



CITY OF OREGON CITY

CITY COMMISSION REGULAR MEETING

AGENDA

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, May 01, 2024 at 7:00 PM

EXECUTIVE SESSION OF THE CITY COMMISSION:

The Executive Session will begin after the adjournment of the City Commission Regular Meeting.

- Pursuant to ORS 192.660(2)(f): To consider information or records that are exempt by law from public inspection.

REGULAR MEETING OF THE CITY COMMISSION

Ways to participate in this public meeting:

- Attend in person, location listed above*
- Register to provide electronic testimony (email recorderteam@orccity.org or call 503-496-1509 by 3:00 PM on the day of the meeting to register)*
- Email recorderteam@orccity.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)*
- Mail to City of Oregon City, Attn: City Recorder, P.O. Box 3040, Oregon City, OR 97045*

1. CONVENE MEETING AND ROLL CALL

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

[3a.](#) Proclaiming May 19 – 25, 2024 as National Public Works Week in Oregon City

[3b.](#) Preservation Month Proclamation

[3c.](#) Jewish American Heritage Month Proclamation

[3d.](#) 2024 May the Fourth Star Wars Day Proclamation

4. CITIZEN COMMENTS

Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Commission does not generally engage in dialog with those making comments but may refer the issue to the City Manager.

Complaints shall first be addressed at the department level prior to addressing the City Commission.

5. PRESENTATIONS

[5a.](#) Natural Resources Committee (NRC) Report to City Commission on 2023 Activities

5b. Arts Commission Annual Report

6. ADOPTION OF THE AGENDA

7. CONSENT AGENDA

This section allows the City Commission to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda.

[7a.](#) Resolution No. 24-12, Amending the Oregon City Sidewalk Replacement Assistance Program

[7b.](#) Resolution No. 24-14, Updating a Distinct Sewer Billing Methodology for Large Institutional Customers Served by Oregon City's Sanitary Sewer Collection System

[7c.](#) Public Improvement Contract with S-2 Contractors, Inc. for the 2024 Oregon City Roadway Reconstruction Project PMUF (CI 23-007)

[7d.](#) Public Improvement Contract with Dirt & Aggregate Interchange, Inc. for the Holcomb Safe Routes to School Project (CI 22-011)

[7e.](#) Right-of-Way Dedication, Public Utility Easement and Obligation & Temporary Construction Easement Agreement for Oregon City School District property (Tax Map 2-2E-28AB-01400) associated with the Holcomb Boulevard Safe Routes to School Project (CI 22-011).

[7f.](#) Minutes of the January 9, 2024 City Commission Work Session

8. PUBLIC HEARINGS

9. GENERAL BUSINESS

[9a.](#) Clackamas County Public Housing Repositioning

10. COMMUNICATIONS

City Manager

Commissioners

Mayor

-
- a. Mayoral Appointments to the Citizen Involvement Committee (CIC) for 2024

11. ADJOURNMENT

ORDINANCE NOTICE

If an ordinance is noticed above in this agenda, the text of the ordinance is available online with the posted agenda packet. In addition, three copies are provided for public review in the Office of the City Recorder upon request.

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments.

Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 05/01/2024

SUBJECT:

Proclaiming May 19 – 25, 2024 as National Public Works Week in Oregon City

EXECUTIVE SUMMARY:

National Public Works Week (NPWW) is a celebration of Public Works professionals who advance the quality of life by providing (and maintaining) infrastructure, facilities, and services that are of vital importance to the sustainable health, safety, and well-being of the people of Oregon City for present, and future, generations.

Instituted as a public education campaign, by the American Public Works Association (APWA) in 1960, NPWW calls attention to the importance of Public Works in community life. The Week seeks to enhance the prestige of the (often) unsung heroes of our society – the professionals who serve the public good every day with quiet dedication. This year's National Public Works Week theme is, "Advancing Quality of Life for All." This theme speaks to the all-pervasive efforts of Public Works professionals and their projects, bringing quality of life and the necessities of community to the residents of Oregon City and the world.

This year, Oregon City Public Works will be highlighting a few accomplishments during this week:

- Signal System Management
- Pavement Maintenance
- Managing Private Utilities (for those who utilize Public Right-of-Way)
- The City's GIS Program and Interactive Maps and Apps
- Oregon City's Efforts Toward Safe Drinking Water

APWA encourages Public Works agencies, and professionals, to take the opportunity to make their stories known in their communities.

PROCLAMATION

Whereas, the residents of Oregon City depend on the Public Works Professionals who advance the quality of life for present and future generations; and

Whereas, Public Works professionals focus on emergency management, infrastructure, facilities, and services that are of vital importance to the sustainable health, safety and well-being of the people of Oregon City; and

Whereas, these infrastructure, facilities, and services could not be provided without the dedicated efforts of Public Works professionals who are responsible for building/rebuilding, operating, maintaining and improving the essential transportation, water, stormwater and emergency managements systems, public buildings and other structures and facilities essential for our residents; and

Whereas, each year the American Publics Work Association sponsors a week-long promotional campaign called, “National Public Works Week” to educate the public about the value and necessities of Public Work projects and work in their communities; and

Whereas, 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association and this year’s theme is, “Advancing Quality of Life for All;” and

Whereas, it is in the public interest for residents and civic leaders in Oregon City to gain knowledge of and maintain and ongoing interest, and understanding, of the importance of Public Works and Public Works programs in their respective communities.

Now, Therefore, I, Denyse C. McGriff, Mayor of the City of Oregon City, do Proclaim

The Week of May 19 - 25, 2024 as, “National Public Works Week”

I urge all residents to join with representatives of the American Public Works Association, and government agencies, in activities, events, and ceremonies designed to pay tribute to our Public Works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our health, safety, and advancing quality of life for all.

In Witness Whereof, I have hereunto set my hand this 1st day of May, 2024.

DENYSE C. MCGRIFF, Mayor

PROCLAMATION

HISTORIC PRESERVATION MONTH MAY 2024

Whereas, historic preservation is an effective tool for promoting building reuse and sustainability, revitalizing neighborhoods, fostering local pride and enhancing livability; and

Whereas, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

Whereas, it is important to celebrate the role of history and culture in our lives and the contributions made by dedicated individuals in helping to preserve the structures, sites, and other resources that have shaped us as a people; and

Whereas, Historic place-savers pour their time, energy, resources (and sometimes a great deal of sweat and tears) into protecting places they care about; and

Whereas, This year's theme is "People Saving Places," to shine the spotlight on everyone doing the work of saving places—in big ways and small and inspiring others to do the same!

Now, Therefore, I, Denyse C. McGriff, Mayor of the City of Oregon City, do proclaim May 2024 as National Preservation Month, and call upon the people of Oregon City to join their fellow citizens across the United States in recognizing and participating in this special observance.

Denyse C. McGriff, Mayor

PROCLAMATION

JEWISH AMERICAN HERITAGE MONTH

MAY 2024

Whereas, Jewish American Heritage Month is an annual celebration of Jewish Americans who have helped weave the fabric of American history, culture, and society; and

Whereas, 2024 marks the 44th annual celebration of achievements and contributions by Jewish Americans, starting with the establishment of Jewish American Heritage Week in 1980 and expanding in 2006, when Congress ordered that the country annually observe Jewish American Heritage Month each May; and

Whereas, Jewish American Heritage Month acknowledges achievements of American Jews in the fields of sports, arts, entertainment, medicine, business, science, government, military service, music, and more; and

Whereas, Jewish Americans have created lives for themselves and their families and played indispensable roles in our Nation's civic and community lives, making invaluable contributions to our Nation through their leadership and achievements; and

Whereas, Jewish Americans have made crucial contributions to our collective struggle for a more just and fair society, leading movements for social justice and working to ensure that the opportunities they have secured are extended to others; and

Whereas, Jewish American Heritage Month pays tribute to the generations of Jewish Americans who have helped form the fabric of American history.

Now, Therefore, I, Mayor Denyse C. McGriff, hereby proclaim:

May 2024

as

Jewish American Heritage Month

In Witness Whereof, I have hereunto set my hand this 1st day of May 2024.

Denyse C. McGriff, Mayor



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WHEREAS, a long time ago in a galaxy far, far away, the heroic Rebel Alliance won a great victory against the evil Galactic Empire, and

WHEREAS, the noble Jedi Knights, once hunted to near extinction by the Sith, were able to restore balance to the Force and bring peace to the Galaxy, and

WHEREAS, the inhabitants of the OC System have recently commissioned a new state of the art Class-7 Maintenance ship named C-SWEEPO which can make the Canemah Run in less than 12 parsecs, and

WHEREAS, the Jedi Library in Sector 606 is preparing their annual galactic celebration, and welcomes visitors from all surrounding system to attend, and

WHEREAS, the Force is an ally of all inhabitants of the OC System, and a powerful ally it is,

NOW, THEREFORE, I, Denyse McGriff, Mayor of the OC System, raise my lightsaber and do hereby proclaim

May 4, 2024

as

STAR WARS DAY

AND encourage all residents of the OC System to make a hyperspace jump to the Jedi Library on May 4th at 4:00 PM to celebrate this momentous occasion. We are one with the Force, and the Force is with us. IN WITNESS WHEREOF, I have bullseyed a womp rat and set my hand this 1st day of May 2024.

DENYSE C. MCGRIFF, MAYOR AND JEDI KNIGHT



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Samantha Wolf, NRC Chair

Agenda Date: 5/1/2024

SUBJECT:

Natural Resources Committee (NRC) Report to City Commission on 2023 Activities

EXECUTIVE SUMMARY:

Samantha Wolf, NRC Chair, will provide a summary report of NRC Activities in 2023.

BACKGROUND:

In 2023 the NRC worked on the following topics

- Adoption / refinements of Biennial Work Plan for 2023-2025
- Urban Forester / City Arborist Discussion with John Lewis, Public Works Director
- Commented on removal of an imminent hazard tree in unimproved public right-of-way adjacent to 1506 Monroe Street.
- Recommended a Heritage Tree Nomination for an Oregon White Oak at 1506 S. High St
- Provided advice regarding pollinator gardens on public property and right-of-way and ways to promote public information on the City website
- Provided input on the Clackamette Park Master Plan
- Provided advice on a Public Tree Inventory and what available resources from ODF are available to conduct one, in order to further City Commission Goal 7 – Protect and preserve our environmental and natural resources for healthy, sustainable community,
- Discussed and recommended city participation in the Bee City USA program through the Xerces Society for Invertebrate Conservation.
- Discussion of possible improvements to the city's tree code.
- Presentation from Josh Wheeler and Pete Walter on sidewalk mobility and street tree removal issues
- Meet and Greet with Tom Kissinger, our new Parks and Cemetery Manager
- Input on a Pollinator Garden project at Clackamas River Trailhead (April, 2024)

Membership

Nancy Broshot served her last term on the NRC, but we hope to have her back in the future. Dave Trotter became the newest member of the Committee, and Samantha Wolf and Brian Kvisler were both re-appointed. The NRC currently has five members and continues to have two vacancies.

NRC Work Plan

The updated work plan for 2023-2025 consists of projects and tasks for the 2023-2025 biennium. Some of the work plan items are on-going (such as commenting on land use applications and participating in updates to the comprehensive plan and codes), while others require on-the-ground logistics and the commitment of members and staff resources and budget to complete. In particular, the NRC is supportive of the Commission's Goal 7.1 to Focus Efforts on Preserving and Protecting the City's Tree Canopy. The NRC developed the work plan referencing City Commission goals and priorities.

BUDGET IMPACT: N/A



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 05/01/2024

SUBJECT:

Resolution No. 24-12, Amending the Oregon City Sidewalk Replacement Assistance Program

STAFF RECOMMENDATION:

Approve Resolution No. 24-12, amending the Oregon City Sidewalk Replacement Assistance Program.

EXECUTIVE SUMMARY:

Based on the success of the Oregon City Sidewalk Replacement Assistance Program adopted as a “Pilot” or “Test” with Resolution No. 22-02 and Resolution No. 22-36, but due to needed clarifications learned through operation of the program, staff recommends adoption of an amended program as provided in Resolution No. 24-12.

BACKGROUND:

On February 2, 2022, the City Commission adopted a pilot program for a Sidewalk Replacement Assistance Program under Resolution No. 22-02. The original program attached to Resolution No. 22-02 set a \$200,000 budget to be available from February 2, 2022, for a 12-month period. As of June 30, 2023, the program had served 91 applicants and had reimbursed approximately \$225,000 in repairs.

Due to the success of the program and the ongoing need to assist residents with sidewalk hazards relating to tree roots, a permanent program was recommended and approved on November 16, 2022. The program has continued since then. With a budget of \$200,000 from July 1, 2023 to June 30, 2024, the program has expended almost \$80,000 for 34 applicants to date (April 5, 2024). 39 property owners are currently in some form of code enforcement ranging from 1st and 2nd enforcement letters to being under permit or under construction.

During the program history, staff have encountered several questions for which the program did not answer. To date, those questions have been handled operationally.

Due to the number of specific questions that have occurred over time, it was determined the best direction going forward was to provide clarification amendments to the program. This amended program is included as Exhibit A (to Resolution 24-12) – Program Guidelines and is intended to replace the pilot program that was in place since November 16, 2022.

Exhibit A – Program Guidelines amendments can be summarized as:

- The Program is only for right-of-way under the jurisdiction of the City of Oregon City.
- Program eligible costs are for sidewalk removal, sidewalk installation, tree removal, stump removal and general restoration for a location with a trip hazard caused by an existing street tree.
- Permitting costs and installation of new street trees are not project eligible reimbursement costs.
- Existing street trees are not required to be removed, but the applicant assumes the risk if the decision is to not remove the tree and no further reimbursement will be provided.
- A street tree causing sidewalk damage on two separate properties is eligible as one site for each property.
- The purpose of seeking two bids is also to ensure the City only pays out the lower of the two bids when the applicant chooses the higher of the two bids.
- Other minor clarifications

Staff recommends that the program continue as defined in the revised Exhibit A – Program Guidelines using Transportation Funds as needed for the continuance of the program through June 30, 2025. Program budgeting for future years will be determined through the biennial budget process.

Staff recommends approval of Resolution No. 24-12, committing the City to \$200,000 per fiscal year, funded by the Transportation Fund for the program.

OPTIONS:

1. Approve Resolution No. 24-12, as requested.
2. Approve Resolution No. 24-312 with specific modifications.
3. Deny Resolution No. 24-12. If the Commission chooses to deny the Resolution, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: \$200,000 per year

Fiscal Year(s): Ongoing

Funding Source(s): Transportation Fund

RESOLUTION NO. 24-12

**A RESOLUTION ADOPTING THE AMENDMENTS TO THE OREGON CITY
SIDEWALK REPLACEMENT ASSISTANCE PROGRAM**

WHEREAS, The City has jurisdiction and exercises regulatory management over all public rights-of-way within the city under authority of the City Charter, state law, and City ordinance by issuing separate public works right-of-way permits or permits as part of issued public infrastructure construction plans; and

WHEREAS, Public rights-of-way include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements, and all other public ways or areas; and

WHEREAS, Under Oregon City Municipal Code 12.04.030-12.04.040, the City assigns responsibility for the maintenance and repair of sidewalks to abutting property owners, but allows the City to do sidewalk repair work, assess the costs of the sidewalk repair work, and enforce the maintenance and repair of the sidewalk; and

WHEREAS, The City adopted its Transportation System Plan in 2013 which includes eight (8) transportation goals, all of which support safe sidewalks to better accommodate the need for reduced driving demand and more reliance on walking; and

WHEREAS, Safe and accessible pedestrian ways is a major part of the City's overall transportation vision; and

WHEREAS, The Sidewalk Replacement Assistance Program is in no way intended to relieve property owners of their responsibilities, but rather, it is intended to assist property owners with the cost of replacing damaged sidewalks; and

WHEREAS, Oregon City Municipal Code (OCMC) Chapter 12.08.010 states the purpose of Public and Street Trees is to "Develop tree-lined streets to protect the living quality and beautify the city;" Establish physical separation between pedestrians and vehicular traffic; Create opportunities for solar shading; Improve air and water quality; and Increase the community tree canopy and resource;" and

WHEREAS, All new development in Oregon City is required to install street trees in accordance with OCMC 12.08, which mandates a street tree every thirty-five feet of property frontage, generally planted in a planter strip located adjacent to a public sidewalk; and

WHEREAS, The damage to sidewalks from street tree roots can be extensive, resulting in widespread pedestrian trip hazards throughout Oregon City; and

WHEREAS, The City Commission recognizes the burden that street tree roots have placed on the community's sidewalks; and

WHEREAS, the City has a transportation maintenance fund that is dedicated to improving the transportation infrastructure throughout the city; and

WHEREAS, the City Commission adopted Resolution No. 22-02, A Resolution Adopting the Oregon City Sidewalk Replacement Assistance Program (Pilot) for the biennial budget of 2021-2023.

WHEREAS, the City Commission adopted Resolution No. 22-36, A Resolution Adopting the Oregon City Sidewalk Replacement Assistance Program, as a “Permanent” Program on November 16, 2022.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS

Section 1. The City hereby adopts the amendments to the Sidewalk Replacement Assistance Program (“SRAP”) attached to this resolution as **Exhibit A**, which includes the changes identified in the red text attached to this resolution at **Exhibit B**, replacing all previously adopted documents.

Section 2. The City will continue to accept applications for properties with fronting sidewalks where the street tree(s) have lifted or are negatively impacting the sidewalk grade, as set forth in the SRAP.

Section 3. The City hereby continues to dedicate \$200,000 per fiscal year from within the Transportation Fund to support the Oregon City SRAP, which includes funding for both replacement of current sidewalk trip hazards and retroactive reimbursements for sidewalk permitted where the current property owner can provide documentation of replacement costs, until such time the City Commission changes the budget allocation during the biennial budget process.

Section 4. The City will accept reimbursement requests on a first come first serve basis based on the date for which the receipts for reimbursement and all other documentation is provided until such time the budget is fully expended.

Section 5. This resolution is effective immediately upon its adoption.

Approved and adopted at a meeting of the City Commission held on the 1st day of May 2024.

DENYSE C. MCGRUFF,
Mayor

Attested to this 1st day of May 2024:

Approved as to legal sufficiency:

Jakob Wiley, City Recorder

City Attorney

Exhibit A: Oregon City Sidewalk Replacement Assistance Program Guideline Amendments

Exhibit B: Oregon City Sidewalk Replacement Assistance Program Guideline Amendments - Redlines

EXHIBIT A

Oregon City Sidewalk Replacement Assistance Program

Updated 11/16/2022

Revised 5/1/2024

OVERVIEW

The goal of the Oregon City Sidewalk Replacement Assistance Program is to address sidewalk panels that have been lifted by street trees, to prevent the associated sidewalk trip hazards in a timely manner, and to assist property owners with the related replacement costs.

The original pilot program was approved February 2, 2022. This permanent program replaced the pilot program and was adopted on November 16, 2022. This update replaces the current program.

Emphasis on Pedestrian Travel

The City's Transportation System Plan (TSP) provides a long-term guide for City Transportation investments. With the growing need to address vehicle congestion, the city has been imposing standards and requirements that placed construction of sidewalks and pedestrian ways on all new development since the 1970's. In 2013, the TSP provided solutions for dealing with congestion by taking a multimodal network approach to enable more cost-effective solutions to increase transportation capacity and encourage multiple travel options. Oregon City Streets include 158 miles of sidewalks and over 2,600 curb ramps. Safe and accessible pedestrian ways is a major part of the City's overall transportation vision. Supporting property owner needs in maintaining the existing infrastructure is a critical element to maintain safe pedestrian access.

Program Summarizing Facts

Program Annual Budget: This Sidewalk Replacement Assistance Program was a new program developed as a pilot during the (2021-2023) biennial budget. This pilot was administered between February 2, 2022 and November 16, 2022. The budget allotted was \$200,000 for the period February 2, 2022 to February 1, 2023. The program was made permanent on November 16, 2022.

The permanent program allotted \$200,000 per fiscal year starting July 1, 2023 (FY24) until such time the need increases or decreases as assessed during each adopted 2-year budget at the discretion of the Public Works Director if the budget is found to be excessive or not sufficient. Funds cannot be decreased unless it is found that the amount of requests no longer sustains the need for the budget.

The capital outlay for Transportation over the two-year biennium (2021-2023) was nearly 9

million . Based on existing data and future projections, the pilot program was anticipated to expend the entire \$200,000 budget within the 12-month pilot period. This program has been absorbed within the Transportation Fund budget. The program expended \$225,438.25 from the beginning of the program on February 2022 through June 30, 2023.

During the assessment of the program in October 2022, it was recommended by the Public Works Director to continue to the program and make it permanent due to its need throughout the community and its success as a program. Additional funds were requested from the Transportation Fund to complete the Fiscal Year (February 2, 2023-June 30, 2023) and this permanent program now allots \$200,000 per fiscal year as previously described.

The program has expended \$79,139.09 from July 1, 2023 to April 1, 2024 showing interest in the program has decreased; however, at this time, the recommendation remains to budget \$200,000 per year due to the anticipated needs throughout the City for the foreseeable future.

An update to this program was made on May 1, 2024 to provide clarifications to program details as learned through the initial 2 years of the program.

BACKGROUND

Industry Practice and Responsibility for Sidewalks

According to the U.S. Department of Transportation Federal Highway Administration (FHWA), city charters commonly specify that the city is not liable for any accidents or injuries incurred due to sidewalk conditions. Most Oregon charters assign complete responsibility for sidewalk maintenance to the owner of the adjacent property.

Pursuant to the Oregon City Municipal Code 12.04.030-12.04.040, the City assigns sidewalk responsibility to abutting property owners. This assistance test program is in no way intended to relieve property owners of their responsibilities, but rather it is intended to assist property owners with the cost of replacing damaged sidewalks.

Compliance History

Oregon City has a long history of working with property owners to uphold the sidewalk code. In the past, enforcement of trip hazards in Oregon City has been a complaint-driven process. Many property owners take the initiative to repair sidewalks before a complaint is submitted, while others wait until the sidewalk damage is reported by others.

Individual sidewalk enforcement and repair efforts have varied depending on the property owner and the disposition of the area. Often sidewalk complaints are limited to one address. In other cases, an areawide problem is reported. Regardless of the complaint, the sidewalk problem is verified, and the fronting property owner is notified of the City's code and requirements for replacement.

Trees and Tree Impacts on Sidewalks

Oregon City recognizes that the maintenance and repair of sidewalks within the city is necessary to protect the health, safety, and welfare of residents and visitors. This program has been developed in recognition of the inherent conflict between tree roots and sidewalks, and the accompanying financial burden these public policies place upon homeowners.

ELIGIBILITY

1. Applications for the Sidewalk Replacement Assistance Program will only be accepted for properties with fronting sidewalks located within the public right-of-way for which the City has jurisdiction where the street tree(s) has lifted or is negatively impacting the sidewalk grade.*
Note: street trees considered in the eligibility determination include street trees in tree wells or the planter strip between the curb and the sidewalk. Sidewalks damaged by trees that are located beyond the back of sidewalk would not be eligible for the Sidewalk Replacement Assistance Program.
2. Applications will only be accepted for sidewalk replacements (removal of existing sidewalk and pouring of new sidewalk) and street tree removals (which includes stump removal) along public City streets.
3. Applicants may only apply for one grant (may include multiple sidewalk replacement “sites”) for one property in a calendar year.
4. Applications will only be accepted for sidewalk panel replacements once. Sidewalk panel replacements completed under this program will be tracked by property and specific location and will not qualify for grant funding more than once.
5. Eligibility for reimbursement is contingent upon funds available within the \$200,000 annual spending limit authorized unless additional funding is approved by the City Commission or if the budget is reduced over time due to a lack of use as determined by the Public Works Director through the biennial budget process.
6. Except for work accomplished under a permit received before enactment of the program, permit applications for construction must be received and approved by the city before the sidewalk work begins and prior to application of the Sidewalk Replacement Assistance Program.
7. Grant funds are only eligible for the applicant who owned the home or applied for the grant at the time of the replacements and can provide a copy of the sidewalk replacement permit (aka right-of-way permit), documentation for payment of work including a copy of the receipt for payment, and proof the permitted work was completed under their ownership. If a tree was removed, a tree removal and replacement permit is also required. Evidence of a previous permit or application of a new permit is acceptable.
8. Applications for sidewalk replacement cost and tree removal reimbursements that are retroactive to the enactment of this Program will be considered for sidewalk replacements and tree removals that were permitted by the City and determined in compliance with sidewalk standards.
9. Applicants must sign the application form including a statement that they are able to pay for the work out of pocket as the Sidewalk Replacement Assistance Program is an assistance program created as a cost reimbursement to the applicant.

*Negatively affecting sidewalk grade shall be defined as a tripping hazard of minimum ¼" (changes of level between sidewalk panels of ¼" or more) or the heaving of a sidewalk with a running slope of more than 5.0% running slope and cross slope exceeding 2.0% as designated by the Americans with Disabilities Act (ADA) as determined by the Standards for Accessible Design.

