



600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting agenda

Thursday, May 28, 2026

10:00 AM

Metro Regional Center, Council chamber;
<https://zoom.us/j/615079992> (Webinar ID:
615079992) or 253-205-0468 (toll free),
[https://www.youtube.com/watch?
v=VJNSQ5G06vE](https://www.youtube.com/watch?v=VJNSQ5G06vE)

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/615079992> (Webinar ID: 615 079 992); <https://www.youtube.com/@OregonMetro/streams>

1. **Call to Order and Roll Call**
2. **Public Communication**

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing legislativecoordinator@oregonmetro.gov. Written comments received by 4:00 p.m. the day before the meeting will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-813-7591 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to legislativecoordinator@oregonmetro.gov. Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber. Those requesting to comment virtually during the meeting can do so by using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at legislativecoordinator@oregonmetro.gov. Individuals will have three minutes to testify unless otherwise stated at the meeting.

3. **Consent Agenda**

- 3.1 Resolution No. 26-5611 For the Purpose of Appointing **RES 26-5611**
Members to the Natural Areas and Capital Program
Performance Oversight Committee
Materials expected May 26.
 - 3.2 Resolution No. 26-5603 For the Purpose of Reappointing [RES 26-5603](#)
Two Members to the Audit Committee
Presenter(s):
-

Attachments: [Resolution No. 26-5603](#)
[Exhibit A](#)
[Staff Report](#)

4. Resolutions

4.1 Resolution No. 26-5602 For the Purpose of Authorizing an Exemption from Competitive Bidding and Procurement of Construction Manager/General Contractor Services by Competitive Request for Proposals for the Arlene Schnitzer Concert Hall HVAC Equipment Replacement Project [RES 26-5602](#)

Presenter(s): Kristin Hennings (she/her), Senior Project Manager, Capital Asset Management
Deanna Podbeilan (she/her), Procurement Analyst, Finance and Regulatory Services

Attachments: [Resolution No. 26-5602](#)
[Exhibit A](#)
[Staff Report](#)

5. Ordinances (Second Reading)

5.1 Ordinance No. 26-1543 For the Purpose of Annexing to the Metro Boundary Approximately 10 Acres in North Bethany Along Northwest Kaiser Road [ORD 26-1543](#)

Presenter(s): Glen Hamburg (he/him), Senior Regional Planner

Attachments: [Ordinance No. 26-1543](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

6. Chief Operating Officer Communication

7. Councilor Communication

8. Adjourn

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Ogeysiiska takooris la'aanta ee Metro

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សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការប្រឹក្សាស្តីពីការរើសអើងសូមទូរស័ព្ទទៅលេខ 503-797-1700 ។ www.oregonmetro.gov/civilrights ។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេបកប្រែសម្រាប់លោកអ្នក ។

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600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #: 3.2

File #: RES 26-5603

Agenda Date:5/28/2026

Resolution No. 26-5603 For the Purpose of Reappointing Two Members to the Audit Committee

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE) RESOLUTION NO. 26-5603
REAPPOINTMENT OF TWO MEMBERS TO)
THE METRO AUDIT COMMITTEE) Introduced by Acting Council President
) Duncan Hwang
)

WHEREAS, Metro Code Chapter 2.19.250 establishes the Metro Audit Committee; and

WHEREAS, the Committee enhances the external audit function by monitoring the external auditor’s services and activities to ensure that independence is maintained between the external auditor and management; and

WHEREAS, the Metro Code Chapter 2.19.030, “Membership of the Advisory Committees,” states that all members and alternate members of all Metro Advisory Committees shall be appointed by the Council President and shall be subject to confirmation by the Council; and

WHEREAS, Kristine Adams-Wannberg’s term expired June 6, 2025, and she has expressed an interest in continuing to serve another four-year term on the Audit Committee; and

WHEREAS, the Metro Code Chapter 2.19.250 (d), provides that the Committee shall include a Commissioner of Metropolitan Exposition Recreation Commission (MERC); and

WHEREAS, Damien Hall is the MERC Commissioner selected to serve a one-year term on the Audit Committee; and

WHEREAS, the Metro Council President has reappointed Kristine Adams-Wannberg and Damien Hall to the Metro Audit Committee; and

WHEREAS, the Metro Council desires to confirm these reappointments; now, therefore,

BE IT RESOLVED, that the Metro Council confirms the reappointment of Kristine Adams-Wannberg and Damien Hall to the Metro Audit Committee as set forth in Exhibit A attached hereto for the Committee positions and terms set forth therein.

