

Contract Review Sheet

BO-4576-22 (1)

Grant Agreement #: BO-4576-22 Amendment #: 1

Contact: Kathleen George Department: Board of Commissioners

Phone #: (503) 373-4388 Date Sent: _____

Title: ARPA Drinking Well Project

Contractor's Name: City of Donald

Term - Date From: June 8, 2022 Expires: December 31, 2026

Original Contract Amount: \$1,000,000.00 Previous Amendments Amount: \$0.00

Current Amendment: \$0.00 New Contract Total: \$1,000,000.00 Amd% 0%

Incoming Funds Federal Funds Reinstatement Retroactive Amendment greater than 25%

Source Selection Method: 20-0260 Request for Proposal RFP# icitation Num

Description of Services or Grant Award

2021 Marion County ARPA Funds Application Round One Grant Award for New City Drinking Water, Wells 3 and 4.

Amendment No.1 revises the application to adjust dates, with a revised Project Plan and revised budget amounts to line items. The overall ARPA funding amount does not change.

Desired BOC Session Date: 10/25/2023 BOC Planning Date: 10/12/2023

Files submitted in CMS: 10/4/2023 Printed packet & copies due in Finance: 10/10/2023


BOC Session Presenter(s) Jeff White


FOR FINANCE USE


Date Finance Received: _____ Date Legal Received: _____

Comments: Y

REQUIRED APPROVALS

DocuSigned by:

30E684E244BF43D...
10/16/2023
Date
Finance - Contracts

DocuSigned by:

A3598E7AEC704F4...
10/19/2023
Date
Contract Specialist

DocuSigned by:

D0CE5B04B9E483...
10/18/2023
Date
Legal Counsel

DocuSigned by:

D816361240DE4EG...
10/18/2023
Date
Chief Administrative Officer



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

October 25, 2023

Meeting date: _____

Department: Board of Commissioners

Title: Amendment 1 to Subrecipient Agreement BO-4576-22 with City of Donald for the ARPA New City Drinking Wells Project

Agenda Planning Date: 10/12/23 Management Update/Work Session Date: 9/28/2023 Audio/Visual aids

Time Required: 5 Contact: Kathleen George Phone: 503-373-4388

Requested Action: Approve Amendment 1 to the Subrecipient Agreement BO-4576-22 with City of Donald for the ARPA New City Drinking Wells Project.

Issue, Description & Background: Amendment 1 revises the Application by updating start and finish dates and scope of work. Scope of work changes include replacement of hydro-pneumatic tank, booster pumps and installation of backwash recovery tank on Well No. 4.

Financial Impacts: Amendment 1 has no financial impact to the County.

Impacts to Department & External Agencies: This amendment does not result in impacts to other departments. City of Donald would be the only external agency affected by any change to this agreement.

List of attachments: 1. Amendment 1 to Subrecipient Agreement BO-4576-22

Presenter: Jeff White, Chief Financial Officer

Department Head Signature:

DocuSigned by: Jan Fritz DC16351248DE4EC...



**AMENDMENT to BO-4576-22
the SUBRECIPIENT AGREEMENT
between
MARION COUNTY and CITY OF DONALD**

This Amendment No. 1 to the Subrecipient Agreement (as amended from time to time, the “Agreement”), dated June 8, 2022, between Marion County, a political subdivision of the State of Oregon, hereafter called County, and City of Donald, hereafter called Subrecipient.

The Agreement is hereby amended as follows (new language is indicated by underlining and deleted language is indicated by ~~striketrough~~):

1. Incorporation.

The foregoing Recitals are incorporated herein by reference, provided, however, that the Recitals are not to be deemed to modify the express provisions hereinafter set forth. This Agreement includes the following exhibits which are incorporated herein:

- a. Exhibit A (The Application)
- b. Exhibit A.1 (The Amended Application Dated September 15, 2023)
- c. Exhibit B (Required Federal Terms and Conditions)
- d. Exhibit C (Federal Funding Information for Subrecipients)
- e. Exhibit D (Federal Funding Accountability and Transparency Act Certification)
- f. Exhibit E (ARPA/SLFRF Capital Expenditure Justification Form)
- g. Exhibit F (ARPA/SLFRF Reporting Requirements Form)
- h. Exhibit G (Marion County Disbursement Request)

Except as expressly amended above, all other terms and conditions of the original contract are still in full force and effect. Contractor certifies that the representations, warranties and certifications contained in the original Contract are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

**MARION COUNTY SIGNATURES
BOARD OF COMMISSIONERS:**

Chair Date

Commissioner Date

Commissioner Date

**SIGNATURE PAGE FOR
ARPA SEWER IMPROVEMENTS - BO-4576-22
between
MARION COUNTY and CITY OF DONALD**

Authorized Signature: n/a
Department Director or designee Date

Authorized Signature:  10/18/2023
DocuSigned by:
DC16361248DE4EC...
Chief Administrative Officer Date

Reviewed by Signature:  10/18/2023
DocuSigned by:
D0CF5B04B9F483...
Marion County Legal Counsel Date

