

**City of Bend**  
**Local Contract Review Board Meeting**  
**April 17, 2023**

The meeting of the City of Bend Local Contract Review Board was called to order at 1:14 p.m. on Monday, April 17, 2023, in the Board Room at City Hall, 710 NW Wall Street, as well as online.

**1. Roll Call:** Mayor Pro Tem Megan Perkins (excused), Councilor Ariel Méndez, Councilor Mike Riley

**2. Approve Minutes**

Approval of the November 29, 2022 minutes was tabled for the next meeting.

**3. Midtown Multimodal Connections and Streetscaping Progressive Design Build Exemption**

Due to technical difficulties, Councilor Riley left the virtual meeting at 1:24 p.m. and joined the meeting in person at 1:28 p.m.

Interim Procurement Manager Heather Herauf provided an overview of this agenda item and introduced Engineering and Infrastructure Planning Director Ryan Oster. Oster shared the progressive design-build exemption concepts for the midtown crossings, discussed the background of the project, and presented the following slide:

- Project Scope

Councilor Méndez stated the exemption sounded good. Following questions from Councilor Riley, Chief Financial and Administrative Officer explained the purpose of the Local Contract Review Board (LCRB) and noted Councilors have the opportunity to dive into more detail on issues than the full Council would at the next meeting.

**4. Awbrey Butte Distribution Improvements – Guaranteed Maximum Price (GMP) 1**

Senior Project Engineer Jake Sherman and Engineering Associate Ivan Sinkus introduced themselves and explained the GMP would be with K&E Excavating. Sinkus presented the following slides:

- Awbrey Butte Waterline Improvements Project
- Background
- Project Scope & Location – GMP 1
- Project Scope & Location – Proposed GMP 2

Sherman presented the following slides:

- Schedule

- Budget
- Progressive Design-Build
- Eminent Domain – GMP 2 (*map*)
- Eminent Domain – GMP 2 (*explanation*)

Councilors and staff discussed the scope of the transportation improvements planned for Portland Avenue. Following questions from Councilor Méndez, Oster explained what could and could not be changed within the limits of the project.

Oster reiterated the first GMP construction package, an amendment with Consor for construction management services, and an eminent domain request would all come before Council at its May 3, 2023 meeting. Oster clarified the eminent domain request was simply to receive permission from Council to execute it, should negotiations fail, and remain on schedule.

## **5. Wilson GMP 4**

Senior Project Engineer Sinclair Burr explained this project is Construction Manager/General Contractor (CMGC), rather than progressive design-build, and explained the difference between CMGC and progressive design-build. Burr presented the following slides:

- Wilson Avenue Corridor Project
- Background
- Scope and Schedule
- Budget
- Budget Considerations

Councilors and staff discussed scope expansion in the Wilson Avenue Corridor project. Councilors Riley and Méndez agreed it would be helpful for staff to be more specific regarding cost drivers at the May 3, 2023 budget presentation.

Councilor Riley asked staff to discuss scope change in neutral terms rather than referring to it as scope creep, as the scope change reflects changing community priorities and values.

Councilor Méndez asked if any lessons were learned from the scope expansion involved in the Wilson Avenue Corridor project that could save money on future projects. Oster explained initiatives and changes that have been made as a result of that project.

## **6. 2024 Neighborhood Street Safety Program (NSSP) Design**

## **7. 2023 Neighborhood Street Safety Program (NSSP) Construction**

Staff and Council discussed the past and current process for getting input and feedback on NSSP projects from the community.

Councilor Méndez said he would like the City to get more familiar with looking at the NSSP from a fairness perspective, given the diversity of the neighborhood associations, use that lens when

allocating and approving projects. Oster explained staff was working through the Transportation Bond Oversight Committee (TBOC) and the Community Building Subcommittee to vet NSSP projects.

**8. Adjourned at 2:05 p.m.**

Respectfully Submitted,

Melissa Mitsch  
Senior Administrative Support Specialist