ADOPTED by the Metro Council this 28th day of May 2026.

Duncan Hwang, Acting Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A of Resolution No. 26-5603

METRO AUDIT COMMITTEE

Committee Member Reappointments

The following person is reappointed to serve a four-year term, May 28, 2026, to May 27, 2030:

- **Kristine Adams-Wannberg** Citizen member (voting)

The following person is reappointed to serve a one-year term, May 28, 2026, to May 27, 2027:

- **Damien Hall** MERC Commissioner (voting)

STAFF REPORT

IN CONSIDERATION OF RESOLUTION No. 26-5603 FOR THE PURPOSE OF CONFIRMING THE REAPPOINTMENT OF TWO MEMBERS TO THE METRO AUDIT COMMITTEE

Date: May 28, 2026

Prepared by:
Brian Evans
Metro Auditor
503-797-1891

BACKGROUND AND SELECTION PROCESS

The Audit Committee assists the Metro Council in reviewing accounting policies and reporting practices as they relate to the Metro's Annual Comprehensive Financial Report. The Committee provides independent review and oversight of the government's financial reporting processes, internal controls, and independent auditors.

Metro Code Chapter 2.19.250 (d), provides that the Committee shall include a Commissioner of Metropolitan Exposition Recreation Commission (MERC). The reappointment of the MERC member was based on the nomination of the Chair of MERC.

The nominated members listed in Exhibit A of Resolution No. 26-5603 serve in a voting capacity.

ANALYSIS/INFORMATION

1. **Known Opposition:** None

2. **Legal Antecedents:**

Metro Code Chapter 2.19, "Metro Advisory Committees," provides generally applicable rules for the creation of committees providing advice to the Metro Council and appointment of members to such committees.

Metro Ordinance 10-1233 for the Purpose of Establishing an Audit Committee and Amending Metro Code Section 2.15.080 External Audits and Adding a New Metro Code Section 2.19.250 Audit Committee.

3. **Anticipated Effects:**

By approving Resolution No. 26-5603, the Metro Council will reappoint two members to the Audit Committee.

4. **Budget Impacts:** None

RECOMMENDED ACTION

The Council President recommends adoption of Resolution No. 26-5603.



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600 NE Grand Ave.
Portland, OR 97232-2736
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Agenda #: 4.1

File #: RES 26-5602

Agenda Date:5/28/2026

Resolution No. 26-5602 For the Purpose of Authorizing an Exemption from Competitive Bidding and Procurement of Construction Manager/General Contractor Services by Competitive Request for Proposals for the Arlene Schnitzer Concert Hall HVAC Equipment Replacement Project

Kristin Hennings (she/her), Senior Project Manager, Capital Asset Management

Deanna Podbeilan (she/her), Procurement Analyst, Finance and Regulatory Services

BEFORE THE METRO LOCAL CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN) RESOLUTION NO. 26-5602
EXEMPTION FROM COMPETITIVE)
BIDDING AND PROCUREMENT OF) Introduced by Chief Operating Officer
CONSTRUCTION MANAGER/GENERAL) Marissa Madrigal in concurrence with
CONTRACTOR SERVICES BY) Acting Council President Duncan Hwang
COMPETITIVE REQUEST FOR)
PROPOSALS FOR THE ARLENE)
SCHNITZER CONCERT HALL HVAC)
EQUIPMENT REPLACEMENT PROJECT)

WHEREAS, Metro intends to replace the heating and cooling equipment serving historic Arlene Schnitzer Concert Hall, (the “Arlene Schnitzer Concert Hall HVAC Equipment Replacement Project”); and

WHEREAS, ORS 279C.335 and Metro Local Contract Review Board Administrative Rule ("LCRB Rule") 49-0130 require that all Metro public improvement contracts be procured based on competitive bids, unless exempted by the Metro Council, sitting as the Metro Local Contract Review Board; and

WHEREAS, Metro's LCRB Rule 49-0620 authorizes the Metro Local Contract Review Board to exempt a public improvement contract from competitive bidding and direct the appropriate use of alternative contracting methods that take account of market realities, modern innovative contracting and project delivery methods, so long as they are consistent with the public policy of encouraging competition, subject to the requirements of ORS 279C.335; and