Work completed under the Sidewalk Replacement Assistance Program must be completed within 120 days of permit application approval. If this deadline is not able to be met, applicant may apply for a one-time 30-day extension. Applicant must contact the city at least 14 days prior to the work deadline if an extension is necessary. Time extensions beyond 150 days may be approved on a limited basis by the Public Works Director, or their designee, conditioned upon monthly update communication undertaken by the applicant with the permitting staff and will result in a reduced grant of up to 50% of the panel rate for all work required

PROCEDURES

Use of Funds

1. Grant funds must be used for the replacement of existing sidewalk sections **that have been damaged by the growth of street tree roots or street tree trunk.**
2. Grant funds can be applied to costs associated with the removal of the street tree and street tree roots, including stump removal.
3. Grant funds are only eligible for sidewalk removal and replacement displaced or damaged by the growth of the street tree; adjacent sidewalk replacement not displaced or damaged by the street tree will not be considered a reimbursable expense.
4. Grant funds can be applied to costs associated with the street tree damaged sidewalk such as creation of safe work zones, creation of temporary pedestrian routes, traffic control, demolition, disposal, root removal, subgrade preparation, forming, pouring, and finishing sidewalk, protection from adverse weather and security of the finished sidewalk.
5. Grant funds can be used for applicant costs incurred for sidewalk replacement work associated with permitted sidewalk replacements that have been deemed complete and compliant with City standards.

Eligibility for a Grant

1. Applicants are responsible for obtaining and complying with the conditions of the City's Sidewalk/ROW permit for jobs that require sidewalk replacement.
2. Applicant must show tree roots caused or likely caused the out of compliance condition of the sidewalk. While tree removal is not required, if a tree is removed, a tree removal and replacement permit application shall be sought.
3. To be eligible, applicants must first submit a complete and signed right-of-way permit application.
4. Applications submitted by applicants not self-performing the sidewalk replacement work must include at least two price quotes from a qualified contractor to complete the work; self-performed work should include an equipment and materials cost estimate.

5. Competitive bids help applicants choose the most rational way to proceed, helps the city ascertain industry cost trends for the program for future budgeting needs, and ensures the City extends the funds in a cost efficient manner reimbursing the lowest of bids no matter the chosen contractor; two competitive bids are required.
6. Work not self-performed must include verification that the work is performed by an Oregon licensed contractor who is also maintaining a current Oregon City or Metro business license.
7. The maximum grant reimbursement will be in accordance with the funding assistance section listed below.
8. For jobs where sidewalk replacement is not the preferred treatment, such as grinding or sidewalk lift, no grant reimbursement will be provided.
9. All grant awards and reimbursements will be made on a first-come, first-served basis, subject to the availability of funds as allocated and approved by the City Commission. Once the program budgeted amount has been expended, no further applications will be approved without further spending authority provided by the City Commission.

Notes:

1. The lack of sufficient funds to cover the number of applications received by the City in any given year will not excuse the homeowner from the responsibility of maintaining the adjoining sidewalk in a safe condition nor create any liability to the City for any unsafe sidewalks.
2. The lack of sufficient funds in the program or material and contractor availability does not excuse the homeowner from the responsibility of following any code enforcement requests. The City will work with applicants to the degree reasonable to guide the applicant through the code enforcement process.
3. Permitting costs and installation of any new street trees are not eligible for reimbursement.
4. Existing street trees are not required to be removed when removing and replacing sidewalk. The property owner has the option to risk the impact of the existing street tree to the new sidewalk and lifespan of the existing street tree understanding that the reimbursement program is a one time allowance.

FUNDING ASSISTANCE

Grant Rates

Annual Sidewalk Replacement Assistance Program Grant Award **unit rate:**

Up to a maximum of \$1,500 per each “site”. A site is comprised of the street tree damaging the sidewalk and the associated damaged sidewalk area.

Example grant scenarios:

- 1) One property owner who has one tree which damages five sidewalk panels. This would constitute one site and the property owner would qualify for one grant award for the cost of the tree/root removal and sidewalk replacement work up to \$1,500.
- 2) One property owner who has one tree which damages 1 sidewalk panel. This would constitute one site and would qualify for one grant award for the cost of the tree/root removal and sidewalk replacement work up to \$1,500.
- 3) One property owner has three trees damaging sidewalk. One tree damages one sidewalk panel, another tree damages two sidewalk panels, and the third tree damages five sidewalk panels. This scenario constitutes three sites, and the property owner would qualify for the cost reimbursement of the tree/root removal and sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$4,500.
- 4) One property owner has one tree damaging one sidewalk panel on their property and two sidewalk panels on their neighbor's property. This scenario constitutes one site for each property owner, and one property owner would qualify for the cost reimbursement of the tree/root removal and sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$1,500 and the other property owner would qualify for the cost sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$1,500.
- 5) A tree is located on the property line in the right-of-way exactly between two properties. One property owner has two sidewalk panels on their property and the other property owner has two sidewalk panels on their property. This scenario constitutes one site for each property owner, and one property owner would qualify for the cost reimbursement of the tree/root removal and sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$1,500 and the other property owner would qualify for the cost sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$1,500. Only one property owner can qualify for the tree removal itself if it is removed. Property owners may choose to work together whereby the tree removal could be split 50/50 as part of the reimbursable cost.

Note: Grant award will be based on documentation provided by the applicant which includes the quotes (estimates if self-performed) and final receipt for services performed (equipment and materials if self-performed). Final grant amount will be the actual cost of the work as documented in receipt up to a maximum grant listed above unless the applicant chooses the higher bid. In the event the applicant chooses the higher bid, the maximum grant amount will be based on the low bid.

Example 1: 1 site, Bid 1: \$1,600, Bid 2 : \$1,800
 Allowed Reimbursement: Up to \$1,500
 Maximum Reimbursement: \$1,500

Example 2: 2 sites, Bid 1 : \$2,500, Bid 2 : \$3,200
 Allowed Reimbursement: Up to \$3,000
 Maximum Reimbursement: \$2,500

Exclusions

Items not reimbursable under the City of Oregon City Sidewalk Replacement Assistance Program include the following:

1. Reimbursable funds may only be used for the removal of the street tree and associated roots and replacement of existing sidewalk panels that have been damaged by the roots of street trees and are considered out of compliance with tripping hazards or slopes as defined by the Standards for Accessible Design. Funds are not allowed for street tree replacement installations or sidewalk which is not a hazard as defined by ADA.
2. Work performed without prior City authorization as described under Procedures.
3. Work not completed in compliance with the City's standard requirements for construction.
4. Short-term repair work including, but not limited to, sidewalk grinding or sidewalk lifting.
5. Extended root removal or property damages onto private property.
6. Adjacent concrete repair beyond the original sidewalk width.
7. Adjacent concrete panels beyond the tree-lifted panels.
8. Landscape restoration, repairs, or extra cosmetics (shrubs, rocks).
9. New tree installation
10. Broken, damaged, or new sprinkler or irrigation systems or other utility appurtenances.

Procedures

Sidewalk work complete and eligible for look back reimbursement:

- Step 1** Submit the Sidewalk Grant Program Application with completed IRS W-9 Form
- Step 2** Submit copies of the right of way permit, tree permit (if applicable), final receipt for services performed, documentation that the final payment was made by the current applicant.
- Step 3** City confirms prior permit(s) obtained, confirm sidewalk work resulting from tree root damage, and confirm permit closed as complete.
- Step 4** City to confirm applicant was in ownership at time of permitted work.
- Step 5** Upon verification that Steps 2, 3, and 4 are confirmed the application will be deemed approved and routed to Finance for issuance of a reimbursement payment.
- Step 6** Grant check will be prepared within **10 business days** and mailed to applicant.

Sidewalk Work required and yet to be completed:

- Step 1** Applicant (might be citizen/property owner, might be contractor) applies for a sidewalk permit
- Step 2** Permit Staff reviews reason sidewalk is being replaced
 - a. If sidewalk is being replaced for a non-tree reason, no further process exists, and sidewalk reimbursement program does not apply
 - b. If sidewalk is being replaced for a tree reason, move on to Step 3
- Step 3** Permit Staff informs the applicant of a sidewalk reimbursement program and provides them with a paper application (form)
 - a. If the applicant is a contractor, permit staff ask contractor to provide this form to their citizen/property owner with a business card to contact them with questions
 - b. If the applicant is a citizen/property owner, permit staff provides the form
- Step 4** Before proceeding, the property owner reviews the Oregon City Sidewalk Replacement Assistance Program webpage for program understanding.
- Step 5** Before the work begins, property-owner submits:
 - i. A Right of Way Permit application and fee. Permit applications may be submitted by a contractor on behalf of the property owner.

Application may be emailed to OCpublicworks@orc.org, mail to Oregon City Permitting at 13895 Fir Street, Oregon City Oregon 97045, or submit in person at 13895 Fir Street – 2nd floor.

* Assistance Program application form along with support documentation can be submitted with the sidewalk permit (Step 5) or when the work has been completed (Step 8).

- Step 6** Upon verification that the sidewalk has been damaged by the roots of protected trees, the Sidewalk Replacement Reimbursement Application may be submitted. The

applicant will be notified that the work is eligible to receive funds and that their work permit is ready for applicant signature.

- Step 7** Work begins. With approved permit in hand, the work must then be completed within 120 days. If the work is unable to be completed within the 120 days due to unforeseen circumstances, the applicant may request a one-time 30-day extension. Applicant must contact the city for an extension prior to permit expiration. Time extensions beyond 150 days may be approved on a limited basis by the Public Works Director or their designee conditioned upon monthly update communication undertaken by the applicant with the permitting staff and will result in a reduced grant of up to 50% of the panel rate for all work required.
- Step 8** Work is completed. Property owner pays contractor and then submits proof of payment and a reimbursement request with project documentation which at a minimum must include a final invoice from the contractor with a signature indicating the work was paid in full.
- Step 9** Upon verification that all prior steps are confirmed the application will be deemed approved and routed to Finance for issuance of a reimbursement payment.
- Step 10** Grant check will be prepared within **5 business days** and mailed to applicant.

Document Checklist

- | | | |
|--|---|-------------------------|
| ___ Right-of-Way Permit Application incl.: | ___ Site Plan | ___ Ex. Sidewalk Photos |
| ___ Tree Permit Application (if required) incl.: | ___ Site Plan | ___ Ex. Tree Photos |
| ___ Sidewalk Reimbursement Program Grant Application incl. | ___ W-9 Form | |
| ___ Approved Right-of-Way permit incl. | ___ Licensed Contractor (CCB, and Metro/City) | |
| ___ Approved Tree Removal permit (if required) | | |
| ___ Evidence of Two Bids (or effort to get two bids) | | |
| ___ Evidence of Invoice or paid work | | |
| ___ Proof of Property Ownership (tax bill, utility bill, or other proof) | | |

Exhibit B

Oregon City Sidewalk Replacement Assistance Program

Updated 11/16/2022

Revised 5/1/2024

OVERVIEW

The goal of the Oregon City Sidewalk Replacement Assistance Program is to address sidewalk panels that have been lifted by street trees, to prevent the associated sidewalk trip hazards in a timely manner, and to assist property owners with the related replacement costs.

The original pilot program was approved February 2, 2022. This permanent program replaced the pilot program and was adopted on November 16, 2022. This update replaces the current program.

Emphasis on Pedestrian Travel

The City's Transportation System Plan (TSP) provides a long-term guide for City Transportation investments. With the growing need to address vehicle congestion, the city has been imposing standards and requirements that placed construction of sidewalks and pedestrian ways on all new development since the 1970's. In 2013, the TSP provided solutions for dealing with congestion by taking a multimodal network approach to enable more cost-effective solutions to increase transportation capacity and encourage multiple travel options. Oregon City Streets include 158 miles of sidewalks and over 2,600 curb ramps. Safe and accessible pedestrian ways is a major part of the City's overall transportation vision. Supporting property owner needs in maintaining the existing infrastructure is a critical element to maintain safe pedestrian access.

Program Summarizing Facts

Program Annual Budget: This Sidewalk Replacement Assistance Program **was** a new program developed as a pilot during the (2021-2023) biennial budget. This pilot was administered between February 2, 2022 and November 16, 2022. The budget allotted was \$200,000 for the period February 2, 2022 to February 1, 2023. **The program was made permanent on November 16, 2022.**

The permanent program allotted **\$200,000** per fiscal year starting July 1, 2023 (FY24) until such time the need increases or decreases as assessed during each adopted 2-year budget at the discretion of the Public Works Director if the budget is found to be excessive or not sufficient. Funds cannot be decreased unless it is found that the amount of requests no longer sustains the need for the budget.

The capital outlay for Transportation over the two-year biennium (2021-2023) **was** nearly 9

million . Based on existing data and future projections, the pilot program was anticipated to expend the entire \$200,000 budget within the 12-month pilot period. This program has been absorbed within the Transportation Fund budget. **The program expended \$225,438.25 from the beginning of the program on February 2022 through June 30, 2023.**

During the assessment of the program in October 2022, it was recommended by the Public Works Director to continue to the program and make it permanent due to its need throughout the community and its success as a program. Additional funds were requested from the Transportation Fund to complete the Fiscal Year (February 2, 2023-June 30, 2023) and this permanent program now allots \$200,000 per fiscal year as previously described.

The program has expended \$79,139.09 from July 1, 2023 to April 1, 2024 showing interest in the program has decreased; however, at this time, the recommendation remains to budget \$200,000 per year due to the anticipated needs throughout the City for the foreseeable future.

An update to this program was made on May 1, 2024 to provide clarifications to program details as learned through the initial 2 years of the program.

BACKGROUND

Industry Practice and Responsibility for Sidewalks

According to the U.S. Department of Transportation Federal Highway Administration (FHWA), city charters commonly specify that the city is not liable for any accidents or injuries incurred due to sidewalk conditions. Most Oregon charters assign complete responsibility for sidewalk maintenance to the owner of the adjacent property.

Pursuant to the Oregon City Municipal Code 12.04.030-12.04.040, the City assigns sidewalk responsibility to abutting property owners. This assistance test program is in no way intended to relieve property owners of their responsibilities, but rather it is intended to assist property owners with the cost of replacing damaged sidewalks.

Compliance History

Oregon City has a long history of working with property owners to uphold the sidewalk code. In the past, enforcement of trip hazards in Oregon City has been a complaint-driven process. Many property owners take the initiative to repair sidewalks before a complaint is submitted, while others wait until the sidewalk damage is reported by others.

Individual sidewalk enforcement and repair efforts have varied depending on the property owner and the disposition of the area. Often sidewalk complaints are limited to one address. In other cases, an areawide problem is reported. Regardless of the complaint, the sidewalk problem is verified, and the fronting property owner is notified of the City's code and requirements for replacement.

Trees and Tree Impacts on Sidewalks

Oregon City recognizes that the maintenance and repair of sidewalks within the city is necessary to protect the health, safety, and welfare of residents and visitors. This program has been developed in recognition of the inherent conflict between tree roots and sidewalks, and the accompanying financial burden these public policies place upon homeowners.

ELIGIBILITY

1. Applications for the Sidewalk Replacement Assistance Program will only be accepted for properties with fronting sidewalks **located within the public right-of-way for which the City has jurisdiction** where the street tree(s) has lifted or is negatively impacting the sidewalk grade.*
Note: street trees considered in the eligibility determination include street trees in tree wells or the planter strip between the curb and the sidewalk. Sidewalks damaged by trees that are located beyond the back of sidewalk would not be eligible for the Sidewalk Replacement Assistance Program.
2. Applications will only be accepted for sidewalk replacements **(removal of existing sidewalk and pouring of new sidewalk)** and street tree removals **(which includes stump removal)** along public City streets.
3. Applicants may only apply for one grant (may include multiple sidewalk replacement **"sites"**) for one property in a calendar year.
4. Applications will only be accepted for sidewalk panel replacements once. Sidewalk panel replacements completed under this program will be tracked by property and specific location and will not qualify for grant funding more than once.
5. Eligibility for reimbursement is contingent upon funds available within the \$200,000 annual spending limit authorized unless additional funding is approved by the City Commission or if the budget is reduced over time due to a lack of use as determined by the Public Works Director through the biennial budget process.
6. Except for work accomplished under a permit received before enactment of the program, permit applications for construction must be received and approved by the city before the sidewalk work begins and prior to application of the Sidewalk Replacement Assistance Program.
7. Grant funds are only eligible for the applicant who owned the home or applied for the grant at the time of the replacements and can provide a copy of the sidewalk replacement permit **(aka right-of-way permit)**, documentation for payment of work including a copy of the receipt for payment, and proof the permitted work was completed under their ownership. If a tree was removed, a tree removal and replacement permit is also required. Evidence of a previous permit or application of a new permit is acceptable.
8. Applications for sidewalk replacement cost and tree removal reimbursements that are retroactive to the enactment of this Program will be considered for sidewalk replacements and tree removals that were permitted by the City and determined in compliance with sidewalk standards.
9. Applicants must sign the application form including a statement that they are able to pay for the work out of pocket as the Sidewalk Replacement Assistance Program is an assistance program created as a cost reimbursement to the applicant.

*Negatively affecting sidewalk grade shall be defined as a tripping hazard of minimum ¼" (changes of level between sidewalk panels of ¼" or more) or the heaving of a sidewalk with a running slope of more than 5.0% **running slope** and cross slope exceeding 2.0% as designated by the Americans with Disabilities Act (ADA) as determined by the Standards for Accessible Design.

Work completed under the Sidewalk Replacement Assistance Program must be completed within 120 days of permit application approval. If this deadline is not able to be met, applicant may apply for a one-time 30-day extension. Applicant must contact the city at least 14 days prior to the work deadline if an extension is necessary. Time extensions beyond 150 days may be approved on a limited basis by the Public Works Director, or their designee, conditioned upon monthly update communication undertaken by the applicant with the permitting staff and will result in a reduced grant of up to 50% of the panel rate for all work required

PROCEDURES

Use of Funds

1. Grant funds must be used for the replacement of existing sidewalk sections **that have been damaged by the growth of street tree roots or street tree trunk.**
2. Grant funds can be applied to costs associated with the removal of the street tree and street tree roots, **including stump removal.**
3. Grant funds are only eligible for sidewalk removal and replacement displaced or damaged by the growth of the street tree; adjacent sidewalk replacement not displaced or damaged by the street tree will not be considered a reimbursable expense.
4. Grant funds can be applied to costs associated with the street tree damaged sidewalk such as creation of safe work zones, creation of temporary pedestrian routes, traffic control, demolition, disposal, root removal, subgrade preparation, forming, pouring, and finishing sidewalk, protection from adverse weather and security of the finished sidewalk.
5. Grant funds can be used for applicant costs incurred for sidewalk replacement work associated with permitted sidewalk replacements that have been deemed complete and compliant with City standards.

Eligibility for a Grant

1. Applicants are responsible for obtaining and complying with the conditions of the City's Sidewalk/ROW permit for jobs that require sidewalk replacement.
2. Applicant must show tree roots caused or likely caused the out of compliance condition of the sidewalk. While tree removal is not required, if a tree is removed, a tree removal and replacement permit application shall be sought.
3. To be eligible, applicants must first submit a complete and signed **right-of-way** permit application.
4. Applications submitted by applicants not self-performing the sidewalk replacement work must include at least two price quotes from a qualified contractor to complete the work; self-performed work should include an equipment and materials cost estimate.

5. Competitive bids help applicants choose the most rational way to proceed, helps the city ascertain industry cost trends for the program **for future budgeting needs, and ensures the City extends the funds in a cost efficient manner reimbursing the lowest of bids no matter the chosen contractor**; two competitive bids are required.
6. Work not self-performed must include verification that the work is performed by an Oregon licensed contractor who is also maintaining a current Oregon City or Metro business license.
7. The maximum grant reimbursement will be in accordance with the funding assistance section listed below.
8. For jobs where sidewalk replacement is not the preferred treatment, such as grinding or sidewalk lift, no grant reimbursement will be provided.
9. All grant awards and reimbursements will be made on a first-come, first-served basis, subject to the availability of funds as allocated and approved by the City Commission. Once the program budgeted amount has been expended, no further applications will be approved without further spending authority provided by the City Commission.

Notes:

1. The lack of sufficient funds to cover the number of applications received by the City in any given year will not excuse the homeowner from the responsibility of maintaining the adjoining sidewalk in a safe condition nor create any liability to the City for any unsafe sidewalks.
2. The lack of sufficient funds in the program or material and contractor availability does not excuse the homeowner from the responsibility of following any code enforcement requests. The City will work with applicants to the degree reasonable to guide the applicant through the code enforcement process.
3. **Permitting costs and installation of any new street trees are not eligible for reimbursement.**
4. **Existing street trees are not required to be removed when removing and replacing sidewalk. The property owner has the option to risk the impact of the existing street tree to the new sidewalk and lifespan of the existing street tree understanding that the reimbursement program is a one time allowance.**

FUNDING ASSISTANCE

Grant Rates

Annual Sidewalk Replacement Assistance Program Grant Award **unit rate**:

Up to a maximum of \$1,500 per each “site”. A site is comprised of the street tree damaging the sidewalk and the associated damaged sidewalk area.

Example grant scenarios:

- 1) One property owner who has one tree which damages five sidewalk panels. This would constitute one site and the property owner would qualify for one grant award for the cost of the tree/root removal and sidewalk replacement work up to \$1,500.
- 2) One property owner who has one tree which damages 1 sidewalk panel. This would constitute one site and would qualify for one grant award for the cost of the tree/root removal and sidewalk replacement work up to \$1,500.
- 3) One property owner has three trees damaging sidewalk. One tree damages one sidewalk panel, another tree damages two sidewalk panels, and the third tree damages five sidewalk panels. This scenario constitutes three sites, and the property owner would qualify for the cost reimbursement of the tree/root removal and sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$4,500.
- 4) One property owner has one tree damaging one sidewalk panel on their property and two sidewalk panels on their neighbor's property. This scenario constitutes one site for each property owner, and one property owner would qualify for the cost reimbursement of the tree/root removal and sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$1,500 and the other property owner would qualify for the cost sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$1,500.
- 5) A tree is located on the property line in the right-of-way exactly between two properties. One property owner has two sidewalk panels on their property and the other property owner has two sidewalk panels on their property. This scenario constitutes one site for each property owner, and one property owner would qualify for the cost reimbursement of the tree/root removal and sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$1,500 and the other property owner would qualify for the cost sidewalk replacement work of up to \$1,500 each site for a total maximum grant amount of \$1,500. Only one property owner can qualify for the tree removal itself if it is removed. Property owners may choose to work together whereby the tree removal could be split 50/50 as part of the reimbursable cost.

Note: Grant award will be based on documentation provided by the applicant which includes the quotes (estimates if self-performed) and final receipt for services performed (equipment and materials if self-performed). Final grant amount will be the actual cost of the work as documented in receipt up to a maximum grant listed above **unless the applicant chooses the higher bid. In the event the applicant chooses the higher bid, the maximum grant amount will be based on the low bid.**

Example 1: 1 site, Bid 1: \$1,600, Bid 2 : \$1,800
Allowed Reimbursement: Up to \$1,500
Maximum Reimbursement: \$1,500

Example 2: 2 sites, Bid 1 : \$2,500, Bid 2 : \$3,200
Allowed Reimbursement: Up to \$3,000
Maximum Reimbursement: \$2,500

Exclusions

Items not reimbursable under the City of Oregon City Sidewalk Replacement Assistance Program include the following:

1. Reimbursable funds may only be used for the removal of the street tree and associated roots and replacement of existing sidewalk panels that have been damaged by the roots of street trees and are considered out of compliance with tripping hazards or slopes as defined by the Standards for Accessible Design. Funds are not allowed for street tree replacement installations or sidewalk which is not a hazard as defined by ADA.
2. Work performed without prior City authorization as described under Procedures.
3. Work not completed in compliance with the City's standard requirements for construction.
4. Short-term repair work including, but not limited to, sidewalk grinding or sidewalk lifting.
5. Extended root removal or property damages onto private property.
6. Adjacent concrete repair beyond the original sidewalk width.
7. Adjacent concrete panels beyond the tree-lifted panels.
8. Landscape restoration, repairs, or extra cosmetics (shrubs, rocks).
9. **New tree installation**
10. Broken, damaged, or new sprinkler or irrigation systems **or other utility appurtenances.**

Procedures

Sidewalk work complete and eligible for look back reimbursement:

- Step 1** Submit the Sidewalk Grant Program Application with completed IRS W-9 Form
- Step 2** Submit copies of the right of way permit, tree permit (if applicable), final receipt for services performed, documentation that the final payment was made by the current applicant.
- Step 3** City confirms prior permit(s) obtained, confirm sidewalk work resulting from tree

root damage, and confirm permit closed as complete.

Step 4 City to confirm applicant was in ownership at time of permitted work.

Step 5 Upon verification that Steps 2, 3, and 4 are confirmed the application will be deemed approved and routed to Finance for issuance of a reimbursement payment.

Step 6 Grant check will be prepared within **10 business days** and mailed to applicant.

Sidewalk Work required and yet to be completed:

Step 1 Applicant (might be citizen/property owner, might be contractor) applies for a sidewalk permit

Step 2 Permit Staff reviews reason sidewalk is being replaced

- a. If sidewalk is being replaced for a non-tree reason, no further process exists, and sidewalk reimbursement program does not apply
- b. If sidewalk is being replaced for a tree reason, move on to Step 3

Step 3 Permit Staff informs the applicant of a sidewalk reimbursement program and provides them with a paper application (form)

- a. If the applicant is a contractor, permit staff ask contractor to provide this form to their citizen/property owner with a business card to contact them with questions
- b. If the applicant is a citizen/property owner, permit staff provides the form

Step 4 Before proceeding, the property owner reviews the Oregon City Sidewalk Replacement Assistance Program webpage for program understanding.

