

RESOLUTION NO. 3168

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CONSOR NORTH AMERICA, INC. TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE BOECKMAN CREEK INTERCEPTOR AND TRAIL PROJECT (CAPITAL IMPROVEMENT PROJECT NO. 2107/9150).

WHEREAS, the City has planned and budgeted for engineering design of Capital Improvement Projects No. 2107 and No. 9150, known as the Boeckman Creek Interceptor and Trail project (the Project); and

WHEREAS, the City solicited proposals from qualified consulting firms for the Project that duly followed State of Oregon Public Contracting Rules and the City of Wilsonville Municipal Code; and

WHEREAS, Consor North America, Inc. submitted a proposal on May 11, 2022 and was subsequently evaluated and determined to be the most qualified consultant to perform the work; and

WHEREAS, following the qualifications based selection process and under the direction of the City, a detailed scope of work was prepared, and the fee for the scope was negotiated and found to be acceptable and appropriate for the services to be provided; and

WHEREAS, the City entered into a Professional Services Agreement with Consor North America, Inc. on October 17, 2022 and performed the initial services to the satisfaction of the City; and

WHEREAS, the City desires to amend the Professional Services Agreement contract with Consor North America, Inc. to extend engineering design services through design into the bidding phase of the work.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. The procurement process for the Project duly followed Oregon Public Contracting Rules, and Consor North America, Inc. has provided a responsive and responsible proposal for engineering consulting services.

Section 2. The City Council, acting as the Local Contract Review Board, authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, a Professional

Services Agreement amendment with Consor North America, Inc. for a not-to-exceed amount of \$2,669,808, which is substantially similar to **Exhibit A** attached hereto.

Section 3. In order to allow future minor contract amendments, if needed, to occur without having to come back to City Council, the authorized Professional Services Agreement contract total is hereby adjusted up to \$3,683,404, allowing for continued Contracting Agency approval of contract amendments that exceed this adjusted amount by fifteen percent (25%) in accordance with City Code requirements.

Section 4. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18th day of November, 2024, and filed with the Wilsonville City Recorder this date.

Signed by:
Julie Fitzgerald
8A974AF3ADE042E...

JULIE FITZGERALD, MAYOR

ATTEST:

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Linville	Yes
Councilor Berry	Yes
Councilor Dunwell	Yes

EXHIBIT:

A. Third Amendment to the Boeckman Creek Interceptor & Trail PSA Contract

Resolution 3168 - Exhibit A

Contract No. 220693
CIP No. 2107

CITY OF WILSONVILLE THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

Boeckman Creek Sanitary Sewer Interceptor and Trail Design and Construction Support Project

This Third Amendment to Professional Services Agreement (“Third Amendment”) is effective the ____ day of November 2024 (“Effective Date”), by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (“City”), and **Conсор North America, Inc.**, an Oregon corporation (“Consultant”), upon the terms and conditions set forth below.

RECITALS

WHEREAS, the City entered into a Professional Services Agreement (“Agreement”) with Consultant on October 25, 2022, relating to the Boeckman Creek Sanitary Sewer Interceptor and Trail Design and Construction Project (“Project”); and

WHEREAS, the City entered into a First Amendment to Professional Services Agreement (“First Amendment”) with Consultant on February 28, 2024; and

WHEREAS, the City entered into a Second Amendment to Professional Services Agreement (“Second Amendment”) with Consultant on June 7, 2024; and

WHEREAS, the City requires additional services which Consultant is capable of providing, under terms and conditions hereinafter described (“Additional Services”); and

WHEREAS, the City and Consultant anticipate that additional time is needed to complete the Services stated in the Agreement and the Additional Services described in this Third Amendment; and

WHEREAS, Consultant represents that Consultant is qualified to perform the Additional Services described herein on the basis of specialized experience and technical expertise; and

WHEREAS, Consultant is prepared to provide such Additional Services as the City does hereinafter require;

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

AGREEMENT

The Agreement is amended as follows:

Section 1. Term

The term of the Agreement is hereby extended to December 31, 2026.

Section 2. Additional Services to be Provided

Consultant will perform the Additional Services for the Project, as more particularly described in **Exhibit A** attached hereto and incorporated by reference herein, pursuant to all original terms of the Agreement, except as modified herein.

Section 3. Time for Completion of Additional Services

The Additional Services provided by Consultant pursuant to this Third Amendment shall be completed by no later than December 31, 2026.

Section 4. Compensation

The City agrees to pay Consultant on a time and materials basis, guaranteed not to exceed TWO MILLION SIX HUNDRED SIXTY-NINE THOUSAND EIGHT HUNDRED AND EIGHT DOLLARS (\$2,669,808.00), for performance of the Additional Services (“Third Amendment Compensation Amount”) which, when totaled with the Total Compensation Amount from the First Amendment, equals a total not-to-exceed amount of THREE MILLION SIX HUNDRED EIGHTY-THREE THOUSAND FOUR HUNDRED AND FOUR DOLLARS (\$3,683,404.00) for the performance of the Services and Additional Services (“Total Compensation Amount”). The term “Total Compensation Amount,” as defined in the First Amendment, is hereby deleted and replaced with the term “Total Compensation Amount” as defined above. Consultant’s estimate of time and materials is attached hereto as **Exhibit B**, and incorporated herein by reference.

Section 5. All Other Terms

All of the other terms and conditions of the Agreement shall remain in full force and effect, as therein written. Unless otherwise defined herein, the defined terms of the Agreement shall apply to this Third Amendment.

The Consultant and the City hereby agree to all provisions of this Third Amendment.

