

MODIFICATION #2 TO
PROFESSIONAL SERVICES AGREEMENT #6122
TILLAMOOK COUNTY AND MURRAYSMITH
PACIFIC CITY/WOODS PARKING MANAGEMENT PLAN DESIGN

This agreement modification, hereafter "modification #2", is entered into by and between MURRAYSMITH, hereafter "contractor" and TILLAMOOK COUNTY, hereafter "county", pursuant to ORS 203.010. The parties entered into a Professional Services Agreement on June 23, 2021. The parties intend this modification to modify their earlier agreement only as to their expressions herein. The mutual promises of each are given in exchange and as consideration for, the promises of the other.

(~~Strike through text~~ indicates removals and *italicized text* indicates additions).

2. AGREEMENT PRICE AND AMOUNT

The price of the services provided by the contractor shall by Six Hundred ~~Seventy Three Thousand Eight Hundred Ninety One and 00/100 Dollars (673,891.00).~~ *Seven Hundred Seventy-Six Thousand One and 00/100 Dollars, (\$776,001.00).*

3. AGREEMENT TERM

The term or period of this agreement shall begin June 23, 2021 and end ~~July 31, 2022~~ *September 30, 2022.*

4. AGREEMENT DOCUMENTS

The following documents comprise the agreement and are incorporated herein by reference in their entirety.

- 4.1. This Agreement;
- 4.2. Project Proposal; ~~and~~
- 4.3. Statutory Public Contract Provisions.;
- 4.4 *Amendment No.1 Scope of Work; and*
- 4.5 *Proposed Fee Estimate – Amendment No. 1.*

All provisions of the underlying agreement not otherwise modified by this document remain in full force and effect and are incorporated herein by reference.

ACKNOWLEDGEMENT:

EACH PARTY REPRESENTS TO THE OTHER BY THEIR SIGNATURES BELOW THAT EACH HAS READ, UNDERSTANDS AND AGREES TO ALL COVENANTS, TERMS AND CONDITIONS OF THIS AGREEMENT. EACH PARTY REPRESENTS TO THE OTHER TO HAVE THE ACTUAL AND/OR APPARENT AUTHORITY TO BIND THEIR RESPECTIVE LEGAL PERSONS, CORPORATE OR OTHERWISE, IN CONTRACT.

MODIFICATION #2 TO
 PROFESSIONAL SERVICES AGREEMENT #6122
 TILLAMOOK COUNTY AND MURRAYSMITH
 PACIFIC CITY/WOODS PARKING MANAGEMENT PLAN DESIGN

Approved as to form and content this 25th day of July, 2022.


 Contract Officer

Dated this 25 day of July, 2022.

CONTRACTOR: MURRAYSMITH

 Nicholas McMurtrey
 101 SW Main Street, Suite 1000
 Portland, Oregon 97204
 (503) 225-9010
 Nicholas.mcmurtrey@murraysmith.us

Dated this ____ day of _____, 2022.

THE BOARD OF COMMISSIONERS
 FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
_____ David Yamamoto, Chair	___	___	___/___
_____ Erin D. Skaar, Vice-Chair	___	___	___/___
_____ Mary Faith Bell, Commissioner	___	___	___/___

ATTEST: Tassi O'Neil,
 County Clerk

APPROVED AS TO FORM:

By: _____
 Special Deputy

 William K. Sargent
 County Counsel

AMENDMENT NO. 1 TO THE SCOPE OF WORK ENGINEERING SERVICES FOR KIWANDA CORRIDOR PROJECT

This amendment updates the previously approved Scope of Work. The format to identify alterations to the original document is as follows:

- Shaded font identifies original scope language that remains unchanged.
- ~~Strikethrough shaded font~~ identifies deleted original scope language.
- Standard font identifies added scope language.

Introduction & Project Understanding

The Pacific City/Woods area has an estimated population of just over one thousand (1,000) year-round residents. Cape Kiwanda and Haystack Rock are located on Pacific City's coastline and are reported to be one of the most visited sites on the Oregon Coast. In the summer, the abundance of visitors accessing the beach, dunes, and commercial establishments creates issues, many of which are due to a high demand for parking. People park illegally in parking lots and on shoulders, and those trying to find parking circulate in the area, causing congestion.