Step 5 Before the work begins, property-owner submits:

- i. A Right of Way Permit application and fee. Permit applications may be submitted by a contractor on behalf of the property owner.

Application may be emailed to OCpublicworks@orc.org, mail to Oregon City Permitting at 13895 Fir Street, Oregon City Oregon 97045, or submit in person at 13895 Fir Street – 2nd floor.

* Assistance Program application form along with support documentation can be submitted with the sidewalk permit (Step 5) or when the work has been completed (Step 8).

Step 6 Upon verification that the sidewalk has been damaged by the roots of protected trees, the Sidewalk Replacement Reimbursement Application may be submitted. The applicant will be notified that the work is eligible to receive funds and that their work permit is ready for applicant signature.

Step 7 Work begins. With approved permit in hand, the work must then be completed within 120 days. If the work is unable to be completed within the 120 days due to unforeseen circumstances, the applicant may request a one-time 30-day extension. Applicant must contact the city for an extension prior to permit expiration. Time extensions beyond 150 days may be approved on a limited basis by the Public Works Director or their designee conditioned upon monthly update communication undertaken by the

applicant with the permitting staff and will result in a reduced grant of up to 50% of the panel rate for all work required.

- Step 8** Work is completed. Property owner pays contractor and then submits proof of payment and a reimbursement request with project documentation which at a minimum must include a final invoice from the contractor with a signature indicating the work was paid in full.
- Step 9** Upon verification that all prior steps are confirmed the application will be deemed approved and routed to Finance for issuance of a reimbursement payment.
- Step 10** Grant check will be prepared within **5 business days** and mailed to applicant.

Document Checklist

- ___ Right-of-Way Permit Application incl.: ___ Site Plan ___ Ex. Sidewalk Photos
- ___ Tree Permit Application (if required) incl.: ___ Site Plan ___ Ex. Tree Photos
- ___ Sidewalk Reimbursement Program Grant Application incl. ___ W-9 Form
- ___ Approved Right-of-Way permit incl. ___ Licensed Contractor (CCB, and Metro/City)
- ___ Approved Tree Removal permit (if required)
- ___ Evidence of Two Bids (or effort to get two bids)
- ___ Evidence of Invoice or paid work
- ___ Proof of Property Ownership (tax bill, utility bill, or other proof)



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 05/01/2024

SUBJECT:

Resolution No. 24-14, Updating a Distinct Sewer Billing Methodology for Large Institutional Customers Served by Oregon City's Sanitary Sewer Collection System

STAFF RECOMMENDATION:

Adopt Resolution No. 24-14 updating a distinct sewer billing methodology (Resolution 14-08) for large (100 acres and larger) institutional customers serviced by Oregon City's sanitary sewer collection system.

EXECUTIVE SUMMARY:

In 2014 the City adopted Resolution 14-08 establishing a distinct sewer billing methodology for Large (100 Acres or greater) institutional zoned customers served by Oregon City's Sanitary Sewer Collection System. The Clackamas Community College (CCC) is the only Oregon City customer that falls within these conditions. The 2014 rate methodology was established to more fairly recognize the school's sewer service utilization at the college. Sewer service in Oregon City is based on water usage. Large properties with spread out landscapes needing irrigation, often see water supply needs go up in the summertime for irrigation when at the same time the use of the sewer system falls off dramatically due to limited or no class. Since 2014 CCC has completed a wide range of master-planned projects including new buildings, parking lot reconfiguration, and several landscape elements. This update is to further refine the methodology to better account for CCC water and sewer usage and acknowledge the significant difference in summertime water consumption that if left unaccounted for, will mean unjust sewer service charges.

BACKGROUND:

In 1966 (through the adoption of ordinances 1598 and 1599), the City of Oregon City began charging a "sewer user" fee of \$1/month for residential customers in addition to the monthly water charge. For non-residential customers, the "sewer user" fee was 35% of the monthly water charge. No distinction was given for the "sewer user" fee between domestic water meters and separate irrigation meters.

Since 1966 the City has adopted several water and sewer rate adjustments and currently, the City of Oregon City has several non-residential utility customers that have both a domestic water meter and an irrigation meter. The wastewater charge assessed to these customers is then based on the domestic water consumption only, while no wastewater charge is assessed to the customers for their irrigation meter usage. Not charging a wastewater fee on irrigation meters is an industry-wide standard as irrigation water is not collected in the public sewer system nor is it treated at the Tri-City Wastewater Treatment Plant. Typically, longstanding non-residential customers have either converted over to a two-meter system (domestic and irrigation) or when the cost of a separate irrigation distribution system is considered too much effort they have accepted the extra sewer charge, paying the sewer charges based on the entire recorded use of both domestic and irrigation water.

Oregon City has one longstanding large (100 acre or greater) institutional customer. This customer's water distribution system was built before the City's requirement for domestic and irrigation systems. This customer is unique for Oregon City in that the site is large, served by two large meters, and its piping system including private hydrants and a variety of private domestic and irrigation connections is privately owned and maintained. Historically the City has reduced the sewer charges for this unique customer in the summer months through what we believe to be an undocumented but City Commission authorized usage adjustment based on winter water consumption.

Because the historic practice of reducing the summer sewer charge is consistent with the City's decision to not charge sewer fees for irrigation water consumption, and because this longstanding large (100 acres or greater) institutional customer is unique in size, land use, and distribution system complexity, and because the City has no documentation authorizing the practice of not charging a sewer fee on irrigation meters, Resolution 14-08 was presented and approved by the Commission.

Concerning our longstanding practices, future new non-residential development that is not considered "large" or "institutionally zoned", and that also has landscape and irrigation requirements, will be encouraged to install both a domestic meter and a separate irrigation meter or they will pay for the sewer charge based on the amount of their water consumption. Residential sewer rates are already based on wintertime water consumption.

Resolution 14-08, utilized 5 months (Jan, Feb, March, April, November, and December) of wetter weather (no or less irrigation) along with a five-year history of looking back to establish the summer monthly water average water use to calculate the monthly sewer bill for August, September, and October. Since the adoption of Resolution 14-08, CCC has completed a wide range of building, parking lot, and landscape projects that impact their irrigation season water usage. City utility billing records validate that updating the distinct methodology for calculating the monthly sewer service rate for large (100 acres or greater) institutional-zoned customers reduces the number of winter months used to calculate the monthly average and increases the number of months where the summer monthly average is applied.

Resolution 24-14 updates the 2014 Resolution in that it:

- 1) Uses winter water consumption recorded during January, February, March, April, November, and December to establish the sewer rates for each of these months.
- 2) Uses three years of monthly winter month usage (meter reads) to establish the average water consumption to be used in calculating the sewer rate for June, July, August, September, and October.
- 3) Changes the methodology from using 5 years of utility billing history to 3 years.
- 4) Changes the methodology from using the highest annual average to an average of the 3 years of 5 winter months of data collected.

OPTIONS:

1. Authorize the Mayor to execute Resolution 24-14.
2. Authorize the Mayor to execute Resolution 24-14 with specific modifications.
3. Deny Resolution 24-14. If the Commission chooses to deny the Resolution, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: Estimated to result in \$36,900/year less in sewer fund revenue. Revenue from this unique customer based on last year's consumption totaled \$62,528. With the adoption of Resolution 24-14 the annual revenue would be \$25,657.

FY(s): Annually

Funding Source(s): Sewer Fund

RESOLUTION NO. 24-14

A RESOLUTION UPDATING RESOLUTION 14-08 A DISTINCT SEWER BILLING METHODOLOGY FOR LARGE (100 ACRES OR GREATER) INSTITUTIONAL ZONED CUSTOMERS SERVED BY OREGON CITY'S SANITARY SEWER COLLECTION SYSTEM

WHEREAS, the Oregon City Municipal Code establishes the setting of sanitary sewer charges in the City by resolution;

WHEREAS, sewer connection charges, as set by state law, are to be "just and equitable" and shall consider "the strength, volume, types and delivery flow rate characters of the waste, the nature, location and type of treatment works; the receiving waters; and such other facts as deemed necessary;"

WHEREAS, currently, the sewer charges in Oregon City are allocated based on metered water consumption and were most recently established in Resolution No. 09-16;

WHEREAS, the methodology established in Resolution No. 09-16 does not accurately capture the water usage of some large-institutional zoned uses, such as Clackamas Community College, whose water consumption during the dry season is high due to irrigation application and are paying more for sanitary sewer services than the actual amount of water discharged into the sewer system; and

WHEREAS, none of the irrigation water is collected in the public sewer system, nor is it treated at the Tri-City Wastewater Treatment Plant, yet large users without separate irrigation meters are currently charged for sewer service for the full volume of water delivered through City water meters which is not a fair representation of the volume discharged to the sanitary sewer.

WHEREAS, in 2014 the Commission adopted Resolution 14-08 creating a distinct sewer billing methodology for large institutional zoned customers served by Oregon City's Sanitary sewer collection system.

WHEREAS, since 2014 the Community Collage has completed several site improvements that further change the volume of water needed for the site, and the Utility Billing records further document water consumption rates that support a methodology update.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

The City hereby establishes a distinct methodology for calculating the monthly sewer service rate for large (100 acres or greater) institutional zoned irrigation users occupying property greater than 100 acres, such as Clackamas Community College, as follows:

During the months of January, February, March, April, May, November, and December the sewer charges will be based on the actual water consumption recorded by meter readings collected and representative for those months. An example 3-year history of a monthly meter reading record for a large-institutionally zoned property is shown in Exhibit A.

During the months of June, July, August, September, and October the sewer charges will be based on water consumption in an amount not to exceed the average monthly water

consumption records for the most recent three-year period for January, February, March, April, November, and December.

- a) Monthly billing is generally estimated to encompass a full 30 days but may not necessarily be specific to the first or last day of the month. The intent is to not dictate that meters need to be read on any exact schedule but to more generally encompass a month of water supply. Monthly meter readings also track one month behind the actual month of consumption as reflected in the monthly utility bill and as shown in **Exhibit A**, an example of 3-year history of monthly meter recording records.

The highest of the average monthly wet weather water consumption records for the most recent three-year period for the months of January, February, March, April, November, and December shall be calculated annually and will take effect beginning with the August utility billing cycle and end after the October utility billing cycle.

Adopted, signed, and approved this 1st day of May, 2024.

DENYSE C. McGRIFF, Mayor

Attested to this 1st day of May, 2024

Approved as to legal sufficiency:

Jakob Wiley, City Recorder

City Attorney

EXHIBIT A

Clackamas Community College Water Consumption Data (3 Years)*												
Year	January	February	March	April	May	June	July	August	September	October	November	December
2023	353	355	599	562	927	2,240	5,379	5,802	6,530	3,243	1,016	474
2022	486	260	338	320	740	679	1,071	3,220	6,828	4,344	2,680	566
2021	49	110	723	295	679	1,887	4,454	4,361	6,227	3,079	468	382
Total	888	725	1,660	1,177	2,346	4,806	10,904	13,383	19,585	10,666	4,164	1,422
3 year winter month average 558												
* consumption data is listed in units of CCF for accounts '03-480410-01' and '03-792206-01' ** bold font represents the months included in the determination of the the average monthly water consumption records for the most recent 3 year period shaded box represents the average monthly water consumption records for the most recent 3 year period												

RESOLUTION NO. 14-08

A RESOLUTION ESTABLISHING A DISTINCT SEWER BILLING METHODOLOGY FOR LARGE (100 ACRES OR GREATER) INSTITUTIONAL ZONED CUSTOMERS SERVED BY OREGON CITY'S SANITARY SEWER COLLECTION SYSTEM

WHEREAS, the Oregon City Municipal Code establishes the setting of sanitary sewer charges in the City by resolution;

WHEREAS, sewer connection charges, as set by state law, are to be "just and equitable" and shall consider "the strength, volume, types and delivery flow rate characters of the waste, the nature, location and type of treatment works; the receiving waters; and such other facts as deemed necessary;"

WHEREAS, currently the sewer charges in Oregon City are allocated based on metered water consumption and were most recently established in Resolution No. 09-16;

WHEREAS, the methodology established in Resolution No. 09-16 does not accurately capture the water usage of some large-institutional zoned uses, such as Clackamas Community College, whose water consumption during the dry season is high due to irrigation application and are paying more for sanitary sewer services than the actual amount of water discharged into the sewer system; and

WHEREAS, none of the irrigation water is collected in the public sewer system, nor is it treated at the Tri-City Wastewater Treatment Plant, yet large users without separate irrigation meters are currently charged for sewer service for the full volume of water delivered through City water meters which is not a fair representation of the volume actually discharged to the sanitary sewer.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

The City hereby establishes a distinct methodology for calculating the monthly sewer service rate for large (100 acres or greater) institutional zoned irrigation users occupying property greater than 100 acres, such as Clackamas Community College, as follows:

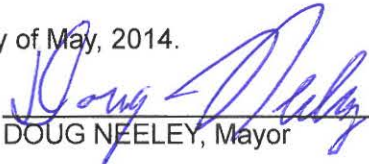
During the months of January, February, March, April, May, June, July, November, and December the sewer charges will be based on the actual water consumption recorded by meter readings collected and representative for those months. An example 5-year history of a monthly meter reading record for a large-institutionally zoned property is shown in Exhibit A.

During the months of August, September, and October the sewer charges will be based on actual consumption in an amount not to exceed the highest of the average monthly water consumption records for the most recent five year period for the months of January, February, March, April, November, and December.

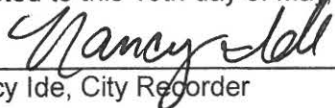
- a) Monthly billing is generally estimated to encompass a full 30 days but may not necessarily be specific to the first or last day of the month. The intent is to not dictate that meters need to be read on any exact schedule but to more generally encompass a month of water supply. Monthly meter readings also track one month behind the actual month of consumption as reflected in the monthly utility bill and as shown in Exhibit A, an example of 5-year history of monthly meter recording records.

The highest of the average monthly wet weather water consumption records for the most recent five year period for the months of January, February, March, April, November and December shall be calculated annually and will take effect beginning with the August utility billing cycle and end after the October utility billing cycle.

Adopted, signed and approved this 21st day of May, 2014.


DOUG NEELEY, Mayor

Attested to this 15th day of May, 2014


Nancy Ide, City Recorder

Approved as to legal sufficiency:

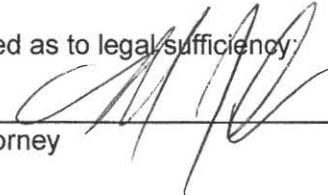

City Attorney

EXHIBIT A

Clackamas Community College Water Consumption Data (5 Years)*												
Year	January	February	March	April	May	June	July	August	September	October	November	December
2013	323	606	756	625	1,223	1,692	2,735	4,178	3,469	2,509	1,182	1,504
2012	938	897	366	445	446	1,711	1,685	3,045	5,551	4,536	2,595	649
2011	131	683	395	671	831	951	1,290	3,394	1,826	1,829	920	3,344
2010	470	320	646	508	1,483	1,238	1,301	3,963	4,356	1,829	1,100	622
2009	177	342	399	495	724	1,158	2,260	3,295	3,610	1,825	872	412
Total	2,039	2,848	2,562	2,744	4,707	6,750	9,271	17,875	18,812	12,528	6,669	6,531
Monthly Average	408	570	512	549	941	1,350	1,854	3,575	3,762	2,506	1,334	1,306
* consumption data is listed in units of CCF for account '03-79-0400-05' ** bold font represents the months included in the determination of the highest of the average monthly water consumption records for the most recent 5 year period shaded box represents the highest of the average monthly water consumption records for the most recent 5 year period												



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 05/01/2024

SUBJECT:

Public Improvement Contract with S-2 Contractors, Inc. for the 2024 Oregon City Roadway Reconstruction Project PMUF (CI 23-007)

STAFF RECOMMENDATION:

Award the bid and authorize the City Manager to execute the Public Improvement Contract with S-2 Contractors, Inc. in the amount of \$1,805,370.00 for construction of the 2024 Oregon City Roadway Reconstruction Project PMUF (CI 23-007).

EXECUTIVE SUMMARY:

This contract is for the annual Roadway Improvement Program. The roadway improvements will involve a combination of resurfacing and rehabilitation of existing roadways. Staff seeks Commission approval of this bid and authorization for the City Manager to execute the contract with S-2 Contractors, Inc. in the amount of \$1,805,370.00 for construction of the 2024 Oregon City Roadway Reconstruction Project PMUF (CI 23-007).

BACKGROUND:

Roadway improvement work involves a combination of resurfacing and rehabilitation of existing roadways.

This project includes:

- Complete roadway asphalt concrete pavement inlays.
- Construction of roadway/stormwater improvements including aggregate base, asphaltic concrete surfacing, concrete curb, sidewalks, and ADA curb ramp retrofits.
- Complete manhole and other utility grade adjustments.
- Installing pavement marking and reinstalling or installing new permanent signing.

Locations for this work to be completed:

- 10th Street (Main Street to 99E)
- Conifer Drive (Lafayette Avenue to Madrona Drive)
- Madrona Drive (West end to Madrona Court)
- Randall Street (Hartke Loop to Canemah Road)
- Pease Road (Cominger Drive to Leland Road)
- Roseberry Avenue (Clairmont Way to Caravatta Court)
- Wassail Lane (Clairmont Way to Roseberry Avenue)
- Autumn Lane (Clairmont Way to Meyers Road)
- Whitney Lane (Clairmont Way to Autumn Lane)
- Calgary Way (Whitney Lane to Clairmont Way)
- Fortuna Court (Roseberry Avenue to End of Street)
- Bedford Drive (Clairmont Way to End of Street)
- Glenwood Court (Linn Avenue to End of Street)
- Narain Court (Linn Avenue to End of Street)
- May Street and Prospect Street (Two ADA Ramp upgrades)
- Beavercreek Road (Four ADA Ramp upgrades)
- Beavercreek Road (Signal Detection)

On March 11, 2024, and March 13, 2024, the project was advertised in the *Daily Journal of Commerce* and on the City bid site, in accordance with City and State contracting procedures. The bid opening was held on April 9, 2024, and ten (10) bids were received. Staff and Century West Engineering reviewed the bids and determined that S-2 Contractors, Inc. was the low responsive bidder. The contract award value is one million, eight hundred five thousand, three hundred seventy dollars and zero cents (\$1,805,370.00).

The list below includes the bidders and bid amounts received for this project:

Brix Paving Northwest, Inc.	\$2,426,813.00
Eagle Elsner, Inc.	\$1,930,000.00
Granite Construction Company	\$2,177,621.00
Interlaken, Inc.	\$2,452,156.00
Knife River Corporation	\$1,971,734.05
KNL Industries, Inc.	\$2,867,405.00
Moore Excavation, Inc.	\$2,419,570.00
Pacific Excavation	\$2,725,223.40
S-2 Contractors, Inc.	\$1,805,370.00
TFT Construction, Inc.	\$1,953,414.00

Engineer's Estimate.....	\$2,191,542.00
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Construction will begin in the late Spring of 2024, and work is anticipated to be completed by Fall 2024.

OPTIONS:

1. Authorize the City Manager to execute the Contract.
2. Authorize the City Manager to execute the Contract with specific modifications.
3. Deny the Contract. If the Commission chooses to deny the Contract, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: \$1,805,370.00

Fiscal Year(s): FY 2024 / FY 2025

Funding Source(s): Transportation Fund, Sewer Fund, Stormwater Fund, & Water Fund

SECTION III A **CONTRACT AGREEMENT**

This Agreement, made and entered into this 1st day of May 2024, between the CITY OF OREGON CITY ("CITY"), acting by and through the City Commission and **S-2 CONTRACTORS, INC.** ("CONTRACTOR").

Witnesseth, that the CONTRACTOR and the CITY, for the considerations stated herein, agree as follows:

ARTICLE I - Scope of Work

The CONTRACTOR hereby agrees to furnish all of the materials, equipment and labor necessary, and to perform all of the work for the project entitled: **2024 ROADWAY RECONSTRUCTION PROJECT PMUF (CI 23-007)** in accordance with the contract documents which are hereby made a part of this agreement.

The contract documents consist of:

Invitation to Bid	Statutory Conditions to Contract Agreement
Scope of Work	Performance Bond
Instructions to Bidders	Payment Bond
Bid Proposal and Bid Schedule	State of Oregon Statutory Public Works Bond General Conditions
Compliance with ORS 279C.840	Prevailing Wage Rates for Public Works Contracts in Oregon, dated January 5, 2024
Resident Bidder Status	Amendments to the Prevailing Wage Rates for Public Works Contracts in Oregon dated April 5, 2024
Certification of Drug Testing Program	Prevailing Wage Apprenticeship Rates dated April 5, 2024
Non-Collusion Statement	Definitions of Covered Occupations for Public Works Contracts in Oregon dated July 1, 2018
Asbestos Certification	Special Provisions
Registrations	Contract Drawings
Certification of Non-Discrimination	City of Oregon City Standard Details
Business Licenses (OCMC 05.04)	Technical Specifications
Certification of Compliance with Tax Law	2021 Oregon Standard Specifications for Construction (ODOT and APWA) as referenced by these documents. Addendum 1 – April 4, 2024
Bidder Responsibility Form	All items included within these Contract Documents.
Bid Bond	
First Tier Subcontractor Disclosure Form	
Customer Service Acknowledgment Form	
Contract Agreement	
Oregon City Public Improvement Standard Conditions	

The order of items cited above does not constitute an order of precedence different than that established in the special or standard specifications. Equivalent titles, which may be substituted for the above listed items, are included as if specifically named.

ARTICLE II - Time of Completion

The project shall be substantially complete by **September 6th, 2024** and ready for final acceptance by **September 27th, 2024** as identified in 00180.50(b) of the Special Provisions.

ARTICLE III – Contract Amount

The Contract Amount for the work covered by this Agreement is estimated to be **one-million eight hundred five thousand, three hundred seventy and zero cents (\$1,805,370.00)**.

ARTICLE IV - Warranty and Quality of Work

In addition to all other warranties, express or implied, that are part of this Agreement, the Contractor expressly warrants to the City for a period of one year from acceptance of the work by the City that all materials and equipment furnished under this contract will be new, unless otherwise specified, and that the work will be of good quality, free from faults and defects and in conformance with the City's specifications. Work that does not conform to these standards shall be considered defective.

Contractor shall, at its own expense, make good and repair any and all defects arising from faulty workmanship or materials, if the defective work is discovered within the one-year warranty period and notice thereof is given to the Contractor within 60 days after the expiration of the warranty period. If required by the City, the Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment used to repair the defect.

In witness whereof, the parties hereto have executed this agreement, the day and year first above written.

CITY OF OREGON CITY**CONTRACTOR NAME**

By: _____
Anthony J. Konkol III
City Manager

Printed Name

By: _____
John M. Lewis, P.E.
Public Works Director

By: _____
Authorized Signature

Title

Approved as to Legal Sufficiency

By: _____
City Attorney

Date

Address:

City Commission Award Date:

May1,2024

Federal Taxpayer ID Number

April 12, 2024

Josh Wheeler
City of Oregon City
13895 Fir Street
Oregon City, Oregon 97045

Re: 2024 Roadway Reconstruction Project PMUF
OC Project No. CI 23-007
Recommendation to Award

Dear Mr. Wheeler:

We have reviewed the submitted bid from the apparent low bid received for the above referenced project. A total of ten (10) bids were received ranging from \$1,805,370.00 to \$2,867,405.00. Based on the submitted bid documents, the apparent low bidder appears to be responsible and responsive.

The lowest responsive and responsible bid was submitted by S-2 Contractors Inc. from Aurora, OR in the amount of one million eight hundred five thousand three hundred seventy dollars (\$1,805,370.00). The Engineer's Opinion for the project totaled \$2,109,677.50 and the apparent low bid represents a 14.4% cost decrease under the estimated costs.

We have reviewed S-2 Contractors Inc.'s bid bond and have checked their current status relative to state licensing and found it to be in order along with verifying that the contractor is not listed on the debarred contractors list.

Upon the City's award of the project, please fill out and sign, as applicable, the Notice of Award, Performance Bond, Payment Bond, Public Works Bonds, and Contract Agreement forms and forward them to the Contractor.

Please note that in accordance with ORS 279B.135 a Notice of Intent to Award must be sent to other bidders prior to the City's award of a contract.