CONSULTANT:

CITY:

CONSOR NORTH AMERICA, INC.

CITY OF WILSONVILLE

By: _____

By: _____

Print Name: _____

Print Name: _____

As Its: _____

As Its: _____

EIN/Tax I.D. No. _____

APPROVED AS TO FORM:

Stephanie Davidson, Assistant City Attorney
City of Wilsonville, Oregon

#220693

k:\dir\boeckman creek\design-constr support\doc\3rd amd psa bcit constr support-consor north america (sd2).docx

EXHIBIT A

AMENDMENT NO. 3

BOECKMAN CREEK SANITARY SEWER INTERCEPTOR & TRAIL DESIGN – PHASE 2 FINAL DESIGN & BIDDING CITY OF WILSONVILLE

Introduction

Conсор North America, Inc. (Consultant) has been performing alternatives analysis and preliminary design engineering phase services to the City of Wilsonville (City) for the Boeckman Creek Sanitary Interceptor and Trail Design and Construction Support Project, Project Nos. 2107 and 9150, respectively.

Consultant has completed the data collection portion of the project and prepared alternative preliminary designs for the City to consider for incorporation into the project. Upon consideration, City Engineering staff has determined the project should include the following elements:

- Upsized Boeckman Creek sanitary sewer interceptor:
 - a. Replacement of approximately 7,400 lineal feet (LF) of existing sewer piping between Memorial Park and the recently constructed Boeckman Road sewer trunk, with pipe sizes ranging from 18 to 24 inches in diameter.
 - b. The interceptor will connect to the existing sewer line south of Boeckman Road on the east side of Boeckman Creek. At the southern end, the interceptor will connect to an existing manhole located just west of Memorial Park Pump Station. The project will reconnect existing sewer laterals and side mains to match existing conditions.
 - c. Construction methods to include approximately 3,000 LF of open-cut construction, and 4,400 LF of trenchless pipe bursting construction.
 - d. The existing interceptor crosses Boeckman Creek in three locations as well as wetlands adjacent the creek crossings. Open-cut construction methods will be used to replace the pipe sections in the creek and wetlands.
 - e. Permits with US Army Corps of Engineers (USACE) and State of Oregon Department of State Lands (DSL) are required to be obtained prior to starting construction. Permit conditions are expected to be limitations of construction during the In-Water Work Window (Approximately July - September); protection of fish; and water quality monitoring. The City intends to construct the in-water portions

during the 2026 In-Water Work Window. The construction plans will include creek isolation and flow bypassing.

- f. Specifications for contractor to maintain existing sewer flows during construction will be developed and included in the construction contract documents. Provisions will include providing and maintaining sewer bypassing equipment such as pumps, piping and valves.
 - g. Temporary construction access to the pipeline corridor will be required. Construction accesses will be required through both City-owned corridors and across private property. Where temporary construction access onto private property is identified as necessary, the City will obtain temporary construction access easements from affected property owners.
 - h. Due to conflict with the replacement interceptor, the existing drainage culvert just west of the Memorial Park Pump Station will be replaced with a new culvert with a different configuration. To minimize the need for mitigation due to permanent stream impacts, it is anticipated that a bottomless culvert designed to current fish passage standards will be provided.
 - i. The interceptor will be relocated along a new alignment in the area in the northernmost section of the project near the Arbor Crossing Subdivision, to follow the new trail as it connects to the new trail segment being constructed under the new Boeckman Road bridge.
- New paved trail on the east side of Boeckman Creek:
 - a. The new trail will run south from Boeckman Road south approximately 4,500 lineal feet.
 - b. The trail will be designed to City regional trail standards, featuring a 10-foot wide asphalt paved surface and a 1-foot wide gravel shoulder on each side.
 - c. Where feasible the trail will be designed to guidelines of the Americans with Disabilities Act (ADA), to include grades below 5 percent. Where not feasible, grades will not exceed 8.33 percent and feature intermediate landings and handrails as specified by the ADA guidelines.
 - d. The trail will be designed to accommodate infrequent use by the City's sewer maintenance vacuum truck, and will feature one truck turnaround area at the southern end of the east side trail. The trail surface will be designed to remain within 10 feet of the sewer interceptor manholes.
 - e. Retaining walls will be provided where recommended by the geotechnical engineer to allow excavation of existing ground for construction of the trail.

- f. Existing trees and vegetation will be removed to allow construction of the trail, and a restoration plan for disturbed areas of the project site will be developed.
 - g. A new City waterline extension will be constructed near Gesellschaft Well and extend down to the east side trail. The waterline will be 6 to 8 inches in diameter and will include one hydrant adjacent to the trail.
 - h. Drainage culverts will be replaced as necessary to accommodate the new trail facility. A new box culvert will be installed at the Iron Horse drainage to accommodate City maintenance vehicle traffic.
 - i. Up to 6 paved “overlooks” adjacent to the trail on the creek side may be incorporated into the project as directed by the City. The overlooks may also feature a bench or other trail amenity as determined by the City.
- New path segment on the west side of Boeckman Creek connecting the sewer maintenance road to Wilsonville Road:
 - a. The segment will be approximately 900 LF, connecting the crosswalk at the west end of Wilsonville Road to the new trail on the east side of Boeckman Creek.
 - b. The segment will include a bridge over Boeckman Creek near the Bridge Creek Apartments.
 - c. It will also include timber boardwalk construction through a portion of the alignment to minimize the impacts of grading adjacent the creek, along with the amount of retaining walls required.
 - d. The segment will be designed to regional trail standards similar to the trail on the east side of Boeckman Creek.

