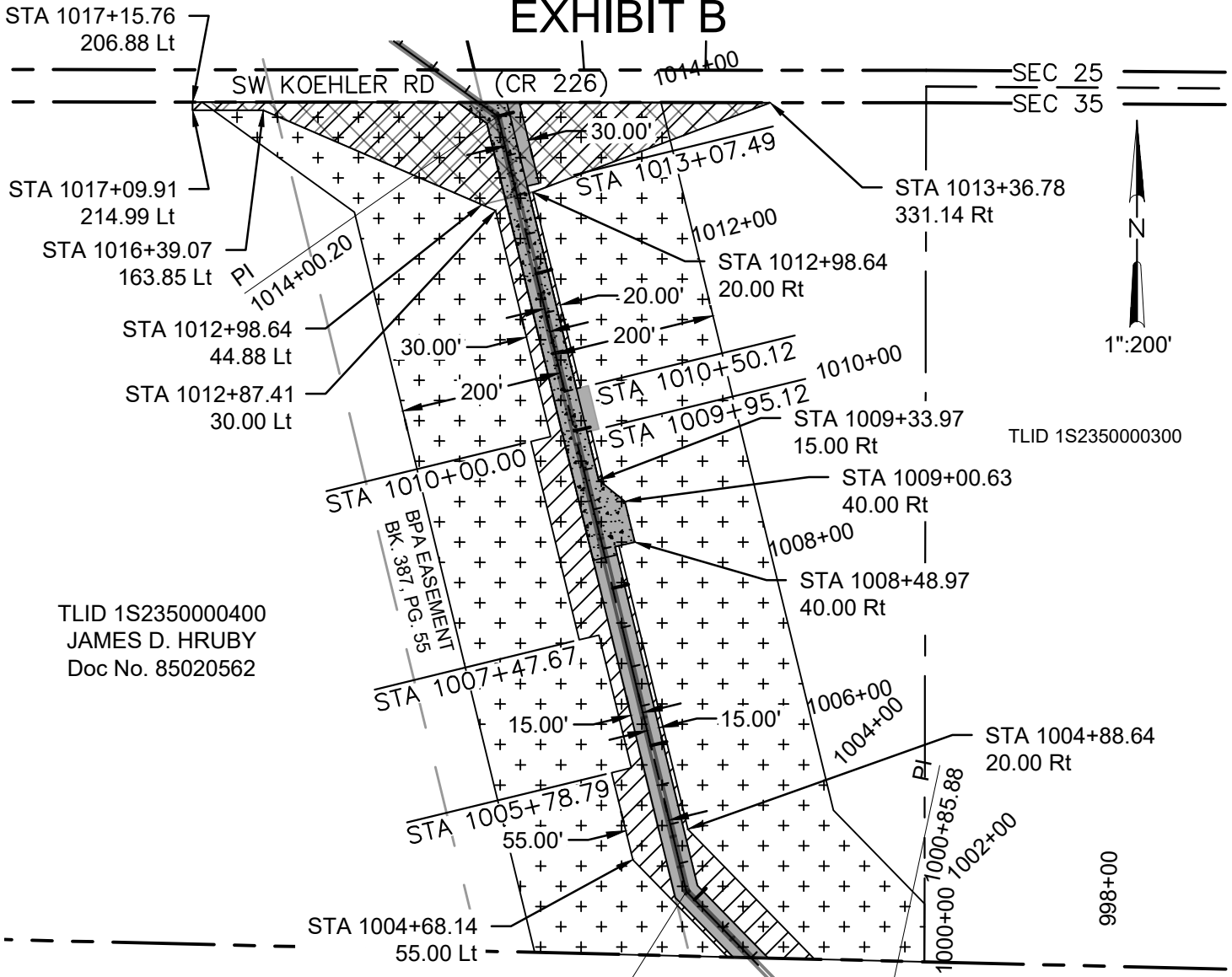
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JANUARY 8, 2015
AARON D. WILLIS
88798

EXPIRES: 6/30/22
SIGNED: 8-24-20

EXHIBIT B



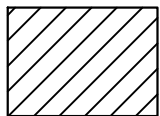
TLID 1S2350000400
 JAMES D. HRUBY
 Doc No. 85020562

TLID 1S2350000300

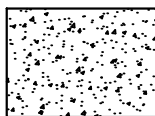
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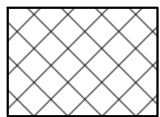
PARCEL 1 PERMANENT FACILITIES EASEMENT ACQUISITION
 AREA = 38,008 S.F.
 (0.87 ac)



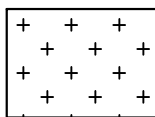
PARCEL 2 TEMPORARY CONSTRUCTION EASEMENT ACQUISITION
 AREA = 71,466 S.F.
 (1.64 ac)



PARCEL 4 PERMANENT ACCESS ROAD EASEMENT ACQUISITION
 AREA = 19,454 S.F.
 (0.45 ac)



PARCEL 3 TEMPORARY ACCESS EASEMENT ACQUISITION
 AREA = 43,018 S.F.
 (0.99 ac)



PARCEL 5 PERMANENT LIMITED USE EASEMENT ACQUISITION
 AREA = 455,154 S.F.
 (10.45 ac)

WILLAMETTE WATER SUPPLY PROGRAM
 PIPELINE MAIN STEM, SECTION 5.3

ACQUISITION MAP
 PAGE 1 OF 1

FILE No: PLM_5.3-072

SUBMITTAL DATE: AUG 25, 2020

TAX LOT: 1S2350000400

ADDRESS:

TAX MAP: T1S R2W Sec35

Jacobs

SURVEY & MAPPING

2020 SW 4TH AVE. SUITE 300 PORTLAND, OR 97201
 PH: (503) 235-5000

Willamette Water Supply System Commission

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EXHIBIT A

Willamette Water Supply
August 25, 2020

Crumley Family Revocable Living Trust
Tax Map No. 1S2350001003

PARCEL 1 – PERMANENT FACILITIES EASEMENT

A parcel of land lying in Section 35, Township 1 South, Range 2 West of the Willamette Meridian, Washington County, Oregon and being a portion of that property conveyed to Crumley Family Revocable Living Trust, recorded March 30, 2001 in Document No. 2001027103, in the Washington County Book of Records, said parcel being that portion of said property included in a strip of land, variable in width, lying on each side of the following described Pipeline Centerline:

Beginning at Engineer's Centerline Station 901+98.99, said point being N 62°00'18 E, 72.12 feet from the Southeast corner of the John Landess D.L.C. number 37.

Thence along said pipeline the following courses;
thence N 89°26'02" W, 9.73 feet to Station 902+08.72;
thence N 44°26'02" W, 27.23 feet to Station 902+35.95;
thence N 0°55'28" E, 224.95 feet to Station 904+60.90;
thence N 25°53'14" W, 159.59 feet to Station 906+20.49;
thence N 0°55'50" E, 1630.98 feet to Station 922+51.47;
thence S 89°03'53" E, 75.00 feet to Station 923+26.47;
thence N 0°55'50" E, 715.98 feet to Station 930+42.45;
thence N 22°48'13" E, 76.16 feet to Station 931+18.61;
thence N 66°45'49" E, 84.11 feet to Station 932+02.72;
thence S 89°51'32" E, 176.96 feet to Station 933+79.68, said point being S 33°41'14 E, 561.69 feet from the Northeast corner of the John Landess D.L.C. number 37;
thence continuing along said pipeline N 0°01'21" W, 1173.27 feet to Station 945+52.95;
thence N 45°01'21" W, 25.46 feet to Station 945+78.41;
thence N 0°01'21" W, 1026.61 feet to Station 956+05.01 and the Terminus of said pipeline description. Said Terminus also being S 62°11'57 E, 954.76 feet from the Northwest corner of Section 36, Township 1 South, Range 2 West of the Willamette Meridian;

Widths in feet of said strip of land are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly Side of Centerline</u>
907+06.13		916+00.00	18.00

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly Side of Centerline</u>
907+06.13		907+73.41	12.00
907+73.41		909+00.00	32.00
909+00.00		910+03.94	12.00
910+03.94		911+12.14	30.00
911+12.14		916+00.00	12.00

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**Crumley Family Revocable Living Trust
Tax Map No. 1S2350001003**

EXCEPT THEREFROM that portion lying within the right-of-way of Grabhorn Rd (CR 315).

The parcel of land to which this description applies contains 30,521 square feet (0.70 acre), more or less.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

That portion of said Crumley property included in a strip of land, variable in width, lying on the westerly side of the above described Pipeline Centerline;

Widths in feet of said strip of land are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly Side of Centerline</u>
907+06.13		908+22.83	47.00
908+22.83		910+68.87	32.00
910+68.87		911+23.87	97.00
911+23.87		916+00.00	47.00

EXCEPT THEREFROM that portion lying within the right-of-way of Grabhorn Rd (CR 315) and above described Parcel 1.

The parcel of land to which this description applies contains 24,962 square feet (0.57 acre), more or less.

PARCEL 3 – PERMANENT ACCESS ROAD EASEMENT

That portion of said Crumley property included in a strip of land, variable in width, lying on each side of the above described Pipeline Centerline;

Widths in feet of said strip of land are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly Side of Centerline</u>
907+50.00		909+30.00	18.00

<u>Station</u>	to	<u>Station</u>	<u>Width on Westerly Side of Centerline</u>
907+50.00		907+73.41	12.00
907+73.41		909+00.00	32.00
909+00.00		909+30.00	12.00

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**Crumley Family Revocable Living Trust
Tax Map No. 1S2350001003**

EXCEPT THEREFROM that portion lying within the right-of-way of Grabhorn Rd (CR 315).

The parcel of land to which this description applies contains 7,932 square feet (0.18 acre), more or less.

PARCEL 4 – TEMPORARY RESTORATION MONITORING EASEMENT

That portion of said Crumley property included in a strip of land, 32.00 feet in width, lying on the westerly side side of the above described Pipeline Centerline, between Stations 909+00.00 and 910+03.94.

EXCEPT THEREFROM that portion lying within the right-of-way of Grabhorn Rd (CR 315) and above described Parcel 1.

The parcel of land to which this description applies contains 2,079 square feet (0.05 acre), more or less.

Basis of Bearings is the Oregon Coordinate Reference System (OCRS), Portland Zone.

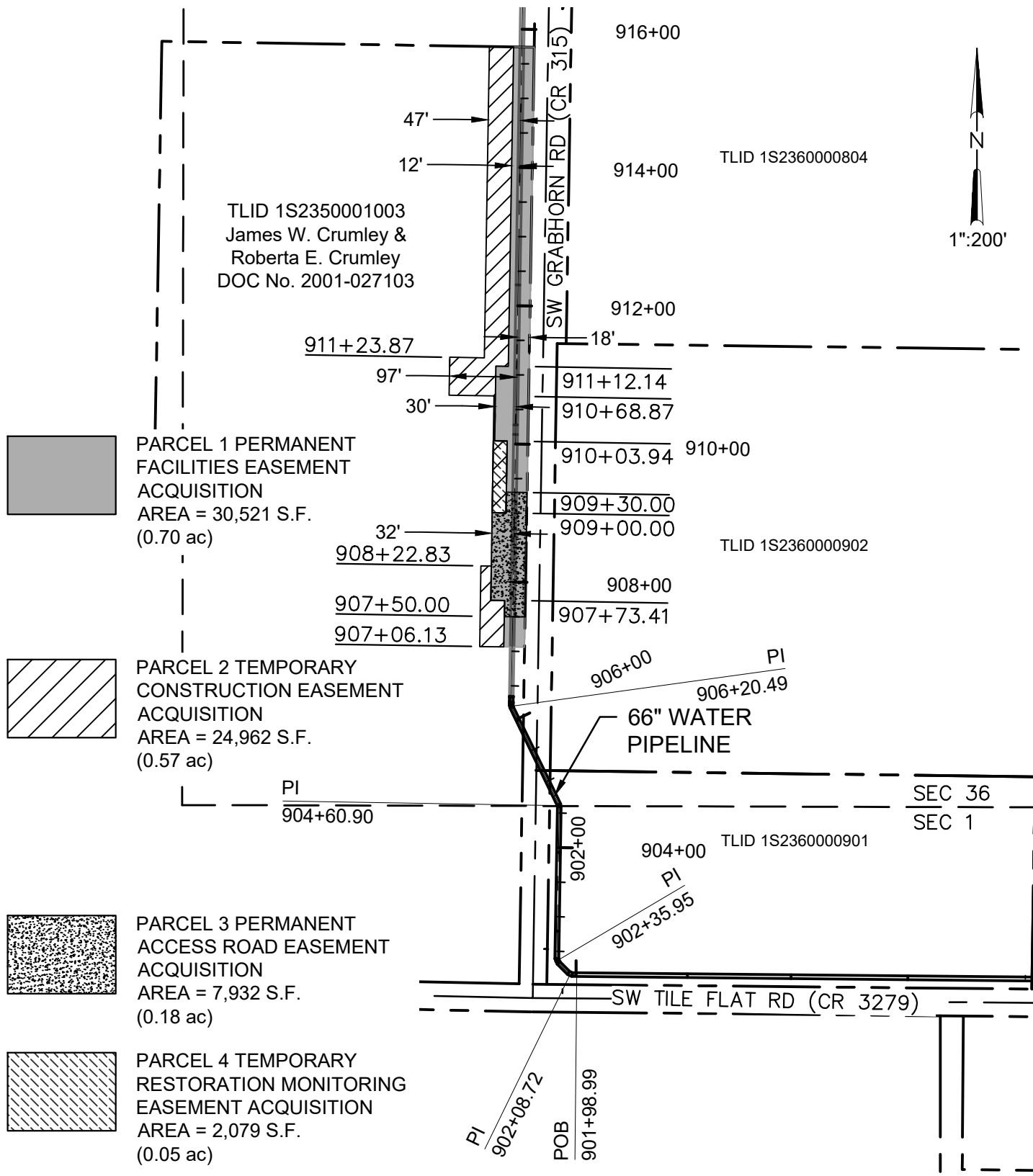
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JANUARY 8, 2015
AARON D. WILLIS
88798

EXPIRES: 6/30/22
SIGNED: 8-24-20

EXHIBIT B



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WILLAMETTE WATER SUPPLY PROGRAM
PIPELINE MAIN STEM, SECTION 5.3

FILE No: PLM_5.3-093	SUBMITTAL DATE: AUG 25, 2020
TAX LOT: 122350001003	ADDRESS:
TAX MAP: T1S R2W Sec35	

ACQUISITION MAP
PAGE 1 OF 1

Jacobs
SURVEY & MAPPING
2020 SW 4TH AVE. SUITE 300 PORTLAND, OR 97201
PH: (503) 235-5000

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**Cristopher Clark and
Chelsey Clark
Tax Map No. 1S2360000401**

PARCEL 1 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land lying in Section 36, Township 1 South, Range 2 West of the Willamette Meridian, Washington County, Oregon and being a portion of that property conveyed to Christopher Clark and Chelsey Clark, recorded April 18, 2018 in Document No. 2018-026905, in the Washington County Book of Records, said parcel being that portion of said property included in a strip of land variable in width, lying Easterly of the following described Pipeline Centerline:

Beginning at Engineer’s Centerline Station 901+98.99, said point being N 62°00’18 E, 72.12 feet from the Southeast corner of the John Landess D.L.C. number 37.

Thence along said pipeline the following courses;

thence N 89°26'02" W, 9.73 feet to Station 902+08.72;
thence N 44°26'02" W, 27.23 feet to Station 902+35.95;
thence N 0°55'28" E, 224.95 feet to Station 904+60.90;
thence N 25°53'14" W, 159.59 feet to Station 906+20.49;
thence N 0°55'50" E, 1630.98 feet to Station 922+51.47;
thence S 89°03'53" E, 75.00 feet to Station 923+26.47;
thence N 0°55'50" E, 715.98 feet to Station 930+42.45;
thence N 22°48'13" E, 76.16 feet to Station 931+18.61;
thence N 66°45'49" E, 84.11 feet to Station 932+02.72;
thence S 89°51'32" E, 176.96 feet to Station 933+79.68, said point being S 33°41’14 E, 561.69 feet from the Northeast corner of the John Landess D.L.C. number 37;
thence continuing along said pipeline N 0°01'21" W, 1173.27 feet to Station 945+52.95;
thence N 45°01'21" W, 25.46 feet to Station 945+78.41;
thence N 0°01'21" W, 1026.61 feet to Station 956+05.01 and the Terminus of said pipeline description. Said Terminus also being S 62°11’57 E, 954.76 feet from the Northwest corner of Section 36, Township 1 South, Range 2 West of the Willamette Meridian.

Widths in feet are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly Side of Centerline</u>
954+38.31		955+23.27	55.00
955+23.27		956+00.00	110.00

EXCEPT THEREFROM that portion lying within the right-of-way of Grabhorn Rd (CR 315).

The parcel of land to which this description applies contains 9,626 square feet (0.22 acre), more or less.

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**Cristopher Clark and
Chelsey Clark
Tax Map No. 1S2360000401**

Basis of Bearings is the Oregon Coordinate Reference System (OCRS), Portland Zone.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

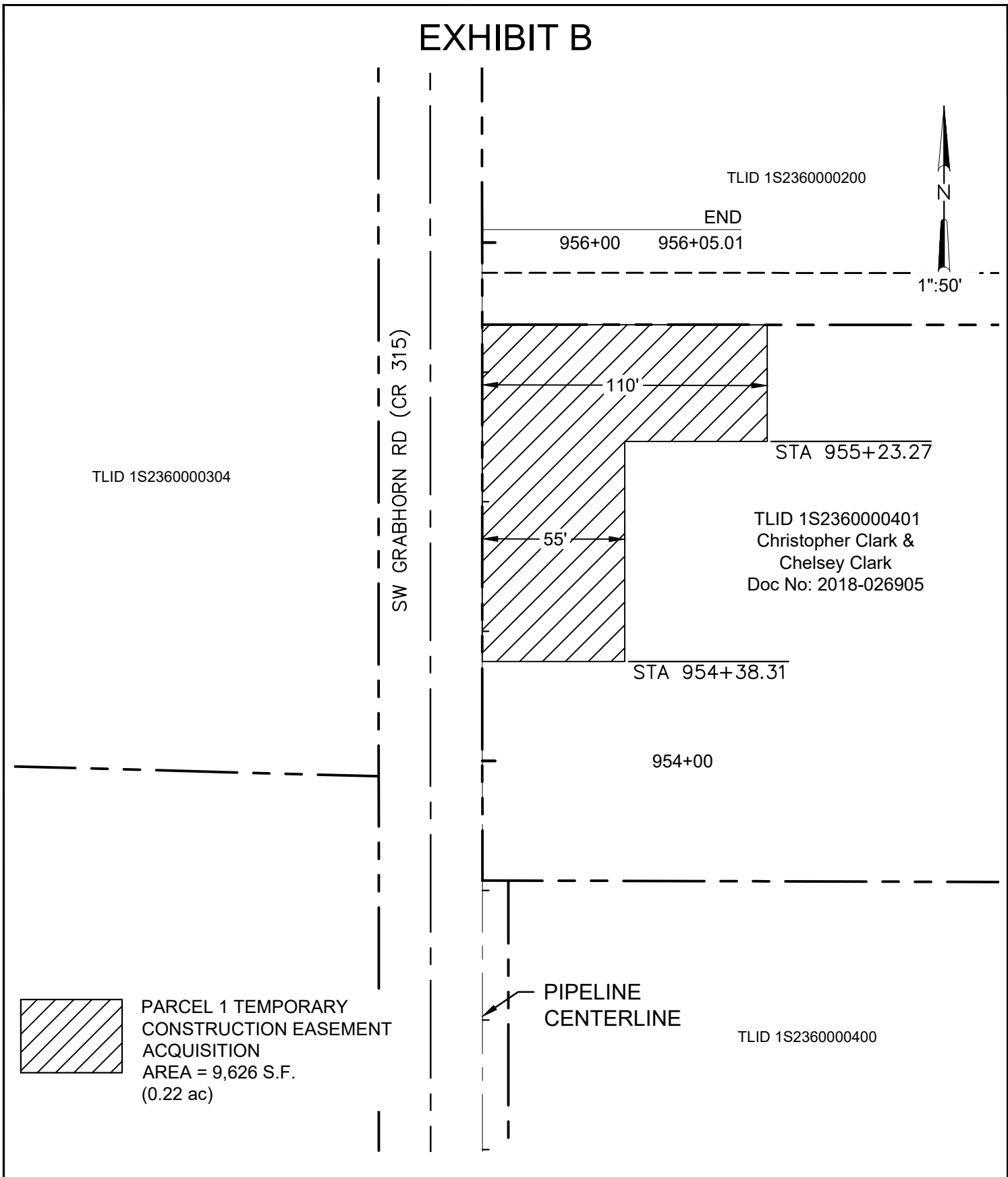


OREGON
JANUARY 8, 2015
AARON D. WILLIS
88798

EXPIRES: 6/30/22

SIGNED: 8-24-20

EXHIBIT B



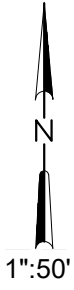
TLID 1S2360000304

SW GRABHORN RD (CR 315)

TLID 1S2360000200

END

956+00 956+05.01



110'

STA 955+23.27

TLID 1S2360000401
Christopher Clark &
Chelsey Clark
Doc No: 2018-026905

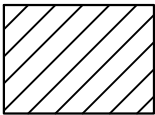
55'

STA 954+38.31

954+00

PIPELINE
CENTERLINE

TLID 1S2360000400



PARCEL 1 TEMPORARY
CONSTRUCTION EASEMENT
ACQUISITION
AREA = 9,626 S.F.
(0.22 ac)

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WILLAMETTE WATER SUPPLY PROGRAM

PIPELINE MAIN STEM, SECTION 5.3

ACQUISITION MAP

PAGE 1 OF 1

Jacobs

SURVEY & MAPPING

2020 SW 4TH AVE. SUITE 300 PORTLAND, OR 97201
PH: (503) 235-5000

FILE No: PLM_5.3-031

SUBMITTAL DATE: AUG 25, 2020

TAX LOT: 1S2360000401

ADDRESS:

TAX MAP: T1S R2W Sec36

Willamette Water Supply System Commission

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EXHIBIT A

Willamette Water Supply
August 25, 2020

Patrick Dennis Selman and
Carol J. Selman
Tax Map No. 1S2360000402

PARCEL 1 – PERMANENT FACILITIES EASEMENT

A parcel of land lying in Section 36, Township 1 South, Range 2 West of the Willamette Meridian, Washington County, Oregon and being a portion of that property conveyed to Patrick Dennis Selman and Carol J. Selman, recorded September 5, 1975 in Book 1042, Page 437, in Washington County Document Records, said parcel being that portion of said property included in a strip of land 8.00 feet in width, lying on the easterly side of the following described Pipeline Centerline:

Beginning at Engineer's Centerline Station 901+98.99, said point being N 62°00'18 E, 72.12 feet from the Southeast corner of the John Landess D.L.C. number 37.