The County commissioned the Cape Kiwanda Master Plan (2016), and the Pacific City/Woods Parking Management Plan (2019) to identify strategies that improve traffic congestion and local livability. These strategies include:

1. Reconstructing the Cape Kiwanda Parking Lot
2. Replacing the Cape Kiwanda Parking Lot Restrooms
3. Upgrading the Cape Kiwanda Parking Lot Garbage and Recycling Facilities
4. Constructing the Cape Kiwanda Drive Multi-Use Path (MUP), from the Cape Kiwanda Parking lot to Bob Straub State Park
5. Relocating Webb Park, including access improvements to Circle Drive and a potential roundabout or couplet
6. Developing the Jensen Property, including access improvements to Pacific Avenue and Sunset Avenue with a potential roundabout
7. Improving parking shuttle services
8. Completing development of the Nestucca Valley Community Alliance (NVCA) Lot

While not identified in either of the initial plans, the Nestucca Valley Community Alliance (NVCA) has subsequently leased property from Tillamook Lightwave to develop a public skate park with parking. The County requests incorporating the NVCA Lot as another strategy to improve traffic congestion and local livability.

4.2 Business Survey	7/30/2021	8/20/2021
4.3 Community Survey	7/30/2021	8/20/2021
NTP – SOW Updates from Task 1.4	11//24/2021	n/a
Cape Kiwanda Parking Lot PS&E	11/24/2021	2/2022
Start Cape Kiwanda Parking Lot	Goal of March 2022	Goal for Summer 2022

Task - Description	Start Date	Completion Date
1.1 Overall Project Coordination	June 2021	July 2022
2.6 Alternatives Analysis	August 2021	April 2022
2.7 Preferred Concept Plan	May 2022	June 2022

Scope of Services

This project will expand on the work conducted in the Cape Kiwanda Masterplan and Pacific City/Woods Parking Management Plan, which both aided the County in determining appropriate development and locations for parking capacity to meet current and future demand. The visioning charrette, programming discussions, design alternatives and development strategies envisioned for this project will meet the goals of the County by increasing multi-modal transportation options, population disbursement, parking efficiencies and reducing impacts of parking throughout the Pacific City / Woods area.

This SOW includes monthly progress-reporting, team communication protocols, and procedures the Consultant will implement to ensure quality control. The SOW includes tasks and processes serving the needs of the project to implement the strategies described in the Pacific City/Woods Parking Management Plan to determine, with the County, the preferred improvements to proceed into construction documentation and how to phase them over time.

Due to the phased nature of the project, several elements of this SOW are undefined at this time and referred to as ‘deferred’ below. These deferred tasks are listed to convey the framework envisioned for the overall project, and for general tracking of projected future services. As the project advances and concepts are further developed, those deferred tasks are anticipated to incorporate into the project through amendments to this document.

The Consultant will perform the following services described in this SOW below and the County’s anticipated responsibilities are as follows:

County Responsibilities

The County will be responsible for the following:

- ~~■ Provide a consolidated set of staff and stakeholder comments for each draft work product submitted~~
- Provide record drawings

- Provide property deed information
- ~~Lead Public Involvement activities and website hub with Consultant support~~

Unless indicated otherwise, all deliverables are provided in electronic format.

Task 1 - Project Management

Provide overall management, direction, and coordination for the project, including the following subtasks.

1.1 Overall Project Coordination

Create a Project Management Team (PMT) consisting of County staff with Consultant Project Manager to facilitate continuous ongoing project coordination, communications, and to review meeting plans and draft presentations. Consultant team members will participate as needed in these meetings. Public engagement will be discussed on a regular basis within this PMT meeting.

This group will convene ~~biweekly~~ **approximately weekly** at a standing meeting. Consultant will prepare agendas and summary notes for each meeting. For estimating purposes, it is assumed ~~four (4)~~ **two (2)** Consultant team members will attend these ~~biweekly~~ **approximately weekly** meetings, anticipated to occur virtually.

Coordinate with subconsultant team to assign and manage the appropriate level of staff expertise for the project at each phase of design, coordinate design reviews and the implementation of design review comments and perform other project coordination as required.

Deliverables

- ~~Ten (10)~~ **Forty two (42)** draft and final meeting agendas
- ~~Ten (10)~~ **Forty two (42)** meeting minutes

1.2 Project Design Schedule

Prepare a project design schedule detailing the design timeline with anticipated construction timelines. Update the design schedule as needed, up to one (1) time(s).