Sincerely,



Rawley Voorhies, PE
Project Manager

Client City of Oregon City
Project 2024 Roadway Reconsruction Project PMUF - CI 23-007
Bid Tabulation
Date: April 12, 2024

Apparent Low	Other Bidders
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					Engineers Estimate		S-2 Cont.		Eagle - Elsner Inc		TFT Construction Inc		Knife River Corp		Granite Construction Co		Moore Excavation Inc		Brik Paving NW		Interlaken Inc		Pacific Excavation		KNL Industries Inc	
Item	Spec	Description	Units	Quantity	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
1	00197	Extra Work as Authorized	FA	1	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	
2	00210	Mobilization	LS	1	\$ 200,000.00	\$ 200,000.00	\$ 85,200.00	\$ 85,200.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 135,000.00	\$ 135,000.00	\$ 210,000.50	\$ 210,000.50	\$ 220,000.00	\$ 220,000.00	\$ 185,000.00	\$ 185,000.00	\$ 264,000.00	\$ 264,000.00	\$ 290,000.00	\$ 290,000.00	\$ 150,000.00	\$ 150,000.00
3	00221	Temporary Work Zone Traffic Control, Complete	LS	1	\$ 100,000.00	\$ 100,000.00	\$ 77,000.00	\$ 77,000.00	\$ 133,472.00	\$ 133,472.00	\$ 90,000.00	\$ 90,000.00	\$ 66,600.00	\$ 66,600.00	\$ 90,000.00	\$ 90,000.00	\$ 97,000.00	\$ 97,000.00	\$ 165,000.00	\$ 165,000.00	\$ 47,583.00	\$ 47,583.00	\$ 159,000.00	\$ 159,000.00	\$ 200,000.00	\$ 200,000.00
4	00280	Erosion Control	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 2,500.00	\$ 2,500.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	\$ 15,000.00	\$ 15,000.00	\$ 12,000.00	\$ 12,000.00	\$ 28,200.00	\$ 28,200.00	\$ 17,000.00	\$ 17,000.00	\$ 20,000.00	\$ 20,000.00
5	00290	Pollution Control Plan	LS	1	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 5,000.00	\$ 5,000.00	\$ 1,500.00	\$ 1,500.00	\$ 809.00	\$ 809.00	\$ 250.00	\$ 250.00	\$ 1,000.00	\$ 1,000.00
6	00305	Construction Survey Work	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 16,000.00	\$ 16,000.00	\$ 12,000.00	\$ 12,000.00	\$ 16,000.00	\$ 16,000.00	\$ 13,000.00	\$ 13,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 25,000.00	\$ 25,000.00	\$ 13,644.00	\$ 13,644.00	\$ 15,500.00	\$ 15,500.00	\$ 30,000.00	\$ 30,000.00
7	00310	Removal of Curbs	LF	390	\$ 15.00	\$ 5,850.00	\$ 5.00	\$ 1,950.00	\$ 12.00	\$ 4,680.00	\$ 9.50	\$ 3,705.00	\$ 5.00	\$ 1,950.00	\$ 18.00	\$ 7,020.00	\$ 25.00	\$ 9,750.00	\$ 6.00	\$ 2,340.00	\$ 25.00	\$ 9,750.00	\$ 22.30	\$ 8,697.00	\$ 5.00	\$ 1,950.00
8	00310	Removal of Walks and Driveways	SY	262	\$ 25.00	\$ 6,550.00	\$ 10.00	\$ 2,620.00	\$ 13.00	\$ 3,406.00	\$ 25.00	\$ 6,550.00	\$ 25.00	\$ 6,550.00	\$ 145.00	\$ 37,990.00	\$ 75.00	\$ 19,650.00	\$ 28.00	\$ 7,336.00	\$ 30.00	\$ 7,860.00	\$ 38.20	\$ 10,008.40	\$ 15.00	\$ 3,930.00
9	00310	Removal of Structures and Obstructions	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 6,000.00	\$ 6,000.00	\$ 11,000.00	\$ 11,000.00	\$ 55,000.00	\$ 55,000.00	\$ 10,000.00	\$ 10,000.00	\$ 9,770.00	\$ 9,770.00	\$ 21,000.00	\$ 21,000.00	\$ 100,000.00	\$ 100,000.00
10	00330	General Excavation	CY	690	\$ 45.00	\$ 31,050.00	\$ 60.00	\$ 41,400.00	\$ 48.00	\$ 33,120.00	\$ 53.00	\$ 36,570.00	\$ 60.00	\$ 41,400.00	\$ 75.00	\$ 51,750.00	\$ 57.00	\$ 39,330.00	\$ 68.00	\$ 46,920.00	\$ 31.00	\$ 21,390.00	\$ 86.75	\$ 59,857.50	\$ 50.00	\$ 34,500.00
11	00331	12-Inch Subgrade Stabilization	SY	3,000	\$ 35.00	\$ 105,000.00	\$ 42.00	\$ 126,000.00	\$ 35.00	\$ 105,000.00	\$ 32.00	\$ 96,000.00	\$ 40.00	\$ 120,000.00	\$ 40.00	\$ 120,000.00	\$ 40.00	\$ 120,000.00	\$ 45.00	\$ 135,000.00	\$ 26.00	\$ 78,000.00	\$ 35.00	\$ 105,000.00	\$ 50.00	\$ 150,000.00
12	00445	8-Inch Ductile Iron Storm Drain Pipe, All Depths	LF	73	\$ 200.00	\$ 14,600.00	\$ 200.00	\$ 14,600.00	\$ 200.00	\$ 14,600.00	\$ 250.00	\$ 18,250.00	\$ 100.00	\$ 7,300.00	\$ 135.00	\$ 9,855.00	\$ 160.00	\$ 11,680.00	\$ 114.00	\$ 8,322.00	\$ 242.00	\$ 17,666.00	\$ 191.00	\$ 13,943.00	\$ 300.00	\$ 21,900.00
13	00445	3-Inch PVC Storm Drain Pipe, All Depths	LF	20	\$ 100.00	\$ 2,000.00	\$ 50.00	\$ 1,000.00	\$ 100.00	\$ 2,000.00	\$ 125.00	\$ 2,500.00	\$ 40.00	\$ 800.00	\$ 100.00	\$ 2,000.00	\$ 150.00	\$ 3,000.00	\$ 45.00	\$ 900.00	\$ 325.00	\$ 6,500.00	\$ 175.00	\$ 3,500.00	\$ 200.00	\$ 4,000.00
14	00470	Catch Basins, Type G-1	EA	2	\$ 3,500.00	\$ 7,000.00	\$ 6,000.00	\$ 12,000.00	\$ 4,000.00	\$ 8,000.00	\$ 4,000.00	\$ 8,000.00	\$ 3,200.00	\$ 6,400.00	\$ 3,500.00	\$ 7,000.00	\$ 5,800.00	\$ 11,600.00	\$ 3,600.00	\$ 7,200.00	\$ 5,812.00	\$ 11,624.00	\$ 6,400.00	\$ 12,800.00	\$ 5,000.00	\$ 10,000.00
15	00490	Minor Adjustment of Manholes	EA	69	\$ 1,500.00	\$ 103,500.00	\$ 700.00	\$ 48,300.00	\$ 1,800.00	\$ 124,200.00	\$ 1,000.00	\$ 69,000.00	\$ 2,600.00	\$ 179,400.00	\$ 500.00	\$ 34,500.00	\$ 1,900.00	\$ 131,100.00	\$ 3,000.00	\$ 207,000.00	\$ 1,242.00	\$ 85,698.00	\$ 1,700.00	\$ 117,300.00	\$ 2,000.00	\$ 138,000.00
16	00490	Adjusting Boxes	EA	52	\$ 600.00	\$ 31,200.00	\$ 100.00	\$ 5,200.00	\$ 175.00	\$ 9,100.00	\$ 105.00	\$ 5,460.00	\$ 850.00	\$ 44,200.00	\$ 300.00	\$ 15,600.00	\$ 1,100.00	\$ 57,200.00	\$ 800.00	\$ 41,600.00	\$ 183.00	\$ 9,516.00	\$ 300.00	\$ 15,600.00	\$ 500.00	\$ 26,000.00
17	00490	Adjusting Inlets	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00	\$ 935.00	\$ 935.00	\$ 800.00	\$ 800.00	\$ 900.00	\$ 900.00	\$ 1,000.00	\$ 1,000.00	\$ 1,876.00	\$ 1,876.00	\$ 3,320.00	\$ 3,320.00	\$ 2,500.00	\$ 2,500.00
18	00490	Adjusting Catch Basins	EA	2	\$ 1,500.00	\$ 3,000.00	\$ 1,000.00	\$ 2,000.00	\$ 4,500.00	\$ 9,000.00	\$ 2,500.00	\$ 5,000.00	\$ 935.00	\$ 1,870.00	\$ 800.00	\$ 1,600.00	\$ 900.00	\$ 1,800.00	\$ 4,000.00	\$ 8,000.00	\$ 2,531.00	\$ 5,062.00	\$ 4,600.00	\$ 9,200.00	\$ 2,500.00	\$ 5,000.00
19	00490	Connection to Existing Structures	EA	3	\$ 1,000.00	\$ 3,000.00	\$ 1,500.00	\$ 4,500.00	\$ 800.00	\$ 2,400.00	\$ 3,500.00	\$ 10,500.00	\$ 1,600.00	\$ 4,800.00	\$ 3,000.00	\$ 9,000.00	\$ 3,000.00	\$ 9,000.00	\$ 1,800.00	\$ 5,400.00	\$ 6,396.00	\$ 19,188.00	\$ 3,850.00	\$ 11,550.00	\$ 2,500.00	\$ 7,500.00
20	00490	Replace Water Valve Boxes	EA	10	\$ 750.00	\$ 7,500.00	\$ 350.00	\$ 3,500.00	\$ 375.00	\$ 3,750.00	\$ 500.00	\$ 5,000.00	\$ 1,050.00	\$ 10,500.00	\$ 500.00	\$ 5,000.00	\$ 1,200.00	\$ 12,000.00	\$ 900.00	\$ 9,000.00	\$ 636.00	\$ 6,360.00	\$ 555.00	\$ 5,550.00	\$ 500.00	\$ 5,000.00
21	00490	Replace Water Valve Box Extension	EA	8	\$ 500.00	\$ 4,000.00	\$ 400.00	\$ 3,200.00	\$ 350.00	\$ 2,800.00	\$ 450.00	\$ 3,600.00	\$ 1,050.00	\$ 8,400.00	\$ 1,200.00	\$ 9,600.00	\$ 920.00	\$ 7,360.00	\$ 900.00	\$ 7,200.00	\$ 715.00	\$ 5,720.00	\$ 405.00	\$ 3,240.00	\$ 500.00	\$ 4,000.00
22	00490	Replace Cleanout Boxes	EA	6	\$ 500.00	\$ 3,000.00	\$ 600.00	\$ 3,600.00	\$ 750.00	\$ 4,500.00	\$ 750.00	\$ 4,500.00	\$ 1,150.00	\$ 6,900.00	\$ 900.00	\$ 5,400.00	\$ 1,250.00	\$ 7,500.00	\$ 1,000.00	\$ 6,000.00	\$ 1,692.00	\$ 10,152.00	\$ 1,055.00	\$ 6,330.00	\$ 500.00	\$ 3,000.00
23	00490	Monument Boxes	EA	20	\$ 1,750.00	\$ 35,000.00	\$ 500.00	\$ 10,000.00	\$ 475.00	\$ 9,500.00	\$ 600.00	\$ 12,000.00	\$ 1,150.00	\$ 23,000.00	\$ 700.00	\$ 14,000.00	\$ 1,100.00	\$ 22,000.00	\$ 1,000.00	\$ 20,000.00	\$ 780.00	\$ 15,600.00	\$ 1,055.00	\$ 21,100.00	\$ 1,000.00	\$ 20,000.00
24	00620	Cold Plane Pavement Removal, 0 to 3-Inch Deep	SY	37,945	\$ 5.50	\$ 208,697.50	\$ 4.00	\$ 151,780.00	\$ 5.00	\$ 189,725.00	\$ 3.40	\$ 129,013.00	\$ 5.													

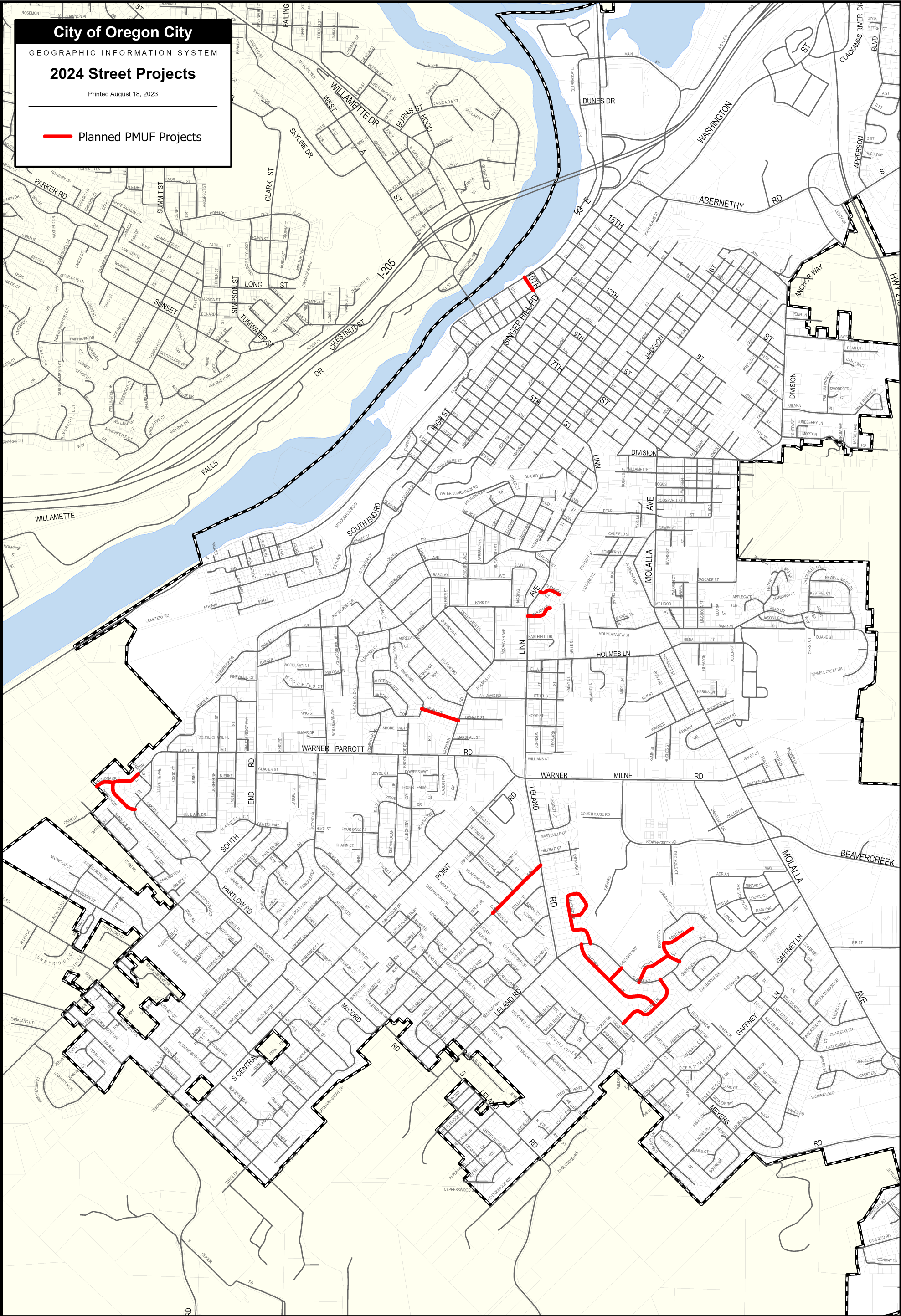
City of Oregon City

GEOGRAPHIC INFORMATION SYSTEM

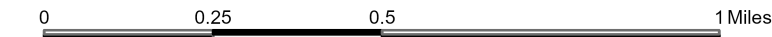
2024 Street Projects

Printed August 18, 2023

Planned PMUF Projects



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, or surveying purposes. Notification of any errors is appreciated.



City of Oregon City
P.O. Box 3040
625 Center St
Oregon City, OR 97045
503-657-0891 phone
503-657-6629 fax
www.ocity.org





CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 05/01/2024

SUBJECT:

Public Improvement Contract with Dirt & Aggregate Interchange, Inc. for the Holcomb Safe Routes to School Project (CI 22-011)

STAFF RECOMMENDATION:

Award the bid and authorize the City Manager to execute the Public Improvement Contract with Dirt & Aggregate Interchange, Inc. in the amount of \$2,873,730.00 for construction of the Holcomb Safe Routes to School (SRTS) Project (CI 22-011).

EXECUTIVE SUMMARY:

On March 15, 2023, Oregon City Commission approved a grant agreement with Oregon Department of Transportation (ODOT) for the Holcomb Boulevard SRTS Project. The Holcomb Boulevard SRTS Project improvements include constructing sidewalks, bike lanes, and storm drains along Holcomb Boulevard (between Holcomb School Road and Winston Drive).

The public improvements for this project are important to the City Commission, Park Place Neighborhood Association, and the community. With approval of this bid award, staff can proceed with an aggressive delivery schedule to have work completed in Fall 2024 and reduce the impacts to the school year.

BACKGROUND:

In July 2022, staff submitted a 2022 Safe Routes to School (SRTS) Competitive Construction Grant Application to the Oregon Department of Transportation for the Holcomb Boulevard Sidewalk and Protected Crossings Project.

The Safe Routes to School Competitive Construction Grant Program is a state funded program that provides communities with funding for pedestrian and bicycle safety projects in the immediate vicinity of a Kindergarten through 8th grade schools. The goals of this program are to create a stronger sense of community, create safer streets, improve accessibility, promote healthier families, and to lessen traffic congestion. The

program provides up to 80% funding for a project with a 20% match from the community.

On March 15, 2023, Oregon City Commission approved a grant agreement with Oregon Department of Transportation (ODOT) for the Holcomb Boulevard SRTS Project. The Holcomb Boulevard SRTS Project location is along Holcomb Boulevard (between Holcomb School Road and Winston Drive), as shown on the attached project map.

This project's public improvements include:

- 8-foot Concrete Sidewalks and 6-foot Bike Lanes
- Street Lighting
- Rectangular Rapid Flashing Beacon (RRFB) & Marked Crosswalk at Winston Drive
- Piping of Existing Storm Drainage Ditch
- Flashing School Zone Signage
- Street Trees
- Storm Drainage Infrastructure

On March 25, 2024, and March 27, 2024, this project was advertised in the *Daily Journal of Commerce* and on the City bid site, in accordance with City and State contracting procedures. The bid opening was held on April 18, 2024, and nine (9) bids were received. Staff and Dowl Engineering reviewed the bids and determined Dirt & Aggregate Interchange, Inc. was the lowest responsive bidder. The contract award value is two million, eight hundred seventy-three thousand, seven hundred thirty dollars and zero cents (\$2,873,730.00).

The list below includes the bidders and bid amounts received for this project:

Kodiak Pacific Construction.....	\$2,463,068.00
Dirt & Aggregate Interchange.....	\$2,873,730.00
Kerr Contractors Oregon, Inc.....	\$2,984,287.00**
Icon Construction.....	\$2,987,686.80
Moore Excavation, Inc.	\$3,019,582.00
Interlaken, Inc.	\$3,115,511.50
Wes Tech Construction, Inc.....	\$3,299,935.00
Brown Contracting, Inc.	\$3,399,688.00
Pacific Excavation.	\$3,922,000.00
Engineer's Estimate.....	\$2,640,451.38

*Kodiak Pacific Construction was deemed "non-responsive" for not submitting the required first-tier subcontractor list after the bid opening. This is required with all public bidding projects in Oregon and the requirement was acknowledged by Kodiak as part of their bid submittal. As such, the next lowest responsive bidder was determined to be Dirt & Aggregate Interchange, Inc.

****Kerr Contractors and Interlaken, Inc. had errors in their bid submittals. Kerr Contractors submitted a bid of \$2,984,312.00; however, upon further review of their bid submittal, the actual total was calculated to be \$2,984,287.00. Interlaken, Inc. submitted a bid of \$3,169,711.00; however, the actual total was calculated to be \$3,115,511.50.**

Construction will begin in June 2024 and work is anticipated to be completed by Fall 2024.

OPTIONS:

1. Authorize the City Manager to execute the Contract.
2. Authorize the City Manager to execute the Contract with specific modifications.
3. Deny the Contract. If the Commission chooses to deny the Contract, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: \$2,873,730.00

Fiscal Year(s): FY 24 / FY 25

Funding Source(s): Transportation SDC Fund, Stormwater Fund and Stormwater SDC Fund

SECTION IIIA
CONTRACT AGREEMENT

This Agreement, made and entered into this 1st day of May, 2024, between the CITY OF OREGON CITY (“CITY”), acting by and through the City Commission and **Dirt & Aggregate Interchange, Inc.** (“CONTRACTOR”).

Witnesseth, that the CONTRACTOR and the CITY, for the considerations stated herein, agree as follows:

ARTICLE I - Scope of Work

The CONTRACTOR hereby agrees to furnish all of the materials, equipment and labor necessary, and to perform all of the work for the project entitled: Holcomb Boulevard SRTS Project (CI 22-011) in accordance with the contract documents which are hereby made a part of this agreement.

The contract documents consist of:

Invitation to Bid	Statutory Conditions to Contract Agreement
Scope of Work	Performance Bond
Instructions to Bidders	Payment Bond
Bid Proposal and Bid Schedule	State of Oregon Statutory Public Works Bond
Compliance with ORS 279C.840	General Conditions
Resident Bidder Status	Prevailing Wage Rates for Public Works Contracts in Oregon, dated January 5, 2024
Certification of Drug Testing Program	Amendments to the Prevailing Wage Rates for Public Works Contracts in Oregon
Non-Collusion Statement	Prevailing Wage Apprenticeship Rates dated January 5, 2024
Asbestos Certification	Definitions of Covered Occupations for Public Works Contracts in Oregon dated July 1, 2018
Registrations	Special Provisions
Certification of Non-Discrimination	Contract Drawings
Certification of Compliance with Tax Law	City of Oregon City Standard Details
Bidder Responsibility Form	Technical Specifications
Bid Bond	2021 Oregon Standard Specifications for Construction (ODOT and APWA) as referenced by these documents
First Tier Subcontractor Disclosure Form	All items included within these Contract Documents.
Customer Service Acknowledgment Form	
Contract Agreement	
Oregon City Public Improvement Standard Conditions	

The order of items cited above does not constitute an order of precedence different than that established in the special or standard specifications. Equivalent titles, which may be substituted for the above listed items, are included as if specifically named.

ARTICLE II - Time of Completion

The portion of the project from Holcomb School Road through 14633 Holcomb Boulevard, including improvements on Holcomb School Road, shall be substantially complete by August 30, 2024 and ready for final acceptance by September 13, 2024. The portion of the project from 14633 Holcomb Boulevard to 14737 Holcomb Boulevard shall be substantially complete by September 27, 2024 and ready for final acceptance by October 11, 2024. The entire project shall be substantially complete by October 25, 2024 and ready for final acceptance by November 15, 2024) as identified in 00180.50(b) of the Special Provisions. See also 00150.50(f).

ARTICLE III – Contract Amount

The Contract Amount for the work covered by this Agreement is estimated to be two million, eight hundred seventy-three thousand, seven hundred thirty dollars and zero cents (\$2,873,730.00).

ARTICLE IV - Warranty and Quality of Work

In addition to all other warranties, express or implied, that are part of this Agreement, the Contractor expressly warrants to the City for a period of one year from acceptance of the work by the City that all materials and equipment furnished under this contract will be new, unless otherwise specified, and that the work will be of good quality, free from faults and defects and in conformance with the City's specifications. Work that does not conform to these standards shall be considered defective.

Contractor shall, at its own expense, make good and repair any and all defects arising from faulty workmanship or materials, if the defective work is discovered within the one-year warranty period and notice thereof is given to the Contractor within 60 days after the expiration of the warranty period. If required by the City, the Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment used to repair the defect.

In witness whereof, the parties hereto have executed this agreement, the day and year first above written.

CITY OF OREGON CITY**Dirt & Aggregate Interchange, Inc.**

By: _____
Anthony J. Konkol III
City Manager

Printed Name

By: _____
John M. Lewis, P.E.
Public Works Director

By: _____
Authorized Signature

Title

Approved as to Legal Sufficiency

By: _____
City Attorney

Date

Address:

City Commission Award Date:

Federal Taxpayer ID Number



April 19, 2024

Erik Nichols
Project Manager
Public Works Department
City of Oregon City
13895 Fir Street
Oregon City, Oregon 97045

**Subject: Holcomb Boulevard SRTS Project (Project): Bid Evaluation
Project NO. CI 22-011**

Dear Mr. Nichols,

The advertisement for the Project closed on April 18th at 10:00 AM following a 3-week advertisement period. During that time, the City answered numerous inquiries from bidders and DOWL issued one addendum modifying and/or clarifying the Contract. The advertisement and acceptance of bids was completed by the City. The Engineers Estimate for the Project was \$2.64M.

The City received 9 bids with totals ranging from \$2.46M to \$3.92M. Kodiak Pacific Construction was the apparent low bidder with a total cost of \$2,463,068. Kodiak Pacific Construction's Bid Package was found to be deficient upon review in accordance with Section II Part L of the Contract and did not contain the First Tier Subcontractor disclosure form. Therefore, we found the apparent low bidder not to be compliant with the Contract and recommend rejection.

Dirt and Aggregate Interchange, Inc. was the second lowest bidder with a total cost of \$2,873,730. Dirt and Aggregate Interchange, Inc.'s bid package was found to be compliant with the Contract, containing all required information per Section II.

Dirt and Aggregate Interchange, Inc, submitted all required information, and we did not find an errors or omissions with their bid. We recommend the City move forward with awarding the Contract to Dirt and Aggregate Interchange, Inc.