Thence along said pipeline the following courses;
thence N 89°26'02" W, 9.73 feet to Station 902+08.72;
thence N 44°26'02" W, 27.23 feet to Station 902+35.95;
thence N 0°55'28" E, 224.95 feet to Station 904+60.90;
thence N 25°53'14" W, 159.59 feet to Station 906+20.49;
thence N 0°55'50" E, 1630.98 feet to Station 922+51.47;
thence S 89°03'53" E, 75.00 feet to Station 923+26.47;
thence N 0°55'50" E, 715.98 feet to Station 930+42.45;
thence N 22°48'13" E, 76.16 feet to Station 931+18.61;
thence N 66°45'49" E, 84.11 feet to Station 932+02.72;
thence S 89°51'32" E, 176.96 feet to Station 933+79.68, said point being S 33°41'14 E, 561.69 feet from the Northeast corner of the John Landess D.L.C. number 37;
thence continuing along said pipeline N 0°01'21" W, 1173.27 feet to Station 945+52.95;
thence N 45°01'21" W, 25.46 feet to Station 945+78.41;
thence N 0°01'21" W, 1026.61 feet to Station 956+05.01 and the Terminus of said pipeline description. Said Terminus also being S 62°11'57 E, 954.76 feet from the Northwest corner of Section 36, Township 1 South, Range 2 West of the Willamette Meridian;

EXCEPT THEREFROM that portion lying within the right-of-way of Grabhorn Rd (CR 315).

The parcel of land to which this description applies contains 401 square feet (0.01 acre), more or less.

EXHIBIT A

**Willamette Water Supply
August 25, 2020**

**Patrick Dennis Selman and
Carol J. Selman
Tax Map No. 1S2360000402**

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

That portion of said Selman property included in a strip of land, variable in width, lying on the easterly side of the Pipeline Centerline described in Parcel 1:

Widths in feet are described as follows:

<u>Station</u>	to	<u>Station</u>	<u>Width on Easterly Side of Centerline</u>
950+50.00		951+23.88	85.00
951+23.88		952+00.00	10.00

EXCEPT THEREFROM that portion lying within the right-of-way of Grabhorn Rd (CR 315) and above described Parcel 1.

The parcel of land to which this description applies contains 1,970 square feet (0.05 acre), more or less.

Basis of Bearings is the Oregon Coordinate Reference System (OCRS), Portland Zone.

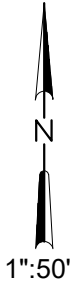
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JANUARY 8, 2015
AARON D. WILLIS
88798

EXPIRES: 6/30/22
SIGNED: 8-24-20

EXHIBIT B



TLID 1S2360000400

952+00

TLID 1S2360000303

SW GRABHORN RD (CR 315)

10.00'

8.00'

STA 951+23.88

85.00'

TLID 1S2360000402
Selman, Patrick Dennis
& Carol J.
Book 1042, Page 437

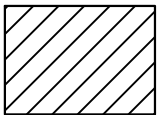
TLID 1S2360000501

950+00

66" WATER
PIPELINE



PARCEL 1 PERMANENT
FACILITIES EASEMENT
ACQUISITION
AREA = 401 S.F.
(0.01 ac)



PARCEL 2 TEMPORARY
CONSTRUCTION EASEMENT
ACQUISITION
AREA = 1,970 S.F.
(0.05 ac)

WILLAMETTE WATER SUPPLY PROGRAM

PIPELINE MAIN STEM, SECTION 5.3

ACQUISITION MAP

PAGE 1 OF 1

Jacobs

SURVEY & MAPPING

2020 SW 4TH AVE. SUITE 300 PORTLAND, OR 97201
PH: (503) 235-5000

FILE No: PLM_5.3-032

SUBMITTAL DATE: AUG 25, 2020

TAX LOT: 1S2360000402

ADDRESS:

TAX MAP: T1S R2W Sec36

Willamette Water Supply System Commission

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STAFF REPORT

To: Board of Commissioners

From: Joelle Bennett, P.E., WWSP Assistant Program Director

Date: September 3, 2020

Subject: Supplemental Resolution 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

Requested Board Action:

Consider adopting a resolution declaring public necessity to acquire permanent and temporary construction easements over, upon, under, and through real property for pipeline section PLW_2.0 for the Willamette Water Supply System (WWSS).

Key Concepts:

The WWSS includes a section of pipeline referred to as PLW_2.0.

- 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 injury to private 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, and also authorizes the acquisition of the property interests by eminent domain, to the extent negotiations fail.
- This is the second resolution declaring property needs for PLW_2.0. The first resolution was approved at the August 6, 2020 meeting.

Background:

The WWSS includes a section of pipeline along Cornelius Pass Road, from SW Frances Street to Highway 26, mostly within the City of Hillsboro. The project area is shown in the attached map. The pipeline will be a 48-inch diameter welded steel or ductile iron 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 PLW_2.0 pipeline alignment requires permanent and temporary easements to fulfill WWSP standard construction work zone requirements as well as provide for the future maintenance and operations of the WWSS pipeline and associated water system facilities.

WWSP continues to coordinate with the City of Hillsboro and Washington County during final design.

Resolution Summary

The WWSS Commission has authority to acquire real property for the WWSS. The pipeline section PLW_2.0 requires the acquisition of real property for the construction, operation, and maintenance of the WWSS. The PLW_2.0 pipeline alignment was selected through an extensive alternatives evaluation, and the preferred location was selected based on 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, and also authorizes the acquisition of the property interests by eminent domain, to the extent negotiations fail.

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 PLW_2.0 real property needs is \$553,365. Funds for purchase of these easements are included in the WWSP baseline budget.

Staff Contact Information:

Dave Kraska, P.E., WWSS General Manager, 503-941-4561, david.kraska@tvwd.org

Clark Balfour, General Counsel, 503-848-3061, clark.balfour@tvwd.org

Joelle Bennett, P.E., WWSP Assistant Program Director, 503-941-4577, joelle.bennett@tvwd.org

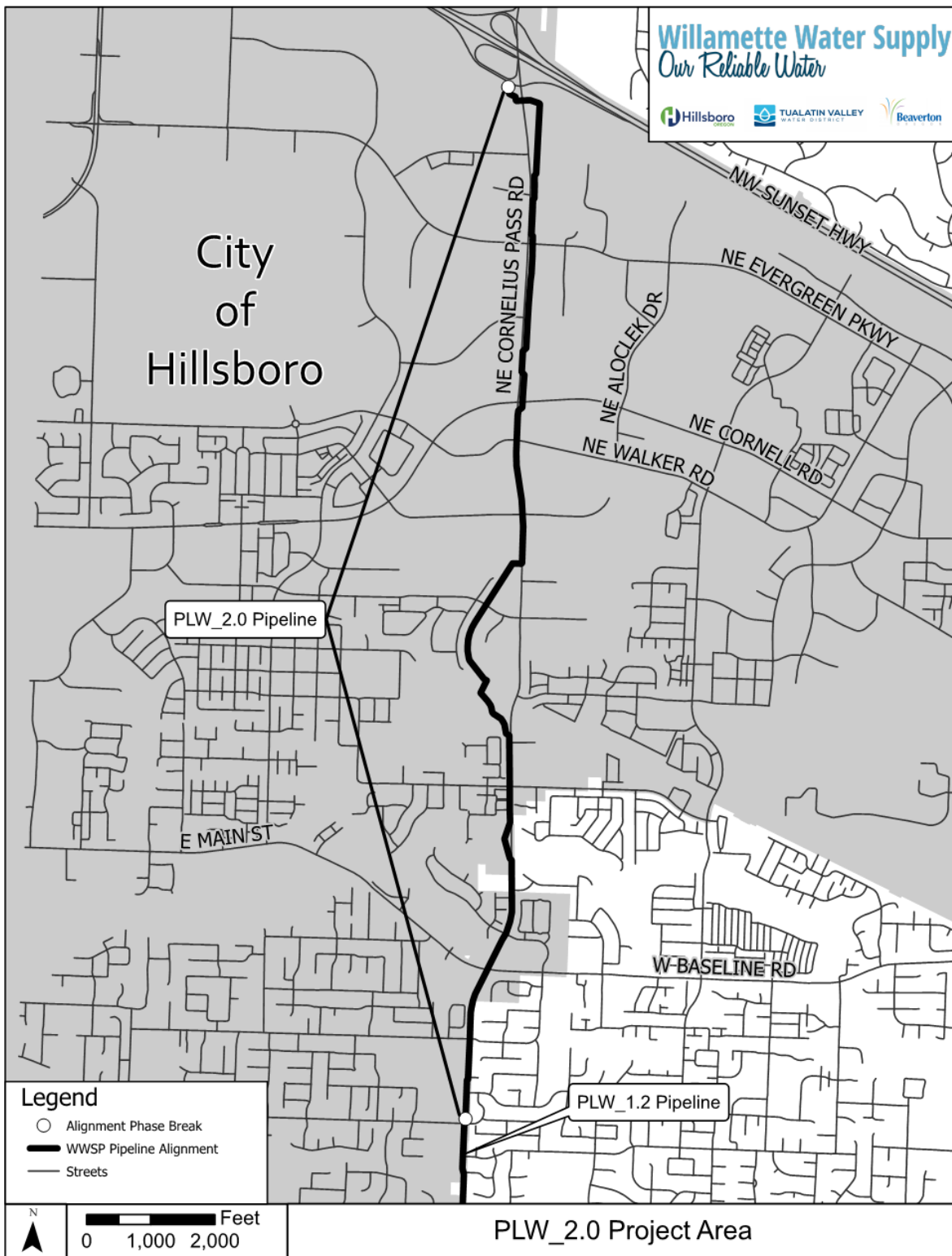
Attachments:

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-20-20

RESOLUTION 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.

WHEREAS, the above-entitled matter came before the Willamette Water Supply System Commission (WWSS Commission) at its regular meeting on September 3, 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 PLW_2.0, 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 Exhibits A and depicted for illustration purposes only on Exhibits B attached hereto and incorporated by reference, with final legal descriptions and easement documents to 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 without necessity of 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 3rd day of September 2020.

James Duggan, Chair

Denny Doyle, Vice Chair

Exhibit “A”

Willamette Water Supply Program
PLW 2.0
August 26, 2020

Project 19110
The United States of America
Tax Lot 1N22300 00911

PARCEL 1 - PERMANENT EASEMENT

A parcel of land situate in the southwest one-quarter of Section 23 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property conveyed to The United States of America in that Declaration of Taking, recorded April 7, 1970 in Book 775, Page 982, and in that Warranty Deed, recorded May 11, 1970 in Book 779, Page 768, both in Washington County Book of Records; said parcel being that portion of said property included in a strip of land 30.00 feet in width, 15.00 feet on the each side of the pipeline centerline, which a portion of the pipeline centerline is described as follows:

Beginning at Engineer’s centerline Station 1433+83.76 which bears North 35° 11’ 24” East 122.44 feet from a found 5/8” iron rod with a yellow plastic cap stamped “D.E.A. INC.” in a monument box at Station 265+15.33 PC as shown on Survey Number 32126, Washington County Survey Records; thence North 02° 30’ 59” West 148.58 feet to Engineer’s Station 1435+32.34; thence North 42° 29’ 01” East 36.88 feet to Engineer’s Station 1435+69.22; thence North 01° 19’ 04” East 1,022.15 feet to Engineer’s Station 1445+91.37; thence North 45° 37’ 20” West 16.17 feet to Engineer’s Station 1446+07.54; thence North 66° 47’ 17” West 401.40 feet to Engineer’s Station 1450+08.94.

The parcel of land to which this description applies contains 4,982 square feet, more or less.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land situate in the southwest one-quarter of Section 23 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property conveyed to The United States of America in that Declaration of Taking, recorded April 7, 1970 in Book 775, Page 982, and in that Warranty Deed, recorded May 11, 1970 in Book 779, Page 768, both in Washington County Book of Records; said parcel being that portion of said property included in a strip of land 50.00 feet in width, 25.00 feet on the each side of the pipeline centerline, which a portion of the pipeline centerline is described in Parcel 1.

EXCEPT therefrom Parcel 1 (Permanent Easement).

The parcel of land to which this description applies contains 3,322 square feet, more or less.

The bearings of this description are based on Oregon Coordinate Reference System, Portland Zone.

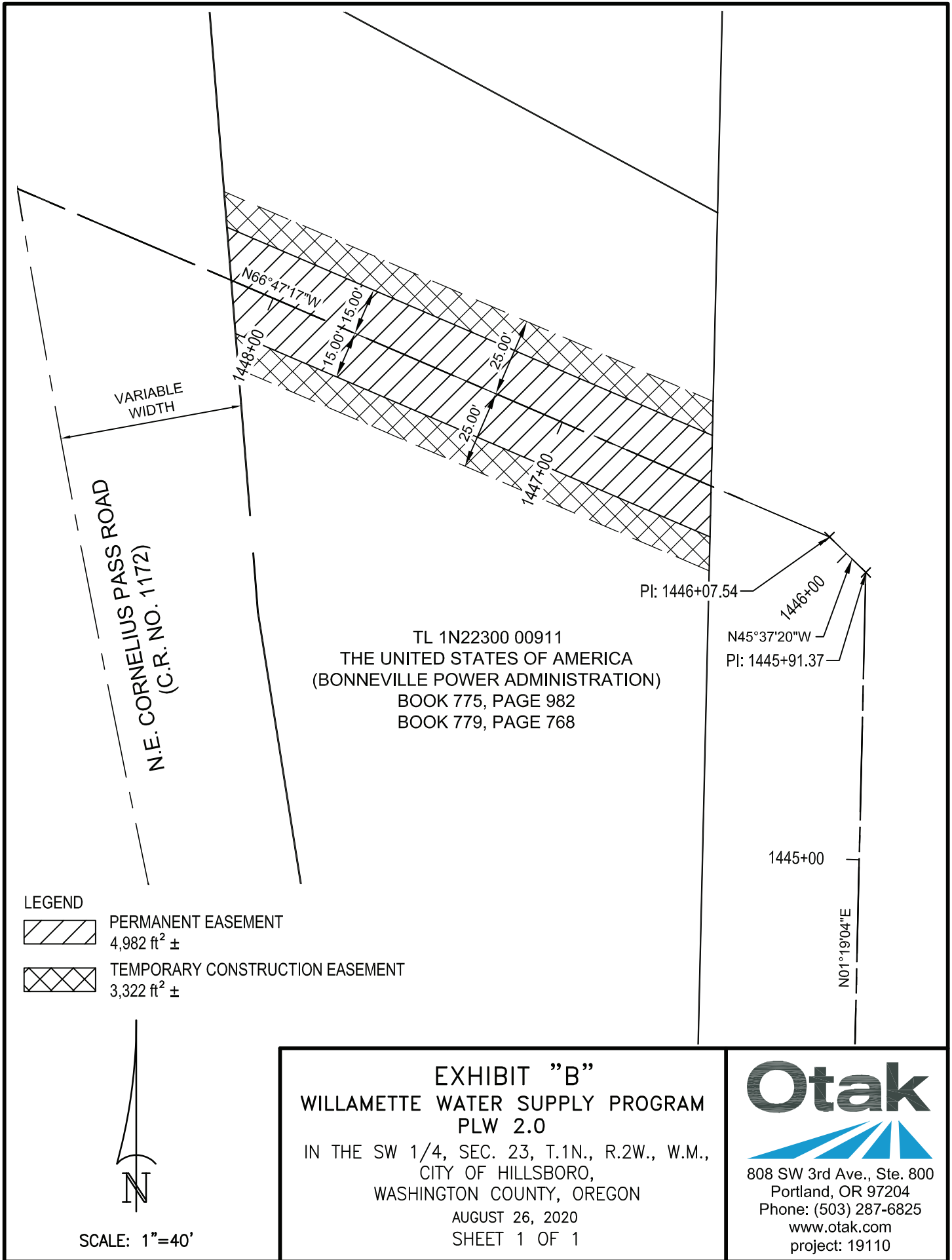
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Digitally signed by Sue Tsoi
DN: E=sue.tsoi@ohs.com, CN=Sue Tsoi,
OU=Engineering, OU=Survey, O=Oak
Inc., LL=Vancouver, S=Washington, C=US
Reason: I am approving this document
Date: 2020.08.26 09:24:00-0700

Sue Tsoi

OREGON
JULY 15, 2003
NGO SUE TSOI
58569LS

RENEWS: 6/30/2022



N.E. CORNELIUS PASS ROAD
(C.R. NO. 1172)

VARIABLE WIDTH

N66°47'17"W

15.00' ±
15.00' ±

25.00' ±
25.00' ±

1448+00

1447+00

TL 1N22300 00911
THE UNITED STATES OF AMERICA
(BONNEVILLE POWER ADMINISTRATION)
BOOK 775, PAGE 982
BOOK 779, PAGE 768

PI: 1446+07.54

N45°37'20"W

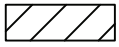
PI: 1445+91.37

1446+00

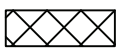
1445+00

N01°19'04"E

LEGEND



PERMANENT EASEMENT
4,982 ft² ±



TEMPORARY CONSTRUCTION EASEMENT
3,322 ft² ±



SCALE: 1"=40'

EXHIBIT "B"
WILLAMETTE WATER SUPPLY PROGRAM
PLW 2.0
IN THE SW 1/4, SEC. 23, T.1N., R.2W., W.M.,
CITY OF HILLSBORO,
WASHINGTON COUNTY, OREGON
AUGUST 26, 2020
SHEET 1 OF 1

Otak

808 SW 3rd Ave., Ste. 800
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com
project: 19110

Willamette Water Supply System Commission

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Exhibit "A"

Willamette Water Supply Program
PLW 2.0
August 24, 2020

Project 19110
GAFA Estate LLC
Tax Lots 1N235CD 01000 & 01100

PARCEL 1 - PERMANENT EASEMENT

A parcel of land situate in the southwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property conveyed to GAFA Estate LLC in that Property Line Adjustment Bargain and Sale Deed-Statutory Form, recorded December 20, 2018 as Document No. 2018-085079, Washington County Book of Records; said parcel being that portion of said property included in a strip of land, 25.00 foot wide and lying on the easterly side, variable in width and lying on the westerly side of the pipeline centerline, which a portion of the pipeline centerline is described as follows:

Beginning at Engineer's centerline Station 1321+50.06 which bears South 28° 29' 49" West 46.46 feet from a found 3/4" iron pipe with yellow plastic cap stamped "COUNTY SURVEYOR" in a monument box at Station 74+02.55 as shown on Survey Number 31668, Washington County Survey Records; thence North 17° 23' 16" West 320.15 feet to Engineer's Station 1324+70.21; thence North 17° 41' 35" East 269.30 feet to Engineer's Station 1327+39.51; thence North 03° 09' 04" East 184.68 feet to Engineer's Station 1329+24.19.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Centerline
1324+95.00		1325+84.88	25.00
1325+84.88		1328+17.60	25.00 in a straight line to 73.22

The parcel of land to which this description applies contains 13,160 square feet, more or less.

PARCEL 2 - TEMPORARY CONSTRUCTION EASEMENT

A parcel of land situate in the southwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described conveyed to GAFA Estate LLC in that Property Line Adjustment Bargain and Sale Deed-Statutory Form, recorded December 20, 2018 as Document No. 2018-085079, Washington County Book of Records; said parcel being that portion of said property included in a strip of land, 30.00 foot wide and lying on the easterly side, variable in width and lying on the westerly side of the pipeline centerline, which a portion of the pipeline centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Centerline
1324+95.00		1325+84.02	30.00
1325+84.02		1326+13.28	30.00 in a straight line to 40.34
1326+13.28		1326+14.79	40.34 in a straight line to 35.57

EXCEPT therefrom Parcel 1 (Permanent Easement).

The parcel of land to which this description applies contains 949 square feet, more or less.

PARCEL 3 - TEMPORARY RESTORATION MONITORING EASEMENT

A parcel of land situate in the southwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described conveyed to GAFA Estate LLC in that Property Line Adjustment Bargain and Sale Deed-Statutory Form, recorded December 20, 2018 as Document No. 2018-085079, Washington County Book of Records; said parcel being that portion of said property included in a strip of land, 30.00 foot wide and lying on the easterly side, variable in width and lying on the westerly side of the pipeline centerline, which a portion of the pipeline centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Centerline
1324+95.00		1325+84.02	30.00
1325+84.02		1326+13.28	30.00 in a straight line to 40.34
1326+13.28		1326+14.79	40.34 in a straight line to 35.57

EXCEPT therefrom Parcel 1 (Permanent Easement).

The parcel of land to which this description applies contains 949 square feet, more or less.