The City desires to move forward with final design, natural resource permitting and bidding for the sewer interceptor and trail improvements.

The City also desires to proceed with design of the CIP No. 7054 Gesellschaft Water Well Channel Restoration Project. Severe erosion is occurring in the drainage channel downstream of the Gesellschaft well house due to weekly discharges from the drinking water well and excess stormwater runoff from the surrounding residential development. The City proposes bypassing the channel entirely by piping to the bottom of the slope and restoring the eroded channel with native trees and shrubs. The restoration project is fully within the Boeckman Creek Sanitary Sewer Interceptor and Trail Project area, and the City has determined that it is in their interest to complete the piping and restoration improvements at the same the Boeckman Creek Sewer Interceptor & Trail project is constructed.

General Assumptions

- Where deliverable documents are identified, hereinafter, four (4) hard copies of the deliverable will be provided in addition to an electronic version in .PDF and original .DOC format.
- The Consultant's standard CAD software (AutoCAD) will be used to produce the drawings, following its own drafting standards. Final record drawings files will be delivered to the City in AutoCAD format.

Summary of Additional Services

Task 1 - Project Management (Existing Task Supplement)

Provide overall leadership and team strategic guidance aligned with City staff objectives. Coordinate, monitor, and control the project resources to meet the technical, communication, and contractual obligations required for developing and implementing the project scope.

The following additional project management services will be provided:

- Conduct regular status meetings with City PM. Prepare monthly invoices and progress reports.
- Maintain regular communication with the City through regularly scheduled progress meetings and via voice and emailed communication.
- Manage and coordinate the technical and scope issues of the overall project. Progress meetings will be conducted with staff on a regular basis.
- coordinate with and manage subconsultants on specific tasks, deliverables, scope, schedule and budget. Conduct periodic progress meetings.
- coordinate with other interested parties associated with or on adjacent projects, such as the design team for the City's Boeckman Road Corridor project and as directed or authorized by the City PM.
- Implement QA/QC processes with the goal of increasing the quality of deliverables, and document quality control and quality assurance was performed.
- Develop a risk registry and decision log for use during design of the project, submit to City for review and comment.

Task 1 Assumptions:

- Project duration extended to June 30, 2026, which is 22 months beyond current contract completion date of August 31, 2024.
- Progress meetings with the City staff will be via conference call, generally held bi-weekly, with meeting agenda and summary notes provided within 2 business days of the meeting.

Task 1 Deliverables:

- Monthly invoices with progress report, task-level budget report.

Task 10 – Public Involvement (Existing Task Supplement)

Provide additional assistance to the City in implementing and coordinating public involvement, outreach and communications strategies.

Activities:

The following additional public involvement assistance will be provided:

Task 10.1 Public Involvement & Communications Plan

Update the Public Involvement and Communications Plan with input from the City and engineering team.

Task 10.2 Portfolio of Information Materials

Continue development of the Portfolio of Information Materials and deploy the communications tools through 100% design. This will include the following:

- Fact sheet updates
- FAQ updates
- Boones Ferry Messenger articles
- Text alerts
- City Council Reports/Presentation Support
- Neighborhood notifications

Task 10.3 Online Open House on Let'sTalkWilsonville

No additional activities are anticipated.

Task 10.4 Public Open House

Prepare for and attend three additional public open house events to communicate to the public the direction of the project design and receive input from the public regarding preferences, concerns, etc. related to the direction of the project. The additional open house events are a Data Collection Phase Open House, Preliminary Design Phase Open House, and Advanced Design Phase Open House. Prepare open house materials, graphics, promotional materials.

Task 10.5 PI Coordination

Coordinate closely with the City and project team to review and discuss outreach activities and progress.

Coordinate communications with other City projects to ensure a cohesive message.

Task 10 Deliverables:

- Updated public involvement & communications plan
- Fact sheet updates - 3 updates
- FAQ updates - 2 updates
- Boones Ferry Messenger articles – 6 articles
- Project website updates - 6 updates
- Text alerts – 10 alerts
- City Council Reports/Presentation Support – support for 4 Council meetings
- Neighborhood notifications – 4 notifications
- Postcard mailers - 2 mailers
- Meeting graphics, handouts, and exhibits used for Open Houses.

Task 10 Assumptions:

- Open houses will be attended by all relevant design/task leads.
- City will provide address information for residential mailings. Consultant will coordinate printing and mailing of materials.

- City will be responsible for the cost of mass printing and mailing of printed materials.
- City will be responsible for hosting and maintaining the project web page.
- City will publicize project through their communications channels.
- COVID-19 guidelines will be followed.

Task 11 - Geotechnical Investigations

Objective:

Perform geotechnical investigations, perform laboratory testing, perform analyses, develop design recommendations, and prepare reports documenting findings and recommendations.

Activities:

The following additional geotechnical engineering services will be provided:

Task 11.1 Geotechnical Field Explorations

Conduct geotechnical field explorations to assess the subsurface conditions within the project area. The field exploration program will consist of:

- Coordinate with subcontracted drilling services, and obtain permits from the local jurisdiction for up to two of the planned explorations.
- Identify boring locations in the field, notify Oregon Utility Notification Center, review potential buried utility locations relative to planned borings, and relocate boring locations due to existing subsurface utilities.
- Construct and dismantle a temporary construction access bridge for use by drilling equipment, to be located along existing trail near the timber pedestrian bridge south of Boeckman Creek.
- Drill eleven (11) solid stem auger borings with Standard Penetration Test (SPT) sampling along the eastern slope of Boeckman Creek between Boeckman and Wilsonville Roads. The depth of the explorations is anticipated to be approximately 50 feet.
 - a. Explorations will be completed using a portable drill.
 - b. Undisturbed thin-walled samples will be obtained if conditions warrant.
 - c. Install up to three (3) 2-inch diameter inclinometers.