Sincerely,
DOWL

Jason Kelly

Digitally signed by Jason Kelly
DN: CN=Jason Kelly,
OU=Standard, OU=Users,
OU=Staff, DC=DOWL, DC=COM
Date: 2024.04.19 15:21:23-0700'

Jason Kelly, PE
Senior Project Manager

Client City of Oregon City
Holcomb Boulevard SRTS Project (CI 22-011)
Bid Tabulation
Date: April 19, 2024

Item	Description	Units	Quantity	Unit Price	Extended
TEMPORARY FEATURES AND APPURTENANCES					
1	EXTRA WORK AS AUTHORIZED	Lump Sum	1	\$100,000	\$ 100,000.00
2	MOBILIZATION	Lump Sum	1	\$ 237,363.76	\$ 237,363.76
3	TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC, COMPLETE	Lump Sum	1	\$ 110,482.68	\$ 110,482.68
4	EROSION CONTROL, COMPLETE	Lump Sum	1	\$ 75,737.08	\$ 75,737.08
5	POLLUTION CONTROL PLAN	Lump Sum	1	\$ 5,000.00	\$ 5,000.00
ROADWORK					
6	CONSTRUCTION SURVEY WORK	Lump Sum	1.00	\$ 23,501.36	\$ 23,501.36
7	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	Lump Sum	1.00	\$ 25,000.00	\$ 25,000.00
8	ASPHALT PAVEMENT SAW CUTTING	Foot	1,908	\$ 4.00	\$ 7,632.00
9	CLEARING AND GRUBBING	Lump Sum	1,000	\$ 20,000.00	\$ 20,000.00
10	12 INCH SUBGRADE STABILIZATION	Sq Yd	540	\$ 45.00	\$ 24,300.00
11	GENERAL EXCAVATION	Cu Yd	1,861	\$ 52.00	\$ 96,772.00
12	SUBGRADE GEOTEXTILE	Sq Yd	2,700	\$ 4.00	\$ 10,800.00
DRAINAGE AND SEWERS					
13	ROCK EXCAVATION	Cu Yd	892	\$ 200.00	\$ 178,400.00
14	MAINLINE VIDEO INSPECTION	Foot	1,149	\$ 15.00	\$ 17,235.00
15	4 INCH DRAIN PIPE (PERFRATED PIPE FOR AREA DRAIN)	Foot	195	\$ 70.00	\$ 13,650.00
16	4 INCH STORM SEWER PIPE, 5 FT DEPTH	Foot	139	\$ 75.00	\$ 10,425.00
17	12 INCH STORM SEWER PIPE, 5 FT DEPTH	Foot	80	\$ 235.00	\$ 18,800.00
18	12 INCH STORM SEWER PIPE, 10 FT DEPTH	Foot	274	\$ 250.00	\$ 68,500.00
19	21 INCH STORM SEWER PIPE, 10 FT DEPTH	Foot	20	\$ 300.00	\$ 6,000.00
20	24 INCH STORM SEWER PIPE, 10 FT DEPTH	Foot	706	\$ 350.00	\$ 247,100.00
21	24 INCH STORM SEWER PIPE, 20 FT DEPTH	Foot	0	\$ 375.00	\$ -
22	CONCRETE MANHOLES, 48 INCH			\$ 8,000.00	\$ 80,000.00
23	CONCRETE INLETS, CURB INLET	Each	10	\$ 3,750.00	\$ 26,250.00
24	CONNECTION TO EXISTING STRUCTURES	Each	8	\$ 3,000.00	\$ 24,000.00
25	RELOCATE EXISTING SANITARY SEWER CLEANOUT	Each	6	\$ 3,000.00	\$ 18,000.00
26	FILLING ABANDONED STRUCTURES	Each	3	\$ 10,000.00	\$ 30,000.00
27	TRENCH RESURFACING	Sq Yd	0	\$ 175.00	\$ -
PERMANENT TRAFFIC SAFETY AND GUIDANCE DEVICES					
28	RETAINING WALLS, PREFABRICATED MODULAR GRAVITY	Lump Sum	1	\$ 93,760.00	\$ 93,760.00
BASES					
29	COLD PLANE PAVEMENT REMOVAL, 2 INCHES DEEP	Sq Yd	1,210	\$ 80.00	\$ 96,800.00
30	AGGREGATE BASE	Ton	2,020	\$ 80.00	\$ 161,600.00
WEARING SURFACES					
31	LEVEL 3, 1/2 INCH ACP MIXTURE	Ton	1,402	\$ 140.00	\$ 196,280.00
32	CONCRETE CURBS, STANDARD CURB	Foot	162	\$ 60.00	\$ 9,720.00
33	CONCRETE CURBS, CURB AND GUTTER	Foot	1,694	\$ 65.00	\$ 110,110.00
34	CONCRETE DRIVEWAYS	Sq Ft	805	\$ 25.00	\$ 20,125.00
35	CONCRETE WALKS	Sq Ft	11,710	\$ 15.00	\$ 175,650.00
36	EXTRA FOR NEW CURB RAMPS	Each	9	\$ 3,000.00	\$ 27,000.00
37	TRUNCATED DOMES ON NEW SURFACES	Sq Ft	114	\$ 35.00	\$ 3,990.00
PERMANENT TRAFFIC SAFETY AND GUIDANCE DEVICES					
38	THERMOPLASTIC, EXTRUDED, SURFACE, NON-PROFILED	Foot	2,375	\$ 2.50	\$ 5,937.50
39	PAVEMENT BAR, TYPE A	Sq Ft	274	\$ 10.00	\$ 2,740.00
40	PAVEMENT LEGEND, TYPE B-HS: BICYCLE LANE STENCIL	Each	4	\$ 325.00	\$ 1,300.00
PERMANENT TRAFFIC SAFETY AND ILLUMINATION SYSTEMS					
41	REMOVE EXISTING SIGNS	Lump Sum	1	\$ 3,000.00	\$ 3,000.00
42	REMOVE AND REINSTALL EXISTING SIGNS	Lump Sum	1.0	\$ 1,500.00	\$ 1,500.00
43	SIGN SUPPORT FOOTINGS	Lump Sum	1.0	\$ 1,040.00	\$ 1,040.00
44	PIPE SIGN SUPPORTS	Lump Sum	1	\$ 11,400.00	\$ 11,400.00
45	SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	Sq Ft	90	\$ 30.00	\$ 2,700.00
46	POLE FOUNDATIONS	Lump Sum	1	\$ 26,400.00	\$ 26,400.00
47	SWITCHING, CONDUIT, AND WIRING	Lump Sum	1	\$ 48,000.00	\$ 48,000.00
48	FLASHING BEACON INSTALLATION, WINSTON DR	Lump Sum	1	\$ 22,000.00	\$ 22,000.00
49	FLASHING BEACON INSTALLATION, 200' E OF GODON WAY	Lump Sum	1	\$ 24,000.00	\$ 24,000.00

Apparent Low

Other Bidders

Dirt & Aggregate Interchange, Inc.		Kerr Contractors		Moore Excavation		Interlaken Inc		Brown Contracting	
Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
\$ 224,600.00	\$ 224,600.00	\$ 285,000.00	\$ 285,000.00	\$ 300,000.00	\$ 300,000.00	\$ 221,361.00	\$ 221,361.00	\$ 375,000.00	\$ 375,000.00
\$ 277,000.00	\$ 277,000.00	\$ 238,000.00	\$ 238,000.00	\$ 200,000.00	\$ 200,000.00	\$ 83,523.00	\$ 83,523.00	\$ 270,000.00	\$ 270,000.00
\$ 15,229.00	\$ 15,229.00	\$ 75,000.00	\$ 75,000.00	\$ 30,000.00	\$ 30,000.00	\$ 103,081.00	\$ 103,081.00	\$ 30,000.00	\$ 30,000.00
\$ 610.00	\$ 610.00	\$ 1,500.00	\$ 1,500.00	\$ 2,000.00	\$ 2,000.00	\$ 800.00	\$ 800.00	\$ 1,473.00	\$ 1,473.00
\$ 29,100.00	\$ 29,100.00	\$ 30,000.00	\$ 30,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,234.00	\$ 40,234.00	\$ 33,000.00	\$ 33,000.00
\$ 64,300.00	\$ 64,300.00	\$ 30,000.00	\$ 30,000.00	\$ 130,000.00	\$ 130,000.00	\$ 32,112.00	\$ 32,112.00	\$ 200,000.00	\$ 200,000.00
\$ 2.00	\$ 3,816.00	\$ 10.00	\$ 19,080.00	\$ 4.00	\$ 7,632.00	\$ 4.00	\$ 7,632.00	\$ 20.00	\$ 38,160.00
\$ 46,000.00	\$ 46,000.00	\$ 75,000.00	\$ 75,000.00	\$ 65,000.00	\$ 65,000.00	\$ 30,129.00	\$ 30,129.00	\$ 45,000.00	\$ 45,000.00
\$ 53.50	\$ 28,890.00	\$ 54.00	\$ 29,160.00	\$ 18.00	\$ 9,720.00	\$ 41.00	\$ 22,140.00	\$ 60.00	\$ 32,400.00
\$ 62.75	\$ 116,777.75	\$ 100.00	\$ 186,100.00	\$ 100.00	\$ 186,100.00	\$ 44.00	\$ 81,884.00	\$ 125.00	\$ 232,625.00
\$ 3.00	\$ 8,100.00	\$ 2.00	\$ 5,400.00	\$ 1.25	\$ 3,375.00	\$ 2.00	\$ 5,400.00	\$ 4.00	\$ 10,800.00
\$ 34.00	\$ 30,328.00	\$ 300.00	\$ 267,600.00	\$ 175.00	\$ 156,100.00	\$ 312.00	\$ 278,304.00	\$ 80.00	\$ 71,360.00
\$ 12.25	\$ 14,075.25	\$ 10.00	\$ 13,788.00	\$ 12.00	\$ 13,788.00	\$ 5.00	\$ 5,745.00	\$ 25.00	\$ 28,725.00
\$ 105.00	\$ 20,475.00	\$ 115.00	\$ 22,425.00	\$ 45.00	\$ 8,775.00	\$ 191.00	\$ 37,245.00	\$ 74.00	\$ 14,430.00
\$ 333.00	\$ 46,287.00	\$ 160.00	\$ 22,240.00	\$ 100.00	\$ 13,900.00	\$ 136.00	\$ 18,904.00	\$ 110.00	\$ 15,290.00
\$ 402.00	\$ 32,160.00	\$ 150.00	\$ 12,000.00	\$ 250.00	\$ 20,000.00	\$ 187.00	\$ 14,960.00	\$ 144.00	\$ 11,520.00
\$ 470.00	\$ 128,780.00	\$ 170.00	\$ 46,580.00	\$ 275.00	\$ 75,350.00	\$ 280.00	\$ 76,720.00	\$ 350.00	\$ 95,900.00
\$ 670.00	\$ 13,400.00	\$ 450.00	\$ 9,000.00	\$ 500.00	\$ 10,000.00	\$ 628.00	\$ 12,560.00	\$ 522.00	\$ 10,440.00
\$ 610.00	\$ 430,660.00	\$ 400.00	\$ 282,400.00	\$ 400.00	\$ 282,400.00	\$ 353.00	\$ 249,218.00	\$ 550.00	\$ 388,300.00
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,450.00		\$ -	\$ -
\$ 6,800.00	\$ 68,000.00	\$ 8,000.00	\$ 80,000.00	\$ 8,500.00	\$ 85,000.00	\$ 10,000.00	\$ 100,000.00	\$ 17,000.00	\$ 170,000.00
\$ 4,800.00	\$ 33,600.00	\$ 3,600.00	\$ 25,200.00	\$ 4,200.00	\$ 29,400.00	\$ 4,446.00	\$ 31,122.00	\$ 8,000.00	\$ 56,000.00
\$ 2,120.00	\$ 16,960.00	\$ 2,500.00	\$ 20,000.00	\$ 3,000.00	\$ 24,000.00	\$ 6,110.00	\$ 48,880.00	\$ 1,400.00	\$ 11,200.00
\$ 2,700.00	\$ 16,200.00	\$ 2,000.00	\$ 12,000.00	\$ 1,000.00	\$ 6,000.00	\$ 3,601.00	\$ 21,606.00	\$ 1,500.00	\$ 9,000.00
\$ 3,400.00	\$ 10,200.00	\$ 2,400.00	\$ 7,200.00	\$ 2,500.00	\$ 7,500.00	\$ 6,228.00	\$ 18,684.00	\$ 8,000.00	\$ 24,000.00
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
\$ 93,500.00	\$ 93,500.00	\$ 75,000.00	\$ 75,000.00	\$ 100,000.00	\$ 100,000.00	\$ 169,778.00	\$ 169,778.00	\$ 135,000.00	\$ 135,000.00
\$ 10.00	\$ 12,100.00	\$ 15.00	\$ 18,150.00	\$ 10.00	\$ 12,100.00	\$ 13.00	\$ 15,730.00	\$ 30.00	\$ 36,300.00
\$ 55.00	\$ 111,100.00	\$ 80.00	\$ 161,600.00	\$ 64.00	\$ 129,280.00	\$ 80.00	\$ 161,600.00	\$ 80.00	\$ 161,600.00
\$ 165.00	\$ 231,330.00	\$ 150.00	\$ 210,300.00	\$ 190.00	\$ 266,380.00	\$ 200.00	\$ 280,400.00	\$ 156.00	\$ 218,712.00
\$ 56.00	\$ 9,072.00	\$ 50.00	\$ 8,100.00	\$ 65.00	\$ 10,530.00	\$ 88.00	\$ 14,256.00	\$ 115.00	\$ 18,630.00
\$ 52.00	\$ 88,088.00	\$ 43.00	\$ 72,842.00	\$ 52.00	\$ 88,088.00	\$ 70.00	\$ 118,580.00	\$ 75.00	\$ 127,050.00
\$ 26.00	\$ 20,930.00	\$ 25.00	\$ 20,125.00	\$ 24.00	\$ 19,320.00	\$ 49.00	\$ 39,445.00	\$ 11.00	\$ 8,855.00
\$ 13.00	\$ 152,230.00	\$ 17.00	\$ 199,070.00	\$ 12.00	\$ 140,520.00	\$ 15.00	\$ 175,650.00	\$ 6.00	\$ 70,260.00
\$ 750.00	\$ 6,750.00	\$ 1,000.00	\$ 9,000.00	\$ 1,000.00	\$ 9,000.00	\$ 3,489.00	\$ 31,401.00	\$ 1,544.00	\$ 13,896.00
\$ 47.00	\$ 5,358.00	\$ 90.00	\$ 10,260.00	\$ 40.00	\$ 4,560.00	\$ 47.00	\$ 5,358.00	\$ 60.00	\$ 6,840.00
\$ 3.00	\$ 7,125.00	\$ 2.60	\$ 6,175.00	\$ 3.40	\$ 8,075.00	\$ 4.00	\$ 9,500.00	\$ 3.00	\$ 7,125.00
\$ 30.00	\$ 8,220.00	\$ 25.00	\$ 6,850.00	\$ 26.00	\$ 7,124.00	\$ 34.00	\$ 9,316.00	\$ 24.00	\$ 6,576.00
\$ 549.00	\$ 2,196.00	\$ 500.00	\$ 2,000.00	\$ 500.00	\$ 2,000.00	\$ 916.00	\$ 3,664.00	\$ 666.00	\$ 2,664.00
\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 1,000.00	\$ 1,000.00	\$ 1,145.00	\$ 1,145.00	\$ 400.00	\$ 400.00
\$ 1,400.00	\$ 1,400.00	\$ 1,400.00	\$ 1,400.00	\$ 2,000.00	\$ 2,000.00	\$ 1,779.00	\$ 1,779.00	\$ 2,000.00	\$ 2,000.00
\$ 1,175.00	\$ 1,175.00	\$ 7,000.00	\$ 7,000.00	\$ 2,000.00	\$ 2,000.00	\$ 7,734.00	\$ 7,734.00	\$ 1.00	\$ 1.00
\$ 2,780.00	\$ 2,780.00	\$ 3,000.00	\$ 3,000.00	\$ 8,000.00	\$ 8,000.00	\$ 3,176.00	\$ 3,176.00	\$ 8,000.00	\$ 8,000.00
\$ 116.00	\$ 10,440.00	\$ 113.00	\$ 10,170.00	\$ 50.00	\$ 4,500.00	\$ 132.00	\$ 11,880.00	\$ 50.00	\$ 4,500.00
\$ 10,980.00	\$ 10,980.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 27,605.00	\$ 27,605.00	\$ 12,000.00	\$ 12,000.00
\$ 67,100.00	\$ 67,100.00	\$ 56,000.00	\$ 56,000.00	\$ 100,000.00	\$ 100,000.00	\$ 83,514.00	\$ 83,514.00	\$ 62,000.00	\$ 62,000.00
\$ 68,320.00	\$ 68,320.00	\$ 57,000.00	\$ 57,000.00	\$ 85,000.00	\$ 85,000.00	\$ 76,445.00	\$ 76,445.00	\$ 65,000.00	\$ 65,000.00
\$ 40,260.00	\$ 40,260.00	\$ 34,000.00	\$ 34,000.00	\$ 50,000.00	\$ 50,000.00	\$ 42,276.00	\$ 42,276.00	\$ 40,000.00	\$ 40,000.00

Non-Responsive

[Kodiac Pacific Construction]		Icon Construction & Development		Pacific Excavation		WesTech Construction	
Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
\$ 140,000.00	\$ 140,000.00	\$ 150,000.00	\$ 150,000.00	\$ 600,278.40	\$ 600,278.40	\$ 268,857.90	\$ 268,857.90
\$ 135,500.00	\$ 135,500.00	\$ 160,000.00	\$ 160,000.00	\$ 550,000.00	\$ 550,000.00	\$ 315,000.00	\$ 315,000.00
\$ 23,500.00	\$ 23,500.00	\$ 50,000.00	\$ 50,000.00	\$ 75,000.00	\$ 75,000.00	\$ 35,000.00	\$ 35,000.00
\$ 852.00	\$ 852.00	\$ 10,000.00	\$ 10,000.00	\$ 1,000.00	\$ 1,000.00	\$ 580.00	\$ 580.00
\$ 24,500.00	\$ 24,500.00	\$ 45,000.00	\$ 45,000.00	\$ 75,000.00	\$ 75,000.00	\$ 27,000.00	\$ 27,000.00
\$ 89,500.00	\$ 89,500.00	\$ 70,000.00	\$ 70,000.00	\$ 125,000.00	\$ 125,000.00	\$ 75,000.00	\$ 75,000.00
\$ 18.00	\$ 34,344.00	\$ 4.00	\$ 7,632.00	\$ 3.50	\$ 6,678.00	\$ 3.00	\$ 5,724.00
\$ 19,100.00	\$ 19,100.00	\$ 40,000.00	\$ 40,000.00	\$ 75,000.00	\$ 75,000.00	\$ 76,000.00	\$ 76,000.00
\$ 32.00	\$ 17,280.00	\$ 45.00	\$ 24,300.00	\$ 40.00	\$ 21,600.00	\$ 55.00	\$ 29,700.00
\$ 61.00	\$ 113,521.00	\$ 40.00	\$ 74,440.00	\$ 100.00	\$ 186,100.00	\$ 92.00	\$ 171,212.00
\$ 2.00	\$ 5,400.00	\$ 2.16	\$ 5,832.00	\$ 3.00	\$ 8,100.00	\$ 1.90	\$ 5,130.00
\$ 150.00	\$ 133,800.00	\$ 140.15	\$ 125,013.80	\$ 75.00	\$ 66,900.00	\$ 75.00	\$ 66,900.00
\$ 11.00	\$ 12,639.00	\$ 7.00	\$ 8,043.00	\$ 12.00	\$ 13,788.00	\$ 20.00	\$ 22,980.00
\$ 63.00	\$ 12,285.00	\$ 114.95	\$ 22,415.25	\$ 105.00	\$ 20,475.00	\$ 120.00	\$ 23,400.00
\$ 51.00	\$ 7,089.00	\$ 125.00	\$ 17,375.00	\$ 105.00	\$ 14,595.00	\$ 215.00	\$ 29,885.00
\$ 211.00	\$ 16,880.00	\$ 225.00	\$ 18,000.00	\$ 195.00	\$ 15,600.00	\$ 475.00	\$ 38,000.00
\$ 200.00	\$ 54,800.00	\$ 280.00	\$ 76,720.00	\$ 244.00	\$ 66,856.00	\$ 430.00	\$ 117,820.00
\$ 460.00	\$ 9,200.00	\$ 350.00	\$ 7,000.00	\$ 410.00	\$ 8,200.00	\$ 995.00	\$ 19,900.00
\$ 300.00	\$ 211,800.00	\$ 350.00	\$ 247,100.00	\$ 385.00	\$ 271,810.00	\$ 445.00	\$ 314,170.00
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
\$ 9,500.00	\$ 95,000.00	\$ 7,500.00	\$ 75,000.00	\$ 6,400.00	\$ 64,000.00	\$ 8,025.00	\$ 80,250.00
\$ 3,600.00	\$ 25,200.00	\$ 5,000.00	\$ 35,000.00	\$ 7,300.00	\$ 51,100.00	\$ 10,350.00	\$ 72,450.00
\$ 2,550.00	\$ 20,400.00	\$ 2,500.00	\$ 20,000.00	\$ 3,200.00	\$ 25,600.00	\$ 2,800.00	\$ 22,400.00
\$ 6,850.00	\$ 41,100.00	\$ 1,400.00	\$ 8,400.00	\$ 2,300.00	\$ 13,800.00	\$ 2,500.00	\$ 15,000.00
\$ 4,200.00	\$ 12,600.00	\$ 2,500.00	\$ 7,500.00	\$ 4,200.00	\$ 12,600.00	\$ 13,250.00	\$ 39,750.00
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
\$ 91,750.00	\$ 91,750.00	\$ 130,000.00	\$ 130,000.00	\$ 95,000.00	\$ 95,000.00	\$ 112,000.00	\$ 112,000.00
\$ 10.50	\$ 12,705.00	\$ 10.00	\$ 12,100.00	\$ 35.00	\$ 42,350.00	\$ 30.00	\$ 36,300.00
\$ 53.00	\$ 107,060.00	\$ 50.00	\$ 101,000.00	\$ 100.00	\$ 202,000.00	\$ 90.00	\$ 181,800.00
\$ 140.00	\$ 196,280.00	\$ 319.00	\$ 447,238.00	\$ 175.00	\$ 245,350.00	\$ 198.00	\$ 277,596.00
\$ 56.00	\$ 9,072.00	\$ 67.00	\$ 10,854.00	\$ 62.00	\$ 10,044.00	\$ 83.00	\$ 13,446.00
\$ 45.00	\$ 76,230.00	\$ 63.00	\$ 106,722.00	\$ 60.00	\$ 101,640.00	\$ 88.00	\$ 149,072.00
\$ 27.00	\$ 21,735.00	\$ 36.75	\$ 29,583.75	\$ 38.00	\$ 30,590.00	\$ 21.00	\$ 16,905.00
\$ 19.00	\$ 222,490.00	\$ 27.00	\$ 316,170.00	\$ 28.00	\$ 327,880.00	\$ 14.00	\$ 163,940.00
\$ 825.00	\$ 7,425.00	\$ 1,000.00	\$ 9,000.00	\$ 2,000.00	\$ 18,000.00	\$ 3,750.00	\$ 33,750.00
\$ 87.00	\$ 9,918.00	\$ 107.00	\$ 12,198.00	\$ 105.00	\$ 11,970.00	\$ 58.00	\$ 6,612.00
\$ 3.00	\$ 7,125.00	\$ 3.20	\$ 7,600.00	\$ 1.20	\$ 2,850.00	\$ 2.90	\$ 6,887.50
\$ 25.00	\$ 6,850.00	\$ 30.00	\$ 8,220.00	\$ 1.20	\$ 328.80	\$ 27.90	\$ 7,644.60
\$ 465.00	\$ 1,860.00	\$ 550.00	\$ 2,200.00	\$ 1.20	\$ 4.80	\$ 520.00	\$ 2,080.00
\$ 186.00	\$ 186.00	\$ 2,500.00	\$ 2,500.00	\$ 500.00	\$ 500.00	\$ 210.00	\$ 210.00
\$ 1,650.00	\$ 1,650.00	\$ 3,500.00	\$ 3,500.00	\$ 1,800.00	\$ 1,800.00	\$ 1,860.00	\$ 1,860.00
\$ 5,150.00	\$ 5,150.00	\$ 4,200.00	\$ 4,200.00	\$ 8,000.00	\$ 8,000.00	\$ 1,745.00	\$ 1,745.00
\$ 7,750.00	\$ 7,750.00	\$ 3,000.00	\$ 3,000.00	\$ 8,000.00	\$ 8,000.00	\$ 8,692.00	\$ 8,692.00
\$ 47.00	\$ 4,230.00	\$ 30.00	\$ 2,700.00	\$ 61.00	\$ 5,490.00	\$ 52.00	\$ 4,680.00
\$ 9,900.00	\$ 9,900.00	\$ 17,000.00	\$ 17,000.00	\$ 11,000.00	\$ 11,000.00	\$ 10,465.00	\$ 10,465.00
\$ 56,900.00	\$ 56,900.00	\$ 55,000.00	\$ 55,000.00	\$ 67,000.00	\$ 67,000.00	\$ 63,930.00	\$ 63,930.00
\$ 57,900.00	\$ 57,900.00	\$ 50,000.00	\$ 50,000.00	\$ 68,000.00	\$ 68,000.00	\$ 65,125.00	\$ 65,125.00
\$ 33,900.00	\$ 33,900.00	\$ 89,000.00	\$ 89,000.00	\$ 40,000.00	\$ 40,000.00	\$ 38,376.00	\$ 38,376.00