The bearings of this description are based on Oregon Coordinate Reference System, Portland Zone.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



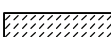
Sue Tsoi

Digitally signed by Sue Tsoi
DN: E=sue.tsoi@gotak.com, CN=Sue
Tsoi, OU=Engineering, O=Survey,
C=OK, Inc., L=Vancouver,
S=Washington, C=US
Reason: I am approving this document
Date: 2020.08.24 15:22:44-0700

OREGON
JULY 15, 2003
NGO SUE TSOI
58569LS

RENEWS: 6/30/2022

LEGEND

-  PERMANENT EASEMENT
13,160 ft² ±
-  TEMPORARY CONSTRUCTION
EASEMENT 949 ft² ±
-  TEMPORARY RESTORATION
MONITORING EASEMENT 949 ft² ±

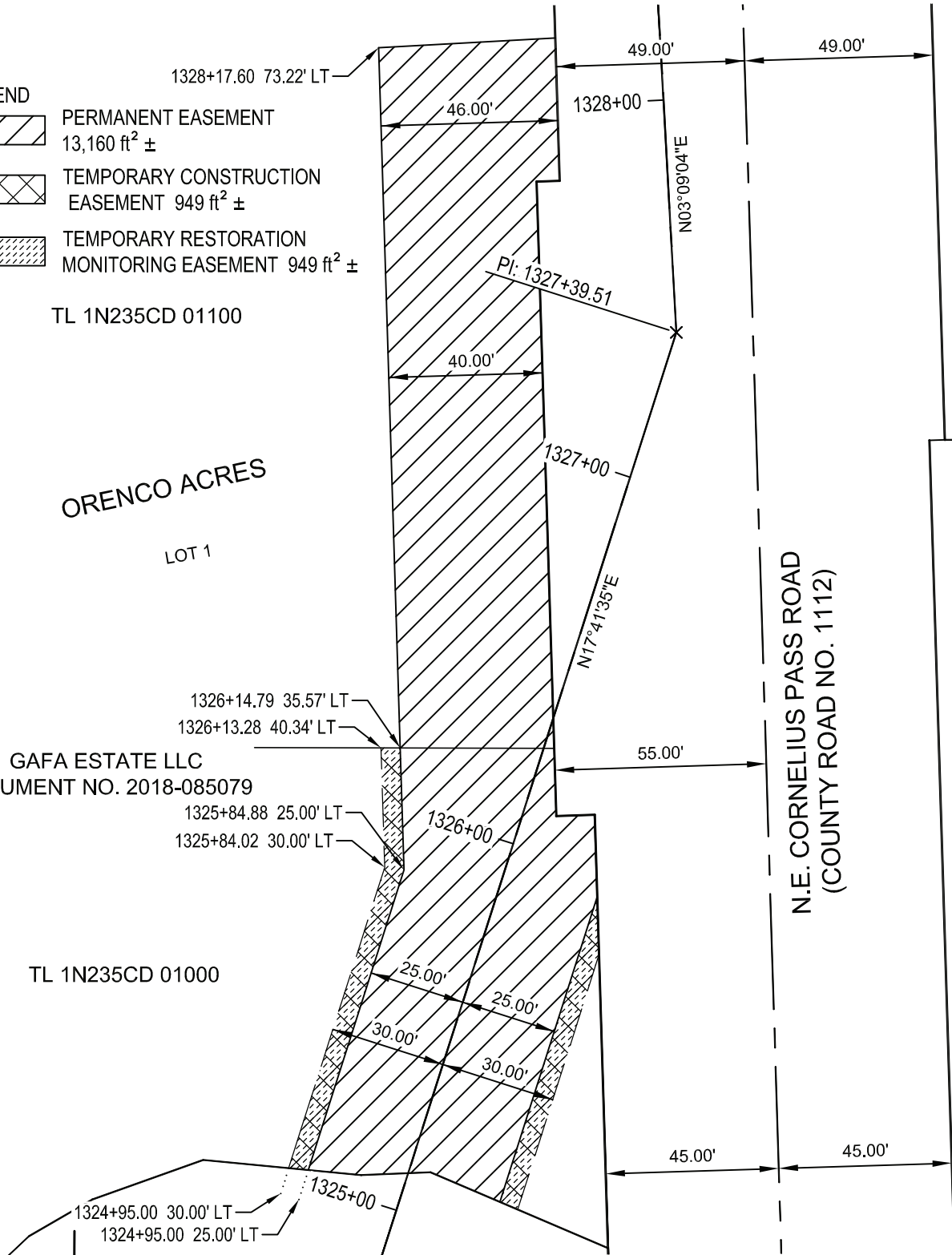
TL 1N235CD 01100

ORENCO ACRES

LOT 1

Gafa ESTATE LLC
DOCUMENT NO. 2018-085079

TL 1N235CD 01000



SCALE: 1"=40'

EXHIBIT "B"
WILLAMETTE WATER SUPPLY PROGRAM
PLW 2.0
 IN THE SW 1/4, SEC. 35, T.1N., R.2W., W.M.,
 CITY OF HILLSBORO,
 WASHINGTON COUNTY, OREGON
 AUGUST 24, 2020
 SHEET 1 OF 1



808 SW 3rd Ave., Ste. 800
 Portland, OR 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 19110

Willamette Water Supply System Commission

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Exhibit “A”

Willamette Water Supply Program
 PLW 2.0
 August 24, 2020

Project 19110
 Stillwater 84 LLC
 Tax Lot 1N235CD 00900

PARCEL 1 - PERMANENT EASEMENT

A parcel of land situate in the southwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described as Parcel I and conveyed to Stillwater – 84, L.L.C., an Oregon limited liability company in that Bargain and Sale Deed, recorded October 27, 2000 as Document No. 2000-087744, Washington County Book of Records; said parcel being that portion of said property included in a strip of land variable in width, lying on each side of the pipeline centerline, which a portion of the pipeline centerline is described as follows:

Beginning at Engineer’s centerline Station 1321+50.06 which bears South 28° 29’ 49” West 46.46 feet from a found 3/4” iron pipe with yellow plastic cap stamped “COUNTY SURVEYOR” in a monument box at Station 74+02.55 as shown on Survey Number 31668, Washington County Survey Records; thence North 17° 23’ 16” West 320.15 feet to Engineer’s Station 1324+70.21; thence North 17° 41’ 35” East 269.30 feet to Engineer’s Station 1327+39.51.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Centerline
1321+71.60		1321+73.55	14.00 in a straight line to 21.30
1321+73.55		1322+12.80	21.30 in a straight line to 10.65
1322+12.80		1322+19.35	10.65 in a straight line to 19.90
1322+19.35		1322+48.70	19.90 in a straight line to 7.85
1322+48.70		1322+49.45	7.85 in a straight line to 9.65
1322+49.45		1322+53.20	9.65 in a straight line to 8.10
1322+53.20		1322+57.35	8.10 in a straight line to 18.20
1322+57.35		1322+65.65	18.20 in a straight line to 14.75
1322+65.65		1322+69.85	14.75 in a straight line to 25.00
1322+69.85		1325+25.00	25.00
Station	to	Station	Width on Easterly Side of Centerline
1322+20.00		1325+25.00	25.00

The parcel of land to which this description applies contains 12,820 square feet, more or less.

PARCEL 2 - PERMANENT EASEMENT

A parcel of land situate in the southwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described as Parcel I and conveyed to Stillwater – 84, L.L.C., an Oregon limited liability company in that Bargain and Sale Deed, recorded October 27, 2000 as Document No. 2000-087744, Washington County Book of Records; said parcel being that portion of said property lying Easterly of the following described line:

Beginning at a point of the west right-of-way of NE Cornelius Pass Road (County Road No. 1112) which bears South 11° 45’ 19” West 184.87 feet from a found 3/4” iron pipe with yellow plastic cap stamped “COUNTY SURVEYOR” in a monument box at Station 74+02.55 as shown on Survey Number 31668, Washington County Survey Records; thence South 87° 40’ 10” West 6.00 feet; thence North 02° 19’ 50” West 30.00 feet; thence North 87° 40’ 10” East 6.00 feet to said west right-of-way.

The parcel of land to which this description applies contains 180 square feet, more or less.

PARCEL 3 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land situate in the southwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described as Parcel I and conveyed to Stillwater – 84, L.L.C., an Oregon limited liability company in that Bargain and Sale Deed, recorded October 27, 2000 as Document No. 2000-087744, Washington County Book of Records; said parcel being that portion of said property included in a strip of land variable in width, lying on each side of the pipeline centerline, which a portion of the pipeline centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Centerline
1321+98.66		1322+04.55	14.49 in a straight line to 29.05
1322+04.55		1322+19.95	29.05 in a straight line to 22.80
1322+19.95		1322+20.60	22.80 in a straight line to 24.45
1322+20.60		1322+41.40	24.45 in a straight line to 16.00
1322+41.40		1322+47.10	13.90 in a straight line to 11.60
1322+47.10		1322+47.80	11.60 in a straight line to 13.35
1322+47.80		1322+52.40	13.35 in a straight line to 11.50
1322+52.40		1322+56.40	11.50 in a straight line to 21.35
1322+56.40		1322+64.90	21.35 in a straight line to 17.90
1322+64.90		1322+69.80	17.90 in a straight line to 30.00
1322+69.80		1323+44.30	30.00
1323+44.30		1323+87.75	30.00 in a straight line to 75.25
1323+87.75		1324+15.15	75.25 in a straight line to 67.75
1324+15.15		1325+25.00	30.00

Station	to	Station	Width on Easterly Side of Centerline
1323+00.00		1323+77.46	46.40
1323+77.46		1323+82.05	46.40 in a straight line to 30.00
1323+82.05		1325+25.00	30.00

EXCEPT therefrom Parcel 1 (Permanent Easement).

The parcel of land to which this description applies contains 4,902 square feet, more or less.

PARCEL 4 - TEMPORARY CONSTRUCTION EASEMENT

A parcel of land situate in the southwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described as Parcel I and conveyed to Stillwater – 84, L.L.C., an Oregon limited liability company in that Bargain and Sale Deed, recorded October 27, 2000 as Document No. 2000-087744, Washington County Book of Records; said parcel being that portion of said property lying Easterly of the following described line:

Beginning at a point of the west right-of-way of NE Cornelius Pass Road (County Road No. 1112) which bears South 11° 23' 16" West 189.72 feet from a found 3/4" iron pipe with yellow plastic cap stamped "COUNTY SURVEYOR" in a monument box at Station 74+02.55 as shown on Survey Number 31668, Washington County Survey Records; thence South 87° 40' 10" West 13.00 feet; thence North 02° 19' 50" West 39.92 feet; thence North 87° 18' 38" East 13.00 feet to said west right-of-way.

EXCEPT therefrom Parcel 2 (Permanent Easement).

The parcel of land to which this description applies contains 339 square feet, more or less.

PARCEL 5 – TEMPORARY RESTORATION MONITORING EASEMENT

A parcel of land situate in the southwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described as Parcel I and conveyed to Stillwater – 84, L.L.C., an Oregon limited liability company in that Bargain and Sale Deed, recorded October 27, 2000 as Document No. 2000-087744, Washington County Book of Records; said parcel being that portion of said property included in a strip of land variable in width, lying on each side of the pipeline centerline, which a portion of the pipeline centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Centerline
1321+98.66		1322+04.55	14.49 in a straight line to 29.05
1322+04.55		1322+19.95	29.05 in a straight line to 22.80
1322+19.95		1322+20.60	22.80 in a straight line to 24.45
1322+20.60		1322+41.40	24.45 in a straight line to 16.00
1322+41.40		1322+47.10	13.90 in a straight line to 11.60
1322+47.10		1322+47.80	11.60 in a straight line to 13.35
1322+47.80		1322+52.40	13.35 in a straight line to 11.50
1322+52.40		1322+56.40	11.50 in a straight line to 21.35
1322+56.40		1322+64.90	21.35 in a straight line to 17.90
1322+64.90		1322+69.80	17.90 in a straight line to 30.00
1322+69.80		1323+44.30	30.00
1323+44.30		1323+87.75	30.00 in a straight line to 75.25
1323+87.75		1324+15.15	75.25 in a straight line to 67.75
1324+15.15		1325+25.00	30.00
Station	to	Station	Width on Easterly Side of Centerline
1323+00.00		1323+77.46	46.40
1323+77.46		1323+82.05	46.40 in a straight line to 30.00
1323+82.05		1325+25.00	30.00

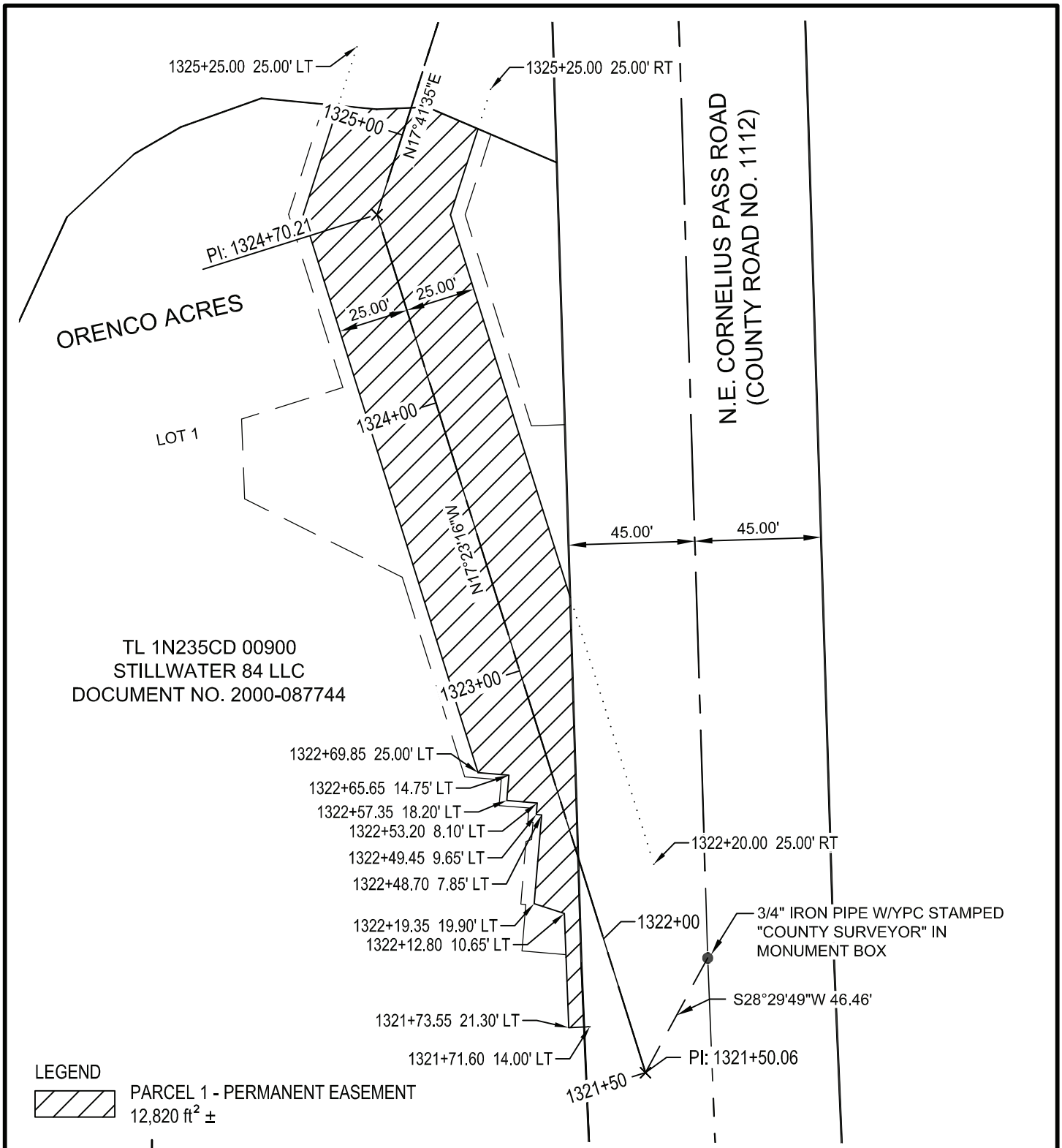
EXCEPT therefrom Parcel 1 (Permanent Easement).

The parcel of land to which this description applies contains 4,902 square feet, more or less.

The bearings of this description are based on Oregon Coordinate Reference System, Portland Zone.



RENEWS: 6/30/2022



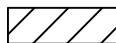
ORENCO ACRES

LOT 1

TL 1N235CD 00900
 STILLWATER 84 LLC
 DOCUMENT NO. 2000-087744

N.E. CORNELIUS PASS ROAD
 (COUNTY ROAD NO. 1112)

LEGEND

 PARCEL 1 - PERMANENT EASEMENT
 12,820 ft² ±



SCALE: 1"=50'

EXHIBIT "B"
WILLAMETTE WATER SUPPLY PROGRAM
PLW 2.0
 IN THE SW 1/4, SEC. 35, T.1N., R.2W., W.M.,
 CITY OF HILLSBORO,
 WASHINGTON COUNTY, OREGON
 AUGUST 24, 2020
 SHEET 1 OF 3

Otak

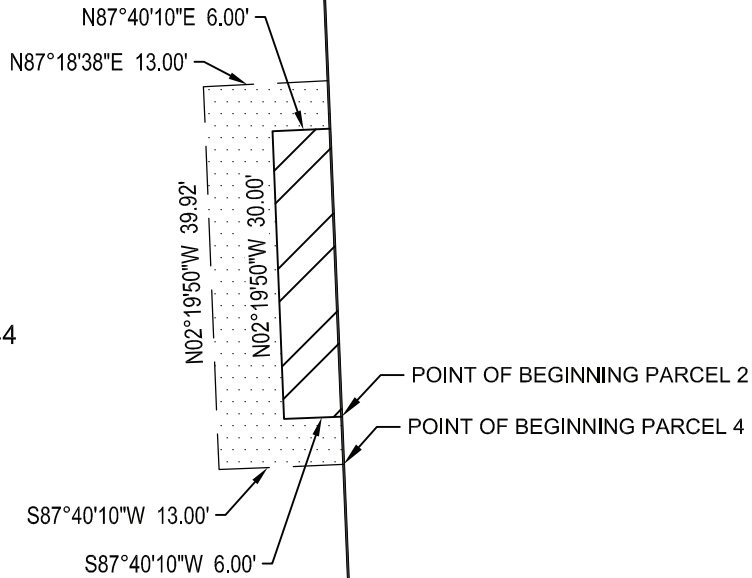
 808 SW 3rd Ave., Ste. 800
 Portland, OR 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 19110

3/4" IRON PIPE W/YPC STAMPED "COUNTY SURVEYOR" IN MONUMENT BOX
 BEARS S11°45'19"W 184.87' TO POINT OF BEGINNING PARCEL 2
 BEARS S11°23'16"W 189.72' TO POINT OF BEGINNING PARCEL 4

ORENCO ACRES

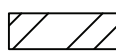
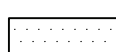
LOT 1

TL 1N235CD 00900
 STILLWATER 84 LLC
 DOCUMENT NO. 2000-087744



N.E. CORNELIUS PASS ROAD
 (COUNTY ROAD NO. 1112)

LEGEND

-  PARCEL 2 - PERMANENT EASEMENT
180 ft² ±
-  PARCEL 4 - TEMPORARY CONSTRUCTION EASEMENT
339 ft² ±



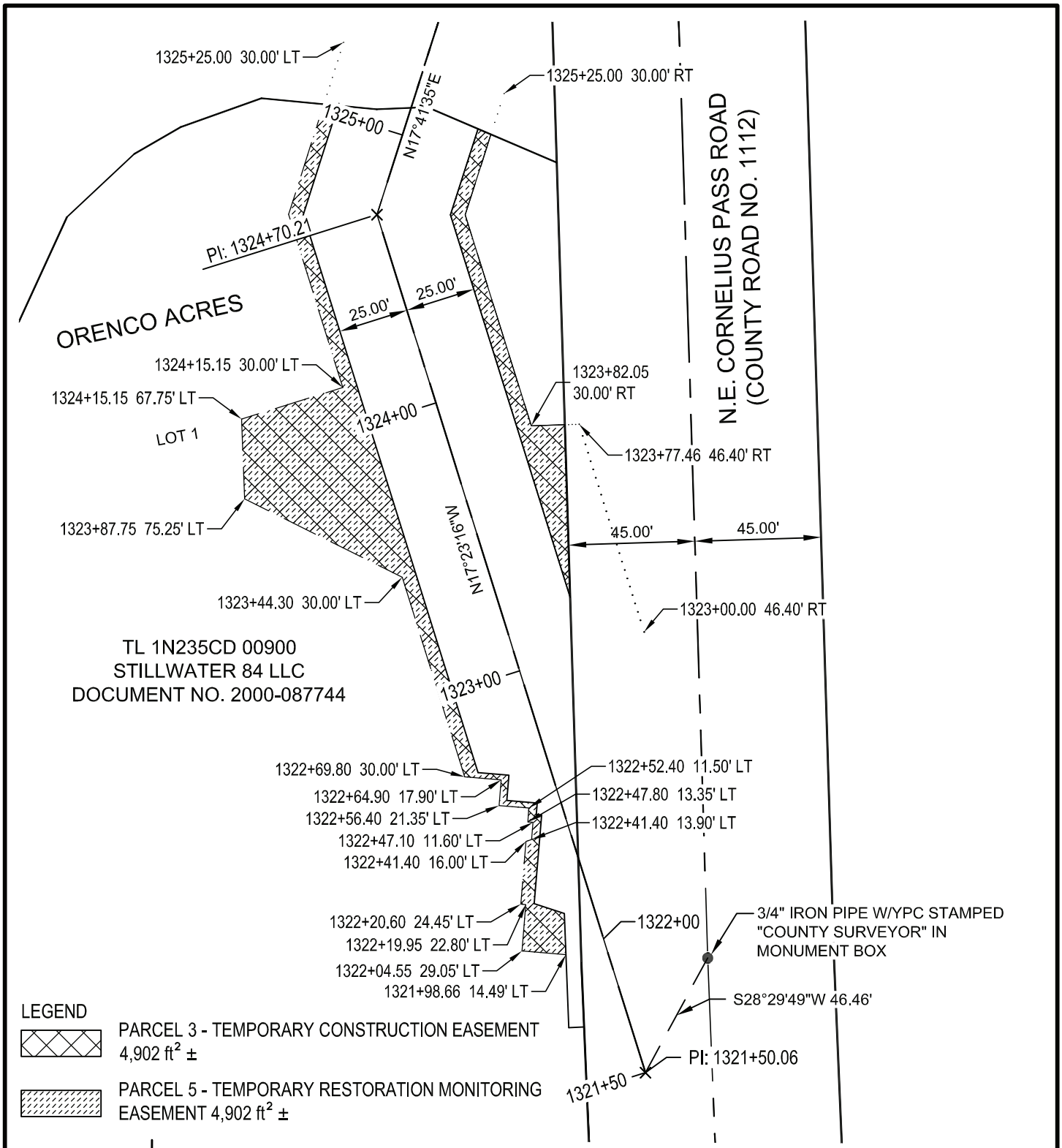
SCALE: 1"=20'

EXHIBIT "B"
WILLAMETTE WATER SUPPLY PROGRAM
PLW 2.0
 IN THE SW 1/4, SEC. 35, T.1N., R.2W., W.M.,
 CITY OF HILLSBORO,
 WASHINGTON COUNTY, OREGON
 AUGUST 24, 2020
 SHEET 2 OF 3

Otak


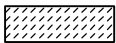


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 project: 19110



TL 1N235CD 00900
 STILLWATER 84 LLC
 DOCUMENT NO. 2000-087744

N.E. CORNELIUS PASS ROAD
 (COUNTY ROAD NO. 1112)

- LEGEND**
-  PARCEL 3 - TEMPORARY CONSTRUCTION EASEMENT 4,902 ft² ±
 -  PARCEL 5 - TEMPORARY RESTORATION MONITORING EASEMENT 4,902 ft² ±



SCALE: 1"=50'

EXHIBIT "B"
WILLAMETTE WATER SUPPLY PROGRAM
PLW 2.0
 IN THE SW 1/4, SEC. 35, T.1N., R.2W., W.M.,
 CITY OF HILLSBORO,
 WASHINGTON COUNTY, OREGON
 AUGUST 24, 2020
 SHEET 3 OF 3

Otak



808 SW 3rd Ave., Ste. 800
 Portland, OR 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 19110

Willamette Water Supply System Commission

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Exhibit "A"

Willamette Water Supply Program
PLW 2.0
August 26, 2020

Project 19110
Stonewater Homeowners Association
Tax Lot 1N235BD 18900

PARCEL 1 - PERMANENT EASEMENT

A parcel of land situate in the northwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described as Tract "RR", Stonewater No. 3 and conveyed to Stonewater Homeowners Association, an Oregon Corporation in that Statutory Warranty Deed, recorded August 22, 2007 as Document No. 2007-091793, Washington County Book of Records; said parcel being that portion of said property included in a strip of land 30.00 feet in width, 15.00 feet on each side of the pipeline centerline, which a portion of the pipeline centerline is described as follows:

Beginning at Engineer's centerline Station 1349+39.33 which bears South $87^{\circ} 42' 34''$ West 298.57 feet from a found $5/8''$ iron rod with a $1-1/2''$ aluminum cap stamped "OTAK, INC. WSLRT" as Point 2214 as shown on Survey Number 27384, Washington County Survey Records; thence North $24^{\circ} 43' 48''$ East 202.07 feet to Engineer's Station 1351+41.40; thence North $18^{\circ} 16' 12''$ West 14.04 feet to Engineer's Station 1351+55.44; thence North $38^{\circ} 25' 55''$ West 353.10 feet to Engineer's Station 1355+08.54; thence North $50^{\circ} 39' 08''$ West 51.31 feet to Engineer's Station 1355+59.85.

