



Gregory L. Geist
Director

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of Contract between Murraysmith, Inc. for
Engineering Design Services for the Force Main on I-205

Purpose/Outcome	<i>Provide design engineering services for the force main on I-205</i>
Dollar Amount and Fiscal Impact	<i>Total Contract Value of \$500,000.</i>
Funding Source	<i>639-01-20100-481010-P632336 – WES Funds</i>
Duration	<i>From execution through December 30, 2021</i>
Previous Board Action/Review	<i>Issues hearing: July 6, 2021</i>
Strategic Plan Alignment	<p>1. This project supports the WES Strategic Plan to provide Enterprise Resiliency, Infrastructure Strategy and Performance and Operational Optimization.</p> <p>2. This project supports the County Strategic Plan of building a strong infrastructure that delivers services to customers.</p>
Counsel Review	<p>1. <i>Date of Counsel review: June 16, 2021</i></p> <p>2. <i>Initials of County Counsel: AK</i></p>
Procurement Review	1. Was the item processed through Procurement? Yes.
Contact Person	<i>Jessica Rinner, Civil Engineering Supervisor , 503-742-4551</i>
Contract No.	<i>4209</i>

BACKGROUND:

The WES Sanitary Sewer System Master Plan (SSMP), completed in 2019, identified the Willamette Area in West Linn as having existing capacity deficiencies. To address the capacity deficiencies, additional pumping capacity and an increase in downstream conveyance capacity, including a new Willamette River crossing to transport the flows to treatment will be required. WES is currently working on an alternatives analysis to determine a preferred alternative. The SSMP assumed two alternatives for an under river crossing. Recent work estimated capital costs of these alternatives at \$25M-\$30M and difficult construction for a dual pipelines that would also lend redundancy to the Bolton/River Street force mains.

Recently, WES became aware that Oregon Department of Transportation (ODOT) was well along in designing an expansion of the Abernathy (I-205) Bridge across the Willamette River between West Linn and Oregon City and that it would be feasible to suspend the Willamette force main from the bridge. Suspending the new pipe on the bridge is estimated to cost \$5M-

\$7M, saving WES between \$5M and \$10M compared to an under-river crossing for the Willamette pipe.. WES will explore pipe bursting as a potentially lower cost alternative for Bolton/River Street force main redundancy to avoid any under river crossing.

A challenge is that the design of the bridge will nearing 90% after which time, significant changes, such as adding a pipe, cannot be made. The design of the force main will need to be completed in August. There is not time to do the traditional procurement process for design services. Murraysmith designing a water pipe, similar in size and scope to our force main to be suspended from the bridge. If we are to add the force main to the bridge, Murraysmith will need take on the design as they would be able to coordinate placement of the force main with the West Linn water pipe. They have indicated they have capacity to do the work. Their design work will be billed on a time and materials basis with a not to exceed cap.

PROCUREMENT PROCESS:

This project was identified and approved as a single candidate purchase. Procurement and Contract Services advertised a Notice of Direct Purchase in accordance with ORS 279B and LCRB Rules C-046-0500 (4) (F) on June 1, 2021. The notice was active for 7 days and did not receive any protests.

RECOMMENDATION:

Staff recommends the Board approve the Contract with Murraysmith, Inc. for the design and engineering services for the placement of the force main on I-205.

Respectfully submitted,



[Greg Geist \(Jun 29, 2021 13:11 PDT\)](#)

Greg Geist
Director, WES

Placed on the _____ Agenda by the Procurement Division.

BCC Staff Report - Murraysmith-LC Final

Final Audit Report

2021-06-29

Created:	2021-06-29
By:	Qudsia Sediq (QSediq@clackamas.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAPnBpoRnnROZ0rwbHVcUUVLua0r8-iemBB

"BCC Staff Report - Murraysmith-LC Final" History

-  Document created by Qudsia Sediq (QSediq@clackamas.us)
2021-06-29 - 8:05:26 PM GMT- IP address: 73.37.89.221
-  Document emailed to Greg Geist (ggeist@clackamas.us) for signature
2021-06-29 - 8:05:56 PM GMT
-  Email viewed by Greg Geist (ggeist@clackamas.us)
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-  Document e-signed by Greg Geist (ggeist@clackamas.us)
Signature Date: 2021-06-29 - 8:11:06 PM GMT - Time Source: server- IP address: 73.37.40.113
-  Agreement completed.
2021-06-29 - 8:11:06 PM GMT



Gregory L. Geist
Director

July 15, 2021

Board of County Commissioners
Acting as the governing body of
Water Environment Services

Members of the Board:

Approval of Terminating an Agreement with Park Place Development, Inc.,
Park Place Development, Inc., and
Water Environment Services