Client City of Oregon City
Holcomb Boulevard SRTS Project (CI 22-011)
Bid Tabulation
Date: April 19, 2024

Item	Description	Units	Quantity
50	FLASHING BEACON INSTALLATION, 900' NE OF SWAN AVENUE	Lump Sum	1
RIGHT OF WAY DEVELOPMENT AND CONTROL			
51	PERMANENT SEEDING	Acre	0.035
52	TOPSOIL	Cu Yd	45
53	DECIDUOUS TREES, 2 INCH CALIPER	Each	29
54	CONIFER TREES, 6 FT HEIGHT	Each	26
55	SHRUBS, #2 CONTAINER	Each	2
56	SINGLE MAILBOX SUPPORTS	Each	3
WATER SUPPLY SYSTEMS			
57	RELOCATE 1 INCH WATER METER ASSEMBLY	Each	6

Note:

Engineers Estimate	
Unit Price	Extended
\$ 40,000.00	\$ 40,000.00
\$ 40,000.00	\$ 1,400.00
\$ 100.00	\$ 4,500.00
\$ 750.00	\$ 21,750.00
\$ 750.00	\$ 19,500.00
\$ 750.00	\$ 1,500.00
\$ 600.00	\$ 1,800.00
\$ 5,000.00	\$ 30,000.00
	\$ 2,640,451.38

Dirt & Aggregate Interchange, Inc.	
Unit Price	Extended
\$ 52,460.00	\$ 52,460.00
\$ 144,200.00	\$ 5,047.00
\$ 185.00	\$ 8,325.00
\$ 920.00	\$ 26,680.00
\$ 780.00	\$ 20,280.00
\$ 192.00	\$ 384.00
\$ 944.00	\$ 2,832.00
\$ 5,220.00	\$ 31,320.00
8.8%	\$ 2,873,730.00

Kerr Contractors	
Unit Price	Extended
\$ 44,500.00	\$ 44,500.00
\$ 30,000.00	\$ 1,050.00
\$ 130.00	\$ 5,850.00
\$ 1,000.00	\$ 29,000.00
\$ 400.00	\$ 10,400.00
\$ 85.00	\$ 170.00
\$ 1,500.00	\$ 4,500.00
\$ 3,000.00	\$ 18,000.00
	\$ 2,984,287.00

Total on their bid: \$2,984,312.00

Moore Excavation	
Unit Price	Extended
\$ 52,000.00	\$ 52,000.00
\$ 19,000.00	\$ 665.00
\$ 80.00	\$ 3,600.00
\$ 1,300.00	\$ 37,700.00
\$ 400.00	\$ 10,400.00
\$ 50.00	\$ 100.00
\$ 1,200.00	\$ 3,600.00
\$ 6,000.00	\$ 36,000.00
14.4%	\$ 3,019,582.00

Interlaken Inc	
Unit Price	Extended
\$ 54,656.00	\$ 54,656.00
\$ 275,900.00	\$ 9,656.50
\$ 177.00	\$ 7,965.00
\$ 2,776.00	\$ 80,504.00
\$ 136.00	\$ 3,536.00
\$ 237.00	\$ 474.00
\$ 1,480.00	\$ 4,440.00
\$ 3,634.00	\$ 21,804.00
18.0%	\$ 3,115,511.50

Total on their bid: \$3,169,711.00

Brown Contracting	
Unit Price	Extended
\$ 50,000.00	\$ 50,000.00
\$ 40,000.00	\$ 1,400.00
\$ 120.00	\$ 5,400.00
\$ 1,000.00	\$ 29,000.00
\$ 120.00	\$ 3,120.00
\$ 118.00	\$ 236.00
\$ 1,500.00	\$ 4,500.00
\$ 4,000.00	\$ 24,000.00
28.8%	\$ 3,399,688.00

Non-Responsive

[Kodiac Pacific Construction]		Icon Construction & Development		Pacific Excavation		WesTech Construction	
Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
\$ 43,900.00	\$ 43,900.00	\$ 46,000.00	\$ 46,000.00	\$ 52,000.00	\$ 52,000.00	\$ 50,000.00	\$ 50,000.00
\$ 15,000.00	\$ 525.00	\$ 13,000.00	\$ 455.00	\$ 5,200.00	\$ 182.00	\$ 44,000.00	\$ 1,540.00
\$ 79.00	\$ 3,555.00	\$ 55.00	\$ 2,475.00	\$ 250.00	\$ 11,250.00	\$ 80.00	\$ 3,600.00
\$ 2,300.00	\$ 66,700.00	\$ 3,200.00	\$ 92,800.00	\$ 1,500.00	\$ 43,500.00	\$ 1,450.00	\$ 42,050.00
\$ 109.00	\$ 2,834.00	\$ 200.00	\$ 5,200.00	\$ 485.00	\$ 12,610.00	\$ 465.00	\$ 12,090.00
\$ 49.00	\$ 98.00	\$ 75.00	\$ 150.00	\$ 240.00	\$ 480.00	\$ 230.00	\$ 460.00
\$ 800.00	\$ 2,400.00	\$ 750.00	\$ 2,250.00	\$ 1,700.00	\$ 5,100.00	\$ 1,670.00	\$ 5,010.00
\$ 6,450.00	\$ 38,700.00	\$ 2,300.00	\$ 13,800.00	\$ 5,000.00	\$ 30,000.00	\$ 1,660.00	\$ 9,960.00
-6.7%	\$ 2,463,068.00	13.2%	\$ 2,987,686.80	48.5%	\$ 3,922,000.00	25.0%	\$ 3,299,935.00
Did not submit first tier subcontractor list as required		Did not submit first tier subcontractor list as required		Did not submit first tier subcontractor list as required		Did not submit first tier subcontractor list as required	

CITY OF OREGON CITY

SIDEWALKS, GRADING, PAVING, STORM SEWER, ILLUMINATION AND SIGNAL IMPROVEMENTS FOR:
HOLCOMB BLVD: HOLCOMB SCHOOL ROAD TO SOUTH WINSTON DRIVE

HOLCOMB BOULEVARD SRTS PROJECT

CI 22-011

ASTORIA

Seaside

Cannon Beach

Lincoln City

NEWPORT

Walcott

Florence

Reedsport

Coos Bay

Port Orford

GOLD BEACH

Brookings

ASTORIA

Seaside

Cannon Beach

Lincoln City

NEWPORT

Walcott

Florence

Reedsport

Coos Bay

Port Orford

GOLD BEACH

Brookings

RAINIER

HELENS

HOOD RIVER

DAWSON

MADEIRA

ASTORIA

SEASIDE

CANNON BEACH

LINCOLN CITY

NEWPORT

WALCOTT

FLORENCE

REEDSPORT

COOS BAY

PORT ORFORD

GOLD BEACH

BROOKINGS

RAINIER

HELENS

HOOD RIVER

DAWSON

MADEIRA

ASTORIA

SEASIDE

CANNON BEACH

LINCOLN CITY

NEWPORT

WALCOTT

FLORENCE

REEDSPORT

COOS BAY

PORT ORFORD

GOLD BEACH

BROOKINGS

ASTORIA

Seaside

Cannon Beach

Lincoln City

NEWPORT

Walcott

Florence

Reedsport

Coos Bay

Port Orford

GOLD BEACH

Brookings

ASTORIA

Seaside

Cannon Beach

Lincoln City

NEWPORT

WALCOTT

FLORENCE

REEDSPORT

COOS BAY

PORT ORFORD

GOLD BEACH

BROOKINGS

OVERALL LENGTH OF PROJECT - 0.35 MILES

Item 7d.

Digitally Signed: 2024.03.18 13:38:11-0700'

OREGON

MICHAEL D. TOWLE

EXPIRATION DATE 08/30/24

DOWL

309 SW 17th Ave, Suite 200
Portland, Oregon 97204
503-228-8841

2024-03-15

MDT

AS SHOWN

HOLCOMB BOULEVARD & HOLCOMB SCHOOL ROAD
HOLCOMB BOULEVARD & S. WINSTON DRIVE
OC PROJECT #: CI 22-011
HOLCOMB BOULEVARD SRTS PROJECT
TITLE SHEET

REVISIONS	DATE	DESCRIPTION

OREGON CITY

CITY OF OREGON CITY
PUBLIC WORKS DEPARTMENT
APPROVAL FOR CONSTRUCTION

☐ APPROVED AS SUBMITTED
☐ APPROVED AS NOTED IN RED

SIGNATURE
NAME: _____
DATE: _____
BID DATE: ____/____/____
OC RECORD DRAWING#: _____
DRAWING NUMBER: _____

Page 58

PROJECT START
STA:11+47.7

TO TRAILS END
HIGHWAY 213

HOLCOMB ELEMENTARY SCHOOL

SERRES SUBDIVISIONS
(UNDER CONSTRUCTION
BY OTHERS)

PROJECT LIMITS

PROJECT END
STA: 29+86.2

OAK VALLEY DR

THUNDEREGG WAY

ELK CROSSING LN

HUDSON BAY WAY

OAK TREE TERRACE

TRACEY LEE CT

STEPH CT

WINSTON DR

S ARMEL DR

S WINSTON DR

HOLCOMB SCHOOL RD

GODDARD WAY

HOLCOMB BLVD.

SEC. 28 T.2 S., R. 2 E., W.M.

ATTENTION !
OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0100. YOU MAY OBTAIN COPIES OF THE RULES FROM THE CENTER OR ANSWERS TO QUESTIONS ABOUT THE RULES BY CALLING (503) 232-1987.



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 05/01/2024

SUBJECT:

Right-of-Way Dedication, Public Utility Easement and Obligation & Temporary Construction Easement Agreement for Oregon City School District property (Tax Map 2-2E-28AB-01400) associated with the Holcomb Boulevard Safe Routes to School Project (CI 22-011).

STAFF RECOMMENDATION:

City Commission approve the Right of Way Dedication, Public Utility Easement, and Obligation & Temporary Construction Easement Agreement for the Oregon City School District property (Tax Map 2-2E-28AB, Lot #01400) and authorize the Mayor and City Recorder to execute them.

EXECUTIVE SUMMARY:

The Holcomb Boulevard Safe Routes to School (SRTS) Project was awarded to Oregon City through the Oregon Department of Transportation's (ODOT) SRTS Grant Program. The primary goals of this project are to provide safety improvements for pedestrians and bicycle access along Holcomb Boulevard (between Holcomb School Road and Winston Drive). To achieve this, access connections will be provided between existing, and future, public infrastructure and between Holcomb Elementary School.

BACKGROUND:

In 2005, the City adopted the Holcomb Boulevard Pedestrian Enhancement Concept Plan. This plan identified gaps along Holcomb Boulevard needing additional pedestrian and bicycle access. The City is actively working on closing these gaps and has targeted the areas near Holcomb Elementary School for the next phase of improvements. These improvements will be made with funding assistance from ODOT.

The Safe Routes to School Competitive Construction Grant Program is a State-funded program - managed by ODOT. This program provides funding to communities for pedestrian and bicycle safety projects located in the immediate vicinity of a K-8 school. The goals of this program are to create a stronger sense of community, create safer

streets, improve accessibility, promote healthier families, and to lessen traffic congestion. The program provides up to 80% funding for a project with a 20% match from the community.

On January 12, 2023, the Oregon Transportation Commission approved the Advisory Committee's project list for funding (which included the Holcomb Boulevard Safe Routes to School Project). On March 15, 2023, the City Commission approved entering into an intergovernmental agreement with ODOT to deliver this project.

A portion of this project abuts Holcomb School Road and will impact the property owned by Oregon City School District (OCSD). To construct the needed improvements, the following property rights are needed on the district's property, as shown on the Improvement Plan. This includes 822 square feet (SF) Right of Way Dedication, and 10-foot Public Utility Easement. The School District has provided these dedications, in exchange for the public improvements along their property, on Holcomb School Road.

The project is anticipated to start construction in Summer 2024.

OPTIONS:

1. Approve the Right-of-Way Dedication, Public Utility Easement and Obligation & Temporary Construction Easement Agreement and authorize the Mayor and City Manager to sign them.
2. Approve the Right-of-Way Dedication, Public Utility Easement and Obligation & Temporary Construction Easement Agreement and authorize the Mayor and City Manager to sign them, with specific modifications.
3. Deny the Right-of-Way Dedication, Public Utility Easement and Obligation & Temporary Construction Easement Agreement. If denied, staff requests direction on how to proceed.

AFTER RECORDING RETURN TO:

City of Oregon City, City Recorder
P.O. Box 3040
Oregon City, Oregon 97045-0304

Planning File No.: _____

Tax Map & Lot: 2-2E-28AB-01400

Streets: Holcomb School Road

GRANTOR: _____

*Grantor: [Signature] on behalf of
OF OREGON CITY SCHOOL DISTRICT*

DEED OF DEDICATION

KNOW ALL BY THESE PRESENTS, THAT [Signature],
hereinafter called "**Grantor**", does hereby grant unto the City of Oregon City, hereinafter called the "**City**",
its successors in interest and assigns, all the following real property in the County of Clackamas, State of
Oregon, to be used and held by the City for street, road, right-of-way, and public utility purposes, bounded
and described as follows, to wit:

See attached **Exhibit A** Legal Description and;
attached **Exhibit B** Drawing for Legal Description

TO HAVE AND TO HOLD, the above described and granted premises unto the said CITY, its successors in
interest and assigns forever.

The true consideration of this conveyance is for other value given, the receipt of which is hereby
acknowledged by GRANTOR.

And the GRANTOR above named hereby covenants to and with the CITY, and the CITY's successors in
interest and assigns that GRANTOR is lawfully seized in fee simple of the above named premises, free from
all encumbrances (no exceptions), and that GRANTOR and their heirs and personal representatives shall
warrant and forever defend the said premises against the lawful claims and demands of all persons claiming
by, through, or under the GRANTOR.

In construing this deed and where the text so requires, the singular includes the plural and all
grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to
individuals.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 16 day of

April, 2024. The person(s) whose name(s) is/are subscribed to the within
instrument acknowledge that he/she/they executed the instrument in his/her/their legally authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

GRANTOR:

Jason T. Jensen on behalf of Oregon City School District
 As shown on Page 1 (name of organization or individual property owner(s))

[Signature]
 Signature No. 1

 Signer's printed name

 Title (if applicable)

 Signature No. 2

 Signer's printed name

 Title (if applicable)

STATE OF OREGON)

County of

Clackamas)

This record was acknowledged before me on (month & day)

April 16, 2024

by

Jason T. Jensen in behalf of

as

CFO

Signer's printed name

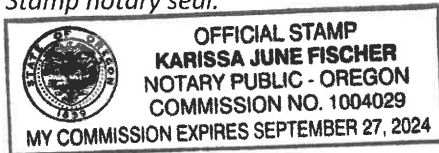
Title (write "N/A" if not applicable)

of

Oregon City School District

Name of Corporation on whose behalf record is executed (write "N/A" if not applicable)

Stamp notary seal:



WITNESS my hand and official seal.

Karissa June Fischer

Signature of Notary Public

My commission expires:

9/27/24

Accepted on behalf of the City of Oregon City on the condition that the deed of dedication conveyed is free and clear from taxes, liens and encumbrances.

 By: Denyse McGriff, Mayor

 Attest: Jakob Wiley, City Recorder

EXHIBIT A – Page 1 of 3

File 252780305001

Andrew Silbernagel, PLS DOWL – 1/31/2024

Holcomb Boulevard: SRTS Project
City of Oregon City
January 31, 2024

Tax Map 22E28AB
Tax Lot 01400

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Bearings are based on the Oregon State Plane Coordinates – North Zone, NAD 83 (91).

This parcel of land contains 822 square feet, more or less, outside the existing right of way.

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EXHIBIT A – Page 2 of 3**File 252780305001**

Andrew Silbernagel, PLS DOWL – 1/31/2024

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EXCEPT therefrom Parcel 1.

This parcel of land contains 1,883 square feet, more or less.

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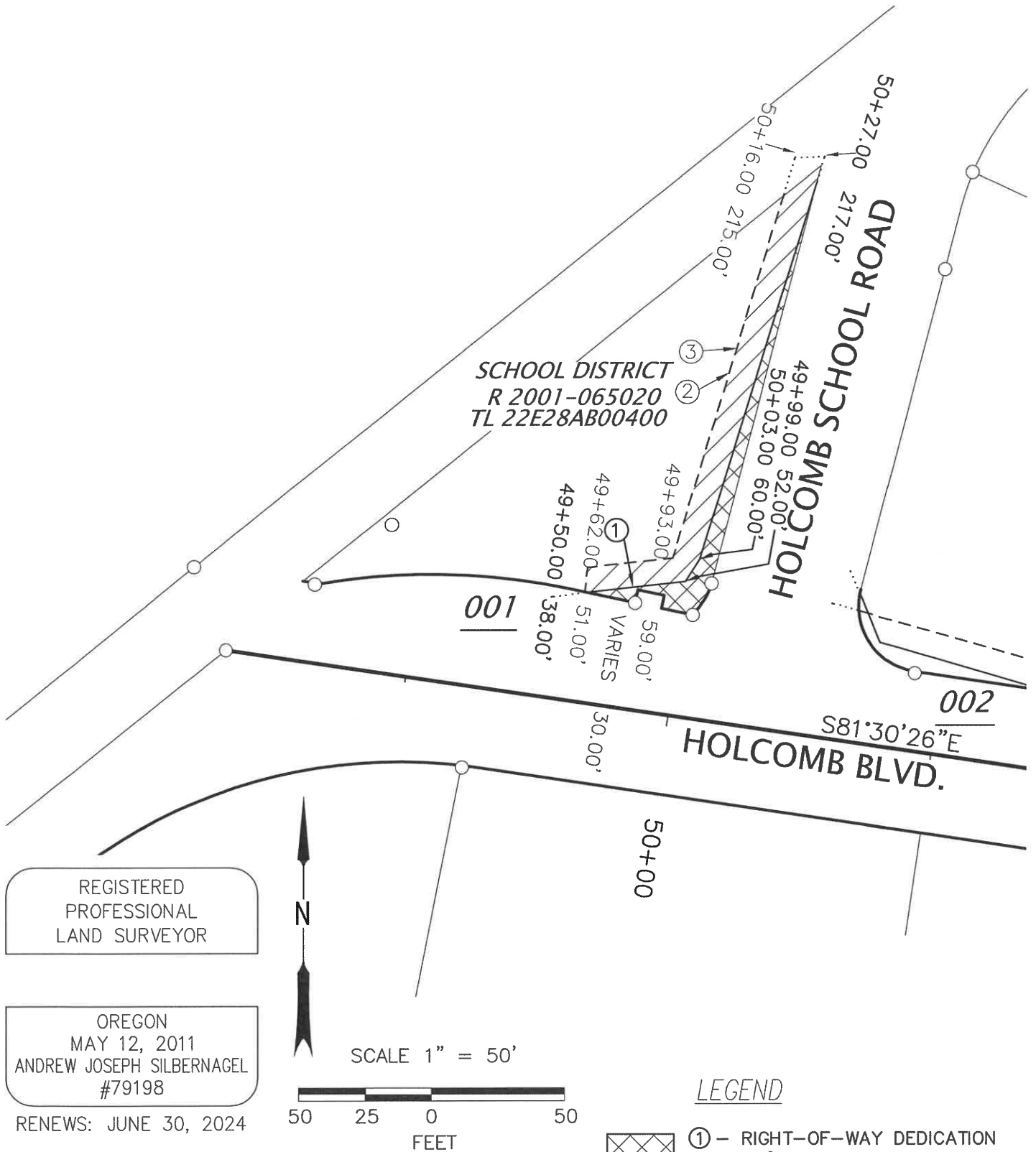
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 12, 2011
ANDREW JOSEPH SILBERNAGEL
#79198

RENEWS: JUNE 30, 2024

EXHIBIT "B"

PAGE 1 of 1



HOLCOMB BOULEVARD: SRTS PROJECT OREGON CITY PROJECT # CL 22-011

FILE NO: 001	SUBMITTAL DATE: 01/31/24	REV'D:
TAX LOT: 00204	ADDRESS: NO SITE ADDRESS	
TAX MAP: 1N332C0	OREGON CITY, OREGON 97405	



① - RIGHT-OF-WAY DEDICATION
822 FT.²±



② - PERMANENT PUBLIC UTILITY
EASEMENT 1,883 FT.²±



③ - TEMPORARY CONSTRUCTION
EASEMENT 1,883 FT.²±

AFTER RECORDING RETURN TO:

City of Oregon City, City Recorder
P.O. Box 3040
Oregon City, Oregon 97045-0304

Planning No.: _____

Tax Map & Lot: 2-2E-28AB-01400

GRANTOR: _____

RASON JENSEN *Oregon City*
School District

CITY OF OREGON CITY, OREGON PUBLIC UTILITY(S) EASEMENT

KNOW ALL BY THESE PRESENTS, THAT *RASON JENSEN*, hereinafter called "**Grantor**", does hereby grant unto the City of Oregon City, hereinafter called the "**City**", and its successors in interest and assigns, a permanent easement, including the permanent right to construct, reconstruct, operate, and maintain utilities within the easement, described as follows:

See attached **Exhibit A** Legal Description, and

Exhibit B Drawing for Legal Description

TO HAVE AND TO HOLD, the above described easement unto the CITY, its successors in interest and assigns forever.

GRANTOR reserves the right to use the surface of the land for walkways, plantings, parking, and related uses. Such uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the subject easement area by the CITY. No building or utility shall be placed upon, under, or within the property subject to the foregoing easement during the term thereof, however, without the written permission of the CITY.

Upon completion of the construction, the CITY shall restore the surface of the property to its original condition and shall indemnify and hold the GRANTOR harmless against all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is for other value given, the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances (no exceptions), and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through or under the GRANTOR.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the Permittee has executed this instrument this 16 day of April, 2024. The person(s) whose name(s) is/are subscribed to the within instrument acknowledge that he/she/they executed the instrument in his/her/their legally authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature Page(s) Follow]

GRANTOR: Jason Jensen on behalf of Oregon City School District
 As shown on Page 1 (name of organization or individual property owner(s))

Signature No. 1

Signer printed name, Title (if any)

Signature No. 2

Signer printed name, Title (if any)

STATE OF OREGON)

County of Clackamas)

This record was acknowledged before me on (date) April 16, 2024

by

Jason T. Jensen

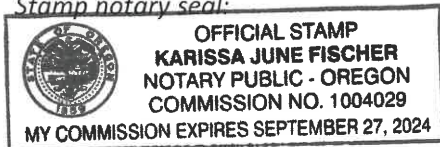
Signer's printed name

as

CFD Oregon City School District

Title and (if applicable) Name of Corporation or Party on whose behalf the record is executed

Stamp notary seal:



WITNESS my hand and official seal.

Karissa Fischer

Signature of Notary Public

My commission expires:

9/27/24

Accepted on behalf of the City of Oregon City on the condition that the easement granted is free and clear from any taxes, liens, and encumbrances.

By: Denyse McGriff, Mayor

Attest: Jakob Wiley, City Recorder

EXHIBIT A – Page 1 of 3

File 252780305001

Andrew Silbernagel, PLS DOWL – 1/31/2024

Holcomb Boulevard: SRTS Project
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Andrew Silbernagel, PLS DOWL – 1/31/2024

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REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 12, 2011
ANDREW JOSEPH SILBERNAGEL
#79198

RENEWES: JUNE 30, 2024



**City of Oregon City
Holcomb Blvd Improvements**

OBLIGATION AND TEMPORARY CONSTRUCTION AREA AGREEMENT

File No.:

Tax Map & Lot: 2-2E-28AB-01400

Owner: Oregon City School District

Date: 3/06/2024

The City of Oregon City will ensure that the improvement items listed and agreed upon below and identified in the Public Improvement Plan (Attachment A) are constructed by the City of Oregon City or their representatives:

1. Construct public improvements along the frontage of Holcomb Boulevard and Holcomb School Road. This includes new sidewalks along both sides of Holcomb School Road and the entrance to Holcomb Boulevard.
2. Holcomb School Road will be realigned to accommodate the new sidewalks.
3. The area identified in Attachment A can be used as a temporary project storage area during construction. The area will be repaired/reseeded to existing conditions upon completion of the Safe Routes to School Project.

If any of the construction under the terms of this agreement is outside of the right of way or easements, Grantors hereby grant the City of Oregon City, its employees or contractors, permission to enter upon their remaining property for the purpose of performing any of said construction work. Oregon City will notify the Grantor prior entering the remaining property.

It is understood and agreed that the City of Oregon City's and Grantor's performance of this agreement shall be the consideration for the right of way dedication and 10ft public utility easement, identified in Attachment B, between the Grantor and the City of Oregon City.