WHEREAS, ORS 279C.337 and LCRB Rule 49-0690 authorize the use of the Construction Manager/General Contractor (“CM/GC”) alternative contracting and project delivery method when an exemption from competitive bidding is approved by the Metro Local Contract Review Board; and

WHEREAS, a Request for Proposals solicitation for a CM/GC public improvement construction contract would benefit Metro and the Arlene Schnitzer Concert Hall HVAC Equipment Replacement Project by involving the contractor extensively during the design process, allowing Metro to better account for project complexities, avoid project delays and expensive change orders, reduce liability and revenue risks to Metro, and provide a foundation of cooperation upon which a high-quality result may be achieved, on schedule and on budget; and

WHEREAS, ORS 279C.335(2) and (5)(a), and LCRB Rules 49-0630 through 49-0660 require that, to authorize an exemption from competitive bidding, the Metro Local Contract Review Board must hold a public hearing and adopt written findings establishing, among other elements, that the exemption of a public improvement contract from competitive bidding is

unlikely to encourage favoritism or substantially diminish competition for public improvement contracts, and that said exemption will likely result in substantial cost savings to Metro; now therefore,

BE IT RESOLVED THAT THE METRO LOCAL CONTRACT REVIEW BOARD:

1. Exempts from competitive bidding the procurement and award of a CM/GC public improvement contract for the construction of the Arlene Schnitzer Concert Hall HVAC Equipment Replacement Project; and
2. Adopts as its findings in support of such exemption the justification, information and reasoning set forth on the attached Exhibit A, which is incorporated herein by reference as if set forth in full; and
3. Authorizes the Chief Operating Officer to:
 - 3.1 Prepare a form of Request for Proposals for CM/GC Contractor services that includes the following evaluation criteria for contractor selection:
 - a. Contractor's proposed fees for pre-construction services
 - b. Contractor's proposed overhead and profit for construction services
 - c. Contractor's Project understanding and proposed project approach
 - d. Contractor's record of completion of projects of similar type, scale and complexity, including demonstrated public improvement CM/GC project experience and expertise
 - e. Contractor's record of coordinating multi-disciplinary approaches to value engineering challenges
 - f. Contractor's experience with occupied, operational sites, limited staging space and phased construction
 - g. Contractor's proposed milestone dates, including but not limited to substantial completion
 - h. Contractor's demonstrated quality and success with compressed schedules
 - i. Contractor's financial capacity
 - j. Contractor's experience in incorporating sustainability construction practices and design into projects
 - k. Contractor's demonstrated commitment to workforce diversity and record of outreach to subcontractor businesses certified by the Certification Office of Business Inclusion and Diversity
 - l. Any other criteria that ensure a successful, timely, and quality project, in the best interest of Metro and in accord with ORS 279C.335(4)(c) and LCRB Rule 49-0640(2)(a) and (b);
 - 3.2 Following the approval of said form of Request for Proposals and Contract by

the Office of the Metro Attorney, to issue said form, and thereafter to receive responsive proposals for evaluation; and

- 3.3 Following evaluation of the responses to the Request for Proposals, authorizes the Chief Operating Officer to execute a CM/GC contract with the most advantageous proposer to construct the Arlene Schnitzer Concert Hall Roof Replacement Project.

ADOPTED by the Metro Local Contract Review Board this 28th day of May, 2026.

Duncan Hwang, Acting Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A to Resolution 26-5602

Findings in Support of an Exemption from Competitive Bidding and Procurement of Construction Manager/General Contractor Services by Competitive Request for Proposals for the Arlene Schnitzer Concert Hall HVAC Equipment Replacement

Pursuant to ORS 279C.335(2) and (4), and Metro Code Section 2.04.054(c), the Metro Contract Review Board makes the following findings in support of exempting the procurement of the Arlene Schnitzer Concert Hall HVAC Equipment Replacement from competitive bidding, and authorizing use of an RFP solicitation for a Construction Manager General Contractor (CM/GC) public improvement construction contract:

A. The exemption is unlikely to encourage favoritism or substantially diminish competition.

The Metro Contract Review Board finds that exempting the procurement of the construction of the Arlene Schnitzer Concert Hall HVAC Equipment Replacement from competitive bidding is “unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts” as follows: The RFP will be formally advertised with public notice and disclosure of the alternative contracting method and will be made available to all qualified contractors. Award of the contract will be based on the identified selection criteria and dissatisfied proposers will have an opportunity to protest the award. Full and open competition based on the objective selection criteria set forth in the Metro Contract Review Board resolution will be sought, and the contract will be awarded to the most advantageous proposer. Competition for the RFP will be encouraged by: Posting on Bid Locker, public advertisements placed in the Portland Business Tribune and other minority business publications; performing outreach to local small business groups and by contacting contractors known to Metro to potentially satisfy the RFP criteria. The subcontractor selection process will be a low bid competitive method for contracts by requiring a minimum of three bids per scope, unless there is an approved exception. Competition among subcontractors will be encouraged by: contacting local sub-contractors, including COBID firms and notifying them of any opportunities within their area of expertise and by performing outreach local small business groups.