- Perform up to two (2) subsequent field visits to obtain readings from inclinometers.
- Drill two (2) borings in public rights-of-way or City property at the top of the east slope of Boeckman Creek to assess the subsurface conditions. The depth of the borings is anticipated to be approximately 80 feet.

Task 11.1 Assumptions:

- The explorations do not include environmental assessments, and the site is assumed to be “clean” regarding contaminated and hazardous materials.
- Access including necessary easements and rights of entry will be provided by the City.
- Drill cuttings from solid stem auger explorations will be left on site.
- Drilling cuttings from mud rotary borings will be removed from site.
- Site access to the Boeckman Creek corridor will be provided by the City, via the existing construction project along Boeckman Road.
- Existing timber pedestrian bridge will be set back into place following exploration work, if conditions warrant. Repairs or rebuilding the existing bridge to safe conditions may be necessary but is not included in this scope of work.

Task 11.2 Geotechnical Field Explorations, Foundation Evaluation and Recommendations – Creek Crossing & Wilsonville Road Connection

Conduct geotechnical field explorations to assess the subsurface conditions within the project area for the proposed creek crossing with bridge and elevated boardwalk to the west side of Boeckman Creek and connection to Wilsonville Road. The field exploration program will consist of:

- Drill four (4) mud rotary soil borings along the western slope of Boeckman Creek north of Wilsonville Road in the project area. The depth of the borings is anticipated to be approximately 100 feet.
 - a. Includes SPT and undisturbed sampling.
 - b. Install 2 inclinometers on the western slope of Boeckman Creek north of Wilsonville Road.
 - c. Includes laboratory testing as discussed in Task 11.3.
- Provide slope stability analyses for the west side of corridor, near the planned bridge crossing under existing and proposed conditions.
- Provide seismic spectral parameters for use in the structural analyses.

- Provide foundation design recommendations for the pedestrian bridge, which are likely to include:
 - a. Pile supported foundations;
 - b. Recommendations for either drilled or driven pile installation;
 - c. Pile and/or shaft size recommendations;
 - d. Pile lateral loading analyses for pile head deflections.
- Provide findings and recommendations in the Project GDR and GER, or separate TMs if preferred.

Task 11.2 Deliverables:

- Documentation for Project GDR and GER, or separate TMs if preferred.

Task 11.3 Assumptions

- West slope can be accessed from the Creekside Woods Senior Apartments.

Task 11.3 Geotechnical Engineering and Reporting

Using the samples and boring logs collected during geotechnical field exploration, perform laboratory testing to evaluate subsurface soil and groundwater conditions, and conduct engineering evaluations.

- Review samples obtained from the geotechnical investigation.
- Perform laboratory testing and development of subsurface logs. Testing may include moisture content, Atterberg limits, percent fines, and direct shear.
- Perform geotechnical engineering analyses to support the design and construction of the project. Analyses will include the following items:
 - a. Lateral earth pressure distribution on retaining walls and embedded structures.
 - b. Coefficient of frictional resistance of the base of gravity retaining walls or other permanent structures.
 - c. Recommendations for bearing capacity and settlement under static conditions for gravity retaining walls and pipeline structures (such as manholes and vaults).
 - d. Slope stability evaluations for up to 6 (six) cross-sections of the east side of the creek corridor.

- e. Develop geotechnical parameters for the design of soldier pile retaining walls:
 - i. Recommended pile installation method (drilled or driven);
 - ii. Tieback grout-to-soil bond strength.
- Prepare draft Geotechnical Data Report (GDR) and Geotechnical Engineering Report (GER) to support the design and construction of the project. The GDR will summarize factual information regarding the results of the subsurface investigations and laboratory testing. The GER will include the following:
 - a. Results of slope stability analyses under existing and proposed conditions.
 - b. Sewer interceptor design and construction recommendations
 - i. Soil parameters to be used in pipeline design
 - ii. Pipeline subgrade preparation.
 - iii. Lateral earth pressure loading and diagrams for temporary shoring, permanent embedded structures, and soldier pile retaining wall design.
 - c. Design criteria for segmental gravity-type retaining walls, including:
 - i. Minimum base width;
 - ii. Assumed individual wall unit dimensions;
 - iii. Total wall height;
 - iv. Wall embedment depth, if applicable;
 - v. Wall batter, if applicable;
 - vi. Maximum supported soil backslope.
 - d. Summary of geotechnical parameters for use in design of soldier pile retaining walls:
 - i. Earth pressure loading and resisting distribution diagrams;
 - ii. Changes in lateral earth pressure coefficients based on soil backslope angle;
 - iii. Recommended pile installation method (drilled or driven);
 - iv. Tieback grout-to-soil bond strength.
 - e. Recommendations for subgrade preparation for:

- i. Gravity retaining walls;
 - ii. Interceptor pipeline;
 - iii. Embedded structures;
 - iv. Trail pavement.
 - f. Recommendations for fill materials including:
 - i. Structural fill;
 - ii. Wall backfill;
 - iii. Pipe bedding and pipe zone backfill;
 - iv. Trench backfill;
 - v. Use of onsite soils as fill materials.
 - g. Recommendations for trail stability mitigation, such as:
 - i. Deep patch embankment repair;
 - ii. Use of fill materials and geotextile fabrics.
- Attend up to 8 (eight) meetings/workshops to present findings and evaluation results.
 - Prepare specifications, revised analyses and recommendations where applicable due to alignment changes.
 - Prepare final GDR and GER deliverables.