The parcel of land to which this description applies contains 1,335 square feet, more or less.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land situate in the northwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property described as Tract “RR”, Stonewater No. 3 and conveyed to Stonewater Homeowners Association, an Oregon Corporation in that Statutory Warranty Deed, recorded August 22, 2007 as Document No. 2007-091793, Washington County Book of Records; said parcel being that portion of said property included in a strip of land variable in width, lying on each side of the pipeline centerline, which a portion of the pipeline centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Easterly Side of Centerline
1350+70.25		1351+26.75	83.04 in a straight line to 96.98
Station	to	Station	Width on Southwesterly Side of Centerline
1354+36.00		1355+47.40	31.60 in a straight line to 46.83
1355+47.40		1355+53.00	46.83 in a straight line to 44.35

EXCEPT therefrom Parcel 1 (Permanent Easement).

The parcel of land to which this description applies contains 4,164 square feet, more or less.

The bearings of this description are based on Oregon Coordinate Reference System, Portland Zone.

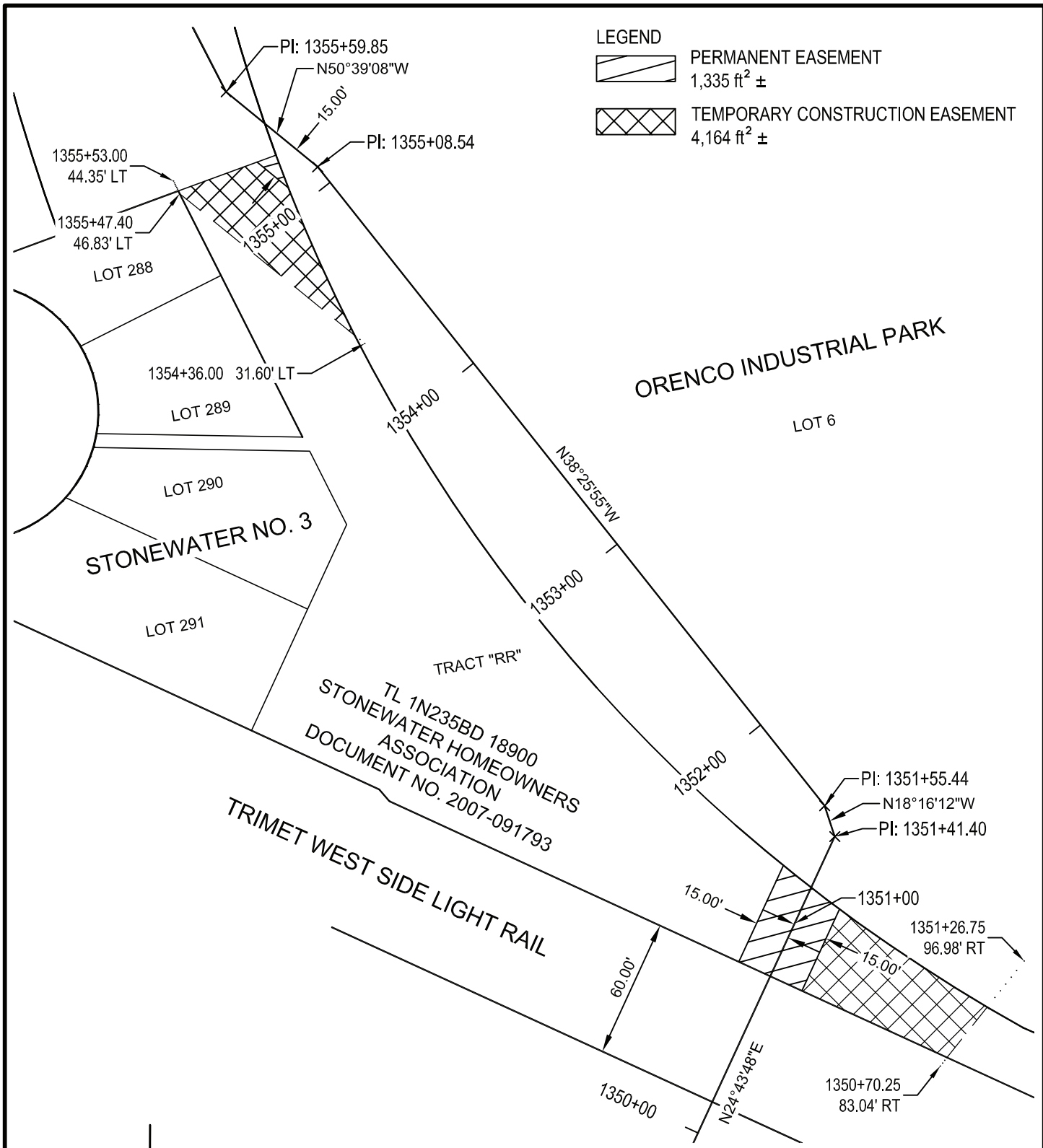
**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Sue Tsoi

Digitally signed by Sue Tsoi
DN: cn=Sue Tsoi, o=Engineering, ou=Survey, c=OK,
rs=L/Vancouver, st=Washington, C=US
Reason: I am approving this document
Date: 2020.08.26 11:34:11-0700

**OREGON
JULY 15, 2003
NGO SUE TSOI
58569LS**

RENEWS: 6/30/2022



LEGEND	
	PERMANENT EASEMENT 1,335 ft ² ±
	TEMPORARY CONSTRUCTION EASEMENT 4,164 ft ² ±

STONEWATER NO. 3

ORENCO INDUSTRIAL PARK

TRACT "RR"
TL 1N235BD 18900
STONEWATER HOMEOWNERS
ASSOCIATION
DOCUMENT NO. 2007-091793

TRIMET WEST SIDE LIGHT RAIL



SCALE: 1"=60'

EXHIBIT "B"
WILLAMETTE WATER SUPPLY PROGRAM
PLW 2.0
 IN THE NW 1/4, SEC. 35, T.1N., R.2W., W.M.,
 CITY OF HILLSBORO,
 WASHINGTON COUNTY, OREGON
 AUGUST 26, 2020
 SHEET 1 OF 1

808 SW 3rd Ave., Ste. 800
 Portland, OR 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 19110

Willamette Water Supply System Commission

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Exhibit "A"

Willamette Water Supply Program
PLW 2.0
August 26, 2020

Project 19110
Synopsis, Inc.
Tax Lot 1N235BA 01000

PARCEL 1 - PERMANENT EASEMENT

A parcel of land situate in the northwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property conveyed to Synopsis, Inc., a Delaware corporation in that Bargain and Sale Deed, recorded July 21, 2000 as Document No. 2000058333, Washington County Book of Records; more particularly described as follows:

Beginning at a point on the south line of said property which bears North $89^{\circ} 53' 41''$ West 20.74 feet from a found $5/8''$ iron rod with yellow plastic cap stamped "CARDNO INC." as shown on Survey Number 31997, Washington County Survey Records; thence along said south property line North $89^{\circ} 53' 41''$ West 35.01 feet; thence leaving said south property line North $31^{\circ} 08' 43''$ East 66.20 feet; thence South $89^{\circ} 53' 06''$ East 107.84 feet to the west right-of-way of NE Cornelius Pass Road (County Road No. 1014); thence along said west right-of-way South $00^{\circ} 03' 11''$ West 45.00 feet; thence leaving said west right-of-way North $89^{\circ} 53' 06''$ West 14.98 feet; thence North $00^{\circ} 01' 20''$ East 15.00 feet; thence North $89^{\circ} 53' 06''$ West 75.92 feet; thence South $31^{\circ} 08' 43''$ West 31.18 feet to the point of beginning.

The parcel of land to which this description applies contains 4,667 square feet, more or less.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land situate in the northwest one-quarter of Section 35 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property conveyed to Synopsys, Inc., a Delaware corporation in that Bargain and Sale Deed, recorded July 21, 2000 as Document No. 2000058333, Washington County Book of Records; the said parcel being that portion of said property lying southerly of the following described line:

Beginning at a point on the south line of said property which bears North 89° 53’ 41” West 79.09 feet from a found 5/8” iron rod with yellow plastic cap stamped “CARDNO INC.” as shown on Survey Number 31997, Washington County Survey Records; thence leaving south property line North 31° 08’ 43” East 89.54 feet; thence South 89° 53’ 06” East 119.11 feet to the west right-of-way of NE Cornelius Pass Road (County Road No. 1014).

EXCEPT therefrom Parcel 1 (Permanent Easement).

The parcel of land to which this description applies contains 6,245 square feet, more or less.

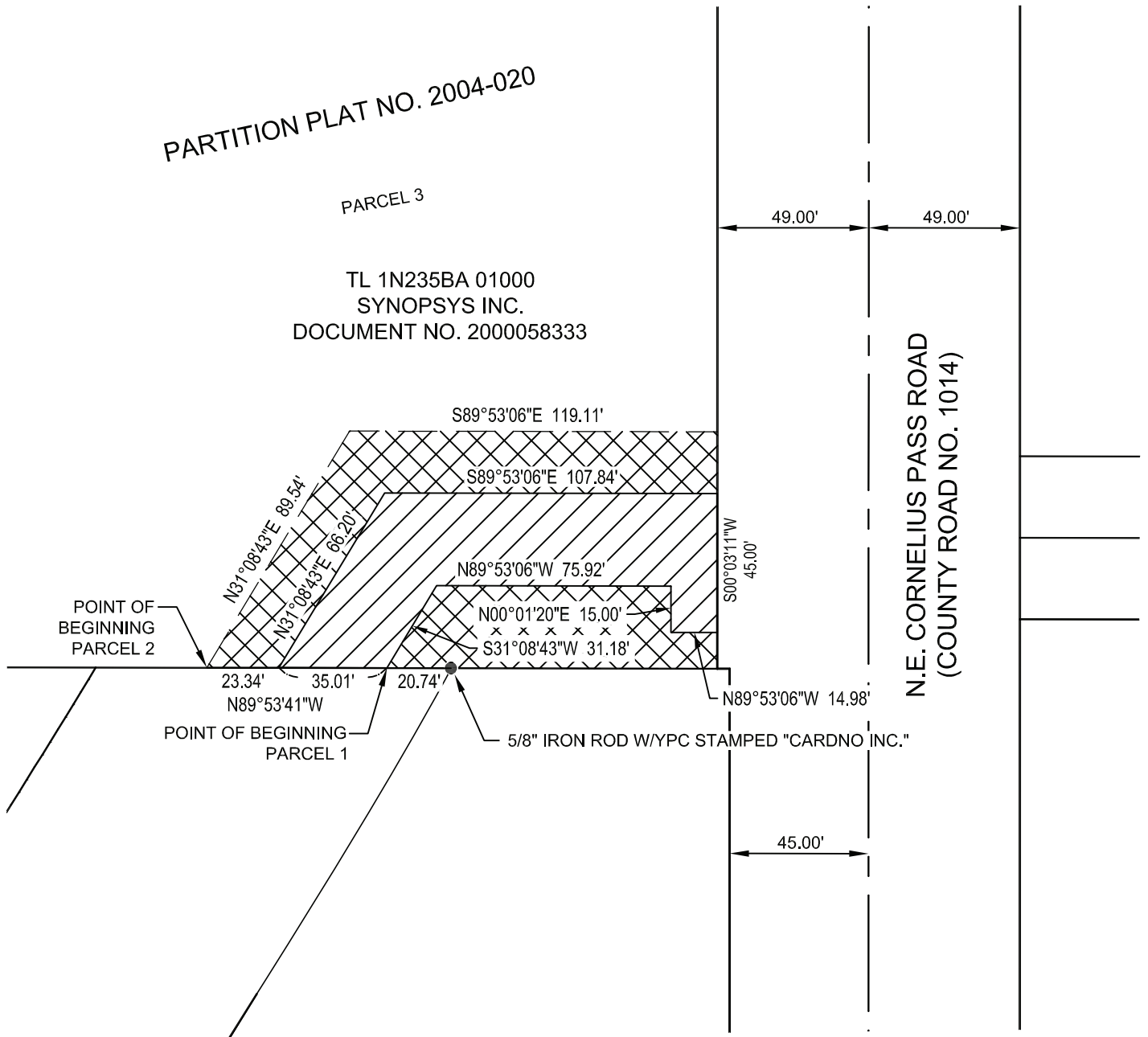
The bearings of this description are based on Oregon Coordinate Reference System, Portland Zone.



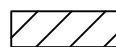
PARTITION PLAT NO. 2004-020

PARCEL 3

TL 1N235BA 01000
SYNOPSIS INC.
DOCUMENT NO. 2000058333



LEGEND



PERMANENT EASEMENT
4,667 ft² ±



TEMPORARY CONSTRUCTION EASEMENT
6,245 ft² ±



SCALE: 1"=50'

EXHIBIT "B"
WILLAMETTE WATER SUPPLY PROGRAM
PLW 2.0

IN THE NW 1/4, SEC. 35, T.1N., R.2W., W.M.,
CITY OF HILLSBORO,
WASHINGTON COUNTY, OREGON

AUGUST 26, 2020
SHEET 1 OF 1



808 SW 3rd Ave., Ste. 800
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com
project: 19110

Willamette Water Supply System Commission

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Exhibit "A"

Willamette Water Supply Program
PLW 2.0
August 26, 2020

Project 19110
WPC Tech LLC
Tax Lot 1N226B0 00100

PARCEL 1 - PERMANENT EASEMENT

A parcel of land situate in the northwest one-quarter of Section 26 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property conveyed to WPC Tech LLC, an Oregon limited liability company in that Warranty Deed, recorded July 10, 2012 as Document No. 2012-056222, Washington County Book of Records; more particularly described as follows:

Beginning at a point on the southerly right-of-way of NE Old Evergreen Court which bears South 79° 15' 06" East 51.12 feet from the northwest corner of said property; thence along said southerly right-of-way South 79° 15' 06" East 28.48 feet; thence leaving said southerly right-of-way South 10° 36' 24" West 20.76 feet; thence South 79° 16' 00" East 44.82 feet; thence North 10° 44' 00" East 20.75 feet to said southerly right-of-way; thence along said southerly right-of-way South 79° 15' 06" East 27.33 feet; thence leaving said southerly right-of-way South 10° 44' 00" West 36.53 feet; thence North 79° 16' 00" West 100.67 feet; thence North 10° 44' 00" East 36.56 feet to the point of beginning.

The parcel of land to which this description applies contains 2,748 square feet, more or less.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land situate in the northwest one-quarter of Section 26 in Township 1 North, Range 2 West of the Willamette Meridian, City of Hillsboro, Washington County, Oregon and being a portion of that property conveyed to WPC Tech LLC, an Oregon limited liability company in that Warranty Deed, recorded July 10, 2012 as Document No. 2012-056222, Washington County Book of Records; more particularly described as follows:

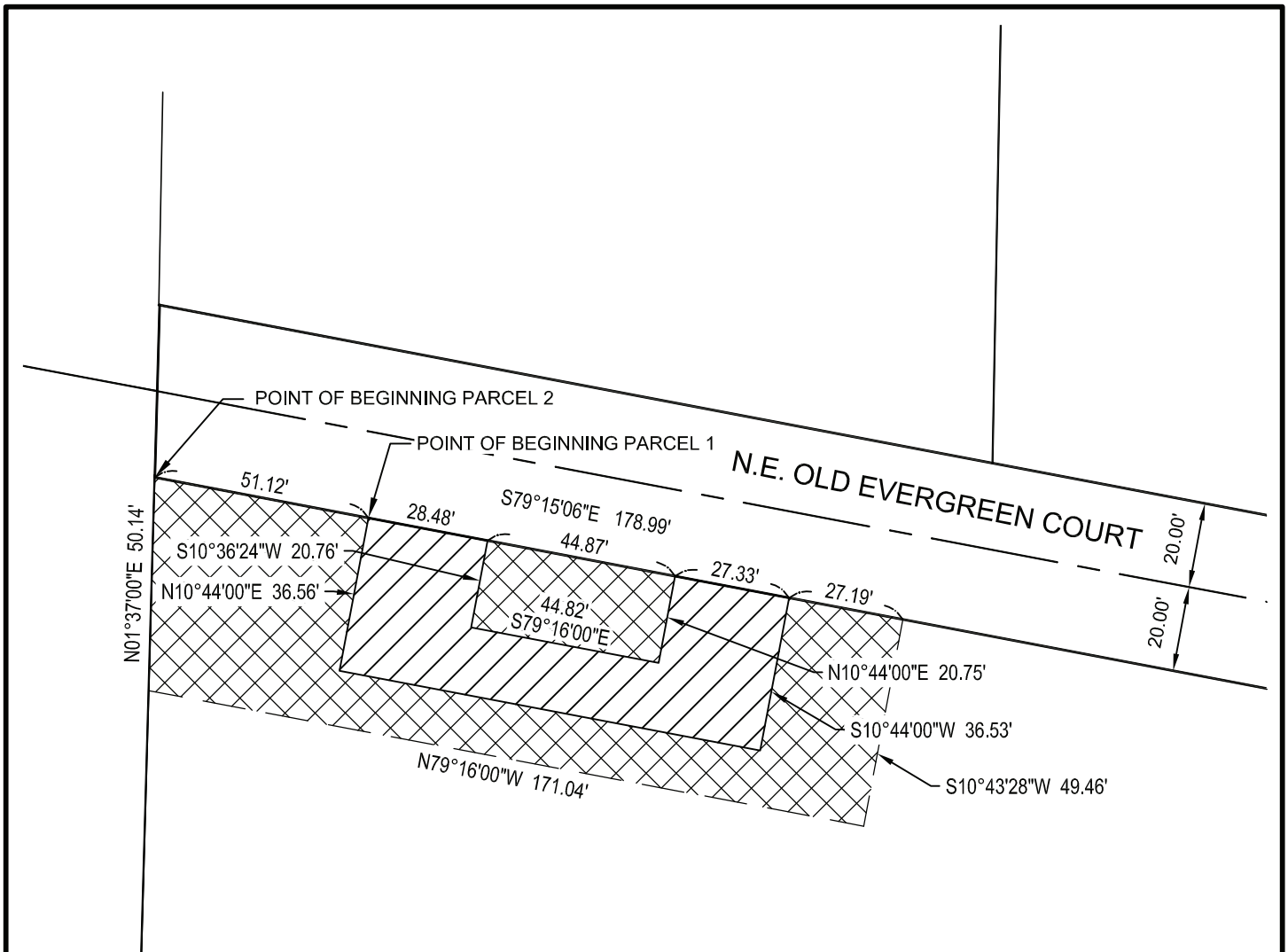
Beginning at the northwest corner of said property; thence along the southerly right-of-way of NE Old Evergreen Court South 79° 15' 06" East 178.99 feet; thence leaving said southerly right-of-way South 10° 43' 28" West 49.46 feet; thence North 79° 16' 00" West 171.04 feet; thence North 01° 37' 00" East 50.14 feet to the point of beginning.

EXCEPT therefrom Parcel 1 (Permanent Easement).

The parcel of land to which this description applies contains 5,912 square feet, more or less.

The bearings of this description are based on Oregon Coordinate Reference System, Portland Zone.





TL 1N226B0 00100
 WPC TECH LLC
 DOCUMENT NO. 2012-056222

LEGEND



PERMANENT EASEMENT
 2,748 ft² ±



TEMPORARY CONSTRUCTION EASEMENT
 5,912 ft² ±



SCALE: 1"=40'

EXHIBIT "B"
WILLAMETTE WATER SUPPLY PROGRAM
PLW 2.0
 IN THE NW 1/4, SEC. 26, T.1N., R.2W., W.M.,
 CITY OF HILLSBORO,
 WASHINGTON COUNTY, OREGON
 AUGUST 26, 2020
 SHEET 1 OF 1

Otak

 808 SW 3rd Ave., Ste. 800
 Portland, OR 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 19110

Willamette Water Supply System Commission

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STAFF REPORT

To: WWSS Board of Commissioners
From: Dave Kraska, P.E., Willamette Water Supply System General Manager
Date: September 3, 2020
Subject: Intergovernmental Agreement with the City of Wilsonville for the Willamette River Water Treatment Plant Filtration Pilot Study

Requested Board Action:

Consider adopting a resolution approving an intergovernmental agreement with the City of Wilsonville (Wilsonville) to participate in a filtration pilot study to be conducted at the Willamette River Water Treatment Plant (WRWTP).