Deliverables

- One (1) project schedule (PDF)
- One (1) project schedule revisions

1.3 Invoicing and Progress Reports

Monitor project scope, schedule and budget on a monthly basis. Submit invoices on a monthly basis to the County's project manager with a progress report identifying services performed during the period, services to be performed in the next period, and issues potentially affecting scope, schedule or budget.

Deliverables

- ~~Five (5)~~ Thirteen (13) monthly invoices and project reports

1.4 SOW Updates

This SOW is focused on initial planning tasks, data collection, due diligence studies and development of conceptual designs, which generally defer advancing project elements into detailed engineering.

Update this SOW as the project progresses and the timing of phased improvements mature. Replace deferred tasks or modify the level of effort of existing tasks as needed. Prepare an updated SOW as needed for future phases, up to ~~one (1)~~ two (2) time(s).

Deliverables

- ~~One (1)~~ Two (2) amended SOW

Task 2 – Conceptual Design

This task builds upon the Cape Kiwanda Master Plan and establishes connections between each of the eight (8) planning elements identified in the Project Introduction & Understanding. The Consultant team will explore potential programming and development options, establish design criteria and engineering standards, determine project phasing opportunities, and provide the County with a comprehensive roadmap for each planning element to follow.

2.1 Project Kick-off Meeting (No Change)

2.2 Concept Analysis (No Change)

This task enables the Consultant team to research and understand the project's history and requirements identified during the project kick-off meeting.

Review project files, supplied technical data, County design standards, policy and procedure manuals and other data provided by the County. Establish design criteria and present in tabular

format for County review/comment. The design criteria will include a summary of pertinent design standards and the proposed project value for each element included in the table.

Prepare a Concept Analysis Memorandum documenting the findings, which will inform future deliverables. Create a series of site analysis diagrams for each of the planning elements. These diagrams will communicate the Consultant team's understanding of the existing conditions and indicate opportunities, constraints, and key considerations to explore during concept design.

Submit draft deliverables prior to the Concept Planning Charrette task, and then incorporate information obtained during the charrette and subsequent stakeholder input into the final deliverables.

Deliverables

- One (1) draft and final Concept Analysis Memorandum
- One (1) Draft and final Design Criteria Summary matrix
- Two (2) draft and final site analysis diagrams for each planning element (16 total)

2.3 Concept Planning Charrette (No Change)

2.4 Permit Research (No Change)

2.5 Sand Management Analysis (No Change)

2.6 Alternatives Analysis

The Consultant team will reflect on the prior planning charrette to revisit the project's vision, goals and objectives for alignment with the community's needs and priorities to inform this task.

Develop and present up to two (2) to three (3) design alternatives for addressing each of the planning elements. Present and revise concepts at three (3) Project Steering Committee Workshops and eight (8) stakeholder outreach meetings before display at the Open House. Advance the NVCA master plan design for inclusion into the alternatives analysis process to vary open space and programming options. Develop conceptual designs (10% - 15% level of design) for each alternative to show basic geometry, locations of potential structures and key environmental, garbage/recycling collection, right-of-way, and local access constraints. Conceptual designs will utilize survey information provided under Task 3.1 and will accompany exhibits submitted with the Alternatives Analysis Memorandum. The transportation analysis in Task 5 will evaluate up to two (2) alternatives to summarize transportation impacts and needs related to multimodal operations, circulation, and safety.

Prepare preliminary order of magnitude cost estimates for each of the alternatives described above to facilitate selection of the preferred alternatives. Base the cost estimates on up to a ten

- In-person Open House at community center, nearby school or other (time and location to be arranged for by County)

Support the County as necessary to prepare for and conduct the Open House(s), and to present the design status, alternatives, project schedule, project impacts and to collect comments on the project.

Prepare up to ~~five (5)~~ **twenty three (23)** exhibit boards for the Open House(s) depicting relevant design features, the project schedule, and the total project limits and impacts. Revise draft exhibits based on comments from the County to produce a final deliverable. Print and mount each exhibit as appropriate. Up to three (3) Consultant staff will attend the in-person Open House, which is assumed to last three (3) hours.