Task 11.3 Deliverables:

- Geotechnical Data Report (GDR), Draft and Final (Word and PDF format)
- Geotechnical Engineering Report (GER), Draft and Final (Word and PDF format)

Task 12 –Easement and Property Acquisitions

Objective:

Assist the City and their agents with their performance of land acquisition services for the procurement of permanent utility easements, temporary construction easements, and, if necessary, the purchase of Right-of-way (R/W).

Activities:

Consultant shall provide labor, equipment and materials as requested by the City to assist the City and its contracted agents to perform valuation and acquisition services. R/W activities shall conform to the standards contained in the Uniform Act of 1970 and amendments, Oregon State Law and the City of Wilsonville policies and procedures. It is assumed that right-of-way acquisition will be required from several properties and will be for permanent and temporary construction easements and will involve coordination with Clackamas County, the City of Wilsonville, and private property owners.

Assumptions:

- City to provide services of qualified real estate professionals under a separate contract.
- Prepare legal description and exhibit for up to 48 separate easements on up to 16 properties in the study area, at an assumed 3 exhibits per property.

Task 13 Environmental Reconnaissance and Permitting

Objective:

Prepare an table of inventoried existing trees within the project area, prepare a tree removal and preservation plan. Prepare applications for and obtain Federal and State permits for temporary work within and impacts to regulatory bodies of water.

Activities:

13.1 Tree Removal and Preservation Plan

Consultant shall perform work to amend the survey and inventory of trees performed in Task 5.3 by further review of trees which were identified through topographic survey as within the area of potential impact (API) but were not tagged and inventoried by the project arborist. The task will involve identification of all trees subject to impact by the project which are also lacking sufficient description of tree type or condition. A field assessment will then be conducted by the Consultant to confirm the location, common and botanical names of trees, and size in Diameter at Breast Height (DBH), and the canopy spread. Trees less than 6 inches DBH will not be included in the tree inventory.

Consultant shall prepare a table showing the inventoried tree information listed above per Section 4.610.40.02.A.2.a of the Wilsonville City Code. Consultant shall include the health and condition of all trees likely to be impacted by the project for inclusion in the Tree Maintenance and Protection Plan and Tree Removal Permit.

Consultant shall prepare plans showing the locations of trees larger than 6 inches DBH, identifying which trees are to be removed and which trees require preservation treatment during construction, including details for the preservation methods, and specifications for preservation and removal.

Consultant will prepare a Tree Removal Permit application as required by City.

Task 13.1 Assumptions

- City will provide tree survey data collected for the Boeckman Road project that extends into the API to Consultant, in digital format compatible with inserting into the AutoCAD-based construction drawing set.
- Trees smaller than 6" DBH are not subject to inventory and are not included in the removal and preservation plan.
- Consultant will not provide studies and documentation regarding project compliance with the City's Significant Natural Resource Overlay ordinance requirements per City feedback provided in the preliminary design phase of the project.
- Additional tree survey field assessment is assumed to be performed north of Wilsonville Road in the area adjacent the proposed trail. The assessment will be conducted by the Consultant over the course of a three-day fieldwork effort.

Task 13.1 Deliverables

- Tree Inventory Table.
- Tree Removal and Preservation Plan.
- Tree Removal Permit application.

13.2 Wetland and Stream Function Assessments

Consultant shall complete an Oregon Rapid Wetland Assessment Protocol (ORWAP) assessment of wetlands in API. The purpose of the ORWAP assessment is to quantify wetland functions and values impacted by proposed permanent fill associated with project construction. Consultant shall complete all required office based ORWAP work prior to the site assessment. Consultant shall collect all required field data for the ORWAP assessment in required DSL format. Consultant shall post-process all ORWAP field data for inclusion in the project Joint Permit Application (JPA) in Task 1.5.

Consultant shall complete a Stream Function Assessment Methodology (SFAM) assessment of Boeckman Creek within the API to quantify lost stream functions and values resulting from permanent project impacts to the creek. Consultant shall complete all required office based

SFAM work prior to the site assessments. Consultant shall post-process all SFAM field data for inclusion in the JPA for the project.

Task 13.2 Assumptions

- Assessment areas are assumed to be in the project area between Memorial Park Pump Station and the proposed regional trail segment crossing Boeckman Creek north of Wilsonville Road.
- Up to three separate ORWAP assessment areas will be required given the size of the project and potential impacts to multiple wetlands.
- Up to three separate SFAM assessment areas will be required given the size of the project and potential impacts to Boeckman Creek.
- Consultant shall collect all required field data for the SFAM and ORWAP assessments using two staff, with an estimated field time not to exceed seven total (7) days. No other site visits or meetings are included in this task.

Task 13.2 Deliverables

- SFAM spreadsheets and mapping for inclusion in JPA.
- ORWAP spreadsheets and mapping for inclusion in JPA.

13.3 Joint Permit Application

Consultant shall prepare a draft and final JPA to apply for a USACE Clean Water Act Section 404 Individual Permit (IP) and for a DSL IP in accordance with requirements set forth in OAR 141-085-0025. Clean Water Act Section 401 certification from the Oregon Department of Environmental Quality (DEQ) will be required for the project. The 401 certification will be facilitated by Consultant's submittal of the JPA, and a Stormwater Management Plan prepared by Consultant assuming the proposed trail will include pollutant-generating impervious surfaces, in DEQ format to DEQ for review and approval.