Key Concepts:

- The design criteria for the Willamette Water Supply System (WWSS) Water Treatment Plant (WTP) filters assume filter loading rates that are higher than standard rates normally approved by the Oregon Health Authority (OHA).
- Though this is a prudent, cost-saving element of the design, the OHA will require a filtration pilot study to demonstrate that filtered water quality meets regulatory requirements at the higher loading rate.
- Wilsonville is planning to conduct a filtration pilot study to receive OHA approval to employ higher filter loading rates at the WRWTP. The loading rates they are pursuing are even higher than those being considered for the WWSS WTP.
- Given that both the WRWTP and the WWSS WTP will process water from the same source and have filters that are very similar in design, the OHA has indicated that the WWSS can use the data from the Wilsonville study in its request for approval of the higher filter loading rate.
- The IGA outlines the Filtration Pilot Study project description and goals along with each party's obligations. The WWSS Commission will reimburse Wilsonville for fifty percent (50%) of the cost, and the Willamette Water Supply Program (WWSP) team will be a full participant in Wilsonville's study to verify the value of the work for WWSS's purposes.

Background:

In accordance with its WRWTP 2017 Water Master Plan, Wilsonville plans to expand the WRWTP capacity to 20 MGD by "up-rating" primary treatment processes without needing to build additional major infrastructure. This is Wilsonville's preferred approach because it provides a low-cost way to expand plant capacity and decrease future costs and risks.

To obtain consent from the OHA Drinking Water Program to increase the production rate of the filtration system, OHA requires a Filtration Pilot Study (Study). The Study will extend over a full year to demonstrate filter performance with seasonal changes in the raw water quality. Data gathered from the Study will be compiled in a final report and submitted to OHA for approval.

September 3, 2020

Intergovernmental Agreement with the City of Wilsonville for the
Willamette River Water Treatment Plant Filtration Pilot Study

The WWSS WTP will employ filters designed for a filter loading rate of 7.5 gpm/sf (gallons per minute per square foot), which is higher than the rate allowed by the OHA without a special study (6 gpm/sf). The decision to use this rate was made during the early phases of the design effort and it was based on the many years of excellent operations data from the WRWTP. Using the higher loading rate also leads to substantial cost savings. Since the OHA will require a study to approve the loading rate the WWSP is using to design its filters, the WWSP desires to be a participant/stakeholder in Wilsonville's Study since the WWSS WTP will use the same filter design and similar overall treatment process as the WRWTP.

Budget Impact:

The IGA splits the cost of the filtration pilot study 50/50 between Wilsonville and the WWSS. The anticipated cost of the project is \$322,930. Therefore, the cost to the WWSS for its participation in and benefit from this project is estimated at \$161,465. Funds for participation in the Study are included in the current Baseline budget.

Staff Contact Information:

Dave Kraska, WWSS General Manager, 503-941-4561, david.kraska@tvwd.org

Attachments:

Proposed resolution

Intergovernmental agreement

RESOLUTION NO. WWSS-21-20

A RESOLUTION OF THE WILLAMETTE WATER SUPPLY SYSTEM COMMISSION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WILSONVILLE FOR THE WILLAMETTE RIVER WATER TREATMENT PLANT (WRWTP) FILTRATION PILOT STUDY.

WHEREAS, ORS Chapter 190 authorizes units of local government to enter into intergovernmental agreements for the performance of any or all activities and functions that a party to such an agreement has the authority to perform; and

WHEREAS, Wilsonville desires to develop a one-year Filtration Pilot Study (“Study”) in order to demonstrate to the Oregon Health Authority (“OHA”) Drinking Water Division, and thereby obtain their written approval, that the existing Willamette River Water Treatment Plant (“WRWTP”) filters are capable of operating at a higher filtration rate while maintaining finished water quality goals that have been established for the plant; and

WHEREAS, the WWSS Commission desires to participate in the Study in order to demonstrate to the OHA Drinking Water Division, and thereby obtain its written approval, that the filters for the WWSS Commission’s soon to be constructed water treatment plant (“WWSS Plant”) will be capable of operating at a higher filtration rate while maintaining finished water quality goals that have been established for the plant; and

WHEREAS, data and other information from the Study is anticipated to result in a significant cost saving to both the WWSS Commission, at its WWSS Plant, and Wilsonville, at its WRWTP; and

WHEREAS, the WWSS Commission and Wilsonville have agreed to share in the cost of the Study, as more particularly set forth in the Intergovernmental Agreement attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WILLAMETTE WATER SUPPLY COMMISSION THAT:

Section 1: The Willamette Water Supply System Commission is agreeable to the partnership with the City of Wilsonville on the WRWTP Filtration Pilot Study, in a manner described and in exchange for the considerations set forth in the Intergovernmental Agreement attached as Exhibit A.

Section 2: The General Manager is authorized to sign the Intergovernmental Agreement for the WRWTP Filtration Pilot Study in substantially the form as presented, and is hereby delegated authority to make revisions or amendments to the agreement to reflect specific project variances and clarifications as necessary to achieve the benefits set forth in this Resolution.

Approved and adopted at a regular meeting held on the 3rd day of September 2020.

James Duggan, Chair

Denny Doyle, Vice Chair

Willamette Water Supply System Commission

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INTERGOVERNMENTAL AGREEMENT**BETWEEN****THE CITY OF WILSONVILLE AND
THE WILLAMETTE WATER SUPPLY SYSTEM COMMISSION****(WRWTP Filtration Pilot Study)**

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) is made and entered into between the **City of Wilsonville**, a political subdivision of the State of Oregon, acting by and through its City Council (“Wilsonville”), and the **Willamette Water Supply System Commission**, an Oregon intergovernmental entity organized under ORS Chapter 190 (the “WWSS Commission”). Wilsonville and the WWSS Commission are referred to herein individually as a “Party” and jointly as the “Parties.”

RECITALS

- A. WHEREAS, ORS Chapter 190 authorizes units of local government to enter into intergovernmental agreements for the performance of any or all activities and functions that a party to such an agreement has the authority to perform; and
- B. WHEREAS, TVWD, the City of Hillsboro (“Hillsboro”), and the City of Beaverton (“Beaverton”) entered into an intergovernmental agreement creating the WWSS Commission to set forth the terms for the joint ownership, financing, design, permitting, construction, operation, maintenance, repair, and replacement of the Willamette Water Supply System (“WWSS”) in a prudent, economic, and efficient manner to provide high quality water to their respective municipal water supply systems; and
- C. WHEREAS, the WWSS Commission oversees the Willamette Water Supply Program (“WWSP”) and has designated WWSP to exercise the responsibilities and obligations for the planning and design of WWSS projects; and
- D. WHEREAS, Wilsonville desires to develop a one-year Filtration Pilot Study (“Project”), as more particularly described below, in order to demonstrate to the Oregon Health Authority (“OHA”) Drinking Water Division, and thereby obtain their written approval, that the existing Willamette River Water Treatment Plant (WRWTP) filters are capable of operating at a higher filtration rate while maintaining finished water quality goals that have been established for the plant; and
- E. WHEREAS, the WWSS Commission desires to participate in the Project in order to demonstrate to the OHA Drinking Water Division, and thereby obtain its written approval, that the filters for the WWSS Commission’s soon to be constructed new water treatment plant (“WWSS Plant”) will be capable of operating at a higher filtration rate while maintaining finished water quality goals that have been established for the plant; and

- F. WHEREAS, data and other information from the Project is anticipated to result in a significant cost saving to both the WWSS Commission, at its WWSS Plant, and Wilsonville, at its WRWTP; and
- G. WHEREAS, the Parties therefore agree to share in the cost of the Project, as more particularly set forth below; and
- H. WHEREAS, it is the mutual desire of the Parties to enter into this Agreement to fund, complete, and share the Project data and other information, as follows:

AGREEMENT

NOW, THEREFORE, in consideration of the terms, conditions, and covenants set forth below and the recitals set forth above, which are incorporated into this Agreement as if fully set forth herein, the Parties agree as follows:

ARTICLE I - PROJECT DESCRIPTION AND GOALS

- 1.1. Wilsonville has retained a design and engineering firm, Stantec Consulting Services, Inc. (“Contractor”) to develop and complete the WRWTP Filtration Pilot Study, which includes a work plan, filter rate study, filter operations, and a summary report for a scaled down model prototype of the existing WRWTP filters.
- 1.2. The scaled down prototype filtration system will be constructed by a third party contractor, and Wilsonville will rent the prototype, to be operated and monitored in accordance with Contractor’s directed work plan by the WRWTP plant operator, Veolia North America (“Veolia”), for a “Monitoring Period” of up to one year, subject to OHA approval.
- 1.3. At the conclusion of the Monitoring Period, draft and Pilot Study Reports will be generated by Contractor, and Contractor will submit the final Pilot Study Report, on behalf of the Parties, to OHA for review and approval.
- 1.4. Each Party will possess the right to use the final Pilot Study Report and all associated data and information for its own purposes, including but not limited to those explicitly stated in this Agreement.
- 1.5. If approved by OHA, Wilsonville anticipates the existing WRWTP filter rates may be re-programmed to operate at the higher filtration rate proven by the study, while maintaining the finished water quality goals established for the WRWTP, with the goal of resulting in a significant cost savings.
- 1.6. If approved by OHA, the WWSS Commission anticipates it may use the data to assist in programming the filters in the WWSS Plant to operate at the higher filtration rate while maintaining the finished water quality goals established for the WWSS Plant, with the goal of resulting in a significant cost savings.

- 1.7. The duration of this Agreement is expected to be eighteen (18) months, beginning on September 4, 2020 (“Effective Date”). The Monitoring Period is subject to OHA approval but is expected to run for one full year from the date the prototype is placed into service in accordance with the work plan.
- 1.8. The Project will be a work product of both Parties for their individual or joint use.

ARTICLE II - WILSONVILLE OBLIGATIONS

- 2.1. Wilsonville will enter into the contract with Contractor, rent the prototype filtration system from a source recommended by the Contractor, and will direct Veolia to operate the prototype at the WRWTP for the Monitoring Period.
- 2.2. Wilsonville will provide any amendments or change orders that may affect the scope, schedule, or cost of the Project to the WWSS Commission, allowing a maximum of fifteen (15) business days for review and approval; and will not execute any such change orders without written consent from the WWSS Commission.
- 2.3. Wilsonville will invite the WWSS Commission to participate in all Project meetings with the Contractor and/or OHA and provide reasonable notice of such meetings.
- 2.4. Wilsonville will share all Project data and information with the WWSS Commission, including but not limited to interim, draft, and final reports; databases; presentations; and meeting agendas and notes. This Project data and information shall be shared monthly, unless a separate schedule is agreed to by the Parties.
- 2.5. Wilsonville will provide the WWSS Commission with a draft Project Work Plan (“Work Plan”) for comment, allow a maximum of ten (10) business days for review, and transmit all WWSS Commission comments to the Contractor.
- 2.6. Wilsonville will provide the WWSS Commission with a draft Pilot Study Report for comment, allow a maximum of ten (10) business days for review, and transmit all WWSS Commission comments to the Contractor.
- 2.7. Wilsonville will organize a meeting for Wilsonville, the WWSS Commission, and the Contractor to review comments on the draft Project Work Plan and the draft Pilot Study Report and agree on a disposition for each comment.
- 2.8. Wilsonville will cause the Contractor to prepare a final Project Work Plan and final Pilot Study Report that is responsive to the review comments and provide the final plan and report to the WWSS Commission.
- 2.9. In conjunction with the WWSS Commission, Wilsonville will present the final Project results to OHA.
- 2.10. Wilsonville will provide reasonable opportunity for the WWSS Commission to coordinate with OHA and the Contractor to address any comments or questions that OHA provides on the final Project results.

- 2.11. Wilsonville will provide to the WWSS Commission all approvals, questions, comments, or other communications from or with OHA pertaining to the Project.
- 2.12. Wilsonville does not guarantee that the Project will be successful or that OHA will accept the Project results.

ARTICLE III - WWSS COMMISSION OBLIGATIONS

- 3.1. The WWSS Commission will reimburse Wilsonville for fifty percent (50%) of all expenditures related to the Project. **Exhibit A** sets forth the Parties' initial determination of anticipated Project costs. Expenditures will be billed monthly and paid by the WWSS Commission within thirty (30) days of receipt of the invoice from Wilsonville.
- 3.2. The WWSS Commission will cooperate with Wilsonville, the Contractor, and Veolia to pursue accurate Project results.
- 3.3. The WWSS Commission will review amendments or change orders within fifteen (15) days of receipt from Wilsonville and provide written comments or approval.
- 3.4. The WWSS Commission may, at its discretion, participate in Project meetings with Wilsonville and the Contractor and/or OHA.
- 3.5. The WWSS Commission will review the draft Work Plan and provide any comments to Wilsonville within ten (10) business days of receiving the draft plan.
- 3.6. The WWSS Commission will review the draft Pilot Study Report and provide any comments to Wilsonville within ten (10) business days of receiving the draft report.
- 3.7. The WWSS Commission will participate in a meeting for Wilsonville, the WWSS Commission, and the Contractor to review comments on the draft Work Plan and the draft Pilot Study Report and agree on a disposition for each comment.
- 3.8. In conjunction with Wilsonville, the WWSS Commission will present the final Project results to OHA.
- 3.9. The WWSS Commission will work with Wilsonville to coordinate with OHA and the Contractor to address any comments or questions that OHA provides on the final Project results.
- 3.10. The WWSS Commission does not guarantee that the Project will be successful or that OHA will accept the Project results.

ARTICLE IV - GENERAL PROVISIONS

- 4.1. *Laws of Oregon.* The Parties agree to abide by all applicable laws and regulations regarding the handling and expenditure of public funds. This Agreement shall be governed by the laws of the State of Oregon. Jurisdiction will be in Clackamas

County Circuit Court. The Project contracts shall contain all required public contract provisions of ORS Chapters 279A, 279B, and 279C.

- 4.2. *Default.* Either Party will be deemed to be in default if it fails to comply with any term, condition, or covenant in this Agreement. The Parties agree time is of the essence in the performance of this Agreement. The non-defaulting Party will provide the defaulting Party with written notice of default and allow thirty (30) days within which to cure or diligently commence to cure the defect within a reasonable time. If a defaulting Party fails to cure or fails to diligently commence to cure the default, the non-defaulting Party may elect to terminate this Agreement. In the event this Agreement is terminated, the Parties will pay for costs incurred for satisfactorily completed and authorized work up to the time of termination. Each Party will be liable for all costs and damages arising from its individual default. If a default causes a delay to the non-defaulting Party's construction schedule that results in actual additional costs, including but not limited to delay damages, the defaulting Party will be responsible for all cost increases and related damages, plus the non-defaulting Party's construction schedule will take priority for the purposes of avoiding or minimizing additional delay and allowing the non-defaulting Party to retain the original schedule, and the defaulting Party's construction may need to be delayed.
- 4.3. *Indemnification.* This Agreement is for the benefit of the Parties only and there are no third-party beneficiaries. Subject to the limitations related to government agencies under the Oregon Constitution, each Party agrees to indemnify and hold the other harmless, including their respective officers, employees, agents, and representatives, from and against all claims, demands, causes of action, and suits of any kind or nature for personal injury, death, or damage to persons or property on account of any acts or omissions arising out of this Agreement. Indemnification is subject to and shall not exceed the limits of liability of the Oregon Tort Claims Act (ORS 30.260 through 30.300). In addition, each Party shall be solely responsible for any contract claims, delay damages, permit compliance, permit violations, or similar items arising from or caused by the action or inaction of the Party.
- 4.4. *Documents Are Public Records.* All records, reports, data, documents, systems, and concepts, whether in the form of writings, figures, graphs, or models, that are prepared or developed in connection with the Project work shall be subject to the applicable provisions of Oregon public records law.
- 4.5. *Modification of Agreement.* No waiver, consent, modification, or change of terms of this Agreement shall bind either Party unless in writing, signed by both Parties. Such waiver, consent, modification, or change, if made, shall be effective only in specific instances and for the specific purpose given.

4.6. *Dispute Resolution.*

4.6.1. Mediation. Should any dispute arise between the Parties, the Parties agree to meet informally to negotiate the problem, upon notice from one Party to the other specifying the dispute that needs to be resolved. If such informal negotiation fails, the Parties will mediate the dispute using a professional mediator, and the Parties will split the cost of the mediator. A Party desiring mediation shall provide the other Party with a written notice (the "Request to Mediate"), which shall set forth the nature of the dispute. The Parties will cooperate in good faith to select the mediator within seven (7) days of either Party requesting mediation, and may adopt any procedural format that seems appropriate for the particular dispute. Mediation should be scheduled within fourteen (14) days of selection of the mediator, or as soon as possible, based on availability.

In the event the Parties cannot agree on a mediator, the Parties will ask any circuit court judge to appoint a mediator. The mediator will then set the ground rules for the mediation. In the event a written settlement agreement cannot be reached by the Parties within thirty (30) days from the date of the Request to Mediate, or such longer time frame as may be agreed upon, in writing, by the Parties, then the Parties may either agree to binding arbitration or, if the Parties do not agree, then either Party may seek legal relief through the circuit court in Clackamas County.

4.6.2. Arbitration. If the Parties agree to arbitration, selection of the arbitrator, time frame for arbitration, and ground rules for arbitration will be agreed upon at that time. Any arbitrator or arbitrators selected must have a minimum of ten (10) years' of municipal law experience, unless the Parties mutually agree, in writing, otherwise.

4.6.3. Injunctive Relief and Specific Performance. Notwithstanding Subsection 4.6.1 or 4.6.2, even if the Parties agree to mediation or arbitration, either Party may still request immediate equitable remedies of either specific performance or injunctive relief to occur while mediation or arbitration is pending or ongoing. The Parties will otherwise agree to abate the court case pending resolution.

4.7. *Remedies.* Subject to the provisions of the dispute resolution process set forth in Section 4.6, any Party may institute legal action to cure, correct, or remedy any default, to enforce any covenant or agreement, or to enjoin any threatened or attempted violation of this Agreement. All legal actions shall be initiated in Clackamas County Circuit Court. The Parties, by signature of their authorized representatives below, consent to the personal jurisdiction of those courts.

4.8. *Severability.* If any term(s) or provision(s) of this Agreement or the application thereof to any person or circumstance shall, to any extent, be determined by a court to

be invalid or unenforceable, the remainder of this Agreement and the application of those terms and provisions shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

- 4.9. *Nondiscrimination.* No person shall be denied or subjected to discrimination in receipt of the benefits of any services or activities made possible by or resulting from this Agreement on the grounds of race, color, religion, gender, sexual orientation, national origin, disability, age, or marital status. Any violation of this provision shall be considered a material defect and shall be grounds for cancellation, termination, or suspension, in whole or in part, by Wilsonville or the WWSS Commission.
- 4.10. *Excused Performance.* In addition to the specific provisions of this Agreement, no default shall be deemed to have occurred where delays or default is due to war, insurrection, strikes, walkouts, riots, floods, drought, earthquakes, fires, casualties, acts of God, governmental restrictions imposed or mandated by governmental entities other than the Parties, enactment of conflicting state or federal laws or regulations, new or supplementary environmental regulation, litigation, or similar bases for excused performance that are not within the reasonable control of the Party to be excused.
- 4.11. *Integration.* This Agreement contains the entire agreement between the Parties with respect to the subject matter herein. Notwithstanding the foregoing, this Agreement is not intended to supersede any provision of the WIF Agreement, the Ground Lease, or the Pipeline Easement.
- 4.12. *Assignment/Additional Parties.* This Agreement may be assigned by either Party subject to the consent of the non-assigning Party, which consent shall not be unreasonably withheld.
- 4.13. *Access to Books, Records, and Accounting.* Wilsonville will maintain books, records, and reports of the Project work showing all income, receipts, expenses, and costs. These records shall be maintained for a period of three (3) years following Final Completion. All such books, records, and reports may be examined, and copies made by the WWSS Commission at reasonable times upon reasonable notice.

ARTICLE V - TERM OF AGREEMENT

- 5.1. The term of this Agreement shall be from the date of execution until the Project is completed, tested, and presented to OHA. The Project will automatically be extended if OHA requires additional data and the Parties mutually agree, in writing, to extend this Agreement, subject to the provisions of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have set their hands as of the day and year hereinafter written. This Agreement is effective upon the date of the final signature.

CITY OF WILSONVILLE, OREGON

APPROVED AS TO FORM:

By: _____
Bryan Cosgrove
As Its: City Manager

Barbara A. Jacobson, City Attorney

Dated: _____

**WILLAMETTE WATER SUPPLY SYSTEM
COMMISSION, OREGON**

APPROVED AS TO FORM:

By: _____
David Kraska
As Its: General Manager

Tommy Brooks, Legal Counsel WWSS

Dated: _____

Exhibit A

Item	Cost
Pilot Filter Equipment Lease	\$61,500
Finalize Filtration Study Work Plan with OHA	\$39,122
Complete Pilot Filtration Study	\$116,451
Install Pilot Filter Mechanical and Electrical Connections	\$6,000
Construct Pilot Filter Shelter	\$4,000
Particle Counters (3 @ \$5,500 each)	\$16,500
Pilot Filter Operation and Maintenance	\$50,000
Subtotal	\$293,573
Contingency (10%)	\$29,357
Total	\$322,930

Willamette Water Supply System Commission

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STAFF REPORT

To: Board of Commissioners

From: Joelle Bennett, P.E., WWSP Assistant Program Director

Date: September 3, 2020

Subject: Amendment 1 to the Project Management Services Agreement between Tualatin Valley Water District and Willamette Water Supply Program for Delivery of MPE_1.0 through the Willamette Water Supply Program

Requested Action:

Consider adopting a resolution approving Amendment 1 to the Project Management Services Agreement (Agreement) between Tualatin Valley Water District (TVWD), the City of Hillsboro (Hillsboro), and Willamette Water Supply Program (WWSP) for Delivery of MPE_1.0 through the Willamette Water Supply Program.