Deliverables

- Draft and Final Meeting Agendas
- Meeting minutes
- Open House comment log
- Draft and final exhibit boards
- Project notification mailers

4.2 Business Survey

~~Engaging downtown business operators, the school district, and property owners is a specific focus area for public involvement. There is an opportunity for parking and other planned improvements to boost the downtown's economic vitality, which is conditional upon business stakeholder participation.~~

~~Survey downtown businesses and property owners via mail or email questionnaire to learn more about their current operations and customers, constraints, and future plans. Explore project opportunities that may benefit downtown businesses with stakeholders, including development of the Jensen property.~~

~~Compile survey findings and outreach efforts into a summary memorandum. Schedule the survey so that findings inform Task 2.6.~~

Deliverables

- ~~▪ Draft and final business survey questionnaire~~
- ~~▪ Draft and final memorandum~~

4.3 Community Survey (No Change)

Task 5 – Transportation Analysis (No Change)

Task 6 - Right-of-Way Services (Deferred)

Task 7 – Environmental Services and Permitting (Deferred)

Task 8 – Utility Coordination (Deferred)

Task 9 – Level I Hazardous Materials Corridor Study (Deferred)

Task 10 – Geotechnical Support (Deferred)

Task 11 – Stormwater Management (Deferred)

Task 12 – 30% Design (Deferred)

Task 13 – 60% Design (Deferred)

Task 14 – 90% Design (Deferred)

Task 15 – Final Design (Deferred)

Task 16 – Bid and Award Support Services (Deferred)

Task 17 – Construction Contract Administration Services (Deferred)

Task 18 – Additional Work (Contingency Task)

Consultant shall perform additional unanticipated work needed to complete the project, as authorized in writing by County Project Manager. Services may include, but are not limited to, the following:

- Making changes and resolving problems related to change in condition.
- Perform tasks that may be required but are unknown at this time.
- Assisting the County with funding or programming analysis.
- Lead public involvement outreach, including facilitating events, managing public comments, and mailing project notifications.

PACIFIC CITY/WOODS PARKING MANAGEMENT PLAN DESIGN PROJECT

PROPOSED FEE ESTIMATE - AMENDMENT NO. 1

Staff Name	LABOR CLASSIFICATION (HOURS)								Hours	Labor	Subconsultants				Subconsultant Total with Markup	Expenses	Total
	Construction Manager VIII	Professional Engineer IX	Professional Engineer VII	Professional Engineer III	Engineering Designer II	Technician IV	Administrative III				AKS	B&W	Parking NW	Walker Macy			
	\$227 Machan	\$212 McMurtrey	\$191 Conrad	\$157 Wiggins	\$143 Roberts	\$155	\$110										
Task 1 - Project Management																	
Task 1.1 - Overall Project Coordination		100						100	\$ 21,200					\$ -	\$ -	\$ 21,200	
Task 1.3 - Invoicing and Progress Reports		7					7	14	\$ 2,254					\$ -	\$ -	\$ 2,254	
Task 1.4 - SOW Updates		12						12	\$ 2,544					\$ -	\$ -	\$ 2,544	
Task 1 Subtotal	0	119	0	0	0	0	7	126	\$ 25,998	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,998	
Task 2 - Conceptual Design																	
Task 2.6 - Alternatives Analysis		44						44	\$ 9,328					\$ -	\$ 829	\$ 10,157	
Task 2.7 - Preferred Concept Plan								0	\$ -			\$ 10,000	\$ 10,000	\$ -	\$ -	\$ 10,000	
Task 2 Subtotal	0	44	0	0	0	0	0	44	\$ 9,328	\$ -	\$ -	\$ -	\$ 10,000	\$ 10,000	\$ 829	\$ 20,157	
Task 4 - Public Involvement																	
Task 4.1 - Public Outreach Events								0	\$ -		\$ 40,000		\$ 40,000	\$ -	\$ -	\$ 40,000	
Task 4 Subtotal	0	0	0	0	0	0	0	0	\$ -	\$ -	\$ 40,000	\$ -	\$ -	\$ 40,000	\$ -	\$ 40,000	
Task 18 - Additional Work																	
Task 18.1 - Contingency Task								0	\$ -	\$ 12,000		\$ 868	\$ 53,087	\$ 65,955	\$ (50,000)	\$ 15,955	
Task 18 Subtotal	0	0	0	0	0	0	0	0	\$ -	\$ 12,000	\$ -	\$ 868	\$ 53,087	\$ 65,955	\$ (50,000)	\$ 15,955	
TOTAL - ALL TASKS	0	163	0	0	0	0	7	170	\$ 35,326	\$ 12,000	\$ 40,000	\$ 868	\$ 63,087	\$ 115,955	\$ (49,171)	\$ 102,110	