



May 22, 2025

BCC Agenda Date/Item: _____

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

Approval of an Amendment with Century West Engineering for final design and engineering services for the Rock Creek Interceptor Extension Project. Amendment Value is \$1,351,003.12 for 15 months. Total Agreement Value is \$1,837,444.02 for 31 months. Funding is through WES Sanitary Sewer Construction and System Development Charge Funds. No County General Funds are involved.

Previous Board Action/Review	Original Contract #9468 approved May 09, 2024.		
Performance Clackamas	1. This project supports the WES Strategic Plan goal that WES strategically plan and upgrade WES' infrastructure to ensure the sustainable delivery of reliable, high-quality, and climate-resilient clean water services that support the growth and vitality of our communities, natural environment, and economy. 2. This project supports the County's Strategic Plan of building a strong infrastructure.		
Counsel Review	Yes	Procurement Review	Yes
Contact Person	Jeff Stallard	Contact Phone	503-742-4694

EXECUTIVE SUMMARY: The Rock Creek Interceptor Extension Project will extend sewer services north and east of Happy Valley from the intersection of SE 172nd Avenue and SE Troge Road to the county line. The project was identified in the Sanitary Sewer Master Plan completed in 2019 that built upon a preliminary routing analysis completed in 2007 for construction of the Rock Creek Interceptor. The extension will be constructed in two primary areas: approximately 9,800 linear feet of new sewer to the northeast that will follow the Rock Creek tributary north to the county border, and approximately 3,200 linear feet of new sewer to the east following SE Troge Road to SE Foster Road.

WES' 2025-2030 Capital Improvement Plan includes this project to design and construct the new interceptor to meet future capacity needs in collaboration with the City of Happy Valley and the County

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Department of Transportation and Development.

The WES Board approved the existing Rock Creek Interceptor Extension Project contract in May 2024 to complete a conceptual layout and design of the interceptor, which was done this spring in 2025. The contract amendment being considered today is to complete the design of the new interceptor, including permitting efforts, additional environmental and field survey, continued stakeholder communication, real property acquisition services, final design, and preparation of bid documentation. An additional future contract amendment for project bid phase services and construction services may be considered.

RECOMMENDATION: Staff recommends that the Board of County Commissioners of Clackamas County, acting as the governing body of Water Environment Services, approve Amendment #1 for Contract #9468 with Century West Engineering Corporation for final design and engineering services for the Rock Creek Interceptor Extension Project.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Greg Geist", with a stylized flourish extending to the right.

Greg Geist
Director, WES

Attachment: Amendment #1 for Contract #9468 Century West Engineering Corporation

AMENDMENT #1
TO THE CONTRACT DOCUMENTS WITH CENTURY WEST ENGINEERING
CORPORATION FOR ENGINEERING CONSULTING SERVICES FOR THE ROCK CREEK
EXTENSION PROJECT
Contract #9468

This Amendment #1 is entered into between **Century West Engineering Corporation** (“Contractor”) and Water Environment Services (“District”) and shall become part of the Contract documents entered into between both parties on **May 9, 2024** (“Contract”).

The Purpose of this Amendment #1 is to make the following changes to the Contract:

1. ARTICLE I, Section 1. **Effective Date and Duration** is hereby amended as follows:
The Contract termination date is hereby changed from October 1, 2025 to **December 31, 2026**.
2. ARTICLE I, Section 2. **Scope of Work** is hereby amended as follows:
District has authorized an increase to the Work for Contractor to begin Phase II Work for the Rock Creek Extension Project, which was contemplated in the Request for Proposals and the Scope of Work for the Contract. Phase II Work shall include the following Task: **Final Design Services**. The supplemental Scope of Work for Phase II is hereby attached and incorporated by reference as Exhibit “A” to this Amendment #1.
3. ARTICLE I, Section 3. **Consideration** is hereby amended as follows:
In consideration for Contractor performing Phase II Work for the Rock Creek Extension Project, District shall pay Contractor an amount not to exceed \$1,351,003.12. Consideration for the Phase II Work is on a time and materials basis in accordance with the rates set forth in Exhibit “A” to this Amendment #1. The maximum compensation authorized under this Contract shall not exceed \$1,837,444.02.
4. ARTICLE II, Section 7. **Indemnity; Responsibility for Damages** is hereby amended to add the following language to the end of the first paragraph:

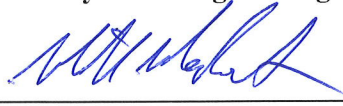
“Provided, however, that pursuant to ORS 30.140(4), Contractor’s duty to defend obligations arising from or related to Contractor’s professional negligence, or related to professional services provided by Contractor, are limited to reimbursement of County's reasonable defense costs (including reasonable attorney fees) in an amount not to exceed the proportionate fault of Contractor, as determined by adjudication, alternative dispute resolution, or otherwise resolved by settlement agreement.”

ORIGINAL CONTRACT	\$ 486,440.90
<u>AMENDMENT #1</u>	<u>\$1,351,003.12</u>
TOTAL AMENDED CONTRACT	\$1,837,444.02

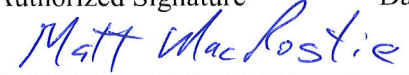
Signature Page Follows

Except as expressly amended above, all other terms and conditions of the Contract shall remain in full force and effect. By signature below, the parties agree to this Amendment #1, effective upon the date of the last signature below.