Key Concepts:

- TVWD, City of Hillsboro (Hillsboro), and WWSP previously entered into a Project Management Services Agreement (“Agreement”) on February 27, 2019, describing TVWD and WWSP responsibilities for contracts, agreements, and delivery pertaining to the TVWD and WWSP portions of MPE_1.0. This agreement authorized WWSP to perform the MPE_1.0 work on TVWD’s behalf and released Hillsboro from future obligations on MPE_1.0.
- Approval of this Amendment 1 to the Agreement adds a TVWD connection to a Portland Water Bureau (PWB) 24-inch line located at the intersection of Hall Road and Oleson Road to the MPE_1.0 project

Background:

Prior to the execution of the Willamette Water Supply System (WWSS) IGA, TVWD, Hillsboro, and WWSP entered into a Project Management Services Agreement (“Agreement”) on February 27, 2019, describing TVWD and WWSP responsibilities for contracts, agreements, and delivery pertaining to the TVWD and WWSP portions of MPE_1.0. This agreement authorized WWSP to perform the MPE_1.0 work on TVWD’s behalf and released Hillsboro from future obligations on MPE_1.0.

Article 2 of the Agreement allowed for future changes in project definition, and TVWD is currently requesting such a change. This Amendment 1 authorizes WWSP to design and construct a connection to a PWB 24-inch line located at the intersection of Hall Road and Oleson Road with the remainder of the MPE_1.0 project. The connection will include a seismic valve, flowmeter, pressure reducing valve, and other necessary appurtenances.

The amendment also recognizes the assignment of the agreement from WWSP to WWSS.

Amendment 1 to the Project Management Services Agreement between Tualatin Valley Water District and Willamette Water Supply Program for Delivery of MPE_1.0 through the Willamette Water Supply Program

Staff recommend approval of Amendment 1 to the Agreement to allow design to commence on the new connection.

Budget Impact:

There is no budgetary impact to WWSP from adopting Amendment 1 to the Agreement. The design and construction costs for the additional MPE_1.0 work described in the amendment will be invoiced to TVWD. The additional costs associated with the WWSP's management of this additional pipeline project, including system-wide costs, will be invoiced to TVWD with MPE_1.0.

Staff Contact Information:

Dave Kraska, WWSP Program Director, 503-941-4561, david.kraska@tvwd.org

Clark Balfour, General Counsel, 503-848-3061, clark.balfour@tvwd.org

Joelle Bennett, P.E., WWSP Assistant Program Director, 503-941-4577, joelle.bennett@tvwd.org

Attachments:

Exhibit A: Proposed Resolution

Exhibit B: Amendment 1 to the Project Management Services Agreement between Tualatin Valley Water District and Willamette Water Supply Program for Delivery of MPE_1.0 through the Willamette Water Supply Program

RESOLUTION NO. WWSS-22-20

A RESOLUTION APPROVING AMENDMENT 1 TO THE PROJECT MANAGEMENT SERVICES AGREEMENT BETWEEN TUALATIN VALLEY WATER DISTRICT AND WILLAMETTE WATER SUPPLY PROGRAM FOR DELIVERY OF MPE_1.0 THROUGH THE WILLAMETTE WATER SUPPLY PROGRAM.

WHEREAS, Tualatin Valley Water District (“TVWD”), the City of Hillsboro (“Hillsboro”), and Willamette Water Supply Program (“WWSP”) previously entered into this Project Management Services Agreement (“Agreement”) on February 27, 2019, releasing Hillsboro from future obligations on the MPE_1.0 project and describing TVWD and WWSP responsibilities for contracts, agreements, and delivery pertaining to the TVWD- and WWSP-owned portions of MPE_1.0; and

WHEREAS, TVWD, Hillsboro, and the City of Beaverton (“Beaverton”) formed the Willamette Water Supply System Commission (“Commission”) to permit, design, and construct the Willamette Water Supply System, including intake pumping facilities and transmission facilities, a water treatment plant, and reservoir facilities (“System”) under the WWSP to provide potable water to TVWD, Hillsboro, and Beaverton and to increase system reliability; and

WHEREAS, TVWD requests modifications to the MPE_1.0 project as defined in the Agreement, to have WWSP design and construct an additional water system connection; and,

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

Section 1: Amendment 1 to the Project Management Services Agreement between Tualatin Valley Water District and Willamette Water Supply Program for Delivery of MPE_1.0 through the Willamette Water Supply Program, attached hereto as Exhibit 1 and incorporated herein by this reference, is approved.

Section 2: The General Manager is hereby directed to work with the Commission’s legal counsel to finalize the Agreement, consistent with this Resolution, and is authorized to execute the Agreement on behalf of the Commission.

Approved and adopted at a regular meeting held on the 3rd day of September 2020.

James Duggan, Chair

Denny Doyle, Vice Chair

Willamette Water Supply System Commission

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Exhibit 1 to Resolution No. WWSS-22-20

AMENDMENT ONE TO

PROJECT MANAGEMENT SERVICES AGREEMENT

FOR WILLAMETTE WATER SUPPLY SYSTEM IMPROVEMENTS

BETWEEN

TUALATIN VALLEY WATER DISTRICT

AND

WILLAMETTE WATER SUPPLY PROGRAM

This Amendment One (“Amendment”) is made and entered into between Tualatin Valley Water District, a domestic water supply district organized under ORS Chapter 264 (“TVWD”) and the Willamette Water Supply System Commission (“WWSS Commission”), an Oregon intergovernmental entity, as successor in interest to the Willamette Water Supply Program (“WWSP”). The parties to this Agreement are herein referred to individually as a “Party” and collectively as the “Parties”.

RECITALS

- A. TVWD and the WWSP previously entered into that certain Project Management Services Agreement (“Agreement”) dated February 27, 2019, describing TVWD and WWSP responsibilities for contracts, agreements, and delivery pertaining to the TVWD and WWSP portions of MPE_1.0. The Agreement authorized WWSP to perform the MPE_1.0 work on TVWD’s behalf and released the City of Hillsboro (“Hillsboro”) from future obligations on MPE_1.0.
- B. After the effective date of the Agreement, the WWSS Commission was formed by an intergovernmental agreement (“IGA”) entered into by TVWD, Hillsboro, and the City of Beaverton to permit, design, and construct the Willamette Water Supply System, including intake and transmission facilities, a water treatment plant, and reservoir facilities (“System”) to provide potable water and to increase system reliability.
- C. Pursuant to the IGA, the WWSS Commission became the successor in interest to the WWSP, the MPE_1.0 project became an Ancillary Project to be completed by the WWSS Commission, and the Commissions continued performing work through the ongoing operation of the WWSP.
- D. TVWD and the WWSS Commission desire to memorialize each Party’s status under the Agreement as assigned to the WWSS Commission, and desire to amend the Agreement as set forth in this Amendment.

AGREEMENT

1. **Recitals.** The Recitals set forth above are incorporated by reference and made a part of this Agreement.

2. **Acknowledgment of Assignment.** The Parties hereby acknowledge that the WWSP's rights and obligations under the Agreement have been assigned to the WWSS Commission as its successor in interest and that all references in the Agreement to the WWSP shall be deemed references to the WWSS Commission.

3. **Revision to Article 2, Project Description.** Article 2 of the Agreement shall be revised to add the following section beneath section 2.1:
 - 2.1.1 MPE_1.0 shall also include a connection to a Portland Water Bureau (PWB) 24-inch line located at the intersection of Hall Boulevard and Oleson Road. The connection will include a seismic valve, flowmeter, pressure reducing valve, and other necessary appurtenances.

4. **No Other Changes.** Except as provided in this Amendment, the Parties do not intend to make any other changes to the Agreement. In the event of a conflict between the terms of the Agreement and the terms of this Amendment, the terms of this Amendment shall take precedence.

IN WITNESS WHEREOF, the Parties hereto have set their hands as of the day and year hereinafter written.

Tualatin Valley Water District

Willamette Water Supply System Commission

By: _____

By: _____

Name & Title: Tom Hickmann
CEO

Name & Title: David Kraska
General Manager

Date: _____

Date: _____

Approved as to Form: _____

Willamette Water Supply

Our Reliable Water

4E. Amendment 1 to the Project Management Services Agreement for Delivery of MPE_1.0

September 3, 2020

1

Background

- TVWD requested change to MPE_1.0 at Hall/Oleson intersection (Bradley Corner) (Change Committee review nearly complete)
- Need to amend project management services agreement to authorize the change
- Amendment will also acknowledge previous assignment from WWSP to WWSS

2

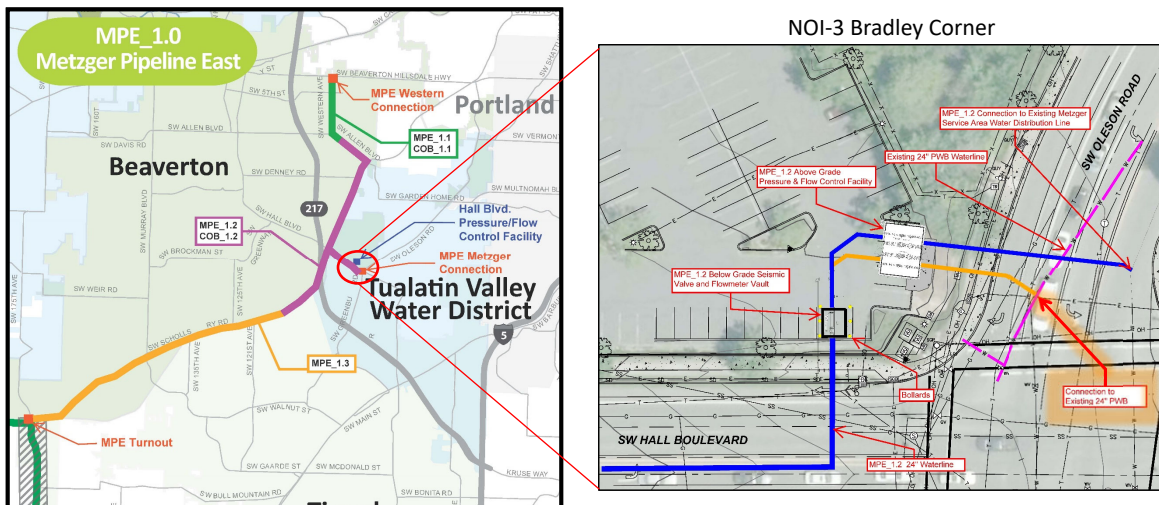
Project Management Services Agreement

- Parties were TVWD, Hillsboro, and WWSP, executed in February 2019
- Acknowledged TVWD's ownership of MPE_1.0
- Acknowledged Hillsboro's assignment of MPE_1.0 responsibilities to TVWD
- Defined MPE_1.0 and how it will be delivered by WWSP
- Assigned to WWSS through WWSS IGA



3

TVWD-requested Revision to MPE_1.0



4

Amendment 1 to the Project Management Services Agreement

- Acknowledges previous assignment from WWSP to WWSS
 - Parties are TVWD and WWSS
- Adds additional project definition for TVWD requested change to MPE_1.0 at Hall/Oleson intersection (Bradley Corner)

5

QUESTIONS

6

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: September 3, 2020
Subject: Recommend Approval of PLW_2.0 Design Contract Amendment Kennedy Jenks
(Contract No. 2019-018 Amendment 4)

Requested Action:

Consider approving an amendment to the PLW_2.0 design contract in the amount of \$612,036.73 to Kennedy Jenks Consultants, Inc. This amendment allows for additional design services on the PLW_2.0 Project of the Willamette Water Supply Program (WWSP) and does not impact the current design schedule.

Key Concepts:

- Implementation of the WWSP requires assistance of design consultants with expertise in water facility design, waterline design, geotechnical investigations and analysis, seismic design, and other areas of engineering.
- Kennedy Jenks was procured through a competitive process to provide design consulting services for the PLW_2.0 project.
- Kennedy Jenks has progressed the project through the 60% phase with broad support among the WWSP team for the proposed design.
- The current design represents an expanded scope for the project and the estimated design costs have increased accordingly.
- The proposed contract amendment would establish a scope of work to complete 100% design.
- A potential future change includes adding landscape architecture services for proactive outreach to neighbors and the public in response to elevated public interest in the impacts of the project on public spaces and parks.

Background:

The initial scope, schedule, and fee for the PLW_2.0 project was based on pre-design assumptions about the scope of the construction improvements. It also included workshops to facilitate design development through multidiscipline collaboration, system operator input, and incorporation of data acquired during field investigations. Progression of the design through 60% resulted in the following major scope changes:

Pressure Reducing Valve (PRV) Facility

This is a substantive scope change and is the most significant driver for the cost of the amendment. In the original scope the PRV facility alternatives varied from modifying the existing facility to a new facility at an alternate site. The need for additional fee is due to the difference between the assumed level of effort at the start compared to what is needed now to complete the project as currently defined.

September 3, 2020

Recommend Approval of PLW_2.0 Design Contract Amendment Kennedy Jenks (Contract No. 2019-018 Amendment 4)

The design at the time of the scope and fee negotiations assumed a small new PRV building with two valves and simple piping. The original design also maintained the existing fluoridation strategy for TVWD. Due to hydraulic complexities, the results of seismic analysis, and to minimize headloss through the PRV station, the design was reconfigured to include a large new PRV building with redundant valves, new fluoride injection vaults for each of TVWD's pressure zones, a new WWSS meter vault, and the replacement of an existing TVWD meter vault. The design also included the addition of a new diesel generator to replace an existing natural gas generator that was deemed not resilient.

Workshops were held during design for access, lifting, and maintenance of all new valves, flow meters, fluoridation equipment, and vaults for normal operations and emergency operations. A hazard and operability (HAZOP) workshop occurred to evaluate all of the process and instrumentation diagrams. The result is a PRV facility with an expanded scope that meets each of the WWSS member agencies' hydraulic needs while maintaining a safe work environment for long-term operations and maintenance. The additional effort to design this new facility resulted in 73 additional sheets for 90% and 100% design as described below. The sheet list is attached as Exhibit C. All additional sheets are highlighted in orange.

Design Coordination Meetings

During initial contract negotiations, WWSP and Kennedy Jenks agreed to a reduced quantity of planned design meetings as a cost-savings measure but acknowledged that the total quantity of meetings may require adjustment as the design scope is executed. By the end of July 2020, the design team had participated in 28 design coordination meetings. The original scope assumed 30 meetings for the design phase. It is anticipated that 20 additional meetings will be required to complete the 100% design reflected in the proposed amendment, for a total of 50 meetings. The additional meetings are critical to continue engaging operations and engineering staff, confirm design elements, make design decisions on a timely basis to remain on schedule, and provide coordination with permitting, outreach, and real estate teams.

90 Percent and 100 Percent Design

The original project scope and budget was based on 225 sheets for design set for 90% design. The current sheet total for the project is 298 sheets, not associated with the City of Hillsboro amendment. The effort associated with the 73 additional sheets includes new demolition sheets, new detail sheets, and new mechanical, electrical, and structural sheets as detailed in the sheet list in Exhibit C.

The project scope and budget for 100% design was based on 225 sheets. The current sheet total is 298 sheets (a 32 percent increase in sheet count), which includes the expanded scope for the PRV facility. Staff analyzed the additional sheets for necessity and cost per sheet breakdown to validate that additional fee. The original negotiated fee resulted in an average cost per drawing sheet of approximately \$9,070 each. The calculated cost per drawing for the additional 73 sheets is approximately \$5,035 each, which is 55% of the average cost of the original drawing sheets. The overall design effort was originally 7.9% of the baseline construction cost and the proposed amendment results in a design fee of approximately 8.5% of the current baseline budget.

Geotechnical Exploration

During design the location for the Hillsboro turnout at Baseline road was moved to the parking lot at the northeast corner of SW Baseline Road and SW Cornelius Pass Road as a result of site constraints, utility conflicts, and grading challenges. The new location allows for better operator access and more efficient

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Recommend Approval of PLW_2.0 Design Contract Amendment Kennedy Jenks (Contract No. 2019-018 Amendment 4)

pipings and vault configuration. However insufficient geotechnical information is present for the new turnout location. One additional geotechnical boring will be conducted at the site of the turnout. The boring will be advanced to 60 to 70 feet deep. Staff will perform geotechnical laboratory testing, measure groundwater levels and develop logs for subsurface conditions. The Geotechnical Data Report will be amended to include the geotechnical field exploration and laboratory testing results from the new boring. Staff will conduct geotechnical engineering analysis for soil liquefaction settlement, flotation, static and seismic soil bearing capacities, static and dynamic lateral earth pressures and resistance, seismic mitigation approach and recommended foundation design parameters. The Geotechnical Design Report will be amended to include geotechnical engineering analysis results, foundation design, and construction recommendations for information obtained with new geotechnical boring.

Utility Location, Mapping and Surveying

During value engineering discussions, a minor alignment change was proposed at the north end of the alignment. The area of the new alignment is outside the original area that was surveyed. The potential alignment shift could result in a potential construction savings of approximately \$100K.

The original scope called for performing potholing services for up to 100 potholes, 70 in pavement and 30 in soft surfaces to include traffic control and permits. The assumption was that the potholes would be up to 8 feet deep and be completed during the day. As a result of the number of utilities, 63 potholes were completed in pavement and 27 potholes in soft surfaces during daytime hours to 8 feet deep. Additional costs were associated with poor locates by third-party utility locate service providers, and additional coring beyond 10 inches, which has exhausted the original budget for this task. Due to the inability to find some key utilities, 20 additional potholes in pavement to 15 feet depth will be included in this amended scope. The benefit of adding potholes during the design phase is to accurately record the locations and depths of existing utilities to avoid potentially costly discoveries of conflicts during construction.

Final Hydraulics and Transient Analysis

In order to evaluate the pipeline hydraulics for all finished water gravity pipeline segments, which function as a system, the proposed amendment adds a transient analysis for PLW_2.0 and the finished water conveyance system extending from the WWSS reservoir (RES_1.0) and gravity-side hydraulics from the reservoirs through PLM_5.3. This change request adds an evaluation of PLM_5.3 and PLW_1.0 to the transient analysis. The results of this analysis will be now be reflected in a draft 90% TM and finalized based on any comments from WWSP.

Right of Way Engineering/Drawings and Descriptions

The original scope of work assumed the preparation of 10 legal descriptions and easements. Currently 15 easements are needed. The additional effort associated with the additional legal descriptions is included in this request. The program has also requested that the surveyor stake all of the easements prior to the appraiser being on site. The addition of three staging areas and the relocation of two turnouts, based on operator access and site constraints, has increased the number of properties required for acquisition.

The Kennedy Jenks Consultants Inc. scope, schedule, and fee was re-evaluated at the completion of the 60% design milestone and the need for contract amendments identified. Approval of these amendments and the associated fee will allow the project to proceed. No changes to the schedule are required.

Recommend Approval of PLW_2.0 Design Contract Amendment Kennedy Jenks (Contract No. 2019-018 Amendment 4)

Budget Impact:

The proposed amendments would increase the total contract value to \$5,483,954.94 as shown in the tables below. The contract amendment amounts were not anticipated within the current baseline and the budget for the work will be deducted from project contingency.

The estimated cost share per WWSS member agency is shown below. The design effort is based on 73 additional sheets for expanded scope. The number of sheets directly attributable to Hillsboro turnouts is 15 and the expanded PRV facility results in 58 new sheets. The design effort has been allocated 80% to TVWD for the PRV facility and 20% to Hillsboro for the turnouts. The remaining tasks have been allocated based on the original ownership percentages that are consistent with the WWSS IGA (7/1/19).

Task for Proposed Amendment	Total Cost	TVWD Share	Hillsboro Share
Design Progress Meetings ¹	\$50,188.75	\$21,793.26	\$28,395.49
90 Percent Design Phase Services ²	\$241,118.71	\$192,894.97	\$48,223.74
100 Percent Design Phase Services ²	\$126,465.35	\$101,172.28	\$25,293.07
Geotechnical Exploration ¹	\$17,882.72	\$7,765.14	\$10,117.58
Utility Location and Surveying ¹	\$95,960.85	\$41,668.70	\$54,292.15
Hydraulics and Transient Analysis ¹	\$30,900.44	\$13,417.77	\$17,482.67
Right-of-Way Engineering/Drawings & Desc. ¹	\$32,508.67	\$14,116.11	\$18,392.56
ODC's and Escalation ¹	\$17,011.22	\$7,386.71	\$9,624.51
TOTAL	\$612,036.73	\$400,214.94	\$211,821.79

1. Based on overall project ownership percentage from Baseline 5.2 budget and WWSS IGA
2. Based on percentage of design effort for total number of sheets: 80% TVWD and 20% Hillsboro

Initial Contract Value	\$ 4,506,372.28
Amendment 1 – Addition of COH_1.0	\$120,217.69
Amendment 2 – Survey for alignment shifts	\$55,466.70
Amendment 3 – Traffic, VE, 60% design	\$189,861.54
Current Contract Value	\$4,871,918.21
Proposed Amendment 4	\$612,036.73
Proposed Contract Value	\$5,483,954.94

Schedule Impact:

The project kickoff meeting was held on schedule and all schedule dates defined in the contract have been met. The current schedule shows all future dates being met as well.

Task/Deliverable Description	Original Completion Date	Current Completion Date
PLW_2.0 NTP	07/01/2019	06/28/2019 A
Conduct kickoff meeting	07/08/2019	07/08/2019 A
Submit project management plan	07/15/2019	07/15/2019 A
Submit draft health and safety plan	07/15/2019	07/15/2019 A

September 3, 2020

Recommend Approval of PLW_2.0 Design Contract Amendment Kennedy Jenks (Contract No. 2019-018 Amendment 4)

Task/Deliverable Description	Original Completion Date	Current Completion Date
Submit draft basis of design and project phasing TM per section 2.2	08/19/2019	08/19/2019 A
Submit draft facility site evaluation and selection TM per section 2.1	09/30/2019	09/30/2019 A
Submit 30% design deliverables per section 2.4	10/30/2019	10/30/2019 A
30% design complete	12/13/2019	12/04/2019 A
Submit 60% design deliverables per section 2.5	04/03/2020	04/03/2020 A
60% design complete	05/15/2020	05/15/2020 A
Submit 90% design deliverables per section 2.6	10/07/2020	10/07/2020
90% design complete	11/18/2020	11/18/2020
Submit 100% design deliverables per section 2.7	01/22/2021	01/22/2021
100% design complete, including signed and sealed design documents for bidding	02/05/2021	02/05/2021
Conformed bid documents complete	05/05/2021	05/05/2021

A – actual date

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: Amendment 4 to Agreement 2019-018
2. Exhibit B: Engineer Fee and Rates
3. Exhibit C: Sheet List for 90% and 100% Drawings

Willamette Water Supply System Commission

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Amendment 4 to Agreement 2019-018

FOR
 DESIGN, BIDDING PHASE, AND SERVICES DURING CONSTRUCTION PLW_2.0
 FOR
 THE WILLAMETTE WATER SUPPLY PROGRAM

This Amendment, effective the date as signed by Owner, is entered into by and between Willamette Water Supply System Commission ("Owner") and KENNEDY JENKS CONSULTANTS INC ("Engineer").

