

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 21-5228 OF THE METRO COUNCIL ACTING AS THE METRO CONTRACT REVIEW BOARD FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE BIDDING PROCEDURES AND AUTHORIZING PROCUREMENT OF CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES BY COMPETITIVE REQUEST FOR PROPOSALS FOR THE BLUE LAKE FISHING PIER DEMOLITION PROJECT

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Department: CPMO  
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Length:

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## BACKGROUND

The existing Blue Lake Park pier was built to enclose a swimming area in 1962. When lake swimming activities moved westward to a new beach, the pier remained to support rental boat operations and fishing. After a structural assessment in late 2020, the pier closed to the public due to very poor condition of the structure and associated safety risks.

Metro staff met with the project structural engineer and a marine construction contractor to review options to demolish and replace the pier or rehabilitate the existing pier. The conclusion at the meeting was that rehabilitation, with higher risks, unknown savings, if any, as well as constraints in design, location and lifespan, was not the optimal approach. Full demolition and replacement—though potentially resulting in a higher upfront cost—provides opportunity to design and build with public input and more flexibility as to type and location of pier-based public activities (including fishing).

Blue Lake Park renovation planning, beginning in early 2022, will include robust public engagement to create a future vision for Blue Lake Park. The new pier structure will be part of the public conversation around what park guests' engagement with the lake waterfront will be. Pier fishing at Blue Lake Park will continue to be closed until a new pier is built, or a temporary facility is installed.

Marine demolition work is highly technical, logistically complicated, and involves a number of jurisdictional authorities; and as an operating public site, contractors working at Blue Lake Park must minimize conflict between the project, park guests and park operations. A Construction Manager/General Contractor (CM/GC) project delivery method, wherein the General Contractor partners with the team during design, is beneficial by providing early

input into design, permitting, project phasing, equipment and material staging areas, construction access, and scheduling.

Furthermore, there is an opportunity to work cooperatively with the CM/GC and engineer early in the process to create a temporary work dock facility that can be left in place and serve as a temporary accessible fishing pier. This structure would be designed and built with this dual purpose in mind and bring the added benefit to Metro of providing interim accessible public fishing at the lake while planning, design, and construction of a new pier is underway. The Construction Manager/General Contractor (CM/GC) project delivery method, whereby the contractor joins the design process, would enable us to find opportunities that bring additional benefit to the project.

## **ANALYSIS/INFORMATION**

**1. Known Opposition:** None.

**2. Legal Antecedents:** LCRB Rule 49-0620(1), 49-0130, 49-0640, and 49-0690; Oregon Revised Statutes 279C.335 and ORS 279C.337.

**3. Anticipated Effects:** Public procurement process will be open and competitive, but items in addition to cost will be considered in the awarding of the contract. Increased use of COBID subcontractors is anticipated.

**4. Budget Impacts:** The CM/GC project delivery method provides safeguards for schedule and cost control of the project, including early involvement by construction contractor in the design process, as well as reducing the risk of substantial change orders.

## **RECOMMENDED ACTION**

Metro Council, acting as the Local Contract Review Board, approves an exemption from competitive bidding for the Blue Lake Park Fishing Pier Demolition project, and authorizes procurement of a Construction Manager/General Contractor by request for competitive proposals, and authorizes 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.

## **ATTACHMENTS**

Exhibit A: Findings in Support of an Exemption from Competitive Bidding and Authorizing the Procurement by Request for Proposals of Construction Manager General Constructor (CM/GC) Services for the Blue Lake Park Fishing Pier Demolition