GRANTOR:

Signature

Signer's printed name

Title (if applicable)

FOR THE CITY OF OREGON CITY

Signature

Signer's printed name

Title (if applicable)





CITY OF OREGON CITY

CITY COMMISSION WORK SESSION

DRAFT MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, January 09, 2024 at 6:00 PM

CONVENE WORK SESSION AND ROLL CALL

Mayor McGriff convened the work session at 6:14 PM.

PRESENT: 5 - Commissioner Mike Mitchell, Commissioner Adam Marl, Commissioner Frank O'Donnell, Commissioner Rocky Smith, Mayor Denyse McGriff

STAFFERS: 14 - City Manager Tony Konkol, City Recorder Jakob Wiley, Community Development Director Aquilla Hurd-Ravich, Parks and Recreation Director Kendall Reid, Police Chief Shaun Davis, Police Captain David Edwins, Finance Director Matt Zook, Economic Development Coordinator Ann Griffin, Assistant City Recorder Evan Lee, Economic Development Manager James Graham, Public Works Director John Lewis, Communications Manager Jarrod Lyman, Assistant Public Works Director Vance Walker, Planning Manager Pete Walter

DISCUSSION ITEMS

1. Developing a Destination Management Organization in Oregon City

Tony Konkol, City Manager, invited James Graham, Economic Development Manager, to introduce three guests who were in attendance to discuss Destination Management Organization (DMO) strategies with the Commissioners.

Jeff Knapp, President/CEO of the Destination Management Organization Visit McMinnville, spoke about his organization. He reported that it had been founded in 2015 and had taken inspiration from tourism approaches in the city of Bend, including setting up funding via a transient lodging tax (TLT) and setting up the DMO as a 501(c)(6). He described how the DMO has grown from primarily marketing to collaborating with McMinnville in event planning, and emphasized the importance of community and local government partnerships.

Mr. Graham asked Mr. Knapp to discuss the advantages of setting up the DMO as a 501(c)(6). Mr. Knapp replied that this allowed for swift implementation of projects and allowed them to be a membership-based organization, and to operate strategically like a business. Mr. Graham also asked how many hotels McMinnville has, and Mr. Knapp replied that there are six hotels and many vacation rentals. In terms of individual lodgings, Mr. Knapp estimated that McMinnville has around 400 hotel rooms and around 100 vacation rentals. He observed that since McMinnville's DMO was founded, the City of McMinnville had increased the transient lodging tax to 10%.

Commissioner Smith asked for details on how McMinnville's DMO collaborates with the McMinnville Chamber of Commerce and Downtown Association. Mr. Knapp replied that when the DMO was founded he reached out to each of these organizations so they could collaboratively define their roles, within the City's Economic Development Plan. He also reported that the McMinnville Economic Vitality Advisory Committee, made up of local business owners, offered helpful advice.

Mayor McGriff expressed approval of McMinnville's example of letting its DMO, Chamber, and Downtown Organization collaboratively define their roles. She also asked whether McMinnville's Chamber and

Downtown Organization are also set up as 501(c)(6)s and Mr. Knapp responded that they are. Mayor McGriff asked for more details about the benefits of setting up a DMO as a 501(c)(6) and Mr. Knapp replied that the DMO is set up as a 501(c)(6) because the classification 501(c)(3) is for purely charitable organizations, which the DMO is not. Mr. Knapp offered to connect Mayor McGriff with McMinnville's City Manager for more information on the DMO's classification.

Commissioner O'Donnell said that after reading about the difference between 501(c)(3) and 501(c)(6) designations in the accompanying reports, he felt that 501(c)(6) was the right choice for Oregon City's DMO goals.

Commissioner O'Donnell asked Mr. Knapp how McMinnville's DMO accomplished initial growth. Mr. Knapp said that they had begun by creating awareness of their town as a destination via visiting messaging. Commissioner O'Donnell followed up by asking how the DMO had brought McMinnville's various marketable assets into alignment. Mr. Knapp explained that this was the specific mission of the DMO and that it was accomplished through data driven decisions, strategic analysis of McMinnville's attractions, and market assessment. Commissioner O'Donnell inquired what organization oversaw tourism in McMinnville before the DMO and Mr. Knapp replied that there was no specific organization in this role until the DMO was created.

Commissioner Mitchell asked if McMinnville's DMO was responsible for that City's entire Economic Development effort, and Mr. Knapp replied that economic development is a collaborative effort between the DMO, the Chamber of Commerce, the Downtown Association, and the McMinnville Economic Development Partnership.

Mark Ottenad, Public and Government Affairs Director in the City of Wilsonville, spoke about the Tourism Promotion Committee in the City of Wilsonville. He reported that he was formerly the Executive Director of the Wilsonville Chamber of Commerce (which, he added, had been set up as a 501(c)(6), observing that most Chambers and Visitors Associations use this classification). He remarked that TLT requirements had changed over time. He reported that his organization had benefitted from the Visitor Destination Action Plan developed in collaboration with the Mount Hood Territory organization. He reported that his organization had assembled task forces with consultants to create strategies for Arts, Culture, and Heritage; Economic Development; and Tourism Development. He reported that Wilsonville had not historically seen itself as a tourist destination, and to foster this emphasis, they had created a Tourism Promotion Committee of twelve individuals from the tourism and hospitality industries. He described hiring a marketing consultant to advise on strategic allocation of the advertising budget.

Mr. Graham observed that Wilsonville's Tourism Promotion Committee represented a different approach to that of McMinnville's DMO. Mr. Ottenad observed that the committee creates a one-year action plan and a five-year implementation plan annually. He reported that they were in the process of creating a new tourism strategy to reflect changes post-COVID. Mr. Graham asked whether the hotels of Wilsonville partner with the Tourism Promotion Committee and Mr. Ottenad reported that the owners of two of the city's largest hotels sat on the Committee.

Commissioner Smith asked several questions about Wilsonville's Regional Visitors' Center. Mr. Ottenad reported that he had run it until Wilsonville had decided to close it. Commissioner Smith asked if a Regional Visitors' Center and a Tourism Promotion Committee could coexist. Mr. Ottenad deferred to Samara Phelps, Executive Director of Mount Hood Territory, to provide a more thorough answer to this question. Ms. Phelps said that there was no reason a DMO and a Visitors Center could not coexist, and said that Mr. Knapp's suggestion about collaboratively defining roles could accomplish this.

Commissioner O'Donnell asked how Mr. Ottenad's organization had identified Wilsonville's tourism assets. Mr. Ottenad replied that their Tourism Development Strategy had identified key assets and potential markets, and then worked with contractors to focus the assets and target marketing to the correct audience. He praised the work of the destination marketing agency Wilsonville had retained. He observed that the Committee functions as a Board that gives direction rather than directly managing programs.

Commissioner O'Donnell asked if any of Wilsonville's tourism assets had been reluctant to participate in the Committee's efforts. Mr. Ottenad explained that they had no trouble engaging participants because the service is free. He observed that this made things less complicated than when Wilsonville's Chamber of Commerce had addressed tourism. He also observed that since Wilsonville wanted to generate TLT revenue, they also promoted attractions outside Wilsonville, while encouraging tourists to stay at Wilsonville lodgings.

Commissioner O'Donnell asked whether the Transient Room Tax and the Transient Lodging Tax were the same entity and Mr. Konkol confirmed that they are.

Commissioner Marl asked whether Wilsonville's Tourism Promotion Committee had an Executive Director. Mr. Ottenad confirmed that it did not, and that two members of Wilsonville City staff, namely himself and the Assistant to the City Manager, oversee the program in conjunction with contractors. Commissioner Marl followed up by asking what benefits had led Wilsonville to follow this committee model rather than a traditional DMO. Mr. Ottenad replied that Wilsonville had formed the Tourism Promotion Committee because none of the preexisting organizations in Wilsonville had been willing to function as a DMO.

Mr. Konkol asked how Wilsonville approaches event funding. Mr. Ottenad replied that Wilsonville set up a grant program for this purpose, including a Community Event Fund. He said that Wilsonville's Arts, Culture, and Heritage Commission oversees this fund, as the Tourism Promotion Committee is required by law to focus on marketing to areas fifty miles outside the City, whereas the Community Events were usually aimed at people in or around Wilsonville.

Samara Phelps, Executive Director of Mt. Hood Territory, spoke about the tourism model in Clackamas County. She reported that tourism promotion for Mt. Hood Territory is undertaken by a nine-member Tourism Development Council, funded through the County transient room tax by voter-approved ordinance. The members of the Tourism Development Council are appointed by the Board of County Commissioners. Ms. Phelps reported that this leadership structure created a high degree of accountability, but slower project speeds, than the other models discussed at the present meeting.

Ms. Phelps reported that the Tourism Development Council's ordinance-based activities include marketing and promotion, and that they undertake marketing through their own media channels and through community partnerships, and that they prioritize public relations. Ms. Phelps observed that leadership and administration constitute additional goals of the Tourism Development Council and observed that Oregon City is part of the region that the Tourism Development Council serves. She emphasized the importance of Oregon City identifying and communicating a specific tourism focus.

Mr. Graham asked Ms. Phelps if her organization's focus was primarily on marketing for the County in general or whether it provided resources for local communities' marketing efforts. Ms. Phelps replied that the organization's focus is county-wide efforts, but that they also offer resources for local communities, such as co-ops and advice on opportunities. Mr. Graham also asked about the degree to which private industry leaders are represented on the Council. Ms. Phelps replied that by their bylaws, four members of the council must be lodging properties, and that they also endeavor to represent geographic diversity.

Commissioner O'Donnell asked Ms. Phelps about the process whereby the Tourism Development Council transitions from planning to plan implementation. Mr. Knapp offered an example from McMinnville, saying that his city found hiring a consultant more efficient than operating via a grant committee. Ms. Phelps emphasized the importance of empowering the relevant DMO or tourism promotion committee to implement decisions with clearly designated goals. She also emphasized the need for flexibility as communities' tourism goals and assets are constantly changing. Mr. Knapp added that it helps to offer step-by-step, discrete goals while keeping in mind that you cannot be everything to everyone. Mr. Ottenad added that his group approached implementation by hiring contractors after receiving instructions from the Tourism Promotion Committee.

Mayor McGriff suggested that tourism efforts ought to focus on assets drawing in out-of-town guests, not community events aimed at residents. She also expressed agreement with the presenters' suggestions to focus on one goal at a time, and Commissioner O'Donnell agreed.

There was discussion in favor of defining specific roles for each organization involved in tourism promotion, and about how to promote Oregon City's many attractions efficiently.

Mayor McGriff asked what Oregon City's TRT percentage is. Mr. Graham replied that it is 6%, and generates approximately \$250,000.00 per year, which funds tourism promotion, less a small amount dedicated to administration. Mr. Konkol described ways in which the TRT has funded some staff positions, including a Tourism Coordinator position, and observed that much of the income generated has been set aside until the City determines how to implement tourism promotion programs. He observed that in the current budget cycle, the City had not funded the Tourism Coordinator position, opting to wait for a decision about creating a DMO.

Commissioner Smith asked if there had been a carryover of TRT funds, and Mr. Konkol replied in the affirmative, stating that the amount accumulated was currently over \$700,000.00 and likely to rise about \$900,000.00 at the end of the current cycle.

Commissioner Mitchell asked what budget the City would have for a DMO, and Mr. Konkol replied that the Commission would need to decide what percentage of TRT funds be allocated to the DMO.

Mayor McGriff then presented some previously submitted questions. She asked the three presenters what measurement metrics they use to gauge the success of DMOs. Ms. Phelps replied that her organization measures success through TRT revenue, occupancy rates measured by Smith Travel Research (STR), and an annual visitor spending report for the State. She added that the organization performs Key Performance Indicator (KPI) reports on individual programs. Mr. Ottenad said that his organization also uses STR reports, as well as tracking website traffic and utilizing hotel occupant credit card data from a service called Datify. Mr. Knapp observed that his organization uses the same metrics already mentioned and emphasized that measurement metrics and relevant laws constantly change. He added that his organization participates in a study on resident sentiment with the Sustainable Tourism Lab with Oregon State University to learn how their efforts affect community residents.

Mayor McGriff shared another previously submitted question. She asked the presenters whether they use print resources (i.e. maps) in addition to digital resources. Mr. Knapp said that his organization formerly used digital resources exclusively but began offering print resources as well as their budget increased. Mr. Ottenad said that his organization uses minimal print resources, including a general brochure. He added that they had not historically found print resources to be as effective as digital ones, but that he could see the potential (and expense) in producing an attraction map for hoteliers. Ms. Phelps said that most of her organization's marketing budget went to digital rather than paper assets but expressed the benefits of focused paper marketing for specific audiences.

Mayor McGriff shared another previously submitted question, this time asking why the City had not taken the Corragio Group's 2017 tourism strategy. Mr. Konkol replied that parts of the strategy had been implemented but that planned additional tiers had been delayed when COVID-19 reduced tourism revenue, and that the City's choice to remove the Tourism Coordinator position affected implementation as well.

Mr. Graham asked the presenters how their organizations address marketing businesses with limited hours of operation. Mr. Knapp replied that his organization markets the people and culture of McMinnville in general, and that though some businesses are not open each day of the week, they have found there are enough resources to offer visitors. He suggested using strategies like itineraries with schedules to address this issue. Mr. Ottenad agreed with Mr. Knapp's observations and discussed the risk of advertising any specific business too much in case of closures. Ms. Phelps suggested maintaining an "inspiration" focus promoting the community as a whole.

There was discussion about the importance of organizations utilizing their own Google listings, and other ways that DMOs and similar organizations can help educate local businesses. There was also discussion about how workforce shortages affect business hours.

Commissioner Smith asked the audience to participate in future dialogue on the topics discussed at the present meeting.

Mr. Konkol offered a breakdown of historical TRT revenue and spending in Oregon City. He reported that the beginning revenue balance when the current budget was adopted was \$880,000.00, and that the budget estimated an additional \$500,000.00 of revenue every two years. That revenue had covered 25% of one full time employee's salary and \$140,000.00 in tourism spending. He added that an ending balance of \$960,000.00 was expected at the end of the fiscal year and just over \$1,000,000.00 at the end of the second biennium.

Commissioner Mitchell suggested forming a board immediately to update the previously adopted tourism plan with current data, rather than creating a new tourism plan. Mayor McGriff suggested working in a future meeting to direct Staff to update the existing tourism plan, as well as discussing what type of tourism promotion entity would be the best fit for Oregon City.

Commissioner Mitchell suggested acquiring legal advice on whether the tourism promotion organization should be set up as a 501(c)(3) or a 501(c)(6).

Commissioner Smith suggested allowing public comment before updating the Tourism Plan. He also suggested that the City should form a new entity for tourism promotion rather than seeking an existing entity to take on the work. There was consensus agreement with these two suggestions.

Mr. Konkol asked what next step the Commission would like Staff to take on this issue. There was consensus that a public meeting be held first to obtain Oregon City residents' suggestions on the matter. Mr. Konkol asked about the desired makeup of the potential new tourism promotion organization. Mayor McGriff suggested creating categories of membership for it rather than starting by selecting organizations to participate.

Commissioner Mitchell suggested that the public meeting should obtain local opinion on three topics: firstly, whether to create a blue ribbon panel to create a new tourism plan or to update the old plan; secondly, whether to use an existing organization for tourism promotion or create a new organization; thirdly, if opting for a new organization, to decide what form it should take.

Mr. Konkol asked if Staff was tasked with updating the Tourism Plan or if the potential new tourism promotion organization would be part of that process. Mayor McGriff responded that the new organization would participate but that they needed updated statistical data in the current plan first.

Commissioner O'Donnell suggested adding "Commercial Marine Traffic" as a specific item in Step 4 of the "Steps toward Establishing a Destination Management Organization" document.

The Commission took a recess from 7:57 to 8:14.

2. Climate Friendly and Equitable Communities (CFEC) Parking Reforms

Aquilla Hurd-Ravich, Community Development Director, gave a presentation on CFEC with Pete Walter, Planning Manager. The presentation covered the origin and purpose of CFEC, its implementation requirements, including code amendments on minimum parking, electric vehicle charging, parking maximums, parking design, and bicycle parking. The presentation also discussed what other cities are doing in response to these amendments, and displayed the policy considerations that would be brought before the next Commission meeting.

There was discussion about how much tree cover was required for parking lots and parking minimums.

Mayor McGriff made a comment about the importance of providing parking for daycare facilities.

Mr. Konkol suggested that the market may dictate the amount of parking developers want to install.

There was discussion about the current TriMet transit corridor, and how potential added routes would affect parking minimums. Ms. Hurd-Ravich observed that the map discussed at the present meeting includes a new line already and that it does not greatly affect the parking minimums. There was discussion about the route of the proposed new transit line.

There was discussion about how other cities had addressed the parking amendments.

FUTURE AGENDA ITEMS

3. List of Future Work Session Agenda Items

Mr. Konkol reported that agenda items at the Work Session in February would include TriMet Transit Center improvements and the Facilities Master Plan. He also reported that further topics would be updated considering discussion at the present meeting.

CITY MANAGER'S REPORT

4. Update on City Projects

Mr. Konkol reported that Staff were reviewing the Scope of Work and Consultant Procurement documents from the Oregon Department of Transportation (ODOT) regarding the Quiet Zone project. He reported that ODOT expected consultant procurement to take six months and design work to take two years. He added that Staff were asking ODOT to expedite those timelines.

Regarding the Charter Parks project, Mr. Konkol reported that a tour of McLoughlin Promenade had been conducted to identify examples relevant to the recently conducted surveys. He added that Staff were researching the viability of addressing encroachments in the Promenade similarly to encroachments in the public right-of-way, and that the results of this research would be brought before the Commission for discussion.

Mayor McGriff asked whether individuals responsible for encroachments upon the McLoughlin Promenade property had been contacted yet and Mr. Konkol said he would work on a timeline for this to occur. Although the specific manner in which to address the encroachments had not yet been ascertained, there was discussion that the areas in question could, temporarily, be treated as easements, with specific rules regarding what is allowed within an easement.

Mr. Konkol reported that the final construction bid documents had been completed for the Cayuse Five Memorial, that he expected the contract to be awarded early in February, and that the next step would be a preconstruction meeting, followed by the commencement of construction.

Mr. Konkol reported that he had received multiple inquiries about the future of the County Courthouse and that the County's intentions were as yet unclear. Mayor McGriff said that she would continue discussing this issue with relevant decision makers, to ascertain the plans both for the Courthouse and for Liberty Plaza. There was discussion about the need for Oregon City to take the lead on redevelopment of the site.

Mr. Konkol reported that he did not have any current updates on tumwata village or the Canemah Right-of-Way.

COMMISSION COMMITTEE REPORTS

5. Commissioner O'Donnell

- South Fork Water Board

Commissioner O'Donnell reported that he was following up on a question about vacations from the most recent South Fork Water Board meeting and that this item would be addressed at their next meeting.

6. Commissioner Smith

- Clackamas Heritage Partners
- Oregon City Tourism Stakeholder's Group
- South Fork Water Board

Commissioner Smith reported that the Clackamas Heritage Partners had met prior to the holidays and begun a discussion about the Facilities Master Plan, which would continue at their next meeting. Mr. Konkol added that items in the Facilities Master Plan, such as the future of the pool facility, would be subject to a robust public engagement process before final decisions are made.

7. Commissioner Marl

- Citizen Involvement Committee Liaison
- Clackamas County Coordinating Committee (C4)
- Clackamas County I-205 Tolling Strategies Committee
- Youth Advisory Committee Liaison

Commissioner Marl reported that the Oregon City / West Linn / Gladstone public hearing for the Joint Special Subcommittee on Transportation Planning had taken place on Saturday, January 6, at which the Mayor had testified, and two hours of public comment had been heard. He reported that the subcommittee was holding another meeting on January 10, which would include a presentation from ODOT as well as an opportunity for public comment for non-metro residents.

Commissioner Marl also reported that the Youth Advisory Committee had met with John Lewis on January 8 to discuss ensuring safe student travel to and from school.

8. Commissioner Mitchell

- Clackamas County Coordinating Committee (C4) – Metro Subcommittee
- Clackamas County I-205 Tolling Diversion Committee (alternate)
- Metro Policy Advisory Committee (MPAC) (alternate)

Commissioner Mitchell reported that the C4 Metro Subcommittee was to meet the following week.

9. Mayor McGriff

- Clackamas Water Environment Services Policy Committee
- Clackamas Heritage Partners (alternate)
- Downtown Oregon City Association Board
- Metro Policy Advisory Committee (MPAC)
- Oregon City Tourism Stakeholder's Group

- South Fork Water Board
- Willamette Falls and Landings Heritage Area
- Willamette Falls Legacy Project Liaisons
- Willamette Falls Locks Authority
- Youth Advisory Committee Liaison

Mayor McGriff reported that the South Fork Water Board would be discussing the CEO's work plan at their next meeting, as well as holding elections.

Mayor McGriff reported that she had a meeting scheduled with the Clackamas Water Environment Services Policy Committee (WES) on January 10. She also reported that a retreat with the Willamette Falls and Landings Heritage Area was scheduled for January 22, and that a fundraiser event at the former West Linn City Hall was scheduled for January 21.

Mayor McGriff reported that the next Metropolitan Mayors' Association meeting would include setting an agenda for the coming year (which would require coordination with the League of Oregon Cities) and reappointing some members.

The Mayor expressed appreciation to the Public Works Staff for their help with issues relating to I-205 tolling.

ADJOURNMENT

Mayor McGriff adjourned the meeting at 9:06 PM.

Respectfully submitted,

Jakob S. Wiley, City Recorder



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: City Manager, Tony Konkol

Agenda Date: 5/1/2024

SUBJECT:

Clackamas County Public Housing Repositioning

STAFF RECOMMENDATION:

Staff recommends the City Commission approve the city providing a letter of support to the Housing Authority of Clackamas County for the proposed repositioning of the 445-unit Public Housing portfolio.

BACKGROUND:

The Housing Authority of Clackamas County (HACC) has the oldest public housing in Oregon and among the oldest in the nation. As federal funding to maintain public housing has decreased for decades, public housing agencies across the country, including HACC, are struggling to adequately maintain their aging housing stock. In 2018, recognizing the significant backlog of capital needs and solidifying its intent to remove itself from public housing administration, the U.S. Department of Housing & Urban Development (HUD) established several programs to allow public housing agencies flexibility to “reposition” their portfolios and “develop locally appropriate strategies to preserve affordable housing.”

Since 2018, leveraging funding from the Affordable Housing Bond and Supportive Housing Services Measure, and as part of a strategic plan that has included broad community input, HACC has been moving forward with a reposition strategy for its 445 units of public housing. This strategy involves redevelopment or disposition of HACC’s three 100-unit public housing projects and its 145 scattered site homes dispersed across Clackamas County. When repositioning is complete, the 445 existing units will be converted to 445 federal housing vouchers and up to 750 units of new affordable housing, modernizing and dramatically increasing affordable housing options in Clackamas County. Attached here is an FAQ about repositioning and the slides from a recent presentation to the Clackamas County Coordinating Committee.

As part of the Section 18 disposition process, HUD requires that the Housing Authority consult with and receive a letter of support from the local jurisdictions with public

housing units that will be affected by the disposition application. Here is a table showing the affected jurisdictions:

Location	Units
Unincorporated	84
Oregon City	
Oregon City View Manor	100
Clackamas Heights	100
Scattered Sites	16
Milwaukie	
Hillside Park	100
Scattered Sites	18
Estacada	6
Gladstone	7
Sandy	9
West Linn	3
Wilsonville	2
Total	445

The Mayor and City Manager met with representatives from HACC on April 24, 2024 and are preparing a letter of support for consideration that will be distributed when completed.

OPTIONS:

1. Approve a letter of support from the City to the Housing Authority
2. Deny the request for a letter of support from the City to the Housing Authority
3. Provide direction on next steps

BUDGET IMPACT:

Amount:

FY(s):

Funding Source:

Clackamas County Public Housing Repositioning FAQs

What is happening with Clackamas County's Public Housing?

The Housing Authority of Clackamas County (HACC) is repositioning its 445 unit Public Housing portfolio. The portfolio consists of three 100-unit multi-family developments in Hillside Park, Clackamas Heights, and Oregon City View Manor (OCVM), and 145 scattered site single-family homes located throughout Clackamas County.

What is repositioning?

As federal funding to maintain public housing has decreased for decades, public housing agencies across the country, including HACC, are struggling to adequately maintain their aging housing stock. In 2018, recognizing the significant backlog of capital needs and solidifying its intent to remove itself from public housing administration, the U.S. Department of Housing & Urban Development (HUD) established a number of programs to allow public housing agencies flexibility to “reposition” their portfolios and “develop locally appropriate strategies to preserve affordable housing.” Repositioning will allow Clackamas County to replace its aging Public Housing portfolio with new rent assistance vouchers and newly developed affordable housing. This will happen through a process of relocating existing residents using new rent assistance vouchers allocated by HUD as part of repositioning, disposing of and/or redeveloping existing property, and using asset sale proceeds to develop new affordable housing.

How will existing residents be affected?

As part of the repositioning process, each displaced household will receive a Section 8 Tenant Protection Voucher and relocation assistance. These vouchers provide more flexibility for residents than public housing assistance, which is tied to the property. Tenant-based Section 8 voucher holders can take their voucher and lease safe, decent, and affordable privately owned rental housing in a location of their choice. Residents will also be provided the right to return to a newly constructed home once the redevelopment is complete. If they choose to return to the new property, their moving costs will be covered by HACC.