Century West Engineering Corporation

 5/7/2025

Authorized Signature _____ Date _____



Printed Name _____

Water Environment Services

Chair _____ Date _____

Approved as to Form

 5/7/2025
County Counsel _____ Date _____

Exhibit A
Supplemental Scope of Work and Fee Schedule

Exhibit D
Fee Schedule

EXHIBIT A

SCOPE OF WORK ROCK CREEK INTERCEPTOR EXTENSION PROJECT

PHASE 2 – FINAL DESIGN ENGINEERING SERVICES

CLACKAMAS WATER ENVIRONMENT SERVICES

Introduction

Clackamas Water Environment Services (WES, District) is pursuing the extension of the Rock Creek Interceptor to provide sanitary sewer service necessary for future growth in portions of the Happy Valley, Pleasant Valley, and North Carver Comprehensive Plan area. The project includes a North extension from SE Troge Road to the Clackamas County line and an East extension along SE Troge Road to SE Foster Road. Both lines will begin from the existing Rock Creek Interceptor located within SE Troge Road in Happy Valley, Oregon near the intersection of SE 172nd Avenue. The project is planned to be completed in three phases identified as:

- Phase 1 – Alignment Evaluation and Preliminary Design
- Phase 2 – Final Design
- Phase 3 – Construction Phase Services

Phase 1 – Alignment Evaluation and Preliminary Design has been completed. This scope of work includes professional services to complete the Final Design phase of the project. The objective for this phase is to use the preliminary alignment and plans from the Phase 1 scope to develop final plans and calculate an estimated construction cost. Once completed, it is anticipated that a future phase described as Phase 3 will be added by contract amendment.

General Assumptions

- For the purpose of this scope of work, the Rock Creek Interceptor is defined as the pipeline system between the OR Highway 212/224 and SE Troge Road. This project will extend the existing pipeline north to the Clackamas County line and east to the intersection of SE Troge Road and SE Foster Road.
- The general alignment, sanitary sewer flows and pipe sizing have been approved by WES in the Phase 1 Technical Memo dated December 19, 2024. This document will be used as the basis of design to proceed through Final Design.
- Deliverable documents will be in electronic version in .PDF and original .DOC format.
- The Consultant's standard software AutoCAD Civil 3D 2023.dwg will be used to produce the drawings, following its own drafting standards.

District-Provided Services

The District will provide the following services for this project:

- Provide as-built drawings, condition studies, master plans, or other relevant documents.
- Provide a Project Manager (PM) who will act as point of contact for requests for information and deliverables reviews.
- Furnish consolidated written review comments on deliverables.
- Organize meetings with WES staff as needed to solicit input.
- Participate in stakeholder or review authority meetings with the Consultant.

Scope of Services

Consultant will perform the following services.

Task 7002 - Contract Administration

Activities

- Monthly review of project budget Estimate to Completion.
- Monthly invoice and progress report preparation.
- Project schedule updates as needed or quarterly at minimum.
- Coordination with all subconsultants to ensure work is being completed on time and budget

Task Deliverables

- Monthly invoices with progress report, task-level budget report.
- Project schedule and updates.

Assumptions

- The duration of work identified under this scope of work is 16 months, which equates to 16 invoices and progress reports.

Task 7003 - Meetings

Meetings to be held both in person and virtual throughout the duration of Phase 2 efforts at various times.

Activities

- Facilitate virtual project kick-off meeting to identify project objectives, roles and responsibilities, and schedule.

- Conduct bi-monthly (two times per month) virtual check-in coordination meetings with District PM.
- Conduct weekly consultant team virtual coordination meetings with active staff when appropriate.
- Conduct in-person review meeting with District staff to go over comments from Task 7007- 60% Design and Task 7008 – 90% Design.

Task Deliverables

- Project Kick-off agenda, presentation, and meeting notes.
- Meeting notes from 60% and 90% Review

Task 7004 - Request Rights-of-Entry for Private Properties

Activities

- Prepare project letter to be sent by certified mail to each of the parcels within the API.
- Update Right of Entry forms with request for signature.
- Meet in-person or virtually with each property owner, upon owner's request, to answer any questions.
- Maintain log of property owner communications.

Task Deliverables

- Project letter.
- Property owners contact matrix.
- Rights of Entry forms signed by property owners.

Assumptions

- WES will review and edit draft project letter and Right of Entry forms that will utilize the original document from Phase 1 to be prepared by the Consultant. Letters to be sent via certified mail by WES.
- Property owners will sign Right of Entry for each property after receiving the letter and up to three follow-up contacts by phone or meetings. Property that does not provide a ROE will be bypassed for all investigative activities (i.e. survey, Geotech, environmental, etc.) during preparation of Phase 2 documents. In the event access is critical to the recommendations for alignment, trenchless construction, etc. then District staff will secure the necessary documentation granting permission for access.