B. The exemption will likely result in substantial cost savings to Metro.

The Metro Contract Review Board finds that exempting the procurement of the construction of the Arlene Schnitzer Concert Hall HVAC Equipment Replacement from competitive bidding will likely result in substantial costs savings to Metro, considering the “type, cost and amount of the Contract,” the 14 factors required by ORS 279C.335(2)(b), and the “additional findings” per Metro Local Contract Review Board (LCRB) Administrative Rule 49-0630(3)(B) as follows:

Type, Cost and Amount of the Contract: (type of project, budgeted/expected overall cost (of project), budgeted/expected contract amount)

The current Capital Improvement Plan (CIP) includes \$1,950,000 for this project. This is a rough-order-of-magnitude estimate developed prior to design. The Facility Condition Assessment estimated the cost of this project to be \$2,385,000.

14 Statutory Factors

- 1. Number of Entities Available to Bid:** The complex site logistics and uncertainties involved in mobilizing work on SW Broadway in downtown Portland and work scheduling requirements related to ongoing business/performances in the building during construction are likely to discourage bidders from participating in a traditional design-bid-build process. Additionally, these same complex site logistics present elevated risks that further discourage potential bidders. The opportunity to partner with the architecture and engineering team and perform investigative early work is likely to encourage more participation by contractors.
- 2. Construction Budget and Future Operating Costs:** Utilizing an RFP process to select a General Contractor will allow Metro to obtain cost reductions through pre-construction services by the contractor during the design phase, including a constructability review, value engineering, and other services. Involving the contractor early in the design process fosters teamwork that results in a better design, fewer change orders, and faster progress with fewer unexpected delays, resulting in lower costs to Metro. The ability to have the Contractor do early work prior to completion of design shortens the overall duration of construction, resulting in less disruption and risk to revenue generation Portland's and its clients. Faster progress and an earlier completion date will also help Metro avoid the risk of inflationary increase in materials and construction labor costs.

Contractor constructability review also allows for an ongoing review of the long-term operating costs of design options, allowing for midcourse design choices leading to a project having lower long-term operating maintenance and repair costs.

- 3. Public Benefits:** The execution of the project by using the CMGC process will allow the schedule to be compressed sufficiently to address current supply chain issues and labor challenges being addressed by the construction industry. In addition to the public benefits from the cost savings noted above, the procurement of a CM/GC construction contract through the RFP process will help realize Metro's goal of obtaining COBID participation by enabling a qualitative review of proposers' approach to COBID outreach and mentoring partnerships. The CMGC process also facilitates the implementation of the Metro's Construction Career Pathways initiative by establishing the submittal and evaluation of the contractors' workforce development plans as an evaluation criteria.
- 4. Value Engineering:** The process will enable the contractor to work with the project engineer and P's staff to help reduce construction costs by providing early input and constructability review to designers, avoiding costly redesign and change orders, and providing opportunities for the engineers and contractor to work together on both practical and innovative solutions to complex design issues. This type of contract will allow the engineers to more easily explore with the contractor the feasibility of innovative design solutions and incorporate ongoing value engineering.
- 5. Specialized Expertise Required:** In addition to prior experience with historic buildings and performing arts center roof installation, contractor and subcontractors must be able to demonstrate in their proposal that they have worked in a busy urban area and understand the logistics of traffic control, access, removing demolished materials, etc. The selection of a contractor with such specialized expertise to construct the project will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on or

ahead of schedule, resulting in lower costs and increased benefit to the community. The ability to factor expertise and experience into contractor selection is inherent in the RFP process, but is not part of the traditional low bid process.

