

A special meeting of the Astoria Common Council was held at the above place at the hour of 7:00 p.m.

Councilors Present: Herzig, Warr, Mellin, Mayor Van Dusen

Councilors Excused: LaMear

Staff Present: City Manager Benoit, Fire Chief Ames, Community Development Director Estes, Police Chief Curzon, Public Works Director Cook Finance Director Carlson and City Support Engineer Moore. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

REPORTS OF COUNCILORS: No reports

CHANGES TO AGENDA: No changes

PROCLAMATIONS: None

PRESENTATIONS: None

CONSENT CALENDAR: None

REGULAR AGENDA ITEMS

Item 8(a): Approve Resolution for IFA Funding Agreement Amendment #1 – 11th Street CSO Project (Public Works)

The Oregon Infrastructure Finance Authority (IFA) has offered the City an amendment to the original funding package that includes \$500,000 grant and will increase the loan by \$3,811,500 to total \$7,374,000. The interest loan is at 1.94% with a 25-year payback period. The CSO Surcharge fee will be used to repay the project loan.

The project budget includes permit fees, design, and construction services:

	Budget Estimate
Permits, fees, misc.	\$10,000
Environmental review	\$5,000
Design, bidding and construction support services	\$530,000
Construction bid	\$6,300,690
Construction contingency (10%)	\$630,310
Construction management	\$133,000
Construction inspection	<u>\$265,000</u>
TOTAL	<u>\$7,874,000</u>

The City Attorney has reviewed and approved the contract documents as to form. It is recommended that Council approve a resolution authorizing the execution of the IFA Financing Contract Amendment No. 1 for the 11 h Street CSO Separation Project to increase the total amount of the loan to \$7,374,000 and no change to the \$500,000 grant.

Mayor Van Dusen confirmed there were no questions from Council or anyone in the audience.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to approve a resolution authorizing the execution of the IFA Financing Contract Amendment No. 1 for the 11th Street CSO Separation

Project to increase the total amount of the loan to \$7,374,000 and no change to the \$500,000 grant. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None.

Item 8(b): Award Construction Contract – 11th Street CSO Project (Public Works)

In January 2013, Council authorized bid advertisement for the 11th Street CSO Separation project. The following bids were received on March 5th:

Contractor	Total Bid
Engineer's Estimate	\$6,884,930.00
Tapani, Inc.	\$5,717,177.00
Emery & Sons	\$6,800,999.00
Rognlin's	\$7,829,981.50

Staff recommends a 15% contingency on this project due to the scope, scale, and potential for encountering unknown conditions during construction. Tapani's bid plus a 15% construction contingency equals \$6,574,754. The following project budget includes permit fees, design, and construction services:

	Budget Estimate
Permits, fees, misc.	\$10,000
Environmental review	\$5,000
Design, bidding, construction support services	\$530,000
Construction bid	\$5,717,177
Construction contingency (15%)	\$857,577
Construction management	\$133,000
Construction inspection	<u>\$265,000</u>
TOTAL	<u>\$7,517,754</u>

An IFA Financing Contract Amendment is included in the current Council packet. Upon authorization of the Amendment, the total funding available for this project is \$7,874,000, which is comprised of \$500,000 grant and a \$7,374,000 low-interest loan.

Construction is scheduled to begin on April 1st at the intersection of 8th St and Commercial. Staff will keep the public informed of the project schedule as the work zones change. Operational completion of this project must occur by December 1, 2013 as mandated in the Amended Stipulation and Final Order signed by the City and DEQ.

It is recommended that the City Council award the construction contract for the 11th Street CSO Separation project to Tapani, Inc., for \$5,717,177.00. City Attorney Henningsgaard has reviewed the contract documents as to form. Funds are available for this project through IFA funding.

Mayor Van Dusen agreed Tapani's bid was very good news; it was like receiving a million dollar grant.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor Herzig to award the construction contract for the 11th Street CSO Separation project to Tapani, Inc., for \$5,717,177.00. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin, and Mayor Van Dusen; Nays: None.

Mayor Van Dusen noted Staff did a good job. Tapani, Inc. has worked with the City before, which may have led to their lower bid.

Item 8(c): Award Consultant Contract – 11th Street CSO Project (Public Works)

In June 2012, Council awarded the 11th Street Combined Sewer Overflow (CSO) Separation project engineering services contract to Gibbs & Olson (G&O). G&O developed a bid package for this in February. Construction inspection was not included in the original scope and fee because it is difficult to estimate the fee for these services at the beginning of a design.

Full-time construction inspection was anticipated and is included in the funding budget. The cost of construction inspection by a consultant is a function of the duration of the construction and dictated by the needs of the City. Based on the estimated construction schedule, the anticipated fee would be \$217,512. This is less than the funding budgeted amount of \$265,000. It is recommended that Council execute a contract amendment with Gibbs & Olson for the 11th Street CSO Separation Project in the amount of \$217,512.00 for full-time construction inspection.

