

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 2010-048

Approving The Funding For The Construction Documents Not To Exceed \$1.8 Million And Directing The Chief Financial Officer To Develop Financing Options For The East County Courts And District Attorney Facility On The County Owned Property At 185th And Stark In Rockwood.

The Multnomah County Board of Commissioners Finds:

- a. A Courthouse Blue Ribbon Steering Committee made recommendations in December 2003 for a new courts facility within the existing downtown Portland Government Center and four courtrooms within the City of Gresham to accommodate the Multnomah county court and supporting County functions for the next 40 years.
- b. Resolution 04-028 recommended a four courtroom facility with expansion capability to six courtrooms in East County/Gresham and convened a work group to provide options and partnership potentials of an East County Justice Center.
- c. On February 17, 2005, by Resolution 05-031 the Board approved a Preliminary Planning Proposal for an East County Justice Facility and directed the Facilities and Property Management Division (Facilities) to prepare a Project Proposal for Board review.
- d. On May 12, 2005 by Resolution 05-076 the Board approved the Project Proposal for an East County Justice Facility and directed Facilities to prepare a Project Plan for Board review.
- e. On March 30, 2006, by Resolution 06-038, the Board directed Facilities to prepare a Project Plan and recommendation for site acquisition in East County.
- f. On February 1, 2007, by Resolution 07-024, the Board approved a concept for an East County Justice Facility that included space for courtrooms and Sheriff's operations and directed Facilities to proceed with a final project plan.
- g. On February 22, 2007, by Resolution 07-038, the Board approved the East County Justice Facility Project Plan creating a capital project in accordance with Resolution 07-024 and FAC-1 procedures and directed facilities to proceed with implementation of the plan.
- h. On January 31, 2008, by Resolution 08-008, the Board authorized Facilities to proceed with soliciting proposals to construct the East County Justice Center Project.
- i. On October 1, 2009, by Resolution 09-121, the Board approved the East County Courts Development Update, FAC-1 Amendment revised September 30, 2009 and authorized Facilities to proceed through schematic design with the formation of a Project Oversight Committee to review and approve the project process.
- j. Facilities completed the Schematic Design and prepared an East County Courts Executive Summary for the Schematic Design Package - April, 2010 (Executive Summary) a copy of which is attached to this Resolution. Facilities is prepared to commence the final design through Construction Documents.

- k. It is appropriate to finance construction of the Project through a combination of ECC Dedicated Capital Funds resulting from the sale of Edgefield South and other financing up to \$15,000,000 recommended by the Chief Financial Officer.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves Option D in the Executive Summary for final design. Facilities is directed to obtain a cost estimate for Option D from the CM/GC hired for the project. If the cost estimate is more than 103.5% of the \$19,600,000 estimated cost for Option D Facilities shall report back to the Board before proceeding further with final design. If the CM/GC cost estimate is less than 103.5% of the current cost estimate for Option D, Facilities is directed to complete the final design of the project through Construction Documents as outlined in the Project Plan at a cost not to exceed \$1.8 million. Such cost shall be funded by the East County Court Dedicated Capital Funds resulting from the sale of the Edgefield South property.
2. Upon completion of the final design the project will be brought back to the Board of County Commissioners for approval of Construction Documents by December 30, 2010.
3. The Chief Financial Officer is directed to develop a proposal for financing up to \$15,000,000 of the cost of the Project for presentation to the Board for approval not later than November 2010.
4. The Project Oversight Committee will continue to provide guidance and recommendations in accordance with provisions of the Project Plan.

ADOPTED this 22nd day of April, 2010.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____

John S. Thomas, Deputy County Attorney

SUBMITTED BY:

Commissioner Judy Shiprack, District 3
Commissioner Diane McKeel, District 4

East County Courts Executive Summary for the Schematic Design Package - April 2010

Background:

Last October 1st, the Multnomah County Board of Commissioners approved Board Resolution 09-121 for the Revised Project Plan for the East County Courts and District Attorney Facility on the County Owned Property at 185th and Stark in Rockwood. This Resolution:

- Approved the Revised Project Plan (See **Exhibit A**)
- Directed Facilities and Property Management Division to implement and complete the Schematic Design Phase of the Project Plan without exceeding \$800,000 in expenditures
- Upon completion of the Schematic Design bring the project back to the Board of County Commissioners to approve completion of the Final Design
- Establish a Project Oversight Committee in accordance with the Project Plan