Purpose/Outcomes	Termination of Agreement entered into in 1994, where the terms of the agreement have been fulfilled.
Dollar Amount and Fiscal Impact	None
Funding Source	N/A.
Duration	Permanent
Previous Board Action/Review	Adoption of Agreement on June 30, 1994, Order No. 94-719
Counsel Review	This Agreement was reviewed and approved by County Counsel on _____ in April 2021.
Strategic Plan Alignment	1. Grow a Vibrant Economy. Removing unneeded restrictions to allow property owners to more fully utilize subject property.
Contact Person	Chris Storey, WES Assistant Director (503-742-4543)
Contract No.	N/A

BACKGROUND:

Water Environment Services ("WES") is the successor entity to all contracts and liens entered into by the Tri-City Service District ("TCSD"). In 1994, as part of the closure of the Rossman Landfill, TCSD's industrial pretreatment group evaluated the site and entered into an agreement with Park Place Development, Inc. and Parker Development Co. (together, the "Owners") regarding certain mitigation and monitoring requirements (the "Agreement"). WES is now the successor party to such Agreement

This Agreement provided that landfill leachate had to meet certain conditions and certain sampling had to occur to discharge into the sanitary sewer system. The Owners have provided evidence that leachate ceased to be contributed to the wastewater system in August 2006, following DEQ certification regarding the site. WES discontinued monitoring and issued a no further action letter in 2009. The termination of the agreement, and removal of any related title impairments associated with the agreement, could have been done at that time but was not requested by the Owners until now.

WES staff have reviewed the file and confirmed that there is no further need for the Agreement and recommends termination of the 1994 agreement as amended. A document terminating the agreement was prepared, approved by County Counsel, and executed by the Owners.

RECOMMENDATION:

Staff respectfully recommends that the Board, as the governing body of Water Environment Services, approve entering into the Termination of Agreement document as attached.

Respectfully submitted,

Chris Storey, Assistant Director
WES

Attachments: Termination of Agreement document, partially executed (notarization required)

After Recording, Return to:

James F. Dulcich
Schwabe, Williamson & Wyatt, P.C.
1211 S.W. Fifth Avenue, Suite 1900
Portland, Oregon 97204

TERMINATION OF AGREEMENT

This Termination of Agreement is made and entered into as of this 20th day of April, 2021 (the “**Effective Date**”), between Park Place Development, Inc., an Oregon corporation (“**Park Place**”), and Parker Development Co., an Oregon corporation (“**Parker Development**”), on the one hand, and Water Environment Services, an intergovernmental entity formed pursuant to Oregon Revised Statutes Chapter 190 (“**WES**”), on the other.

Recitals

A. On or about April 1, 1994, Park Place and Parker Development, on the one hand, and Tri-City Service District, on the other, entered into an Agreement dated April 1, 1994 (the “**Tri-City Agreement**”). The Tri-City Agreement was recorded in the real property records of Clackamas County, Oregon, on July 15, 1994, as Recording No. 94-057504. The Tri-City Agreement was amended pursuant to an Amendment to Agreement Dated April 1, 1994, that was dated November 1, 1995, and recorded in the real property records of Clackamas County, Oregon, on November 14, 1995, as Recording No. 95-071013.

B. WES is the successor in interest to Tri-City Service District and now holds Tri-City Service District’s right, title, and interest in and to the Tri-City Agreement.

C. Park Place, Parker Development, and WES desire to terminate the Tri-City Agreement.

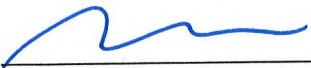
Agreement

Now, therefore, for certain good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Park Place, Parker Development, and WES hereby agree to terminate the Tri-City Agreement, which termination shall be effective as of the Effective Date set forth above.

[Signature Pages Follow]

PARK PLACE DEVELOPMENT, INC., an Oregon corporation

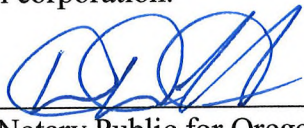
PARKER DEVELOPMENT CO., an Oregon corporation

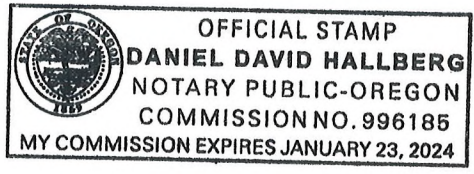
By: 
Bradley S. Miller, Authorized Signatory

By: 
Bradley S. Miller, Authorized Signatory

STATE OF OREGON)
) ss.
County of Multnomah)

The foregoing instrument was acknowledged before me this 20th day of April 2021, by Bradley S. Miller, as Authorized Signatory for Park Place Development, Inc., an Oregon corporation, and Parker Development Co., an Oregon corporation.


Notary Public for Oregon
My Commission Expires: 1-23-2024



WATER ENVIRONMENT SERVICES

By: _____

Name: _____

Title: _____

STATE OF OREGON)
) ss.
County of Clackamas)

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by _____, as _____ of Water Environment Services.

Notary Public for Oregon
My Commission Expires: _____