

RESOLUTION NO. 3206

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH DOWL, LLC FOR THE WILLAMETTE WATER SUPPLY PIPELINE MAIN 1.3 (PLM 1.3): CONSTRUCTION INSPECTION OF CITY INFRASTRUCTURE PROJECT (CAPITAL IMPROVEMENT PROJECT NO. 1127).

WHEREAS, Willamette Water Supply System (WWSS) Commission intends to pump raw water through a raw water pipeline from the Willamette River through the Willamette River Water Treatment Plant (WRWTP) Willamette Intake Facilities (WIF) to its new water treatment plant to be built near the intersection of SW 124th Avenue and SW Tualatin-Sherwood Road in Washington County; and

WHEREAS, on May 1, 2017, the City of Wilsonville entered into Ground Lease Agreement for Raw Water Pipeline (Lease) with the City of Hillsboro and Tualatin Valley Water District (TVWD), leasing an area of land in which to place an approximately 6-foot (6') diameter raw water pipeline approximately eight feet (8') underground, stretching for approximately three (3) miles through the City of Wilsonville for a period of 99 years; and

WHEREAS, pursuant to Section 20.2 of the Lease, City of Hillsboro, TVWD, and the City of Beaverton have formed the WWSS Commission, an ORS Chapter 190 entity, by agreement effective July 1, 2019, which agreement assigned all of Hillsboro's and TVWD's rights under the Lease to the WWSS Commission; and

WHEREAS, the Lease includes an additional consideration, six (6) Right-of-Way Enhancement Projects and Deficiencies (Enhancement Projects), representing significant improvements to City infrastructure, which will benefit Wilsonville; and

WHEREAS, on September 20, 2021, the City of Wilsonville and the WWSS Commission agreed to the First Amendment to the Lease (**Resolution 2919**), amending the Enhancement Projects; and

WHEREAS, the City desires to perform independent construction inspection of the City infrastructure restoration associated with the raw water pipeline construction and construction of the Enhancement Projects to ensure compliance with Wilsonville Public Works Standards; and

WHEREAS, the City solicited proposals from qualified consulting firms for the construction inspection services that duly followed State of Oregon Public Contracting Rules and the City of Wilsonville Municipal Code; and,

WHEREAS, DOWL submitted a proposal on October 12, 2022, and was subsequently evaluated and determined to be the most qualified consultant to perform the work; and

WHEREAS, following the qualifications-based selection process and under the direction of the City, a detailed scope of work was prepared, and the fee for the scope was negotiated and found to be acceptable and appropriate for the services to be provided; and,

WHEREAS, the City entered into a Professional Services Agreement (PSA) with DOWL to provide engineering construction inspection services for the WWSS PLM 1.3 Project on November 21, 2023 (**Resolution No. 3005**); and,

WHEREAS, the PSA with DOWL was amended (First Amendment) to extend the contract term to December 21, 2025 on November 2, 2024; and,

WHEREAS, DOWL has been performing independent construction inspection of the City infrastructure restoration on behalf of the City since February 2023; and,

WHEREAS, construction requiring performance of independent construction inspection of the City infrastructure restoration was originally intended to be substantially complete in fall or early winter of 2024, however, due to unanticipated challenges, WWSS is now expecting substantial completion of the Project in May of 2026; and,

WHEREAS, this extension of the Project timeline has created additional effort from DOWL, the City desires to amend the Professional Services Agreement contract with DOWL to extend construction inspection of city infrastructure through the end of the revised completion date.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. The procurement process for the Project duly followed Oregon Public Contracting Rules, and DOWL provided a responsive and responsible proposal for engineering consulting services.

Section 2. The City Council, acting as the Local Contract Review Board, previously authorized the City Manager to enter into and execute, on behalf of the City of Wilsonville, a Professional Services Agreement with DOWL for a not-to-exceed amount of \$734,340.

Section 3. The City Council, acting as the Local Contract Review Board, authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, an amendment to the Professional Services Agreement with DOWL for the Willamette Water Supply PLM 1.3: Construction Inspection Of City Infrastructure Project (Capital Improvement Project No. 1127) totaling \$249,719, which brings the total contract amount of the Professional Services Agreement with DOWL to a not-to-exceed amount of \$984,059, which is substantially similar to **Exhibit A** attached hereto.

Section 4. WWSS will reimburse the City of Wilsonville for all costs associated with construction inspection services to be performed by DOWL under this Professional Services Agreement in accordance with the Ground Lease Agreement.

Section 5. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21 day of July, 2025, and filed with the Wilsonville City Recorder this date.

Shawn O'Neil, Mayor

ATTEST:

Kimberly Veliz, MMC, City Recorder

SUMMARY OF VOTES:

Mayor O'Neil

Council President Berry

Councilor Cunningham

Councilor Dunwell

Councilor Shevlin

EXHIBITS:

- A. Willamette Water Supply PLM 1.3 Construction Inspection Of City Infrastructure Project
Second Amendment To Professional Services Agreement