Task 7005 - Public Agency Coordination

Activities and Deliverables

- Coordinate with City of Happy Valley Public Works Department for the following items:

- Right-of-way and road surface geometry for the extension of SE Scouters Mountain Road from the current roundabout to the future SE 177th Avenue in accordance with the March 2023 Happy Valley Transportation System Plan.
- Final alignment of the sanitary sewer across City property that can be extended in key locations for local connections.
- Contact Clackamas County DTD to confirm requirements for traffic control and full closure of SE Troge Road during the pipeline construction with access to local traffic only. Vehicles would be diverted north to SE Hemrich or south to SE Vogel Road.

Assumptions

- The City of Happy Valley will cooperate with WES for final alignment choice made with their input and comments.

Task 7006 – Subconsultant Coordination

Activities and Deliverables

- Coordinate with all members of the Subconsultant team to facilitate access to individual properties for completion of their specialized services. This will vary by work efforts and whether the parcel was available for Phase 1 activities. The recommendations for construction methods and general alignments to complete Phase 1 - 30% Preliminary Design were completed without access to every parcel. This deficiency will continue to plague further design efforts for staking stake centerline and limits of easements for acquisition. Finally, Wetland Delineations within the temporary work areas will require entering property to document their location.
- Pacific Habitat Services – Ensure access to the individual properties is available.
- Westlake Consultants – Ensure access to the individual properties is available. Timing between field work for AINW (limited length), PHS (entire length), Shannon & Wilson (two borings) and UFS for staking easement limits prior to property appraisals and acquisitions.
- All remaining subconsultants including Consor, Staheli Trenchless, Greenworks will be communicated with on a regular basis depending upon their individual needs.

Assumptions

- Monthly project meetings with subconsultants to gather a summary of project efforts to date, upcoming efforts the next month and to confirm project schedule is still on track.

Task 7007 - 60% Design of Gravity Main

Activities and Deliverables

- Advance selected Phase 1 – gravity main alternative to 60% design level for both the north extension (across approximately 40 individual private parcels) and the east extension within SE Troge Road along with a single crossing of Rock Creek outside the existing box culvert footprint.

- Continue evaluation of final alignment on north side of SE Troge Road box culvert installation on Rock Creek. Preliminary efforts during Phase 1 indicated that open cutting would be less expensive than trenchless, but a final alignment parallel to the stream channel must still be determined. Finally, while the trenchless alternative is more expensive it will still be evaluated in some detail for available laydown area, working pads, etc. to eliminate the need to open cut across the stream channel.
- Coordinate with other Consultant in the area (HHPR), currently working with Clackamas County DTD and the City of Happy Valley designing a new roundabout at the intersection of SE 172nd and SE Troge Road. The new sewer pipe will be extended from the intersection, across Rock Creek then northerly approximately 200 feet where this project will connect.
- Coordinate with local water surveyor, Sunrise Water Authority, when siting alignment for the new 12" sanitary sewer on SE Troge and SE Hemrich for consideration of the future waterlines necessary for development of the properties.
- Prepare 60% design plan and profile sheets (1" = 40' H : 1" = 10' V) which includes an average coverage of 600' per sheet.
- Prepare Sheet Index and Draft Technical Specifications with generic text for Division 02 through Division xx.
- Prepare Preliminary Cost Estimate for alignment that includes a bid list of items, not including easement acquisition or engineering costs. Bid list items will continue to be updated as design progresses.
- Prepare 60% Plans, Specification Outline and Preliminary Class III Construction Cost Estimate.

Assumptions

- Gravity main drawings on 11 x 17 format include the following estimated sheet counts:
 - General Sheets including Cover, Control, General notes, Access points, etc. – 6 sheets
 - Erosion Control - 6 sheets
 - Sanitary Sewer Plan & Profile - 22 sheets
 - Sanitary Sewer Plan view only with stacked Aerials – 11 sheets
 - Miscellaneous Details – 6 sheets
- Existing utilities within SE Hemrich and SE Troge impacted by the new sanitary sewer will be identified with paint and tied out by survey crew to account for optimal manhole locations.
- Timely review of plans and specifications with numbered comments by WES staff estimated to be approximately two weeks in duration.
- Project will be bid as one complete improvement including the entire north and east extension length to be bid using one set of contract documents. This may include schedules, but the entire run will still be included.

- Draft list of Division 01 Technical Specifications to be supplied by District for insertion into 60% documents.

Task 7008 - 90% Design of Gravity Main

Activities and Deliverables

- Advance selected gravity main alternative for each extension to 90% design level based upon review comments by WES.
- Documentation of resolution of the 60% review comments by District and other external stakeholders.
- Prepare 90% design plan and profile sheets.
- Update Plan Sheet Index.
- Update Technical Specifications include Division 01 through Division xx based upon District and stakeholder comments.
- Update with Class II Construction Cost Estimate.

Assumptions

- Timely review of plans and specifications with numbered comments by WES staff estimated to be approximately two weeks in duration.
- Project will be bid as one complete improvement including the entire north and east extension length to be bid using one set of contract documents. This may include schedules, but the entire run will still be included.