Preparation of the JPA may include correspondence with regulatory agencies in the form of telephone calls, letters, and memorandums to document permit needs. Consultant will:

- Prepare brief narratives and descriptions on project purpose and need, potential impacts, and project alternatives using information provided by Prime Consultant and City, as necessary to complete the JPA.
- Provide pre-submittal coordination with representatives of the USACE, DSL, ODFW, and DEQ to confirm permitting requirements and application procedures. This coordination will include pre-application correspondence.

- Prepare a Stormwater Management Plan (SWMP) in required DEQ format for submittal to DEQ for the project 401 Certification.
 - a. SWMP work under this task will include evaluation of pre-and post-construction runoff per DEQ standards.
 - b. SWMP will include evaluation of alternatives to meeting stormwater management needs, which may include new stormwater structural controls and/or new facilities in the project corridor, and retrofitting of existing stormwater systems already discharging into the corridor.
- Prepare all necessary drawings, maps, and photographs for inclusion in the JPA.
- Evaluate potential wetland/waters impacts and methods for avoidance or minimization measures.
- Respond to questions or comments raised by the agencies during their review of the JPA. This task may include correspondence and clarification of the JPA and related tasks as necessary to clarify regulatory agency concerns and to facilitate the issuance of USACE's and DSL's permits for the proposed project. Provide the draft JPA to City for review and comment, revise the draft JPA once each per review comments and prepare the final JPA for submittal to the USACE and DSL.

Task 13.3 Assumptions

- Additional fieldwork beyond the wetland/waters delineation effort (conducted in Phase 1) will not be required for this task.
- The project will not require permittee-responsible wetland mitigation or plans. If necessary, permanent wetland and/or waters impact mitigation will be satisfied through City purchase of environmental mitigation bank credits, in-lieu-fee, or payment in-lieu. If on-site restoration is required for permanent or temporary wetland impacts or for any permanent or temporary waters impacts, Consultant will provide a simple restoration planting list with selected species. Any formal landscape plans required for the bid package will be provided by Consultant. No monitoring of restoration or mitigation activities is included in this SOW.
- USACE/DSL permit conditions will not change during the final design phase.
- Payment of the DSL and DEQ permit application review fees will be the responsibility of the City.
- Engineering drawings, cross sections, details, impact calculations and project description support for inclusion in the JPA will be prepared by Consultant.

- Design of stormwater management facilities described in the SWMP will be completed under Tasks 14 through 17 of this scope of work.
- If compensatory wetland/waters mitigation is addressed by use of a mitigation bank, in-lieu-fee, or payment in-lieu, the City is responsible for any payment required.
- The City will acquire signatures from all appropriate parties as required for completion of the JPA, including applicants, landowners, and local planning officials.
- Up to twelve hours of pre- and post-submittal coordination with the DSL, USACE, DEQ and ODWF are included in this task.
- City will provide wetland and waters data collected for the Boeckman Road project that extends into the API to Consultant.

13.4 Endangered Species Act Compliance Documentation

Chinook salmon and steelhead of the Upper Willamette Evolutionary Significant Unit and Distinct Population Segment, respectively, are known to occur in the Willamette River downstream of the project corridor, and at times, enter lower Boeckman Creek. These populations are listed as threatened under the federal Endangered Species Act (ESA). The project could affect the water quality in Boeckman Creek because of project-related in-water work activities, increases in impervious surfaces, and alterations to existing local drainage patterns. The receipt of a permit from the USACE provides a federal nexus with the ESA and the regulatory need for the project to demonstrate compliance with ESA standards for avoiding or minimizing downstream effects on listed Chinook salmon and steelhead.

Consultant will determine if programmatic ESA compliance processes such as the Standard Local Operating Procedures for Endangered Species (SLOPES V) programmatic Biological Opinion (BO) can be used for project ESA compliance. If programmatic ESA compliance cannot be obtained for the project, Consultant will prepare of a Biological Assessment (BA) to initiate individual consultation with the National Marine Fisheries Service (NMFS).

Task 13.4 Assumptions

- The project will not result in impacts on federally listed wildlife or plant species.
- Use of the SLOPES V programmatic ESA compliance process will be determined shortly after the 30% design milestone.
- SLOPES V BO transportation project compliance standards will not change during project design and construction.
- If the project does not qualify for SLOPES V programmatic ESA compliance, preparation of a BA and individual ESA consultation with NMFS will be required.

- Coordination with NMFS will be conducted via telephone and email transmittals. A site visit or meeting with NMFS will not be required.
- Fieldwork for this task will be completed during Task 13.2.
- SLOPES V documentation will be submitted to the USACE with the project JPA. USACE will deliver the SLOPES V documentation to NMFS for review.

Task 13.4 Deliverables

- Draft/Final ESA compliance documentation

13.5 Oregon Fish Passage Law Compliance

Boeckman Creek is known to support Native Migratory Fish (NMF) per Oregon’s Fish Passage Law (OARs 635-412-0005 to 625-412-0040). The construction of new trail crossings over the creek and/or new culverts at the downstream end of the project will trigger application of the Fish Passage rules. Crossing designs must therefore meet Oregon Department of Fish and Wildlife (ODFW) hydraulic or streambed simulation fish passage design criteria. Consultant shall prepare up to three fish passage plans in ODFW format that documents post-project fish conditions and compliance with applicable fish passage criteria.