- 6. Public Safety:** The work will be done directly below street level, with limited headroom and restricted access. Removal and replacement of the chiller in its current location would likely require temporary opening of the structure above the mechanical room, including impacts at the street level, to facilitate equipment removal and installation, which could impact public safety if not performed with a level of expertise that can be ensured with a qualifications-based selection.
- 7. Reduces Risk to Metro and the Public:** The risks to P'5's ongoing operations and contracting posed by the inability of the contractor to meet the schedule deadlines will be reduced by the selection of the contractor based on the demonstrated ability to perform the work as specified, rather than awarding the project to the low bidder.
- 8. Exemption's Effect on Funding:** Does not apply.
- 9. Better Control of Impact of Market Conditions on Cost and Time to Complete:** Engaging the contractor during the design and specification process will allow more nimble reaction to the current supply chain and labor shortage issues affecting the construction industry. Products under consideration can be evaluated based on availability and lead times. Subcontractors are more likely to bid and commit workforce to General Contractors who can demonstrate that they are already under contract for projects.
- 10. Technical Complexity:** The exemption will allow the Contractor to pre-qualify/select subcontractors that have demonstrated technical expertise, knowledge, and experience with the logistical challenges of demolition and construction in a compressed urban site, all of which can be factored into the contractor selection in the RFP process. The selection of a contractor with demonstrated experience and success in implementing similar projects will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on budget, with fewer construction delays and change orders, resulting in lower costs and increased benefit to the community. The RFP process will take into account each contractor's past performance and technical knowledge. Based on the necessary quality of the finished project, and the technical complexity of the undertaking, the Procurement Manager believes an alternative contracting process to be necessary and in the best interest of the agency.
- 11. New Construction, Renovation or Remodel:** The scope of work has the potential to impact the comfort and safety of clients, customers and P'5 staff. Some of the design limitations and conditions are likely to be unknown until uncovered by exploratory demolition work performed under an early work amendment, which can be performed during design development to inform the design process.
- 12. Occupancy During Construction:** The building will remain occupied during part of the construction period. Improper execution of the work could require cancellation of rehearsals, performances, and operational work, resulting in a loss of revenue for P'5, clients and staff.
- 13. Phased Construction Work:** Some parts of the work must be done during a period without performances or events. Failure to complete the earlier phases by the committed "dark" period

will impact and potentially cause currently scheduled performances and events to be cancelled. Contractor integration with Metro and the architecture and engineering team during the preconstruction period to plan the phased work in light of the results of investigative early work is more likely to produce a project that avoids the risk of event cancellations.

14. Availability of Personnel, Consultant and Legal Counsel with CM/GC Expertise: The Office of Metro Attorney, Project Manager, and Project Engineer have the necessary qualifications and expertise to negotiate, administer, and enforce the terms of Metro's CM/GC public improvement contract, including prior experience governing large CM/GC projects and managing them to a successful completion.

Additional Findings:

1. Industry Practices, Surveys, Trends. The industry-accepted benefits of the CM/GC method include:

- Results in a better design that meets the owner's objectives.
- Encourages competition, especially for COBID subcontractors.
- Can be completed in a faster time frame.
- Costs less than a design-bid-build project that is designed and constructed in the traditional manner.
- Reduces the risks of delays, cost overruns, and disputes.
- Limits the number of change orders for unforeseen conditions.

2. Past Experience and Evaluation of Metro CM/GC Projects.

The Arlene Schnitzer Concert Hall Acoustic Enhancement Project. The benefits to the ASCH Acoustic Project achieved through the CM/GC process included:

- P'5 obtained cost reductions through pre-construction services by the contractor during the design phase, including a constructability review (e.g., materials, phasing, layout and design) and value engineering.
- Close cooperation between the architect and contractor allowed for rapid and successful solutions to challenges proposed by prior unknown conditions in the 92-year-old facility.

3. Benefits and Drawbacks of CM/GC to the Arlene Schnitzer Concert Hall HVAC Equipment Replacement.

Benefits - The CM/GC method provides an invaluable means of addressing the risks to Metro presented by the project's site conditions and timeline.

- Facility must remain open and operational, and the activity will take place above the audience chamber and stage house.
- Widespread public access and need to preserve a quality experience to maintain current revenues.
- Need to complete initial phases of the work in order to meet deadline posed by scheduled "dark" period.

By involving the contractor extensively during the design process, P'5 will be able to better account for, plan around, and address the above factors prior to and during construction. This avoids project delays and expensive change orders, helps to reduce liability and revenue risks to Metro, and provides a foundation of cooperation upon which a high-quality result may be achieved, on schedule and on budget. Pre-construction services provided during the process include a constructability review, value engineering, and other service during design. Involving a contractor during the design fosters teamwork that results in a better design, faster progress with fewer delays, and less costs.