WHEREAS, the Owner and Engineer entered into this Agreement for Engineer to provide Design, Bidding Phase, and Services During Construction PLW_2.0 for the Willamette Water Supply Program.

WHEREAS, the Owner and Engineer desire to amend the Agreement by modifying the terms of the Agreement as follows:

This amendment incorporates PCO-8.

PCO#	Description	Time Impact (Days)	Change Amount
PCO - 8	PCO 4 - Additional 90% and 100% Design Requests, Survey, Easements and Hydraulic Analysis	0	\$612,036.72

The Original Contract Sum was	\$4,506,372.28
Net Change by Previously Authorized Requests and Changes	\$365,545.93
The Contract Sum Prior to this Amendment was	\$4,871,918.21
The Contract Sum will change by	\$612,036.72
The New Contract Sum including this Amendment	\$5,483,954.93
The Contract Time will change by	0 Days
The Date of Contract Completion as of this Amendment Therefore is	7/19/2023

Except as modified or changed herein, all other terms and conditions of the original Agreement, or as previously amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment 4 effective as of the date signed by Owner.

OWNER

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: _____
Title: _____
Date: _____

**PCO-8 Contract No. 2019-018
Design, Bidding Phase, and Services During Construction PLW_2.0**

This amendment is for additional 90% and 100% Design Requests, Survey, Easements and Hydraulic Analysis per attached.

Item	Description	Quantity	Units	Unit Price	Net Amount
005	Task 1.4 - Design Progress Meetings			\$	\$50,188.75
019	Task 2.6 - 90% Design			\$	\$241,118.71
020	Task 2.7 - 100% Design			\$	\$126,465.35
022	Task 3.1 - Subsurface Exploration			\$	\$9,892.11
023	Task 3.2 - Geotechnical Data Report			\$	\$3,550.11
024	Task 3.3 - Geotechnical Design Report			\$	\$4,440.51
028	Task 4.1 - Utility Location, Mapping, and Surveying			\$	\$95,960.85
029	Task 5.0 - Hydraulic and Transient Analysis			\$	\$30,900.44
038	Taks 8.0 - Right of Way Engineering/Drawings and Descriptions			\$	\$32,508.67
053	Lump Sum ODCs			\$	\$1,500.00
054	Invoiced ODCs Allowance			\$	\$1,295.00
055	Labor Escalation (Owner Controlled)			\$	\$14,216.22
Total				\$	612,036.72

Willamette Water Supply System Commission

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Exhibit B2 - Engineer Fee and Rates

Willamette Water Supply Program PLW_2.0 Design, Bidding Phase, and Services During Construction

ENGINEER: Otak, Inc.

Task(s)	Task Description	Total Cost	Total Labor	Total Hours	Billing Rate Multiplier	Civil Engineer X (Allen Hendy)	Civil Engineer VIII (Chuck Green)	Engineering Designer III (Nick Redinger)	Planner II (Mandy Flett)	PIC/PLS Sr. Manager (Jon Yamashita)	PLS III (PM) (David Conklin)	Survey Crew Chief II (Bob Hawes)	Survey Office Tech III (Mike Rusch)	Project Coordinator (Tina Keller)	Project Admin Assist (Reena Keene)	Survey Field Technician III (David Finley)	ADD HERE	ADD HERE	Total Sub Consultant	Subconsultant Markups	Potholing (TBD)	Traffic Counts (Rayne Studios)	Aerial LIDAR Survey GeoTerra	Traffic Control - D & H & Survey Filing Fee(s)				
						Direct Hourly Rate																						
						\$62.50	\$51.92	\$27.88	\$37.98	\$67.31	\$42.31	\$30.30	\$31.30	\$37.50	\$22.00	\$23.10												
						3.10	\$193.75	\$160.96	\$86.44	\$117.74	\$208.66	\$131.15	\$93.93	\$97.03	\$116.25	\$68.20	\$71.61	\$0.00							\$0.00			
																				Markup	0.00%	0.00%	0.00%	0.00%				
																				Subconsultant Cost								
Task 4.0 4.1	Utility Location, Mapping, and Surveying Utility Location, Mapping, and Surveying Project Management and Coordination Survey Control Potholes Cornelius Pass Road crossing to PRV Station WPC parking lot QA/QC	\$876.35 \$462.23 \$3,493.13 \$2,888.01 \$2,231.71 \$417.32	\$876.35 \$462.23 \$3,493.13 \$2,888.01 \$2,231.71 \$417.32	6 5 40 32 25 2			4							2						\$0.00	\$0.00							
4.0 Subtotal		\$10,368.75	\$10,368.75	110																\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
Task 8.0 8.0	Right of Way Engineering/Drawings and Descriptions Right of Way Engineering/Drawings and Descriptions Acquisition Staking	\$8,226.98 \$14,554.74	\$8,226.98 \$14,554.74	58 170						8	50	-								\$0.00	\$0.00							
8.0 Subtotal		\$22,781.72	\$22,781.72	228							10	80								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
PROJECT SUBTOTAL		\$33,150.47	\$33,150.47	338						10	66	116	24	2						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
Lump Sum ODCs		\$0.00																										
Invoiced ODCs Allowance		\$1,295.00																										
Total Cost (Less Escalation)		\$34,445.47																										
Labor Escalation (Owner Controlled)		\$1,458.62																										
PROJECT TOTAL COST		\$35,904.09																										

Labor escalation is an estimated amount for annual rate increases throughout the entire project duration.

1) Engineer shall include documentation and assumptions for total labor hours, subconsultant costs, and Lump Sum ODCs after fee estimate has been requested by Owners.

Exhibit B2 - Engineer Fee and Rates

Willamette Water Supply Program PLW_2.0 Design, Bidding Phase, and Services During Construction

ENGINEER: FLOW SCIENCE INCORPORATED

Task(s)	Task Description	Total Cost	Total Labor	Total Hours	Billing Rate Multiplier	PRINCIPAL CONSULTANT (E. John List)	PRINCIPAL ENGINEER IV (Kristen B. Kavanagh)	PRINCIPAL ENGINEER II (Mark Sauter)	PRINCIPAL ENGINEER II (Gang Zhao)	PROJECT ENGINEER (Ben Martin)	ADMINISTRATIVE (Melinda Werts)
						Direct Hourly Rate					
						\$108.00	\$79.05	\$64.75	\$62.43	\$45.95	\$34.00
					3.10	\$334.80	\$245.06	\$200.73	\$193.53	\$142.45	\$105.40
Task 5.0	Hydraulic and Transient Analysis										
5.0	Hydraulic and Transient Analysis	\$27,715.55	\$27,715.55	164		6		60		90	8
	5.0 Subtotal	\$27,715.55	\$27,715.55	164		6	-	60	-	90	8
	PROJECT SUBTOTAL	\$27,715.55	\$27,715.55	164		6	-	60	-	90	8
	Lump Sum ODCs	\$0.00									
	Invoiced ODCs Allowance	\$0.00									
	Total Cost (Less Escalation)	\$27,715.55									
	Labor Escalation (Owner Controlled)	\$748.32									
	PROJECT TOTAL COST	\$28,463.87									

Labor escalation is an estimated amount for annual rate increases throughout the entire project duration.

1) Engineer shall include documentation and assumptions for total labor hours, subconsultant costs, and Lump Sum ODCs after fee estimate has been requested by Owners.



G.A.W. Inc. (dba VacX)
 PO Box 70345
 Springfield, Oregon 97475
 541-505-5074

INVOICE

Please make checks payable to:

VacX

BILL TO:

Kennedy/Jenks Consultants
 Attn: Accounts Payable
 200 SW Market, Suite 500
 Portland, OR 97201

July 7, 2020

<u>Contact Name/PO:</u> Kathy Fretwell Michael Humm PLW 2.0	<u>OUR INVOICE:</u> #20V-10452.1	<u>TERMS</u> Net due 10th of following month. 2% monthly interest past due accounts.
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DESCRIPTION	DEBIT	CREDIT	BALANCE
Location: Cornelius Pass Road & Frances, Hillsboro <u>VacX Charges: February 7, 10, 12, 14, 17-21, 24-28</u> <u>March 2-5, 9, 11, 17, 2020</u> <u>Invoice includes additional charges for services outside of the original scope of work.</u> Night Potholes with Coring 24 @ \$1,444.50/ea \$34,668.00 Night Potholes No Coring 7 @ \$1,221.75/ea \$8,552.25 Additional time due to depth below 8 ft 24.88 ft @ \$295/ea \$7,339.60			

ACCOUNTS PAYABLE:
 PLEASE REFERENCE
OUR INVOICE
 #20V-10452.1
 WHEN MAKING PAYMENT.

Thank you.

Includes per diem where applicable.

BALANCE DUE

\$50,559.85



Estimate

G.A.W. Inc. (dba VacX)

PO Box 70345

Springfield, Oregon 97475

541-505-5074

VacX

BILL TO:

Kennedy/Jenks Consultants
Attn: Accounts Payable
200 SW Market, Suite 500
Portland, OR 97201

July 21, 2020

<u>Contact Name/PO:</u> Kathy Fretwell Michael Humm PLW 2.0		
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DESCRIPTION	DEBIT	CREDIT	BALANCE
Location: Cornelius Pass Road & Frances, Hillsboro			
<u>VacX Charges:</u>			
Day Potholes with Coring	12 @ \$1,070/ea	\$12,840	
Night Potholes with Coring Night	8@ \$1,444.50/ea	\$11,556	
time due to poor locates	12 hrs @ \$215/Hr	\$2,580	
Additional time due to depth below 8 ft	25 ft @ \$295/ea	\$7,375	
Additional coring beyond 10" each	200" @ \$17.50/ln	\$3,500	
Permit/Noise Variance Fees		\$2,000	

TOTAL

\$39,851.00

Legend:

- New Sheets - Low Effort
- New Sheets - Moderate Effort
- New Sheets - COH_1.0

PLW_2.0 Sheet List

	Sht #	Design Phase			
		30%	60%	90%	100%
General Sheets					
Cover Sheet	G-01	1	1	1	1
Index of Drawings -1	G-02	1	1	1	1
Index of Drawings -2	G-03	1	1	1	1
Index of Drawings -3	G-04	1	1	1	1
WWSP Overall Map & Vicinity Map	G-05	1	1	1	1
Key Plan - 1	G-06	1	1	1	1
Key Plan - 2	G-07	1	1	1	1
General Notes	G-08	1	1	1	1
General Legend	G-09	1	1	1	1
Abbreviations	G-10	1	1	1	1
Survey Control Key Map and Geotech Soil Boring Locations	G-11	1		1	1
Survey Control - 1	G-12	1		1	1
Survey Control - 2	G-13	1		1	1
Survey Control - 3	G-14	1		1	1
Survey Control - 4	G-15	1		1	1
Project Hydraulic Gradeline and Pipe Wall Thickness- 1	G-16	1	1	1	1
Project Hydraulic Gradeline and Pipe Wall Thickness- 2	G-17	1	1	1	1
Utility Information	G-18	1	1	1	1
Fiber Optic Information and Test Station Schedule	G-19	1		1	1
Construction Access and Staging	G-20	1	1	1	1
Appurtenance Schedules - 1	G-21	1	1	1	1
Appurtenance Schedules - 2	G-22	1	1	1	1
		22	7	16	22
Civil Sheets					
Plan and Profiles					
Plan and Profile - Sta. 1279+20.29 to Sta. 1284+00	PP-01	1	1	1	1
Plan and Profile - Sta. 1284+00 to Sta. 1289+00	PP-02	1	1	1	1
Plan and Profile - Sta. 1289+00 to Sta. 1294+00	PP-03	1	1	1	1
Plan and Profile - Sta. 1294+00 to Sta. 1299+00	PP-04	1	1	1	1
Plan and Profile - Sta. 1299+00 to Sta. 1304+00	PP-05	1	1	1	1
Plan and Profile - Sta. 1304+00 to Sta. 1309+00	PP-06	1	1	1	1
Plan and Profile - Sta. 1309+00 to Sta. 1314+00	PP-07	1	1	1	1
Plan and Profile - Sta. 1314+00 to Sta. 1319+00	PP-08	1	1	1	1
Plan and Profile - Sta. 1319+00 to Sta. 1324+00	PP-09	1	1	1	1
Plan and Profile - Sta. 1324+00 to Sta. 1329+00	PP-10	1	1	1	1
Plan and Profile - Sta. 1329+00 to Sta. 1334+00	PP-11	1	1	1	1
Plan and Profile - Sta. 1334+00 to Sta. 1339+00	PP-12	1	1	1	1
Plan and Profile - Sta. 1339+00 to Sta. 1344+00	PP-13	1	1	1	1
Plan and Profile - Sta. 1344+00 to Sta. 1349+00	PP-14	1	1	1	1
Plan and Profile - Sta. 1349+00 to Sta. 1354+00	PP-15	1	1	1	1
Plan and Profile - Sta. 1354+00 to Sta. 1359+00	PP-16	1	1	1	1
Plan and Profile - Sta. 1359+00 to Sta. 1364+00	PP-17	1	1	1	1
Plan and Profile - Sta. 1364+00 to Sta. 1369+00	PP-18	1	1	1	1
Plan and Profile - Sta. 1369+00 to Sta. 1374+00	PP-19	1	1	1	1
Plan and Profile - Sta. 1374+00 to Sta. 1379+00	PP-20	1	1	1	1
Plan and Profile - Sta. 1379+00 to Sta. 1384+00	PP-21	1	1	1	1
Plan and Profile - Sta. 1384+00 to Sta. 1389+00	PP-22	1	1	1	1
Plan and Profile - Sta. 1389+00 to Sta. 1394+00	PP-23	1	1	1	1
Plan and Profile - Sta. 1394+00 to Sta. 1399+00	PP-24	1	1	1	1
Plan and Profile - Sta. 1399+00 to Sta. 1404+00	PP-25	1	1	1	1
Plan and Profile - Sta. 1404+00 to Sta. 1409+00	PP-26	1	1	1	1
Plan and Profile - Sta. 1409+00 to Sta. 1414+00	PP-27	1	1	1	1
Plan and Profile - Sta. 1414+00 to Sta. 1419+00	PP-28	1	1	1	1
Plan and Profile - Sta. 1419+00 to Sta. 1424+00	PP-29	1	1	1	1
Plan and Profile - Sta. 1424+00 to Sta. 1429+00	PP-30	1	1	1	1
Plan and Profile - Sta. 1429+00 to Sta. 1434+00	PP-31	1	1	1	1
Plan and Profile - Sta. 1434+00 to Sta. 1439+00	PP-32	1	1	1	1
Plan and Profile - Sta. 1439+00 to Sta. 1444+00	PP-33	1	1	1	1
Plan and Profile - Sta. 1444+00 to Sta. 1449+00	PP-34	1	1	1	1
Plan and Profile - Sta. 1449+00 to Sta. 1451+22.44	PP-35	1	1	1	1
12-Inch Pipeline Station H1+00 to H4+70	PPH-01	1	1	1	1
12-Inch Pipeline Station H4+70 to H9+70	PPH-02	1	1	1	1
12-Inch Pipeline Station H9+70 to H14+70	PPH-03	1	1	1	1

12-Inch Pipeline Station H14+70 to H19+70	PPH-04	1	1	1	1	1
12-Inch Pipeline Station H19+70 to H23+40.35	PPH-05	1	1	1	1	1
Plan and Profile -Baseline Turnout 1	PP-B01	1	1	1	1	1
Plan and Profile -Baseline Turnout 2	PP-B02	1	1	1	1	1
Walbridge 24" Turnout Pipeline STA W1+00 to W3+20	PP-W01	1	1	1	1	1
Old Evergreen 24" Turnout Pipeline STA E1+00 to STA E4+40	PP-E01	1	1	1	1	1
Old Evergreen 24" Turnout Pipeline STA E4+40 to STA E7+55	PP-E02	1	1	1	1	1
Utility Relocation Plan and Profile - 1	UP-1	1		1	1	1
Utility Relocation Plan and Profile - 2	UP-2	1		1	1	1
Utility Relocation Plan and Profile - 3	UP-3	1		1	1	1
		48	45	48	48	48

Appurtenance Plans and Details

Baseline Turnout Demolition	BP-01A	1			1	1
Baseline Turnout Pipeline and Vaults Site Plan	BP-01	1	1	1	1	1
Baseline Turnout Vault - Plans and Sections	BP-02	1		1	1	1
Walbridge Turnout Demolition	BP-03A	1			1	1
Walbridge Turnout Pipeline and Vaults Site Plan	BP-03	1	1	1	1	1
Walbridge Turnout Vaults Plans and Sections	BP-04	1		1	1	1
Old Evergreen Turnout Demolition	BP-05A	1			1	1
Old Evergreen Turnout Pipeline and Vaults Site Plan	BP-05	1	1	1	1	1
Old Evergreen Turnout Vaults Plan and Sections	BP-06	1		1	1	1
Beaverton Creek Trenchless Crossing and Monitoring Plan - Sheet 1	BP-12	1		1	1	1
Beaverton Creek Trenchless Crossing and Monitoring Plan - Sheet 2	BP-13	1		1	1	1
Cornell Road Trenchless Crossing - Monitoring Plan and Details	BP-14	1		1	1	1
Evergreen Pkwy Trenchless Crossing - Monitoring Plan and Details	BP-15	1		1	1	1
Cornelius Pass Rd Trenchless Crossing - Monitoring Plan and Details	BP-16	1		1	1	1
Trenchless Crossing Details - 1	BP-17	1		1	1	1
Trenchless Crossing Details - 2	BP-18	1		1	1	1
Pipeline Details -1	BP-21	1		1	1	1
Pipeline Details -2	BP-22	1		1	1	1
Pipeline Details -3	BP-23	1		1	1	1
Pipeline Details -4	BP-24	1		1	1	1
Pipeline Details -5	BP-25	1		1	1	1
Old Rail Corridor Access Road Details	BP-26	1			1	1
City of Hillsboro 12-inch Pipeline Connection Details	BP-30	1		1	1	1
		23	3	18	23	23

Civil Site Plans

Hwy 26 PRV Station - Construction Staging and Sequencing	CS-01	1		1	1	1
Hwy 26 PRV Station - Site Demolition Plan	CS-02	1		1	1	1
Hwy 26 PRV Station - Site and Coordinate Plan	CS-03	1	1	1	1	1
Hwy 26 PRV Station - Paving and Grading Plan	CS-04	1		1	1	1
Hwy 26 PRV Station - Yard Piping Plan	CS-05	1		1	1	1
Hwy 26 PRV Station - Storm Drainage Modifications Plan	CS-06	1		1	1	1
Hwy 26 PRV Station - Storm Drainage Sections and Details	CS-07	1		1	1	1
Hwy 26 PRV Station - Landscape Legend and Notes	CS-08	1		1	1	1
Hwy 26 PRV Station - Landscape and Planting Plan	CS-09	1		1	1	1
Hwy 26 PRV Station - Landscaping Standard Details	CS-10	1			1	1
Hwy 26 PRV Station - Irrigation System Restoration Plan	CS-11	1			1	1
Hwy 26 PRV Station - Civil Site Details - 1	CS-12	1		1	1	1
Hwy 26 PRV Station - Civil Site Details - 2	CS-13	1		1	1	1
		13	1	11	13	13

Erosion Control and Fencing Plans

Erosion Control Plan - Cover Sheet	EC-01	1			1	1
Erosion Controls Plan - 1	EC-02	1			1	1
Erosion Controls Plan - 2	EC-03	1			1	1
Erosion Controls Plan - 3	EC-04	1			1	1
Erosion Controls Plan - 4	EC-05	1			1	1
Erosion Controls Plan - 5	EC-06	1			1	1
Erosion Controls Plan - 6	EC-07	1			1	1
Erosion Controls Plan - 7	EC-08	1			1	1
Erosion Controls Plan - 8	EC-09	1			1	1
Erosion Controls Plan - 9	EC-10	1			1	1
Erosion Controls Plan - 10	EC-11	1			1	1
Erosion Controls Plan - 11	EC-12	1			1	1
Erosion Controls Plan - 12	EC-13	1			1	1
Baseline Turnout Vault - Erosion Control Plan	EC-14	1			1	1

Walbridge Turnout Vault - Erosion Control Plan	EC-15	1			1	1
Old Evergreen Turnout - Erosion Control Plan	EC-16	1			1	1
Hwy 26 PRV Station - Erosion Control Plan	EC-17	1			1	1
Erosion Control Details - 1	EC-18	1			1	1
Erosion Control Details - 2	EC-19	1			1	1
		19	0	0	19	19

Drainage Crossings

Beaverton Creek Wetland W-W2-1 Crossing Plan and Section	DC-1	1	1	1	1	1
Beaverton Creek Crossing - Details 1	DC-2	1		1	1	1
Beaverton Creek Crossing - Details 2	DC-3	1			1	1
Rock Creek Wetland W-W2-2 Crossing Plan and Section	DC-4	1			1	1
Rock Creek Crossing - Details 1	DC-5	1			1	1
Rock Creek Crossing - Details 2	DC-6	1			1	1
		6	1	2	6	6

