



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> February 22, 2024		<b>Subject: Resolution No. 3114</b> Authorizing the City Manager to Execute a Professional Services Agreement with Brown and Caldwell, Inc. to provide Engineering Consulting Services for the Boeckman Creek Flow Mitigation Project (Capital Improvement Project No. 7068)  <b>Staff Members:</b> Andrew Barrett, PE, Capital Engineering Projects Manager and Nancy Kraushaar, PE, Project Engineer  <b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> <b>Council Goals/Priorities:</b> Protect and Preserve Wilsonville’s Environment	<input checked="" type="checkbox"/> <b>Adopted Master Plan(s):</b> Transportation System Plan Projects UU-01 & UU-02	<input type="checkbox"/> <b>Not Applicable:</b>	

**ISSUE BEFORE COUNCIL:**

A City of Wilsonville resolution approving a Professional Services Agreement (PSA) with Brown and Caldwell, Inc. (BC) for a not to exceed amount \$1,079,366 for Engineering Consulting

Services for the Boeckman Creek Flow Mitigation Project (Capital Improvement Project (CIP) #7068).

**EXECUTIVE SUMMARY:**

The Boeckman Creek Flow Mitigation Project (Project) represents work on the final two elements of the Boeckman Road Corridor Project (BRCP). This work is programmed to occur subsequent to the Boeckman Creek Bridge completion:

1. Boeckman Creek stream restoration work to provide fish passage which includes removing the existing culvert and flow control structure and associated massive grading; and
2. Mitigation for the resulting Boeckman Creek flow differential after removing the flow control structure.

Due to the complexity and uncertain preparation and approval time needed to obtain the regulatory agency environmental permits for these two interconnected elements, they were removed from the BRCP Progressive Design Build GMP 3 contract work in order to proceed with construction of the other BRCP elements on schedule.

Resolution No. 3114 authorizes engineering services to prepare construction plans and specifications, obtain environmental permits, and provide bid support for the Boeckman Creek flow mitigation (Item 2 above). The project team determined the mitigation should be in place before the Boeckman Creek stream restoration (Item 1 above) alters the creek flow by removal of the culvert and flow control structure. BC will review the current BRCP plans for the creek area and develop a scope and fee for the remaining work needed to complete this element for which a PSA amendment will be needed.

During the preliminary engineering for the BRCP, BC completed the January 2022 “Boeckman Creek Hydraulic Evaluation Technical Memorandum”. Their study concluded that removing the culvert and flow control structure at Boeckman Road would require mitigation for flows that had been diverted to the Boeckman Creek drainage basin from the Coffee Lake drainage basin decades earlier. BC then evaluated mitigation alternatives (May 2023 “Boeckman Creek Flow Mitigation Alternatives Evaluation, Technical Memorandum”) and concluded that the previously diverted flows could be returned to the Coffee Lake basin by constructing modifications to the Coffee Creek conveyance system between Mentor Graphics and I-5 (see map with Project area outlined).



Resolution No. 3114 authorizes the selection of BC using the Direct Appointment Procedure provided by OAR 137-048-0200(1)(d), following State of Oregon Public Contracting Rules and the City of Wilsonville Municipal Code. Staff determined that BC is the most qualified to perform the work based on their unique expertise and knowledge from studying Boeckman Creek for the BRCP in addition to preparing several iterations of the City’s Stormwater Master Plan. Staff further negotiated a fee they consider to be appropriate for the scope of work. The fee to be authorized by Council includes \$121,302, primarily for contingency items that may not be required to deliver the desired work product depending on what the regulatory agencies require for permitting.

**EXPECTED RESULTS:**

Design, environmental permitting, contract documents, and bidding will be completed to prepare for construction of modifications to the Coffee Lake drainage basin that will allow for the return of the majority of surface water flows that were diverted to the Boeckman Creek drainage basin decades ago. In addition, a scope and fee will be developed for the stream restoration and culvert/ flow control structure removal, the next step in meeting fish passage regulatory requirements associated with the BRCP.

**TIMELINE:**

Staff seeks to have construction contract documents, approved environmental permits, and construction bid award ready to perform the construction work during the 2025 in-water work window (approximately June through October).

**CURRENT YEAR BUDGET IMPACTS:**

The adopted budget for Fiscal Year (FY) 2023/2024 includes funding for design and construction, project management, and overhead for the Project as summarized below.

<b>CIP No.</b>	<b>Project Name</b>	<b>Funding Source</b>	<b>Adopted FY 23/24 Budget</b>	<b>Contract Amount</b>
7068	Boeckman Creek Flow Mitigation	Stormwater Operating	\$ 2,270,000	\$ 1,079,366
		Total	\$ 2,270,000	\$1,079,366

The Project contract amount is within the FY 2023/2024 budgeted amount. The Project is included in the City’s five-year capital improvement plan and will carry into subsequent fiscal years.

**COMMUNITY INVOLVEMENT PROCESS:**

The BRCP provided extensive community involvement opportunities and outreach and will continue to do so as the Boeckman Road improvements, sanitary sewer, and bridge are constructed. Additional community involvement and outreach that focuses on the Boeckman Creek Flow Mitigation Project will occur as the Project proceeds.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

The Project will contribute to restoring natural drainage patterns in the Coffee Lake and Boeckman Creek drainage basins in Wilsonville. Restoring these patterns will allow stream restoration and responsible removal of the culvert and flow control structure in Boeckman Creek that currently obstruct fish passage. The Coffee Lake basin restoration will alleviate increased flows within Boeckman Creek, helping to mitigate potential downstream erosion impacts to private property. Achieving fish passage will allow the City to meet regulatory requirements associated with replacing the Boeckman Dip with a bridge, a much needed connection for the Wilsonville community’s transportation and land use systems.

**ALTERNATIVES:**

The project team assessed a number of Boeckman Creek flow mitigation options associated with establishment of fish passage and removal of the culvert and flow control structure as part of the BRCP. This assessment is documented in the May 2023 “Boeckman Creek Flow Mitigation Alternatives Evaluation, Technical Memorandum.” Restoration of the Coffee Lake drainage basin through enhancement of the Ash Meadows drainage is identified as the preferred option as it provides the greatest flow mitigation benefit with the least impact to private property at the most economical cost.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 3114
  - A. Professional Services Agreement (“Agreement”) for the Ash Meadows Flow Mitigation Project