Drawbacks - Given Metro's favorable experience with CM/GC, staff foresees no drawbacks to adopting the CM/GC method to implement the Arlene Schnitzer Concert Hall HVAC Equipment Replacement project.

IN CONSIDERATION OF RESOLUTION NO. 26-5602, FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION FROM COMPETITIVE BIDDING AND PROCUREMENT OF CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES BY COMPETITIVE REQUEST FOR PROPOSALS FOR THE ARLENE SCHNITZER CONCERT HALL HVAC EQUIPMENT REPLACEMENT.

Date: April 27, 2026

Department: P'5, Capital Asset Management

Meeting Date: May 28, 2026

Prepared by: Kristin Hennings,
Kristin.Hennings@oregonmetro.gov

Presenters:

Kristin Hennings (she/her), Senior Capital
Project Manager,
Kristin.Hennings@oregonmetro.gov

Deanna Podbielan (she/her), Procurement
Analyst, Deanna.Podbielan@oregonmetro.gov

Length: 10 minutes

ISSUE STATEMENT

Metro Council is asked to consider approving the resolution to authorize an exemption to the competitive bidding procedures, and authorizing procurement of a construction manager and general contractor.

A facilities conditions assessment was performed in early 2026 showing that the HVAC equipment (chiller, boilers, and an air handling unit) for the Arlene Schnitzer Concert Hall is past its useful life. This upgrade is essential to ensure reliable heating for the facility, reduce operating costs, and improve overall energy efficiency.

The attached resolution and findings in Exhibit A describe the specialized nature of this project. Based on these findings, the Metro procurement manager believes that a value-based selection process is more appropriate than a traditional, competitive bid (which solely considers lowest bid price). CPMO staff and the Office of the Metro Attorney concur.

ACTIONS REQUESTED

Adopt Resolution 26-5602 to pursue the alternative procurement of Construction Manager General Contractor Services by a competitive Request for Proposals for the Arlene Schnitzer Concert Hall HVAC Equipment Replacement Project. This will allow Metro to consider cost as well as experience and expertise in completing similar projects and in selecting the most advantageous contractor for this project.

IDENTIFIED POLICY OUTCOMES

A value-based selection process will enable P'5 to meet its goals and advance its mission. Metro's Sustainable Buildings and Sites Policy will be implemented as well as the Strategic Plan to Advance Equity, Diversity and Inclusion, Clean Air Construction Policy, Construction Careers Pathways Policy and Contracting Equity Policy.

POLICY QUESTIONS

How well does the Resolution advance the agency's goals and needs by reducing liability and revenue risks and providing a foundation of cooperation in which a high-quality result may be achieved on schedule and on budget?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

- Adopt the Resolution approving the exemption from competitive bidding in favor of CM/GC project delivery method.
- Procure contractor using the traditional ITB procurement process.

STAFF RECOMMENDATION

Staff recommends that Council, acting as the Local Contract Review Board, approve an exemption from competitive bidding for the Arlene Schnitzer Concert Hall HVAC Equipment Replacement Project, authorization of procurement of a Construction Manager/General Contractor by request for competitive proposals, and authorize the execution of the resulting CM/GC contract by the Chief Operating Officer in a form to be approved by the Office of Metro Attorney.



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #: 5.1

File #: ORD 26-1543

Agenda Date:5/14/2026

Ordinance No. 26-1543 For the Purpose of Annexing to the Metro Boundary Approximately 10 Acres in North Bethany Along Northwest Kaiser Road

Glen Hamburg (he/him), Senior Regional Planner

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) ORDINANCE NO. 26-1543
METRO BOUNDARY APPROXIMATELY 10)
ACRES IN NORTH BETHANY ALONG) Introduced by Chief Operating Officer
NORTHWEST KAISER ROAD) Marissa Madrigal with the Concurrence of
) Acting Council President Duncan Hwang

WHEREAS, Otak, Inc. has submitted a complete application for annexation of approximately 10 acres of unincorporated Washington County (“the territory”) to the Metro service district boundary (the “Metro boundary”); and

WHEREAS, the Metro Council added the territory to the urban growth boundary (UGB) by Ordinance No. 02-987A adopted on December 12, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the Metro boundary prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on May 14, 2026; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated May 6, 2026, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this ___ day of _____ 2026.