Standard Details

WWSP Standard Details - 1	SD-01	1	1	1	1	1
WWSP Standard Details - 2	SD-02	1	1	1	1	1
WWSP Standard Details - 3	SD-03	1	1	1	1	1
WWSP Standard Details - 4	SD-04	1	1	1	1	1
WWSP Standard Details - 5	SD-05	1	1	1	1	1
WWSP Standard Details - 6	SD-06	1	1	1	1	1
WWSP Standard Details - 7	SD-07	1	1	1	1	1
WWSP Standard Details - 8	SD-08	1	1	1	1	1
WWSP Standard Details - 9	SD-09	1	1	1	1	1
WWSP Standard Details - 10	SD-10	1	1	1	1	1
WWSP Standard Details - 11	SD-11	1		1	1	1
WWSP Standard Details - 12	SD-12	1		1	1	1
WWSP Standard Details - 13	SD-13	1		1	1	1
WWSP Standard Details - 14	SD-14	1		1	1	1
WWSP Standard Details - 15	SD-15	1		1	1	1
WWSP Standard Details - 16	SD-16	1		1	1	1
WWSP Standard Details - 17	SD-17	1		1	1	1
WWSP Standard Details - 18	SD-18	1		1	1	1
WWSP Standard Details - 19	SD-19	1		1	1	1
WWSP Standard Details - 20	SD-20	1		1	1	1
WWSP Cathodic Protection Standard Details - 1	CP-01	1		1	1	1
WWSP Cathodic Protection Standard Details - 2	CP-02	1	1	1	1	1
WWSP Cathodic Protection Standard Details - 3	CP-03	1	1	1	1	1
WWSP Cathodic Protection Standard Details - 4	CP-04	1	1	1	1	1
WWSP Cathodic Protection Standard Details - 5	CP-05	1		1	1	1
WWSP Cathodic Protection Standard Details - 6	CP-06	1		1	1	1
WWSP Cathodic Protection Standard Details - 7	CP-07	1		1	1	1
WWSP Cathodic Protection Standard Details - 8	CP-08	1		1	1	1
WWSP Cathodic Protection Standard Details - 9	CP-09	1		1	1	1
WWSP Cathodic Protection Standard Details - 10	CP-10	1		1	1	1
WWSP Cathodic Protection Standard Details - 11	CP-11	1		1	1	1
		31	13	31	31	31

Traffic Control Plans

Traffic Control Traffic Management Plan Map	TC-01	1		1	1	1
Traffic Control Plan - 1	TC-02	1			1	1
Traffic Control Plan - 2	TC-03	1		1	1	1
Traffic Control Plan - 3	TC-04	1		1	1	1
Traffic Control Plan - 4	TC-05	1		1	1	1
Traffic Control Plan - 5	TC-06	1		1	1	1
Traffic Control Plan - 6	TC-07	1		1	1	1
Traffic Control Plan - 7	TC-08	1		1	1	1
Traffic Control Plan - 8	TC-09	1		1	1	1
Traffic Control Plan - 9	TC-10	1		1	1	1
Traffic Control Plan - 10	TC-11	1		1	1	1
Traffic Control Plan - 11	TC-12	1		1	1	1
Traffic Control Plan - 12	TC-13	1		1	1	1
Traffic Control Plan - 13	TC-14	1		1	1	1
Traffic Control Plan - 14	TC-15	1		1	1	1
Traffic Control Plan - 15	TC-16	1		1	1	1
Pedestrian Routing Plan 1	TC-17	1		1	1	1

Pedestrian Routing Plan 2	TC-18	1	1	1	1
Pedestrian Routing Plan 3	TC-19	1	1	1	1
Pedestrian Routing Plan 4	TC-20	1	1	1	1
Pedestrian Routing Plan 5	TC-21	1		1	1
Work Zone Details - 1	TC-22	1		1	1
Work Zone Details - 2	TC-23	1		1	1
Work Zone Details - 3	TC-24	1		1	1
Traffic Control Notes- 1	TC-25	1		1	1
Traffic Control Notes - 2	TC-26	1		1	1
Haul Routes - 1	TC-27	1		1	1
Haul Routes - 2	TC-28	1		1	1
		28	0	19	28
				28	28

Architectural

Architectural Standard Notes, Code Summary	A-01	1	1	1	1
PRV Building - Ground Floor Plan	A-21	1	1	1	1
PRV Building - Basement Floor Plan	A-22	1	1	1	1
PRV Building - Roof Plan	A-23	1	1	1	1
PRV Building - Exterior Elevations	A-24	1	1	1	1
PRV Building - Sections	A-25	1	1	1	1
PRV Building - Details	A-26	1	1	1	1
Existing PRV Building - Demolition Plan, Elevation and Details	A-31	1	1	1	1
Generator Screening Wall Plan, Elevation and Details	A-41	1		1	1
		9	0	8	9
				9	9

Structural

Structural General Notes	S-01	1	1	1	1
Special inspection and testing	S-02	1	1	1	1
Standard Details - 1	S-03	1	1	1	1
Standard details - 2	S-04	1	1	1	1
Standard Details - 3	S-05	1	1	1	1
Standard Details - 4	S-06	1		1	1
WWSP Meter Vault Plan, Sections, and Details	S-20	1	1	1	1
New PRV Building - Basement Floor Plan	S-21	1	1	1	1
New PRV Building - Ground Floor Plan	S-22	1	1	1	1
New PRV Building - Roof Plan	S-23	1	1	1	1
New PRV Building Sections and Details 1	S-24	1	1	1	1
New PRV Building Sections and Details 2	S-25	1	1	1	1
New PRV Building Details 1	S-26	1	1	1	1
New PRV Building Details 2	S-27	1		1	1
Existing PRV Building - PRV Building Roof Plan and Details	S-31	1	1	1	1
Existing PRV Building - Fluoride Chemical Room Demolition Plan	S-32	1		1	1
Existing PRV Building - Fluoride Chemical Room Plan, Section and Details 1	S-33	1		1	1
Existing PRV Building - Fluoride Chemical Room Plan, Section and Details 2	S-34	1		1	1
Existing PRV Building - 435 Injection Vault Plan, Section and Details	S-35	1	1	1	1
Existing PRV Building - 385 Injection Vault Plan, Section and Details	S-36	1	1	1	1
Generator Plan, Section and Details	S-41	1	1	1	1
	Total	21	0	16	21
				21	21

Mechanical

Mechanical General Notes	M-01	1	1	1	1
Mechanical Standard Details - 1	M-02	1	1	1	1
Mechanical Standard Details - 2	M-03	1	1	1	1
Mechanical Standard Details - 3	M-04	1	1	1	1
PRV Building HVAC Notes, Legend, Schedules and Schematic	M-05	1	1	1	1
PRV Building HVAC Plan and Sections	M-06	1	1	1	1
PRV Building Plumbing Plan and Sections	M-07	1	1	1	1
WWSP Meter Vault Plan, Section and Details	M-20	1	1	1	1
New PRV Building - Basement Floor Plan	M-21	1	1	1	1
New PRV Building - Ground Floor Plan	M-22	1	1	1	1
New PRV Building - Sections and Details - 1	M-23	1	1	1	1
New PRV Building - Sections and Details - 2	M-24	1	1	1	1
Hwy 26 PRV Station New Building Iso View	M-25	1	1	1	1
Existing PRV Building - PRV Room Demolition Plan	M-31	1	1	1	1
Existing PRV Building - PRV Room and Injection Vaults Plan, Section and Details	M-32	1		1	1

Existing PRV Building - Fluoride Chemical Room Demolition Plan	M-33	1		1	1	1
Existing PRV Building - Fluoride Chemical Room Plan, Section and Details	M-34	1	1	1	1	1
435 Injection Vault Plan, Section and Details	M-35	1		1	1	1
385 Injection Vault Plan, Section and Details	M-36	1		1	1	1
Hwy 26 PRV Station 435 Meter Vault Plan and Details	M-37	1		1	1	1
Generator Plan Section and Details	M-41	1		1	1	1
		21	5	19	21	21

Electrical

Electrical Abbreviations & Legend	E-01	1		1	1	1
Electrical Standard Details I (also includes instrumentation details)	E-02	1			1	1
Electrical Standard Details II	E-03	1			1	1
Electrical Standard Details III	E-04	1			1	1
Baseline Turnout Vault Site Plan	E11-A	1		1	1	1
Walbridge Turnout Vault Site Plan	E11-B	1		1	1	1
Old Evergreen Turnout Vault Site Plan	E11-C	1		1	1	1
Baseline Turnout Vault - Electrical Single Line Diagram & Luminaire Schedule	E12-A	1		1	1	1
Walbridge Turnout Vault - Electrical Single Line Diagram & Luminaire Schedule	E12-B	1		1	1	1
Old Evergreen Turnout Vault - Electrical Single Line Diagram & Luminaire Schedule	E12-C	1		1	1	1
Baseline Turnout Vault Conduit Block Diagram	E13-A	1			1	1
Walbridge Turnout Vault Conduit Block Diagram	E13-B	1			1	1
Old Evergreen Turnout Vault Conduit Block Diagram	E13-C	1			1	1
Baseline Turnout Vault Conduit and Wire Schedule	E14-A	1			1	1
Walbridge Turnout Vault Conduit and Wire Schedule	E14-B	1			1	1
Old Evergreen Turnout Vault Conduit and Wire Schedule	E14-C	1			1	1
Baseline Turnout Vaults Equipment Plan	E15-A	1		1	1	1
Walbridge Turnout Vaults Equipment Plan	E15-B	1		1	1	1
Old Evergreen Turnout Vaults Equipment Plan	E15-C	1		1	1	1
Hwy 26 PRV Station - Site Plan Demolition	E-21	1		1	1	1
Hwy 26 PRV Station - Overall Site Plan	E-22	1		1	1	1
Hwy 26 PRV Station - New PRV Building - Single Line Diagram and MCC Elevation	E-23	1		1	1	1
Hwy 26 PRV Station - Panel Schedule and Luminaire Schedule	E-24	1		1	1	1
Hwy 26 PRV Station - Conduit Block Diagram 1	E-25	1			1	1
Hwy 26 PRV Station - Conduit Block Diagram 2	E-26	1			1	1
Hwy 26 PRV Station - Conduit and Wire Schedule 1	E-27	1			1	1
Hwy 26 PRV Station - Conduit and Wire Schedule 2	E-28	1			1	1
Hwy 26 PRV Station - New Building - Ground Floor and Basement Floor Equipment Plan	E-31	1		1	1	1
Hwy 26 PRV Station - WWSP Meter Vault Equipment Plan	E-32	1		1	1	1
Hwy 26 PRV Station - Existing Building Generator and Fluoride Chemical Room Demolition Plan	E-41	1		1	1	1
Hwy 26 PRV Station - Existing Building - Fluoride Chemical Room Equipment Plan	E-42	1		1	1	1
Hwy 26 PRV Station - Existing Building 435 and 385 Injection Vaults Equipment Plan	E-43	1		1	1	1
Existing PRV Building - 435 Injection Vault Equipment Plan	E-44	1		1	1	1
Enlarged Generator Plan	E-51	1			1	1

34 0 20 34 34

Process Instrumentation and Control

Process Legend	I-01	1		1	1	1
Instrumentation Legend	I-02	1		1	1	1
Panel Elevation and Mounting Details	I-03	1			1	1
Equipment Wiring for Physical and Virtual Data Exchange	I-04	1			1	1
Baseline Turnout Vault Diagram	I-05	1		1	1	1
Walbridge Turnout Vault Diagram	I-06	1		1	1	1
Old Evergreen Turnout Vault Diagram 1	I-07	1		1	1	1
Old Evergreen Turnout Vault Diagram 2	I-08	1		1	1	1
Block Diagram - 1	I-10	1			1	1
Block Diagram - 2	I-11	1			1	1
Block Diagram - 3	I-12	1			1	1
Block Diagram - 4	I-13	1			1	1
Block Diagram - 5	I-14	1			1	1
Hwy 26 PRV Station - WWSP Meter Vault	I-20	1		1	1	1
Hwy 26 PRV Station - New Building	I-21	1		1	1	1
Hwy 26 PRV Station - Existing Building	I-31	1		1	1	1
Hwy 26 PRV Station - Fluoride Metering Room	I-32	1		1	1	1
Hwy 26 PRV Station - 435 Injection Vault	I-33	1		1	1	1
Hwy 26 PRV Station - 385 Injection Vault	I-34	1		1	1	1
Hwy 26 PRV Station - Generator	I-41	1		1	1	1
Legend, Abbreviations and General Notes	IC-01	1			1	1
Discrete Wiring Interface Details	IC-02	1			1	1

Equipment Wiring for Physical and Virtual Data Exchange	IC-03	1			1	1
Baseline Turnout Vault	IC-04	1			1	1
Walbridge Turnout Vault	IC-05	1			1	1
Old Evergreen Turnout Vault	IC-06	1			1	1
Hwy 26 PRV Station New Building	IC-07	1			1	1
Hwy 26 PRV Station Existing Building	IC-08	1			1	1
Panel Elevations WWSS Control Systems	IC-09	1			1	1
		29	0	13	29	29
	Total	304	75	221	304	304
	% of Total		25%	73%	100%	100%

Willamette Water Supply *Our Reliable Water*

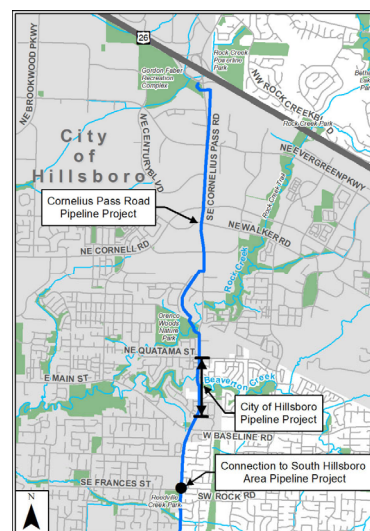
4F. PLW_2.0 Design Contract Amendment (Contract No. 2019-018 Amendment 4)

September 3, 2020

1

PLW_2.0 Overview

- 3.3 miles 48-inch pipeline
- 3 Hillsboro turnouts
- Pressure Reducing Valve (PRV) Facility
 - Serves TVWD 435 and 385 pressure zones
 - Provides Hillsboro emergency connection to JWC North Transmission Line (NTL)
- Currently progressing to 90% design
- Construction NTP anticipated July 2021



2

TVWD PRV Facility Design

- Hazard and Operability (HAZOP) and Access, Lifting, and Maintenance (ALM) workshops solicited operator input resulting in recommended design modifications.
- Additional TVWD-requested design changes increased the scale and complexity of the PRV facility:
 - Additional valves and piping for redundancy and operational flexibility as required by TVWD
 - New fluoride injection vaults to accommodate new blended source waters for TVWD 385 and 435 pressure zones
 - Replacement of existing TVWD 435 zone meter vault to improve operator safety and access
 - New diesel generator to replace less resilient natural gas generator
 - Additional 58 sheets (of 73 new sheets) for 90 percent and 100 percent design for the expanded PRV facility

Hillsboro Turnout Design

- Bi-weekly meetings with City of Hillsboro engineering and operations staff generated input resulting in modifications to turnout vault locations and access.
- Site constraints – including grading, access, and utility conflicts – resulted in moving all three turnouts to different areas.
 - Lack of space within the ROW
 - Safe parking
 - Vault access for operators
- Additional 15 sheets (of 73 new sheets) for 90 percent and 100 percent design for the Hillsboro turnout facilities, including additional plan and profile sheets, site demolition, instrumentation and control, and conduit block diagrams.

Major Components of Proposed Contract Amendment

- Design Coordination Meetings
 - Addition of 20 design coordination meetings
 - Continue engaging operations and engineering staff through the remainder of design effort and make timely decisions to stay on schedule
 - Continue coordinating with permitting, outreach, and real estate
- 90 and 100 Percent Design Phase Services
 - Additional 73 sheets required for expanded scope of work (15 for Hillsboro turnouts, 58 for TVWD PRV facility)
- Geotechnical Exploration
 - Hillsboro Baseline turnout new location requires an additional boring 60 to 70 feet deep and updated geotechnical analysis

Major Components of Proposed Contract Amendment

- Utility Location, Mapping, and Surveying
 - Additional survey outside of original area to accommodate minor alignment change with a potential construction savings of \$100K
 - 20 additional potholes to avoid potentially costly discoveries of utility conflicts during construction
- Final Hydraulics and Transient Analysis
 - Add evaluation of entire WWSS finished water gravity pipeline to include all pipelines from the RES_1.0 to the terminus of PLW_2.0
- Right-of-Way Engineering/Drawings & Descriptions
 - Additional 5 properties for acquisition (3 staging areas and relocation of 2 Hillsboro turnouts)

Validation of Amendment Cost

- Drawing count and cost per sheet used to validate amendment cost
- Based on the original negotiated drawing list and Kennedy Jenks' fee for design efforts, the resulting cost per drawing was approximately \$9,070 per drawing
- The calculated cost per drawing for the net additional 73 drawings is approximately \$5,035 per drawing (55% of the cost of a negotiated drawing)

Design Contract Budget Change

Initial Contract Value	\$4,506,372
Amendment 1 - Addition of COH 1.0	\$120,218
Amendment 2 - Survey for alignment shifts	\$55,467
Amendment 3 - Traffic, VE, 60% design	\$189,862
Current Contract Value	\$4,871,918
Proposed Amendment 4	\$612,037
TVWD Share	\$400,215
Hillsboro Share	\$211,822
Proposed Contract Value	\$5,483,955

- Initial contract value for design and ESDC (with no amendments) was 7.9% of the current baseline construction cost (\$56.8M)
- Proposed contract value for design and ESDC including Amendments 1 through 4 is 8.5% of the current baseline construction cost (\$64M)
- Still a good value due to the complexity of the design that includes HAZOP, ALM, seismic criteria, hydraulics, resiliency, etc.

Schedule Impact

- Despite additional design scope, design consultant has maintained the original project schedule through the 60% design.
- These changes are expected to have no impact on future schedule.
- The 90% design submittal is anticipated in October 2020.

Requested Board Action

Approve an amendment in the amount of \$612,036.73 (with no contract term extension) to the Kennedy Jenks contract to provide additional design services for the PLW_2.0 project of the Willamette Water Supply Program (WWSP).

QUESTIONS

STAFF REPORT

To: Willamette Water Supply System Board of Commissioners
From: Joelle Bennett, P.E., WWSP Assistant Program Director
Date: September 3, 2020
Subject: Anticipated Business Agenda Items for the October 1, 2020, Meeting of the Willamette Water Supply System Board of Commissioners

Key Concepts:

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

1. PLM_1.3 Resolution of Public Necessity
2. PLM_1.0 Design Contract Amendment for Completing PLM_1.3 Design and PLM_1.1 Construction Services
3. MPE_1.1/COB_1.1 City of Beaverton Construction Intergovernmental Agreement (IGA) (SW Western Avenue from SW Beaverton-Hillsdale Highway to SW Allen Boulevard)
4. MPE_1.2/COB_1.2 City of Beaverton Construction IGA (SW Nimbus Avenue/SW Scholls Ferry to SW Western Avenue)
5. Findings for the Use of Alternative Contracting Methods for Construction of MPE_1.2/COB_1.2

Background:

The following actions are anticipated business agenda items for the October 1, 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. PLM_1.3 Resolution of Public Necessity

WWSS staff are ready to initiate property acquisition for pipeline section PLM_1.3, located within the City of Wilsonville, along SW Kinsman Road, SW Boeckman Road, SW 95th Avenue and SW Ridder Road. 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 initiation of the property acquisition process, including negotiations with the Property owner and any other applicable interest holders.

At the October WWSS Board meeting, WWSP staff will present the project area and easement needs, with a recommendation to the Board to adopt the Resolution of Public Necessity to allow WWSP staff to begin the process to acquire permanent and temporary construction easements for PLM_1.3.

Anticipated Business Agenda Items for the October 1, 2020, Meeting of the Willamette Water Supply System Board of Commissioners

2. PLM_1.0 Design Contract Amendment for Completing PLM_1.3 Design and PLM_1.1 Construction Services

The PLM_1.0 project located in Wilsonville consists of three phases with design services provided by HDR. PLM_1.1 and PLM_1.2 are currently in construction and PLM_1.3 is in final design. For PLM_1.1, WWSP required additional services during construction from HDR. For the PLM_1.3 project, additional effort is needed to perform evaluations, design, and Ground Lease Intergovernmental Agreement coordination/design that were not anticipated in the original project scope of work. WWSP staff are currently negotiating the additional scope and effort with HDR.

At the October WWSS Board meeting, WWSP staff will present the proposed design contract amendment for Board approval.

3. MPE_1.1/COB_1.1 City of Beaverton Construction IGA (SW Western Avenue from SW Beaverton-Hillsdale Highway to SW Allen Boulevard)

The MPE_1.1 and COB_1.1 projects are both ancillary projects for the WWSS, approved to be designed in tandem with the intent to for future coordinated construction, if City of Beaverton and TVWD so desired. With the design of the projects reaching its end, staff are preparing an IGA to specify how the two projects will be constructed together and define each agency's specific responsibilities. For the MPE_1.1/COB_1.1 project, City of Beaverton is anticipated to be the contract manager for the combined construction effort.

At the October WWSS Board meeting, WWSP staff will present the proposed intergovernmental agreement with a recommendation to the Board to adopt it through resolution.

4. MPE_1.2/COB_1.2 City of Beaverton Construction IGA (SW Nimbus Avenue/SW Scholls Ferry to SW Western Avenue)

The MPE_1.2 and COB_1.2 projects are both ancillary projects for the WWSS, approved to be designed in tandem with the intent to for future coordinated construction, if City of Beaverton and TVWD so desired. With the design of the projects reaching its end, staff are preparing an IGA to specify how the two projects will be constructed together and define each agency's specific responsibilities. For the MPE_1.2/COB_1.2 project, WWSS is anticipated to be the contract manager for the combined construction effort.

At the October WWSS Board meeting, WWSP staff will present the proposed intergovernmental agreement with a recommendation to the Board to adopt it through resolution.

5. Findings for the Use of Alternative Contracting Methods for Construction of MPE_1.2/COB_1.2

At the August WWSS Board of Commissioners meeting, the Board, acting as the Local Contracting Review Board (LCRB), approved a draft resolution declaring an exemption from competitive bidding for MPE_1.2/COB_1.2 and approving the use of Best Value Selection for construction contractor procurement. In the meantime, WWSP has requested oral testimony or written comments from the public

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Anticipated Business Agenda Items for the October 1, 2020, Meeting of the Willamette Water Supply System Board of Commissioners

in response to the proposed procurement exemption. Staff will provide the public comment and if appropriate, ask the Board, again acting as the LCRB, to adopt the final resolution at the October Board meeting.

Budget Impact:

Anticipated costs for all of the actions described are reflected in the WWSP 2021 budget. The cost changes for ancillary projects and additional equipment (such as a turnout) are borne entirely by the requesting Partner.

Staff Contact Information:

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Joelle Bennett, P.E., WWSP Assistant Program Director, 503-941-4577, joelle.bennett@tvwd.org

Attachments:

None.

Willamette Water Supply System Commission

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**Willamette Water Supply System Commission
Board Meeting**

September 3, 2020