Task 13.5 Assumptions

- Delineation of the Boeckman Creek Active Channel Width (ACW) and streambed sediment grain size analysis will occur during Task 13.2.
- Up to five new creek crossings will be required: three-open cut sewer line crossings, one culvert crossing and one bridge crossing.
- Three separate fish passage plans will be required: one plan for the culvert crossing, one plan for the bridge crossing, and one plan for the three open trench sewer line crossings.
- Up to five new creek crossings will be required: three open cut sewer line crossings, one culvert crossing and one bridge crossing. Three separate fish passage plans will be required: one plan for the culvert crossing, one plan for the bridge crossing, and one plan for the three open trench sewer line crossings.
- Up to five new creek crossings will be required: three open cut sewer line crossings, one culvert crossing and one bridge crossing. Three separate fish passage plans will be required: one plan for the culvert crossing, one plan for the bridge crossing, and one plan for the three open trench sewer line crossings.
- Trail crossings and replacement culverts will be designed and constructed in compliance with applicable Oregon’s Fish Passage Laws.

- The new trails crossings will not require a fish passage exemption, waiver, or mitigation. If a fish passage waiver and mitigation is required, an amendment to the Consultant contract would be required to authorize preparation of and coordination for fish passage waiver/mitigation documentation.

Task 14 – 30% Design Drawings

Objective

Perform design and prepare engineering drawings to the 30% design level, including general, civil, structural, and landscaping, necessary for the construction of the proposed sanitary sewer interceptor and trail improvements. Specific work under this task include:

Activities:

- Prepare drawings to the 30% design level as noted in the Drawing List provided as Attachment A.
- Develop plans for temporary access to construction site, to include identification of areas available for equipment and materials staging.
- Prepare a 30% level construction cost estimate.
- Conduct 30% design review meeting with City staff. Meeting will be attended by Consor Project Manager, Project Engineer, and multi-disciplinary subconsultants as applicable.

Deliverables:

- 30% Design drawings as identified in Drawing List in Attachment A.
- 30% level construction cost estimate.
- Updated decision log and risk registry.
- Meeting agendas and summaries.

Task 15 – (60%) Design Development Documents

Objective:

Advance the project design to a 60% completion level.

Task 15.1 – Additional Field Surveying (Contingency Task)

Activities:

- Perform additional field survey to locate new subsurface explorations and other facilities in the project corridor that are identified to be relevant for the design and construction of the project.

Deliverables:

- AutoCAD files with additional field survey data, to be incorporated into the project AutoCAD design files.

Assumptions:

- A maximum of 10 additional days of field work performing surveying in the project corridor will be provided.

Task 15.2 – Prepare 60% Design

Objective:

Advance the design and prepare documents to the 60% submittal stage. The 60% documents shall include draft specifications for equipment, materials, common details and drawings to the 60% completion level.

Activities:

- Recommend final alignment and installation method for all pipeline segments.
- Finalize material selection for the sewer pipeline and manholes. Prepare recommendations for installation by open cut and trenchless pipe bursting methods.
- Determine requirements for tree removal and tree protection.
- Prepare design drawings to the 60% design level.
- Develop draft sewer bypass plan to maintain service during construction.
- Prepare drawings as needed for completion of the application for environmental permits as developed in Task 14.
- Assemble City standard details for each required discipline.
- Develop draft Technical Specifications for major project components and materials.

- Prepare bid item list and 60% level construction cost estimate.
- Develop preliminary construction sequence, constraints and construction schedule.
- Conduct 60% design review meeting. Consultant will conduct one two-hour workshop to review the 60% design submittal with City staff. Meeting will be attended by Consor Project Manager, Project Engineer, and multi-disciplinary subconsultants as applicable.

Deliverables:

- 60% Design drawings as identified in Drawing List in Attachment A.
- 60% level construction cost estimate using proposed bid item list.
- 60% estimated construction schedule.
- Meeting agendas and summaries.
- Updated decision log and risk registry.

Task 16 –90% Contract Documents

Objective:

Advance the project design and prepare 90% Contract Documents.

Activities:

- Review and address 60% design review comments from City staff and other stakeholders.
- Prepare design drawings to the 90% design level.
- Prepare bid-ready contract documents using the 2024 Oregon Standard Specifications (OSSC) with City of Wilsonville General Conditions and Special Provisions.
- Update the bid item list and prepare a 90% level construction cost estimate.
- Update the estimated construction schedule.
- Conduct one two-hour meeting to review the 90% design submittal with City staff.

Deliverables:

- 90% Design Development Drawings, see Drawing List in Attachment A.
- 90% Construction Specifications.

- 90% level construction cost estimate using updated bid item list.
- Meeting agenda and summaries.
- Updated decision log and risk registry.
- Documentation of resolution of 60% review comments by City and other external stakeholders.

Task 17 –Final Contract Documents

Objective:

Prepare final sealed contract documents to be used for publicly bidding the project.

Activities:

- Address and modify the contract documents to address City comments.
- Prepare deliverable documents and submit to City.
- Update the construction cost estimate as necessary.

Deliverables:

- Final sealed construction documents in PDF format
- Design drawing files in AutoCAD
- Updated decision log and risk registry.

Task 18 –Gesellschaft Channel Restoration Design

Objective:

Perform engineering for CIP #7054 Gesellschaft Water Well Restoration Project. Evaluate the site, analyze flows, and develop a stream restoration design concurrent with proposed well water discharge and potable water pipelines in the same corridor.

Task 18.1 – Conceptual Design and Stormwater Analysis

Establish design and performance criteria for the proposed improvements and present in tabular format for City review/comment. The design criteria will include a summary of pertinent design standards and the proposed project value for each element included in the table.

Develop a conceptual design consistent with the design criteria to facilitate discussion with impacted property owners and permitting agencies.