Task 7009 - Final Design of Gravity Main

Activities and Deliverables

- Advance selected gravity main alternative for each extension to Final design level.
- Prepare Final design plan and profile sheets.
- Finalize Sheet Index
- Prepare Final Construction Cost Estimate

Assumptions

- There may be an interim submittal at the discretion of WES staff for key sheets or specifications between 90% and Final Design to confirm all changes and comments have been addressed. This review would be for approximately one week in duration.
- Project will be bid as one complete improvement including the entire north and east extension length to be bid using one set of contract documents. This may include schedules, but the entire run will still be included.

Task 7010 - Prepare Construction Bidding Documents

Activities and Deliverables

- Prepare Technical Specifications at the 90% and Final Design submittals based upon updated conditions or requirements throughout each milestone event.

Assumptions

- Technical Specifications shall follow the current CSI format for division and sections.
- WES shall be responsible for all front-end documents (non-technical) specifications necessary for bidding the project.
- Project will be bid as one complete improvement including the entire north extension to the County line and east extension along SE Troge utilizing a single set of plans and contract documents. This may include schedules, but work must still include the entire run both north and east. Example of splitting under separate packages and not included for plans and contract documents would be a North section from SE Troge to SE Hemrich and second North section from SE Hemrich to County line.

SUBCONSULTANT TASKS

Task 9010 – Pacific Habitat Services – (Environmental Services)

Activities and Deliverables

- Project Meetings and Communication
 - Attendance at up to ten (10) online meetings to discuss the project and two (2) in-person meetings at County offices.
 - Ongoing email and telephone communication with project team members
- Conduct Wetland Delineation, Conduct Wetland and Stream Functional Assessments; Prepare Wetland Delineation Report
 - Wetland scientists will delineate the boundaries of all wetlands and the ordinary high water of the creeks within the construction area.
 - Complete a wetland delineation report and submit the report to DSL for their review and approval
 - Conduct a stream functional assessment at the project site using the Stream Functional Assessment Method (SFAM). An analysis of SFAM will be included in a Joint Permit Application (JPA)
 - Conduct a wetland functional assessment using the Oregon Rapid Wetland Assessment Protocol (ORWAP). An analysis of ORWAP will be included in a Joint Permit Application (JPA).

- Prepare and Submit Joint Permit Application
 - A pre-application meeting with the Corps and DSL will be held to describe the project and to determine whether a federal permit is required
 - Prepare a JPA describing the proposed project. The JPA is required in order to obtain state and federal permits and will contain information on the proposed project; its purpose and need; details of the construction methods; how erosion of the site will be controlled; the names of adjacent landowners; and the signature of a local planner
 - Communication with state and if needed federal agencies will continue after the submittal of the JPA to respond to any questions and to facilitate the issuance of the permit.
- City of Happy Valley and Clackamas County Environmental Review
 - An early assistance meeting with the City of Happy Valley 's planning team and the Project Team to discuss the proposed project meeting with the Corps and DSL will be held to describe the project and to determine whether a federal permit is required
 - The City has mapped portions of the project within their Natural Resources Overlay Zone (NROZ). As such, Chapter 16.34 of the Land Development Code, which regulates Habitat Conservation Areas (HCA) and Water Quality Resource Areas (WQRA) will be addressed.
 - Communication with City staff may be required to facilitate issuance of the approval
 - Address Clackamas County Zoning and Development Ordinance (CCZDO) Section 706 (HCA review) and Chapter 709 (WQRA review)

Assumptions

- All agency review fees shall be paid by the District.
- The delineation report will be submitted to the Corps with a request for an Approved Jurisdictional Determination (no fee required Areas (HCA) and Water Quality Resource Areas (WQRA) will be addressed.
- All wetland and creek flags will be located using a handheld GPS unit accurate to submeter accuracy.
- A mitigation plan is not required or if required, is limited to payment-in-lieu to DSL
- A fish salvage permit and a wildlife take permit is not anticipated. In the event the permit is required by ODFW before construction can begin, the contract can be amended to provide this effort.
- The National Marine Fisheries Service will not review the project because a natural blockage to fish passage is present downstream of the project area. Address Clackamas County Zoning and Development Ordinance (CCZDO) Section 706 (HCA review) and Chapter 709 (WQRA review)
- No species protected by the Endangered Species Act will be impacted by the project.

Task 9011 – Consor – (Public Involvement Services)

Objective

Establish public outreach program to inform the public about the project purpose, need and benefits; and provide opportunity for impacted, interested community members to provide input that informs the permitting, design, and mitigation process.

Activities and Deliverables

- Project Coordination
 - Update community stakeholder list and recommendations of names/organizations to be added as the project proceeds.
 - Coordinate with District staff to update and maintain a communications plan including communications goals, key messages, and tasks to be accomplished as part of this Task.
- Development of Materials and Tools
 - Develop up to 3 mailings targeting project neighbors to give updates of the project status, highlight upcoming project activity that may impact them, and provide contact information for project-related questions or concerns.
 - Prepare materials, attend and record a community open house to update the community on the Project goals, components, and timeline. This could be done virtually and recorded for use on the Project webpage.
 - Attend up to 2 community meetings to share Project updates and information and collect feedback.
 - Update the informational fact sheet with the Project overview, project schedule, and contact information and develop a FAQ sheet based on community questions and comments. Both documents will be included on the District/County's Project webpage. Draft and final versions will be provided.
 - Provide updated content for the Project webpage to be hosted on the District's project website. The webpage will include a project overview, timeline, frequently asked questions, and contact information.
 - Update Project business card content if needed to be used by field crews who may interact with community members.
 - Prepare up to two (2) project updates to be distributed by the District/County using appropriate channels/methods at key Project milestones.
- Team Coordination
 - Coordinate with the Project Design team to ensure that the public feedback is incorporated into the project design as feasible.
 - Coordinate and meet with the District's communications team regularly in preparation for key milestones and events.