Multnomah County Project Objectives:

- **Identity:** Facility will reflect prominence and importance of providing due process to Multnomah County citizens east of 122nd while reflecting fiscal responsibility to the taxpayers.
- **Operation:** Use of durable, sensible materials and systems, focused on low long-term operational cost, and a functional, efficient facility that is easy to maintain.
- **Longevity:** The facility is intended to last at least 80 years, and designed to accommodate future growth of three additional courtrooms.
- **Sustainability:** The project team is working toward the goal to achieve a LEED Gold rating, the Architecture 2030 challenge, and will incorporate the 1.5% Solar program.
- **Minority involvement:** The County is seeking high levels of participation from M/W/ESB businesses and organizations.

Significant Accomplishments since Oct. 1 2009:

- **Architect team selection** resulting in contract with LRS Architects in January.
- **Facilitation of a CM/GC Contractor selection** to be completed this month.
- **Coordination and review of entitlements issues** with the City of Gresham and initiation of formal review processes.
- **Completion of the Programming and Schematic Design** phases of the design and cost estimate. An additional cost estimate by a Contractor is anticipated in May.
- **Public Outreach** through community meetings including but not limited to City of Gresham Rockwood Urban Renewal Agency, Rockwood Neighborhood Association, Rockwood Business Coalition.
- **Analysis of multiple financing strategies and grants.**
- **Operational and ownership costs estimated** with Facilities, District Attorney, Multnomah District Courts and Sheriffs office.
- **Alternative lease space options analyzed**, including renovation cost estimate, financing and operational cost analysis to evaluate feasibility.
- Schematic Design has been completed **using only \$450,000 of the \$800,000 authorized.**

Schematic Design Package Deliverables

The following is a summary status report of the "list of deliverables" identified last October as the components to the Schematic Design report. Some items are supplemented by additional information contained in the attached Exhibits:

1. Program Statement

Multiple programming work sessions conducted February and March attended by:

- Facilities and Property Management
- Multnomah County District Courts
- District Attorney,
- Multnomah County Sheriff's Office

Workshops were monitored by SOJ to ensure that whenever practical, the minimum functional space and feature requirements were identified. Each workshop was followed with progressively detailed notes and diagrams that were reviewed by all parties to ensure accuracy of the data. A final draft of this data was provided to the user groups and the Project Oversight Committee. Final comments were collected on March 24th, and the final document will be included in the Schematic Design Report. In summary, the space program falls within the same 35,000 to 40,000 s.f. range originally anticipated.

2. Preliminary Plans, Elevations, Site Plan, Building Sections for Range of Options

The diagrams included in this Section are primarily developed around a 2-story configuration for the building, however, a 3-story option is also being studied. Select diagrams, drawings and renderings are included in **Exhibit B**. The complete set of drawings and diagrams will be included in the Schematic Design Report.

3. Preliminary Architectural Specifications and Finishes Schedules

As clarified in the Architect RFP, LRS Architects have been working to select materials that are durable, come from sustainable sources, and reflect the County's desire to show fiscal responsibility with the County taxpayers funds. The Preliminary Architectural Specifications and Finishes Schedules will be contained in the Schematic Design Report.

4. Narratives for Structural, Mechanical, Electrical and Plumbing

Also as clarified in the Architect RFP, LRS Architects have been working closely with FP&M staff and Sustainability professionals to evaluate building systems including analysis for operational simplicity, conformance with County maintenance and monitoring standards, and opportunities for long-term operation savings. The narratives for Structural, Mechanical, Electrical and Plumbing will be contained in the Schematic Design Report.

5. Preliminary Report on LEED Strategies

The project has targeted LEED Gold certification. To meet a Gold certification, a minimum of 60 points is needed, and 65 points are currently under consideration for incorporated into the project. The Project Team will continue to work to incorporate the most economical and practical LEED strategies as they work toward achievement of the goal. A preliminary LEED scorecard is included in **Exhibit C**. More details on the Sustainability strategies being pursued will be included in the Schematic Design Report, including the Architecture 2030 Challenge and the County's 1.5% Solar Program.