Are the residents aware of these changes?

Yes, HACC has been proactively hosting a series of meetings to provide information and give residents the opportunity to ask questions. These meetings will be ongoing and scheduled as new information is available and at critical phases for each project. In addition, HACC will also be hosting engagement meetings related to the redevelopment of Clackamas Heights to encourage an open dialogue between the design team and residents. These meetings will include the review of design options and amenities, allowing for resident input and feedback.

Why is this happening now?

Clackamas County has the oldest public housing in Oregon and among the oldest in the country. In recent decades, the federal government has increasingly reduced budgets for public housing repairs and operations. In place of investing in public housing, the federal government has increased its investment in affordable housing programs that rely on the private sector, such as rental assistance vouchers and tax credits.

The passing of the 2018 Metro Affordable Housing Bond and the 2020 Supportive Housing Services (SHS) Measure provides HACC with a unique opportunity to utilize its existing public housing assets to leverage public and private resources to increase affordable housing opportunities in Clackamas County. As outlined in Clackamas County's Metro Affordable Housing Bond Local Implementation Strategy (LIS), HACC set aside nearly half of its bond revenue to leverage opportunities related to repositioning. Clackamas County has

allocated SHS funding for this as well. This provides a once in a generation opportunity for the Housing Authority to improve its existing assets, build more affordable housing, and create a sustainable platform for the Housing Authority that is responsive to the realities of funding opportunities and congressional appropriations.

Where are we in the process?

Each of the assets in the portfolio are at different phases of the repositioning process.

- **Hillside Park** – The existing 100 units at Hillside Park in Milwaukie are being redeveloped with up to 500 new units in two phases. The Section 18 application for Phase 1 has been approved by HUD and redevelopment activities are underway. 54 existing units will be demolished and 275 new units will be constructed. Construction on Phase 1 will start this summer. Planning for Phase 2 with redevelopment under Section 18 is underway. HUD has already approved Section 18 justification. In Phase 2, 46 existing units will be demolished and up to 225 new units will be constructed. Existing residents in Phases 1 and 2 are being relocated with Section 8 rental assistance and they will be given the option to relocate into a newly constructed unit once complete. Construction on Phase 2 is expected to start in 2026.
- **Clackamas Heights** – The existing 100 units at Clackamas Heights in Oregon City will be redeveloped with up to 250 new units. Community engagement is underway and the site concept plan is in development. Staff will be working to secure support from the local jurisdictions and prepare the Section 18 application to submit to HUD.
- **Oregon City View Manor** – The existing 100 units at Oregon City View Manor are planned for disposition, with the asset sale proceeds going towards the Clackamas Heights redevelopment and/or other projects. Staff are preparing the Section 18 application to submit to HUD. Staff will be working to secure support from the local jurisdiction and are preparing the Section 18 application to submit to HUD.
- **Scattered Sites** - The 145 scattered site single-family homes located throughout Clackamas County are planned for disposition, with each home being sold under one of three scenarios: 1) affordable home ownership opportunities for existing residents through a land trust model; 2) to the private market; or 3) to community based organizations to deliver recovery oriented services. Asset sale proceeds will go towards the Clackamas Heights redevelopment and/or other projects. Staff will be working to secure support from the local jurisdictions and preparing the Section 18 application to submit to HUD.

Will residents be cost-burdened by this?

No. While moving is inconvenient, all moving expenses will be covered by HACC, including:

- **Relocation Advisory Services:** counseling, multiple one-on-one consultations, and assistance locating available units.
- **Moving Expenses:** travel reimbursement, boxes, packing paper, and movers.
- **Moving fees and deposits**
- **Right to Return:** moving fees covered

Will affordable housing units be lost or gained?

Because of these repositioning efforts, the amount of affordable housing will increase in Clackamas County.

PROPERTY	ACTION	HUD METHOD	EXISTING UNITS	NEW UNITS	VOUCHERS CREATED	AFFORDABILITY PRESERVED
Hillside Park	Redevelopment	Section 18	100	500	100	
Scattered Sites	Disposition	Section 18	145	0	145	Up to 145
OCVM	Disposition	Section 18	100	0	100	
Clackamas Heights	Redevelopment	Section 18	100	250	100	
TOTAL			445	750	445	Up to 145

Current total Public Housing: 445 units

Planned Repositioning Outcomes:

- **Section 8 Vouchers:** 445 new vouchers
- **Hillside Park Redevelopment:** up to 500 new affordable units (replacing 100 public housing units)
- **Park Place Redevelopment:** up to 250 new affordable units (replacing 100 public housing units)
- **Affordable Scattered Site Housing Opportunities:** up to 145 (includes homeownership & supportive housing opportunities)
- **Oregon City View Manor disposition:** affordable homeownership opportunities through partnership with homeownership organizations like Habitat for Humanity

In addition, all sale proceeds HACC receives because of these repositioning processes will be restricted by HUD to support affordable housing. HACC plans to use these proceeds to support additional affordable housing development throughout Clackamas County.



Updates on the Supportive Housing Services Program & Public Housing Repositioning

Clackamas County Coordinating Committee
March 7, 2024

Housing Authority of Clackamas County: Repositioning Public Housing

Item 9a.



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What is repositioning?

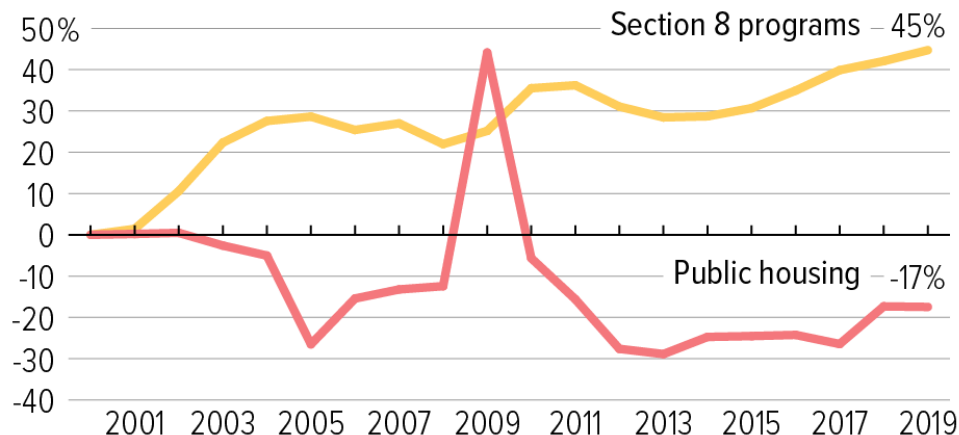
- Federal disinvestment has resulted in aging public housing with unmet capital needs
- U.S. Department of Housing & Urban Development allows agencies to “reposition” portfolios and develop locally appropriate strategies to preserve affordable housing, including by redeveloping and/or disposing of assets

Federal Investment in Public Housing vs. Section 8 Rent Assistance Programs

Public Housing Funding Has Dropped While Section 8 Funding Has Responded to Cover Rising Needs

Item 9a.

Percent change in funding since 2000, adjusted for inflation



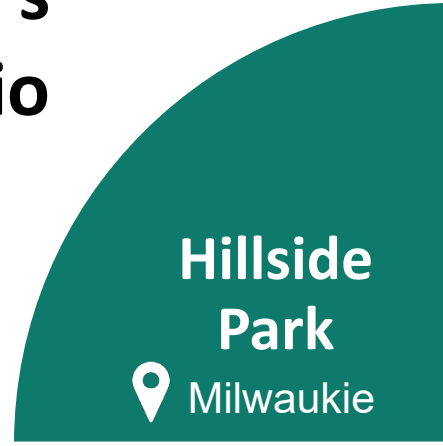
Note: "Public Housing" includes capital and operating funds. "Section 8 programs" includes outlays for the Housing Choice Voucher and Project-Based Rental Assistance programs. The graph reflects annual budget authority for public housing and (to avoid distortions from one-time recissions of funds and other factors) annual outlays for Section 8. Public housing funding for 2009 includes supplemental capital funds provided in economic recovery legislation.

Source: Office of Management and Budget Public Use Database, Department of Treasury expenditure data, and annual appropriations legislation

The Housing Authority's Public Housing Portfolio

445 Total Units

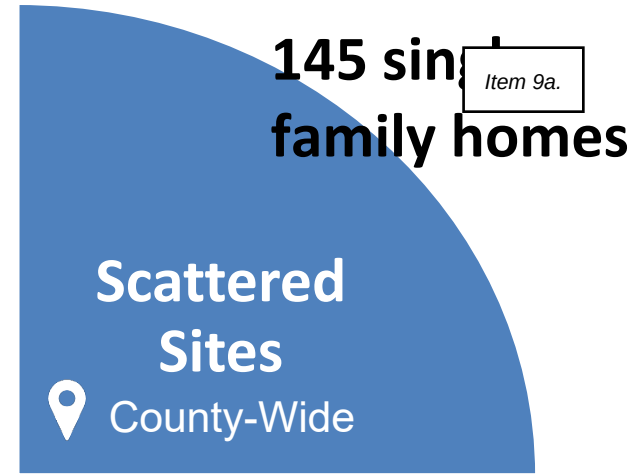
100 units



100 units



100 units



Planned Outcomes for Clackamas County

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PROPERTY	ACTION	EXISTING UNITS	NEW UNITS	VOUCHERS CREATED	AFFORDABILITY PRESERVED
Hillside Park	Redevelopment	100	500	100	
Scattered Sites	Disposition	145	0	145	Up to 145
OCVM	Disposition	100	0	100	
Clackamas Heights	Redevelopment	100	250	100	
TOTAL		445	750	445	Up to 145

Public Housing Single Family Homes Scattered Sites by Location

Unincorporated: 84

Milwaukie: 18

Gladstone: 7

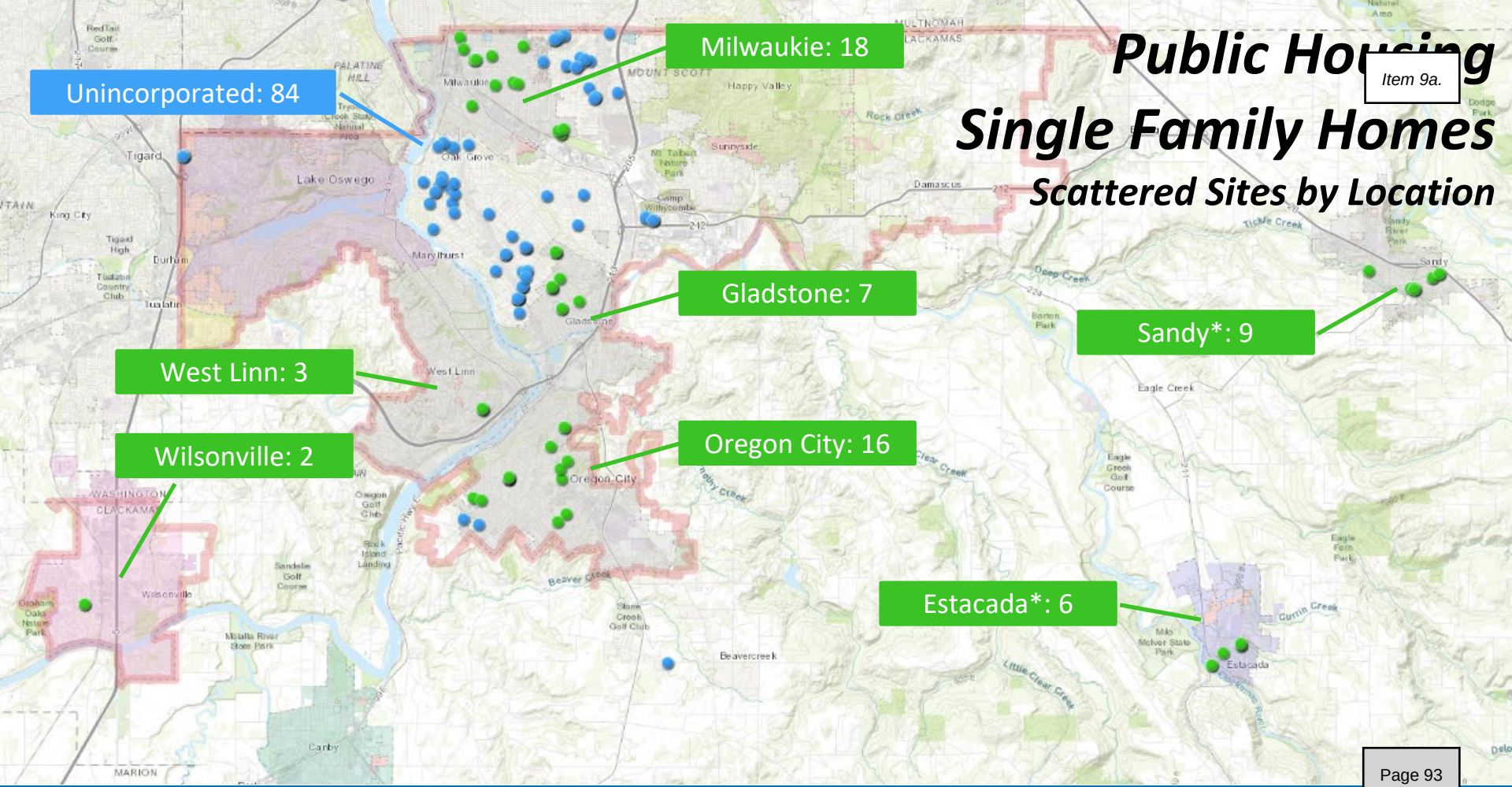
Sandy*: 9

West Linn: 3

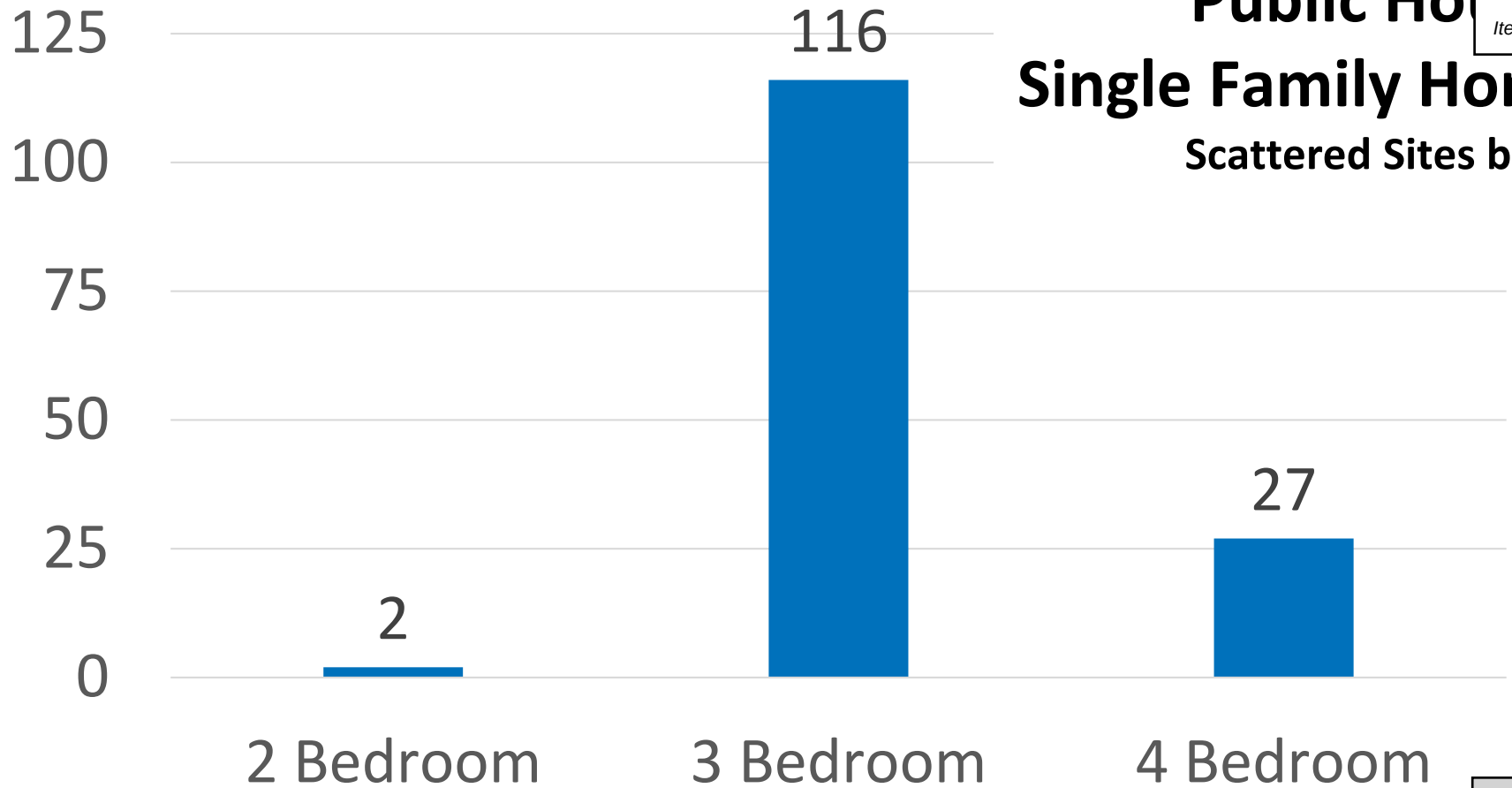
Wilsonville: 2

Oregon City: 16

Estacada*: 6



Public Housing Single Family Homes Scattered Sites by Size

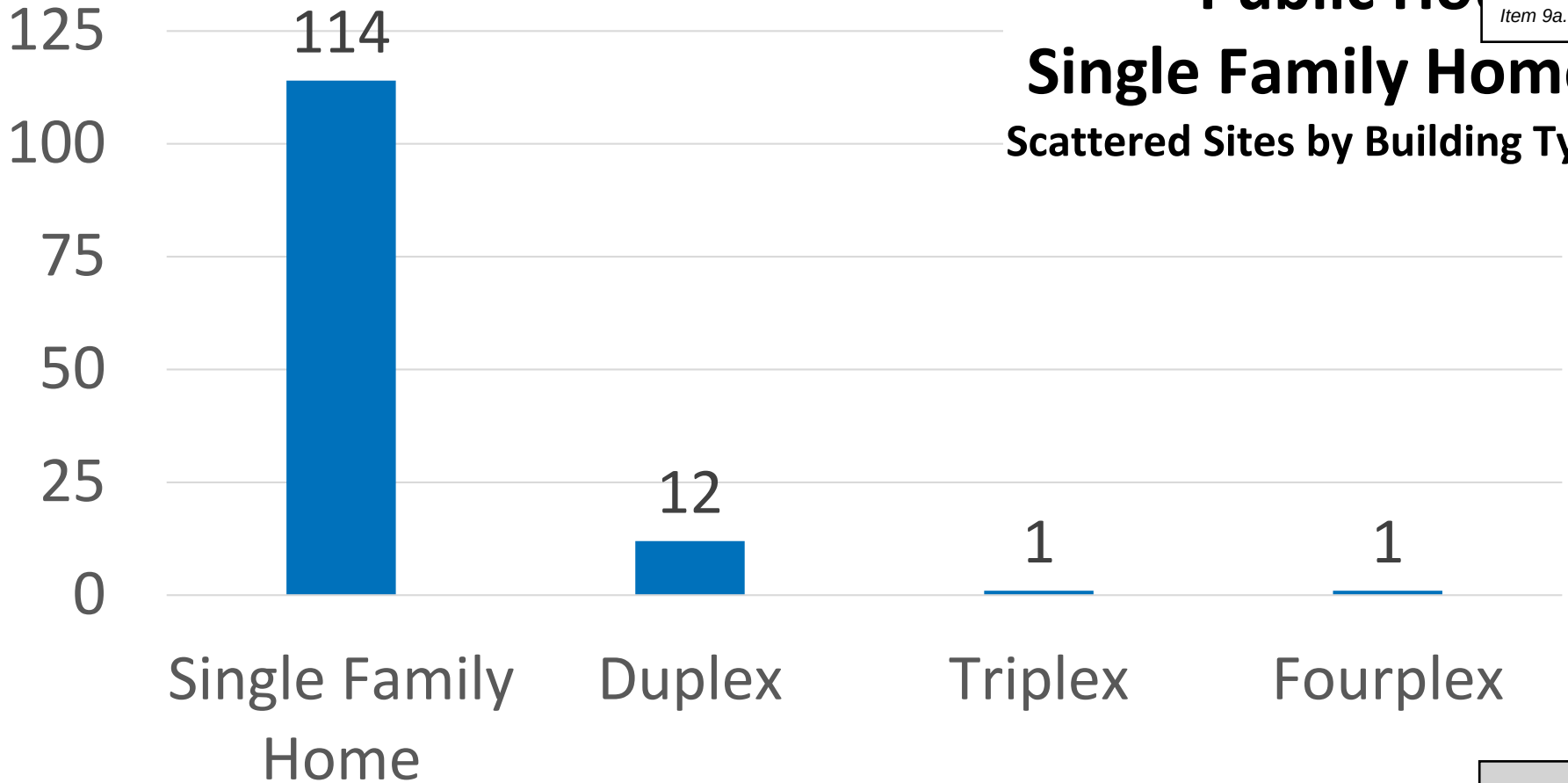


Public Housing

Item 9a.

Single Family Homes

Scattered Sites by Building Type



Scattered Site Repositioning

Goals

- ✓ Generate sale proceeds for new affordable housing development
- ✓ Preserve affordability through creative strategies

Strategies for disposition

- ✓ First-time homebuyer programs in partnership with organizations like Proud Ground and Habitat for Humanity
- ✓ Recovery-oriented transitional housing in partnership with community-based housing services providers (leveraging Supportive Housing Services funds)
- ✓ Private market sales



Denyse C. McGriff, Mayor

625 Center Street | Oregon City OR 97045
Ph (503) 657-0891 | Fax (503) 657-7026

May 1, 2024

Toni Karter
Executive Director
Housing Authority of Clackamas County
13930 S. Gain St.
Oregon City, OR 97045

RE: Letter of Support for three (3) Section 18 Disposition Applications (1). Oregon City View Manor and Clackamas Heights portfolios (2). Scattered Sites portfolio (3). Remaining 14 Contiguous Scattered Sites Units.

Dear Ms. Karter,

The purpose of this letter is to provide comments on behalf of the City of Oregon City regarding the Clackamas County Housing Authority's (CCHA) Section 18 Disposition applications.

The Housing Authority seeks to submit three HUD Section 18 Disposition applications covering three of its Asset Management Projects (AMPs).

Application 1: Oregon City View Manor and Clackamas Heights: This application would cover 200 units in the following Public Housing AMPs. All 200 of these units are in Oregon City.

- AMP: OR001001000
- AMP: OR001004000

Application 2: Scattered Sites Single Family Homes: This application would cover 131 units in the following AMP. Of these 131 units, 10 are in Oregon City.

- AMP: OR001002000

Application 3: Contiguous Scattered Sites Units: This application would cover 14 units that are considered contiguous and that could not be included in the second application. Of these 14 units, six (6) are in Oregon City.

- AMP: OR001002000

This application would allow the CCHC to dispose of its single-family homes while ensuring that they benefit our community through affordable home ownership initiatives or use by a community-based partner. The disposition of Oregon City View Manor and Clackamas Heights would allow for old and obsolete public housing to be replaced while allowing for new affordable housing development on the Clackamas Heights site.

We support the CCHA process of undertaking an extensive public engagement process to educate existing residents about the upcoming Section 18 application and how they will be supported through this transition. In addition, we support the efforts of the CCHA to apply for tenant protection vouchers for all impacted residents.

Oregon City supports the Section 18 Disposition applications as follows:

- Application 1: Oregon City View Manor and Clackamas Heights
- Application 2: Scattered Sites Single Family Homes
- Application 3: Contiguous Scattered Sites Units

The sale of the homes will support the overall community and in conjunction with the redevelopment of Clackamas Heights property will serve to enrich Oregon City's overall affordable housing supply.

With much appreciation

Denyse C. McGriff, Mayor



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: City Recorder Jakob Wiley

Agenda Date: 05/01/2024

SUBJECT:

Mayoral Appointments to the Citizen Involvement Committee (CIC) for 2024

BACKGROUND:

The neighborhood associations have recommended the mayor appoint the following members to the CIC:

Canemah

- Linda Baysinger (CIC Chair)
- Dennis Anderson (CIC Secretary)

Caufield

- Dan Berge (CIC member)
- Lisa Guirsch (Caufield NA Vice Chair)

Elyville

- Karla Laws (CIC member and Elyville NA Chair)
- Dorothy Dahlsrud (CIC member and Elyville NA Treasurer)

Hillendale/Tower Vista

- Josh Kayser (CIC Vice Chair and Hillendale NA Chiefs Liaison)
- Sara Peterson (CIC member)

McLoughlin

- Tim Powell (McLoughlin NA Chair)
- Denise Beasley (CIC member and McLoughlin NA Secretary)

Park Place

- Bob La Salle (CIC member)
- Steven Van Haverbeke (CIC member and Park Place NA Chair)

The following neighborhood associations are inactive or did not recommend members to the CIC:

- Gaffney Lane
- Hazel Grove-Westling Farm
- Rivercrest
- South End
- Two Rivers