- a. Establish channel stabilization work boundary that will accommodate stormwater and water piping.
- b. Establish initial concept to balance the following goals:
 - Channel stabilization to stabilize erosion and protect property.
 - Spread peak flows and reduce peak flow velocities.
 - Minimize additional easement acquisitions.
- c. Provide an existing conditions summary (pre-development site condition and drainage patterns, soil conditions, floodplain presence, locations with high flow velocities).
- d. Identify locations that require adjustments to the channel alignment and/or profile to reduce flow velocities and/or flooding.
- e. Consultant will develop conceptual design for the concept to show basic geometry, locations of potential improvements and property boundary, topographical and local access constraints.
- f. Develop conceptual grading plan.
- g. Document conceptual design in a memorandum explaining the costs, benefits, and risks associated with the concept.
- h. Prepare preliminary cost estimate.

Conduct stormwater analysis to determine design requirements to meet project goals. Identify required design elements such as bank engineered banks, natural banks, channel stability logs or constructed riffles, wood material, etc., and locations for design elements.

- a. Develop an existing conditions steady state hydraulic model with up to five flows – water quality storm, the 2-year, 5-year, 25-year, 50-year and 100-year storm events.
- b. Develop up to three standard stream sections to accommodate design flows.
- c. Determine stable bed material gradation and maximum stable channel slope.
- d. Develop up to two standard bed stability elements (including large wood material and/or roughened channel) for use where the channel slope exceeds the maximum stable channel slope.

- e. Develop a proposed conditions steady state hydraulic model with same flows as existing model and evaluate changes in flow velocities and water surface elevations.
- f. Provide hydraulic modeling and stream section and stream stability basis of design narrative for the Draft Drainage Report.
- g. Provide hydraulic modeling and stream section and stream stability basis of design narrative for the Final Drainage Report.

Deliverable(s):

- Draft and Final Design Criteria Summary.
- Conceptual improvement plan and section view graphics.
- Draft and final conceptual design memo.
- Modeling and stream design narrative for Draft Drainage Report
- Modeling and stream design narrative for Final Drainage Report
- Hydraulic model results will be incorporated into an appendix to be included with the draft and final drainage reports.
- Conceptual sketch of stream sections with dimensions, slopes, and roughness, and water surface elevations.
- Stable bed material gradations.

Assumption(s):

- Channel is not a jurisdictional water, as was determined by the project Wetland Determination Report prepared by Mason, Bruce & Girard in May 2024, and the channel restoration work is not subject to environmental permitting.
- City will provide water well discharge flow rates and stormwater GIS data.
- Review of floodplain mapping by the Federal Emergency Management Agency (FEMA) is sufficient to accommodate the project's regulatory requirements. FEMA related analysis modeling is excluded. The project area is not within a FEMA regulated floodplain or floodway, therefore no FEMA analysis or permitting will be required.
- There will be no impervious area impacts and stormwater management will not be required for the project.
- Fish passage will not be required.

- Consultant staff will attend up to 4 meetings related to conceptual design development and alternatives analysis.
- Standard stream sections will be evaluated with normal depth calculations.
- The proposed conditions for the hydraulic model will be developed with the 30% design proposed surface and revised once to incorporate design revisions following Draft Drainage Report submittal.

Task 18.3 – 60% Design

The Consultant will advance the design to the 60% level, to include the following:

- a. Provide a proposed development (drainage and/or grading improvements) conditions summary (post-construction conditions and drainage patterns).
- b. Prepare Draft Design Drainage Report including analysis to support permitting, documentation of existing conditions, basis of design analysis, and construction recommendations.
- c. Prepare 60% Design construction plans, profiles, cross sections, and details necessary to clearly describe the work to be performed.

Deliverable(s):

- Draft 60% design plans in pdf format.
- Updated decision log and risk registry.
-

Task 18.4 – 90% Design

The Consultant will advance the design to the 90% level, to include:

- Review and address 60% design review comments from City staff and other stakeholders.
- 90% design construction plans, profiles, cross sections, and details necessary to clearly describe the work to be performed.
- Updated Design Drainage Report.
- 90% level construction cost estimate for the restoration work.

Deliverables:

- 90% Drawings, see Drawing List in Attachment A.
- Updated Drainage Design Report.
- 90% level construction cost estimate.
- Updated decision log and risk registry.

Assumption(s):

- Drainage Design Report will provide narrative to support developing environmental permitting strategy by others.

Task 19 –Bidding Phase Assistance

Under this task, Consultant will provide support to the City during the bidding phase.

Assumptions

- City will conduct project advertising.
- City, with support from consultant, will coordinate pre-construction conference. Consultant will attend pre-construction conference.
- Consultant will provide assistance during project bidding for one (1) pre-bid meeting and two (2) addenda.

Proposed Project Fee Estimate

Conсор proposes to perform this work on a time and expenses basis with a total not to exceed amount of \$2,669,808, which includes design, permitting, and assistance with bidding. The proposed fee estimate is provided as Attachment B. Fee estimates are based upon Consultant's standard 2024 labor rates with an assumed annual rate adjustment of 5.0% in the subsequent calendar years. Labor rates are anticipated to be adjusted in January 2025 and January 2026, and actual labor rates will be used in preparing project invoices.

Project Schedule

Amend the project milestones for completion of the scope of work as proposed:

Complete Draft Trail Preliminary (30%) Design Documents	January 2024
Submit 60% Design Development Documents	May 2025
Prepare and submit JPA Application	May 2025
Submit 90% Contract Documents	August 2025
Submit 100% Final Contract Documents	November 2025
Begin Bidding Phase	December 2026