➤ Deliverables

- Updated community stakeholder list
- Updated Project communications plan
- Project neighbor mailings (up to 3)
- Updated Project business card (1 update)
- Updated Informational fact sheet (up to 2 updates)
- Updated Frequently asked questions (FAQ) sheet (up to 2 updates)
- Updated webpage content (up to 2 updates)
- Content and design digital slides and/or up to 5 boards for open house and community meetings
- Project Updates (up to 2)

Assumptions

- The District staff will lead the public involvement and be the public face of the project with support from the Consultant.
- District staff will:
 1. Print and send project mailers or other materials,
 2. Maintain Stakeholder List and information, then submit to District with Final Construction Documents at the completion of Phase 2
 3. Host and update the project website,
 4. Post social media content
 5. Provide language translation or interpreters if needed,
- This Project will use the Clackamas County Brand/Style Guide for all documents.
- Written materials and graphics will include up to two rounds of edits.
- The District will cover the cost of all postage.
- The Communications Plan will be a living document and will be updated in coordination with the District/County, at major Project milestones.

Task 9012 – Archeological Investigations NW (Archeological Documentation)

Activities and Deliverables

- Conduct a survey for archaeological and historic resources where the sewer alignment crosses parcels owned by the City of Happy Valley, a distance of approximately 1000 feet. Prior to conducting fieldwork, an archaeological excavation permit from SHPO will be applied for by the team.
- The archaeological fieldwork at Hemrich Road shall include a pedestrian survey; no shovel testing will be conducted as the sewer will be within the road pavement. On publicly-owned parcels, a pedestrian survey and excavation of up to 6 shovel tests is proposed where ground-disturbing activities are anticipated, to determine if an archaeological site is present within the APE. No archaeological site is anticipated. If there is an archaeological discovery, artifacts must be collected under the terms of the SHPO permit.
- Architectural historians will conduct a field visit to investigate the Hemrich Road culvert crossing over Rock Creek. Up to one historic bridge or culvert may be documented. The structure is expected to be not eligible for listing in the National Register of Historic Places. A SHPO Clearance Form would be prepared and appended to the cultural resource report.
- The deliverable will be a cultural resource report. The report will be provided in draft; comments and questions will be addressed and a final report will be prepared. The report will be submitted to SHPO to meet compliance with ORS 358 and the terms of the SHPO permit.

Assumptions

- Archaeological shovel testing on public land will require a SHPO permit. Up to one permit may be obtained. *Archaeological work that is performed under a SHPO archaeological permit must be completed as legally required by the permit, which includes completing and submitting a report for the work. Completing these requirements and obligations, taken on behalf of WES, cannot be terminated even if the project is terminated.*
- The survey area will consist of the sanitary sewer alignment across six parcels owned by the City of Happy Valley, and the right-of-way where the alignment follows Hemrich Road.
- Shovel testing would be in places where intact archaeological deposits are suspected.
 - Up to 6 shovel tests may be excavated.
 - Shovel tests will be 12 inches (in) (30 centimeters [cm]) in diameter and excavated to a minimum depth of 20 in (50 cm).
 - No archaeological discoveries are assumed.
 - If artifacts are encountered in excavations under the SHPO permit they must be collected and curated at the Oregon Museum of Natural and Cultural History. Contingency funds would be used for collection and curation.
- A historic resource inventory would examine the Hemrich Road creek crossing. Up to one historic resource may be present.
- Up to two Archaeological Resources are included which require shovel testing to delineate resource boundaries. Up to 20 artifacts may be collected from public land and curated to UOMNCH under a SHPO excavation agreement. This also includes up to 12 additional shovel tests

to delineate up to two archaeological resources. Up to 2 SHPO archaeological site/isolate form(s) will be prepared and appended to the cultural resource report.

- Completion of an archaeological survey for the remainder of the project if requested will require additional funds to be allocated by WES and not include within the budget.

Task 9013 – Staheli Trenchless Consultants (Final Trenchless Design)

Activities and Deliverables

- QA/QC for Trenchless installation at easterly end of SE Troge Road
 - Review the existing geotechnical information (boring logs and test results) for the project provided during Phase 1 and current Phase 2 efforts to meet the standard of care and to minimize the risk of the selected trenchless alternative adjacent to the bridge footprint. Recommend depth of cover beneath stream channel to Project Team that would safely install casing with an acceptable risk profile minimizing migration of water into the trench.
 - Provide concept layouts for equipment and pipe to install the new crossing beneath Rock Creek to the Project Team.