Duncan Hwang, Acting Council President

Attest:

Approved as to form:

Georgia Langer, Recording Secretary

Carrie MacLaren, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 26-1543, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 10 ACRES IN NORTH BETHANY ALONG NORTHWEST KAISER ROAD

Date: May 6, 2026
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Senior Regional Planner

BACKGROUND

CASE: AN0226, Annexation to Metro Boundary

PETITIONER: Otak, Inc.
808 SW Third Ave., Ste. 800
Portland, OR 97204

PROPOSAL: The petitioner requests annexation of territory in Washington County to Metro's service district boundary (the "Metro boundary").

LOCATION: The subject territory, totaling approximately 10 acres in area, is located in unincorporated Washington County on the east side of Northwest Kaiser Road, south of Northwest Raywood Lane. The subject territory can be seen as the cross-hatched area in Attachment 1.

ZONING: Separate portions of the subject territory are zoned by Washington County as follows: R-6 North Bethany District (R-6 NB); R-9 North Bethany District (R-9 NB); R-15 North Bethany District (R-15 NB); R-24 North Bethany District (R-24 NB); and R-25+ North Bethany District (R-25+ NB).

The subject territory was added to the urban growth boundary (UGB) in 2002. The territory must be annexed into the Metro boundary for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for annexation to the Metro boundary are contained in Metro Code section 3.09.070.

3.09.070 Changes to the Metro Boundary

(e) The following criteria apply in lieu of the criteria set forth in section 3.09.050(d). The Metro Council's final decision on a boundary change must include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject territory was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-987A. Publicly available online maps, including Metro's MetroMap service, also identify the territory as within the UGB. No parties have contested that the property is within the UGB. Because the territory is in fact within the UGB, the application meets the criteria of section 3.09.070(e)(1).

2. *The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The subject territory is already zoned R-6 NB, R-9 NB, R-15 NB, R-24 NB, and R-25+ NB, each of which are urban residential zoning districts of Washington County. The territory is also already in the Tualatin Valley Fire District and the TriMet transit service district. However, the territory cannot be developed with urban uses until it is also annexed to the Metro district, as well as certain other service districts. Washington County staff have confirmed that section 501-10.2 of Washington County's Community Development Code provides the following: "...an application for development approval within the North Bethany Subarea Plan shall be denied unless the applicant demonstrates that: (A) The property(ies) has been annexed to the following jurisdictions: Clean Water Services, Metro, Tualatin Hills Park & Recreation District, Tualatin Valley Fire and Rescue, Tualatin Valley Water District, Enhanced Sheriff's Patrol District, and Urban Road Maintenance District." The territory is in the County's North Bethany Subarea Plan and is therefore subject to measures that prevent its urbanization until it is annexed to service districts that will provide necessary urban services. The application meets the criteria in section 3.09.070(e)(2).

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The subject territory is already within the UGB and has been planned and zoned for urban residential land uses; it is therefore not subject to any urban reserve concept plan. The territory is specifically in the North Bethany Subarea of Washington County's "Comprehensive Framework Plan for the Urban Area." Chapter 390-8 of the Community Development Code of Washington County states that the various residential zones that apply to the subject territory generally allow for between six and 25 dwelling units per acre. As noted above, the territory is already in the Tualatin Valley Fire District and TriMet's transit service district. Notice of this application was provided to Washington County and to urban service providers; neither the County nor any service provider has asserted that the proposal to annex the territory to the Metro boundary is inconsistent with any adopted cooperative or urban service agreement. The Tualatin Valley Water District (TVWD) submitted a copy of TVWD Board Resolution 05-12 endorsing annexation of the subject territory to the TVWD service area. The application meets the criteria in section 3.09.070(e)(3).

ANALYSIS/INFORMATION

Known Opposition: Notice of this annexation application was mailed to nearly 300 nearby property owners and other interested parties. One party submitted written testimony in opposition to the application on May 4, 2026; their testimony is included in the record.

Legal Antecedents: Metro Code section 3.09.070 allows for annexation to the Metro boundary.

Anticipated Effects: This amendment will add approximately 10 acres to the Metro boundary. The land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the Washington County Comprehensive Framework Plan for the Urban Area.

Budget Impacts: The only resources expended for this request are for associated staff time and for routine printing and postage for required public notices, which are already in the approved budget. Territories annexed to the Metro boundary are subject to relevant Metro tax requirements.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 26-1543.