6. Cost Estimates by Contractor and Cost Estimating Consultant

The Schematic Design Cost Estimates are now based on preliminary drawings and specifications that identify general quality of finishes, structure type, mechanical, electrical and plumbing systems

and material take-offs, quantities. The estimates have been prepared for the 4 versions previously identified:

- Option A – 2 Courtrooms
- Option B – 2 Courtrooms plus 3rd Courtroom Shell
- Option C – 2 Courtrooms plus finished Flex Space
- Option D – 3 Courtrooms

These estimates, prepared by Hill International, will be included in the Schematic Design Report. The Contractor's cost estimate is anticipated in May, but is not expected to vary materially from current estimates.

7. Updated Hard & Soft Cost Budget Estimate

In conjunction with the Hill International estimates, detailed Overall Project Estimates have been prepared and will be included in the Schematic Design Report. Summary Estimates for the 4 Options are provided in **Exhibit D**. In comparison to the estimates presented in October, all the estimates are lower.

8. Updated Overall Project Schedule

The updated Overall Project Schedule essentially remains the same as anticipated last October, with functional use of the new building beginning in March 2012. The project team is encouraged by possible opportunities to reduce some design time as well as construction time. Updated schedules will be provided to the Project Oversight Committee on a regular basis. A detailed Overall Project Schedule will be included in the Schematic Design Report, and a Summary Schedule is included in **Exhibit E**.

9. Status of Planning & Development Issues with City of Gresham

The current status of the land use process with the City of Gresham is in line with current schedule expectations. Three informal and preliminary meetings were held with the County, SOJ and City of Gresham last fall to determine fundamental development requirements for the Project. More recently, an informal meeting was held with City of Gresham planning and building staff on February 22nd to review land use issues with the new design team. In addition, the Project Team held a formal Pre-Application Conference to initiate the Land-Use process on March 31st, and held the official Neighborhood Meeting with the Rockwood Neighborhood Association on April 20th. A Community Open House was held on March 30th to present the project to residents of Gresham and East Portland. The Open House included a presentation of the project by Commissioners McKeel and Shiprack, LRS Architects and SOJ. A gallery walk afforded interested parties the opportunity to interact with the design team and provide input into selected aspects of the project.

The next steps of the land-use process include the completion of the application and submittal for a Type II Land Use Review. This process will include the consolidation of the multiple lots and the dedication of the right-of-way for 185th to the City. This application will be submitted in May or early June. The project will be substantially in compliance with the proposed Rockwood Design Guidelines. The outstanding issues the Project Team is currently working through with the City of Gresham include:

- Resolution of the extent of the improvements required for the extension of 185th
- Potential for requesting a variance from the Floor Area Ratio requirement to allow improved parking
- Traffic Study requirements

10. Project Management Plan

The written project management plan will be included in the Schematic Design Report.

Lease Space Options

1. Preliminary site search for lease space for 2 Courtrooms in Gresham based on
 - Suitability of building and property for renovation
 - Access to public transportation
 - Size of space
 - Parking requirements
 - Code and Zoning requirements
2. Architects and engineers evaluated a vacant and available facility to quantify cost of required building upgrades
3. Cost of conversion was only incrementally less than building new facility see **Exhibit F**
4. The Goodwill Building Study is included in the Schematic Design Report

Financing and Operating Costs

1. Financing package for the project needs to commence prior to Approval of Construction Documents
2. Project financing will consist of combination of:
 - East County Courts Dedicated Funds
 - Bonding
3. Maximum bonding request is for \$15MM as outlined in **Exhibit G**
4. Operating Expenses for the East County Courts consist of the following:
 - Asset Preservation Fee
 - Operations and Maintenance
 - Utilities
 - Multnomah County Sheriff's Office Personnel
5. Additional personnel for the District Attorney's office based on the initial operations of two courtrooms will be provided within existing budget.
6. Multnomah County District Courts is committed to staffing all Court functions.
7. Summary of Operating Costs provided in **Exhibit G**

Support and Commitment

- Letters of support and commitment provided in **Exhibit H**

Recommendations:

- Approve the Schematic Design Phase on the condition the Contractor's estimate does not exceed 3.5% of the current estimates.
- Approve continued design work through Construction Documents at a cost Not to Exceed \$1.8MM.
- Approve development of a financing package Not to Exceed \$15MM.
- Project Team to return for approval to construct the project prior to the end of 2010.
- Finance the project through a combination of ECC Dedicated Capital Funds resulting from the sale of South Edgefield and bond financing up to \$15MM.
- With the Project Oversight Committee, continue to seek guidance and recommendations while reporting progress on a regular basis.