Mayor Van Dusen asked how G&O arrived at that figure. Public Works Director Cook explained the inspection component of the project is projected for the term of construction. The projection includes an hourly rate for the inspector who is present on the job site throughout the duration of construction and administrative fees related to the processing of inspection reports. City Manager Benoit stated the City reserved \$265,000 for inspection services based on previous CSO experience, but G&O came up with \$217,512 after looking at the extent of the project, so this is a savings to the City. Director Cook clarified the fee is not a percentage of the project, but based on an hourly rate for the time the inspector is physically on the job site and the processing of his inspection reports and various administrative transactions.

Cindy Moore, City Support Engineer, explained that a percentage of the construction project is used as a baseline for budgeting purposes, which is typically 5% of the estimated construction costs. G&O has extensive knowledge of this project and can anticipate the work involved in constructing the project. Construction inspections must be completed as scheduled by the contractors. This inspection fee estimate is about 3.8% of the bid amount from Tapani, Inc., which Staff believes is a good deal. Since the fee is based on an hourly wage, the fee may need to be adjusted if construction time is extended or reduced. The hourly rate for this inspector is \$85 per hour plus travel expenses.

Councilor Herzig asked if the inspection is guaranteed, would the City be reimbursed for a component that fails after passing inspection. Engineer Moore stated it was her understanding that the contractor is responsible for their work. The inspector is present on behalf of the City to ensure acceptable means and measures are implemented. Director Cook added that G&O carries errors and omissions insurance. If the inspector was truly at fault, the City could pursue the issue through the insurance policy.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to execute a contract amendment with Gibbs & Olson for the 11th Street CSO Separation Project in the amount of \$217,512.00 for full-time construction inspection. Motion carried unanimously. Ayes: Councilors Herzig, Warr, Mellin and Mayor Van Dusen; Nays: None.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

Mayor Van Dusen noted that Portway Street from Marine Drive to the Port over the railroad tracks is in poor condition. He asked Staff to find out what can be done to repair the street, perhaps through urban renewal funds or partnering with the Port, so the issue can be discussed at a future meeting. Director Cook stated the City has already received preliminary quotes for this project. City Manager Benoit added this issue will be discussed at a future meeting.

Fred White, 2017 Irving, handed out copies of a photograph of a manhole cover that he entered in an Astoria themed show called "Denizens of Astoria" at RiverSea Gallery. He explained that he became intrigued with this manhole cover on his walks. John Goodenberger also uses these manhole covers in his walking tour of Astoria. As a member of the Lower Columbia Preservation Society, he was interested in preserving Astoria's past and would like the artifacts shown in the photographs to be protected during the CSO project. Locally made utility covers reflect that Astoria had foundries that could meet the needs of local industries and municipalities. He urged the City to preserve the manhole covers and noted that Mr. Goodenberger has a map of historic manhole covers in Astoria. Most people do not pay attention to these manhole covers; however, they are a part of the City's heritage. He suggested that the manhole covers be placed in Heritage Square as stepping stones or a wall of found objects. A landscape architect could develop a good use for the manhole covers. He believed Mr. Goodenberger wanted the manhole covers to be displayed in the Swenson Blacksmith Shop if the shop is turned into a museum.

Mayor Van Dusen believed Mr. White's ideas were excellent. Director Cook agreed, adding that the manhole covers can be reused if they are a standard size. He confirmed the covers can be preserved if they are not going to be reused. Councilor Warr stated that the covers needed to be protected during the CSO project. Mr. White noted he would update Mr. Goodenberger, who has the map. There are several manhole covers on 11th and 8th Streets. These are in the older part of town and were probably made in Astoria.

Mr. White noted another issue he has regarded the no idle law that was passed in 2011. This State law limits how long large trucks and busses can idle when not being used. He distributed material regarding the State law. He recalled the Irving Avenue CSO project constructed in 2007. Mr. White's house at 20th and Irving was the end point of construction, which lasted seven weeks. This intersection now has 12 manholes and Mr. White's house is upwind of these manholes. He spoke with the contractor, Jim Wilkins, about limiting the idling of equipment because his wife has severe sensitivities to chemicals. He did not want his house to fill with diesel fumes any more than was necessary. Mr. Wilkins and his crew were extremely cooperative. The constant use of backhoes and dump trucks meant his house was not completely free of diesel fumes; however, the equipment was turned off when it was not in use. This made it easier for Mr. White to clean his home. During the seven weeks of construction, Mrs. White had to stay with family. For three weeks, she stayed in Portland. For four weeks, she would leave the house during the day and come home at night after Mr. White had cleaned the house. Turning off equipment not in use made this situation easier. The size of the current CSO project will cause much discomfort and serious health risks for some residents. While the project is necessary, the pollution, health risks, and money should be mitigated by powering off equipment that is not in use, even for short periods of time. He was unsure how the law applies to a project like this one, but Mr. Wilkins and his crew were extremely willing to work with the residents on the last CSO project. He believed this is important for the health of the people.

Mayor Van Dusen added that noise pollution is another concern. Mr. White agreed it is inevitable, but should be mitigated by turning off equipment when not in use. Director Cook stated he would relay this information to the contractor. Mr. White gave Director Cook some printed material.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:28 p.m.

ATTEST:

Finance Director

APPROVED:



City Manager