9014 – Westlake Consultants (Final Topo Survey and Legal Descriptions)

Activities and Deliverables

- Pre-Field Survey
 - Order Title Reports for properties designated by the Project Team impacted by the pipe alignment Permanent and Temporary Construction Easements
- Limited Topographic Survey / SE Troge Road
 - Collect topographic data at SE Troge Road. Stream crossing to supplement data collected during Phase 1 efforts. This will also include the outlet pipe crossing SE Troge Road which feed Rock Creek from a nearby pond south of the S-curve.
 - Collect topographic data for a 50-foot-wide strip parallel to the easterly property line of 17825 SE Hemrich Road.
 - Collect topographic data for gas locates along length of SE Troge Road from SE 172nd Avenue to SE Foster Road
- Monument Search and Property Resolution
 - Research Clackamas County Survey Records for recorded surveys, plats, and subdivisions that are impacted by the pipeline route
 - Review title Documents for subject sites
 - Search and tie found monuments for proposed impacted sites

- Resolve property lines and Right-of-Ways required for easement creation and pipe alignment design.
- Alignment Staking
 - Field-stake the proposed alignment in continuous segments at approximate every 200 feet and angle points to confirm preferred alignment based upon 30% design efforts by Project Team.
- Easement Staking
 - Calculate easement positions based on resolved property and right-of-way lines for 15' permanent easement centered on pipe alignment and 60' temporary construction easement centered on pipe alignment.
 - Field stake easement including permanent and TCE easement locations at 100-foot intervals for narrow parcels and 200-foot intervals for wide parcels.
- Easement Documents for Permanent Pipeline & Temporary Pipeline Construction
 - Prepare descriptions for temporary construction easements (T.C.E.)
 - Prepare an exhibit map showing proposed T.C.E. easements and limits
 - Deliver one easement packet per parcel consisting of easement map(s) and legal description(s) in PDF format with a digital signature.
- Easement Documents for Temporary Access to Pipeline Construction
 - Prepare an exhibit map showing proposed T.A.E. easements and limits
 - Deliver one easement packet per parcel consisting of easement map(s) and legal description(s) in PDF format with a digital signature.

Assumptions

- No traffic control required on SE Troge Road
- Utilize existing efforts from Phase 1 that updated aerial LiDAR and imagery that was originally used by Clackamas County DTD and the City of Happy Valley for improvements to SE 172nd Avenue. All new information generated by Phase 2 services shall be incorporated into this data base
- Prepare descriptions for temporary construction easements (T.A.E) for up to six parcels.
- Pre-Construction Record of Survey for monument perpetuation is not required.

Task 9015 – Universal Field Services (Easement Acquisitions)

Right-of-Way and Real Property Acquisition Services

Conduct the ROW activities for all properties in accordance with the most current version of the following:

- ORS 35, with reference to the “Uniform Appraisal Standards for Federal Land Acquisitions”
- Uniform Act
- County ROW acquisition policies and procedures (which are guided by the ODOT ROW Manual)
- Hold an initial ROW coordination meeting with WES and County ROW staff to discuss County policy and procedure and ROW acquisition strategy.

Use WES versions of all forms, spreadsheets, brochures and pamphlets needed to complete work associated with all tasks. These forms, spreadsheets, brochures and pamphlets shall not be altered without written permission from the District. They may be obtained through County Right-of-Way staff.

Track status for all ROW files to be acquired for the project in the Excel spreadsheet format provided by WES and coordinate the details of this process with the WES project manager at the ROW Coordination meeting.

Provide ROW acquisition services following WES policies and procedures that are modeled after County ROW procedures. It is assumed a total of 40 acquisitions are required for the project for which title reports for all permanent easements will be needed in addition to maps and descriptions, General Information Notice (GIN) letters, limited appraisals and reviews, and acquisition and closing assistance. Out of the 40 acquisitions, it is assumed that 0 will be acquired using Value Finding Appraisals and Value Finding Appraisal Reviews and 40 will require appraisals and review appraisals for the acquisition process.

Preliminary Activities

Upon receipt of authorization to proceed with ROW Acquisition, set up ROW parcel files and deliver a General Information Notice (GIN), acquisition and relocation brochures, and a copy of the applicable portion of the ROW Acquisition map (marked Preliminary and showing the easements to be acquired) to all owners and occupants of affected properties. Mail GINs via certified mail using WES GIN form. County staff shall provide GIN form and brochures.

Prepare and maintain a chronological Diary of Personal Contact for each file. The Diary of Personal Contact must include dates associated with the mailing of the GIN in addition to the date, place of contact, parties contacted, what was delivered and explained, and a summary of what was discussed, for all contact with affected property owners and/or their representatives.

Inform WES immediately if property owner is represented by legal counsel. Reference to legal counsel and their contact information will be documented in the ROW Status Report spreadsheet and the Diary of Personal Contact.

Appraisal and Appraisal Review

Use appraisers who are licensed in the State of Oregon, experienced and competent in eminent domain appraising. Appraisals for this purpose shall be made in accordance with ORS Chapter 35 and USPAP. Appraisal and Appraisal Review shall be made by different appraisers. It is assumed that appraisals will be taking and damage appraisal formats. It is assumed that appraisal reviews will include a field review of subject and sales used in the valuation process. Special Benefits, if any, must be quantified by the appraiser whether or not there are any compensable damages to the property. Tenant owned improvements included in the acquisition must be identified and segregated in the appraisal.

An initial analysis will be made to determine the type of appraisal needed for each file. Present the results of the analysis to the WES project manager and County ROW staff for discussion and decision.

Provide 2 hard copies and 1 digital copy of each appraisal and appraisal review to County ROW staff for review. County ROW staff have been authorized to recommend Just Compensation based on the appraisal. Just Compensation shall be no less than the reviewed appraisal amount.

Assumption: 40 files will require appraisal and appraisal review. 40 files will use require value finding appraisals.

Right-of-Way Acquisition

All ROW shall be acquired in the name of the District as easement. Conduct negotiations, on behalf of the District, in good faith and in compliance with all state laws and regulations. This shall require negotiations for acquisition of real property based on Just Compensation issued by County on behalf of the District. Provide Acquisition Agents who are licensed in the State of Oregon to conduct real estate transactions and who are experienced and competent in negotiating and acquiring real property rights under the rules and regulations related to the power of eminent domain.

Consult with District to determine the extent of responsibility for clearing title encumbrances identified on the Preliminary Title Report or making the offer subject to clearing title encumbrances. Discuss the condition of the title with the property owner at the offer presentation or as soon as possible after the offer is mailed. The discussion will address the District's intention to clear the lender's interest in the acquisition, if any. Present any requests for taking title subject to one or more outstanding interests to the District for approval. Fee owners' and contract purchasers' ownership interests must be addressed. Lender's interests must be addressed. When impacted by the taking, lessees' interests must also be addressed.

Prepare and present to County ROW staff a draft Offer Packet for review before any offers are made. All offers will be made as District's Buyer's Agent. These Offer Packets shall include, but are not limited to, acquisition and relocation brochures, offer-benefit letter, acquisition and relocation summary statements, District's Obligations Agreement if appropriate, copy of appraisal, map of acquisition, instruments of conveyance, construction plan sheet showing the file and W-9 form (if money is exchanged). Offers will be made to all owners and all negotiations shall be conducted with all owners unless all owners have designated a representative in writing or are represented by legal counsel. Notify the District as soon as possible when legal counsel enters the acquisition process.

To every reasonable extent possible, make offers in person, especially where the acquisition involves either a major impact to the property or the displacement of persons occupying the property. If this is deemed not possible, send offer via certified mail with return receipt request. Dates of delivery and an accounting of the events leading to the decision to mail the offer must be documented in the Diary of Personal Contact and the file. Delivery of offers shall be periodically tracked to ensure there are no problems. When offers are mailed, make every reasonable effort to contact the owners ahead of delivery to make introductions and alert them of the mailing. No less than weekly communication with owners until agreement is reached is expected.

Make every reasonable effort to acquire the ROW expeditiously by negotiation. Provide property owners reasonable opportunity to consider the offer (statutorily 40 calendar days). Counter offers from the owner should be accompanied by information the owner believes is relevant to determining the value of the property and reviewed with the District project manager and County Right of Way staff promptly. Attempt to negotiate an approved administrative settlement, but do not take any coercive action in order to induce an agreement on the price to be paid for the property (49 CFR 24.102(h)).

- IF the OFFER is ACCEPTED, present a Final Report Packet covering the acquisition of ROW to County ROW staff for final approval, acceptance, payment, conveyance of title and recording.

The Final Report Packet shall include all documentation associated with the ROW activities conducted for this file. Packet shall include satisfactory documentation of signer's authority to sign if Grantor is a Trust, Corporation, Partnership, or Non-Profit. Mail or deliver the Final Report Package and email a digital scan of the Final Report Package to the County Right-of-Way Staff or Designee in a reasonable amount of time after all signed offer documents have been received.

- IF a COUNTER OFFER is received, submit the proposed COUNTER OFFER (exceeding the estimate of just compensation) with a written justification and owner supplied supporting documentation to District project manager and County ROW staff for approval. If accepted see above.
- IF an acceptable agreement is not reached within the timeframe set by District, prepare and submit a Recommendation for Condemnation (RC) Packet. The RC Packet shall include all documentation associated with the ROW activities conducted for this file. Mail or deliver the packet and email a digital scan of the packet to the County Right of Way staff or Designee in a reasonable amount of time after the decision to RC the file is made. In addition, provide to County the Microsoft Word (editable) versions of any and all documents upon request (e.g. Diary, Obligations Agreement, Conveyance Documents, Offer Letter, Acquisition and Relocation Summaries).

Continue documenting the Diary of Personal Contact for each file until the file is transmitted to the County. The Diary of Personal Contact must include a dated record in chronological order of all contact with property owners and or their representatives and all occupants and or their representatives, including but not limited to the means by which the communication took place (email, fax, telephone, in person, etc.), the location of the contact, efforts to achieve amicable settlements, owners' suggestions for changes in plans, responses to owners' counterproposals, etc.

Relocation

Use the forms, formats and brochures in relocation advisory assistance and the preparation of relocation studies, reports and claims available on ODOT's R/W Guidance webpage (<https://www.oregon.gov/ODOT/ROW/Pages/ROW.aspx>).

Complete up to seven (7) personal property only relocations and no (0) residential relocations while ensuring that relocations take place in accordance with regulatory notification time frames and terms. Inform District as soon as schedule issues are known, if applicable.

The following relocation activities shall be completed for Relocation efforts:

- Conduct occupant interviews to determine relocation eligibility and needs including names, number of occupants, and certification of legal residency in the United States. If the relocation involves a tenant, the displacer's income may need to be considered. Occupant interview documentation shall include but is not limited to any contacts, discussions, e-mails, letters & phone calls with the displaced or anyone regarding the relocation file.
- Provide relocation advisory assistance and information regarding available benefits, available replacement housing and non-residential benefits.
- Establish initial determination of relocation benefits.
- Advise displaced persons of procedures for applying for benefits.
- Provide Move Plan to District Reviewer for approval.
- Complete Move Agreement in conjunction with displaced persons and submit to Relocation Reviewer for approval prior to obtaining signatures from displaced persons.

- Compute replacement-housing payments for owners and tenants and submit them to District for review. District will submit to the Relocation Reviewer for approval before presenting the benefits to the displaced persons.
- Determine type and amount of move payments according to current procedures.
- Obtain move estimates, as needed, and advise displaced people in choosing the most appropriate moving method. Any moving estimates need to be approved by District prior to offers being made.
- Offer transportation, as needed, to all displaced people to inspect potential replacement housing.
- Monitor move of personal property as required.
- Inspect and certify that all replacement dwellings meet Decent, Safe and Sanitary criteria.
- Verify displaced people have relocated to replacement dwelling prior to submittal of any tenants housing payment claims.

Assemble Relocation Closing report to include appropriate claim forms and documentation, obtain signatures and submit all relocation claims to County Right of Way staff for review, approval and payment. The County Relocation Reviewer will review all relocation studies and approve all relocation claims.

Deliverables and Schedule for Relocations

Provide the following deliverables to the County Right of Way staff within 1 week of receipt from the owner and/or owner occupant:

- Project Relocation Plan (up to 7 files)
- Relocation Move Plan and Move Agreement for individual displaced (up to 7 files)
- Occupant Interview Documentation (up to 7 files)
- Relocation Studies, Reports and Claims (up to 7 files)
- Replacement Housing Study and Calculation (up to 7 files)
- Type and amount of Move Claims including Move Estimates (up to 7 files)
- Income Verification (up to 7 files)
- Mortgage Interest Differential calculation (up to 7 files)
- Move Monitor Report (up to 7 files)
- Inventory of Personal Property to be moved (up to 7 files)
- Replacement Dwelling Decent, Safe and Sanitary inspection report (up to 7 files)
- Relocation Appeals Documentation (up to 7 files, if requested by Agency)
- Attendance at pre-hearing appeal and/or appeal conference (up to 7 files, if requested by WES)
- Photographic evidence and visual confirmation that acquisition area is clear of personal property (up to 7 files)
- Report of Personal Interview to Agency ROW Agent and APM within 3 business days of request. If the displacee is a tenant a separate personal interview shall be maintained (up to 7 files)

General Deliverables

- Preliminary Title Reports and supporting documents– See Task 9016
- Right-of-Way Strip Map (one strip map per plan submittal)- See Task 9016
- Right-of-Way Descriptions and Maps (40 files) – See Task 9016
- Right-of-way Staking (40 files)- See Task 9016
- General Information Notice Letters (40 files)
- Appraisals and Appraisal Reviews (40 files)

- Acquisition/Negotiation/RC files (40 files)

Budget

Payment will be made at the Billing rates for personnel working directly on the project, plus Direct Expenses incurred. Billing rates, expenses, and outside services are listed below.

Personnel

Century West labor will be invoiced at the following schedule: Maximum hourly rate is \$250 per hour.

LABOR CLASSIFICATION	HOURLY RATES/RANGE
PROJECT COORDINATOR	\$100 - \$115
GRAPHIC/CIVIL DESIGNER	\$140 - \$160
ENGINEER-IN- TRAINING	\$120 - \$140
PROJECT ENGINEER	\$155 - \$175
SENIOR PROJECT ENGINEER	\$175 - \$190
PROJECT MANAGER	\$190 - \$210
SENIOR PROJECT MANAGER	\$220 - \$260

Project Expenses

Expenses incurred in-house that are directly attributable to the project will be invoiced at actual cost.

These expenses include the following:

Mileage	Current IRS Rate
Postage and Delivery Services	At Cost
Printing and Reproduction	At Cost

Outside Services

Outside technical, professional, and other services will be invoiced at cost-plus 5 percent to cover administration and overhead.

Project Schedule

The project milestones listed in Table 1 below include Phase I tasks in this scope of work.

Table 1 | Project Schedule

Phase 2 Schedule (Included in this Contract)	
Notice to Proceed /Continuation of Services	April 15, 2025
Draft 60% Plans	August 2025
Final 60% Plans and Specifications	October 2025
Draft 90% Plans	February 2026
Final 90% Plans and Specifications	May 2026
Final Plans and Specifications	June 2026

[illegible]