Reviewed by Signature:  10/16/2023
DocuSigned by:
90EG84E244DF43D...
Marion County Contracts & Procurement Date

CITY OF DONALD SIGNATURE

Authorized Signature: _____ Date

Title: _____

ARPA Amendment and Budget Adjustment Request Form
Narrative

Organization Name:	City of Donald, Oregon
Project Title:	Well. No. 3
Date of Request:	9/15/2023
Name of Person Completing Request:	Eric Underwood
Title of Person Completing Request:	City Manager
Phone # of Person Completing Request:	503/678-5543
Original MC ARPA Award/Contract:	\$1,000,000
MC ARPA Award/Contract Number:	BO-4576-22

Step 1: Please respond to each question/statement below.		
#	Question	Answer
1	Why are you requesting a program amendment (What circumstances impact this request)?	The schedule has changed because the start of construction of Well No. 3 was delayed due to a shortage of specialized contractors for that type of work. It should be noted, however, that further delays may be expected due to similar issues with contractors and unpredictable lead times for major equipment.
2	Using the approved contract, specifically identify the text requested to be edited/removed. Enter the original text from the contract with strikeouts for text to be removed and bold text for text to be added. <i>Option: If it would help for clarity, submit the pertinent section of the approved contract with strike outs and bold text as described above .</i> If Marion County requires a contract scope change, use Tab 3 "Scope Change Request" to answer this question.	See "BO-4576-22 - Donald Drinking Wells 091523 Amendment No 1" attached. Edits made to PDF pages 21, 22, and 33 in strikeout and red text.
3	How will the requested change affect the project?	Completion will be delayed.
4	Will the requested change maintain the integrity of the original ARPA category (e.g. Negative Economic Impact, Water & Sewer Infrastructure, Public Health)?	Yes
5	How will the requested change affect the original contractual timeline?	Schedule adjustments are associated with construction and are unpredictable in the current construction environment. The contractual timeline will be adhered to when possible. Changes will be communicated to the County as they come up.
Step 2: If a budget adjustment is also being requested, answer Question #6 and complete Tab 2.		
6	How will the requested change affect the original MC ARPA budget?	No changes to the overall budget. Changes have been made to the line items within the budget due to cost adjustments. See "BO-4576-22 - Donald Drinking Wells 091523 Amendment No 1" attached, PDF page 33 and Tab 2.

Please provide a line item detailed budget for the project costs.

CATEGORY	ORIGINAL ARPA BUDGET	REVISED ARPA REQUEST	OTHER FUNDS (if applicable)		TOTAL
			AMOUNT	SOURCE	
Materials and Services					
Exhibit A, Revision 2					
Well Construction	327,000	359,200			359,200
Well Bidding		5,000			5,000
					-
					-
					-
					-
Totals	\$ 327,000	\$ 364,200	\$ -		\$ 364,200

Equipment or Capital Purchases					
Generator	350,000	350,000			350,000
Permanganate System	50,000	50,000			50,000
Misc Well Equipment	268,000	90,800			90,800
Well Building		40,000			40,000
Pump, Controller, Sand Separator, Flow Meter		100,000			100,000
					-
					-
					-
Totals	\$ 668,000	\$ 630,800	\$ -		\$ 630,800

Personnel Costs					
					-
					-
					-
					-
Totals	\$ -	\$ -	\$ -		\$ -

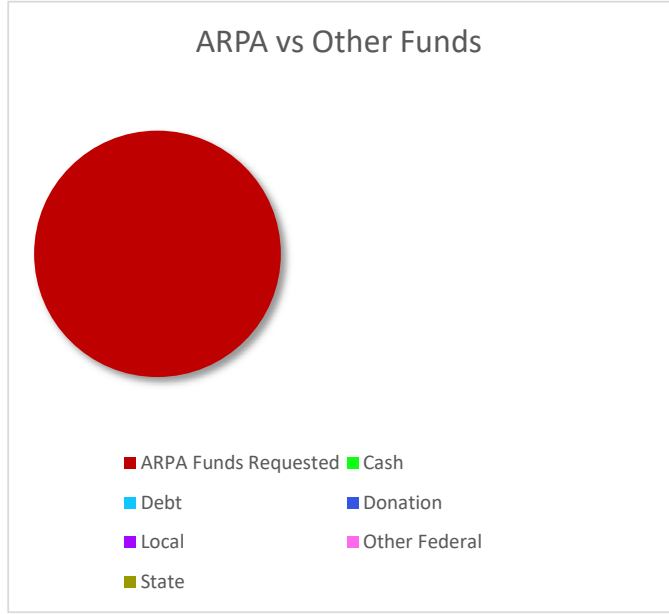
Administrative					
Grant Management	5,000	5,000			5,000
Tetra Tech will remain as a budget item at \$10K					-
Totals	\$ 5,000	\$ 5,000	\$ -		\$ 5,000

Grand Totals:	\$1,000,000.00	\$ 1,000,000.00	\$ -		\$ 1,000,000.00
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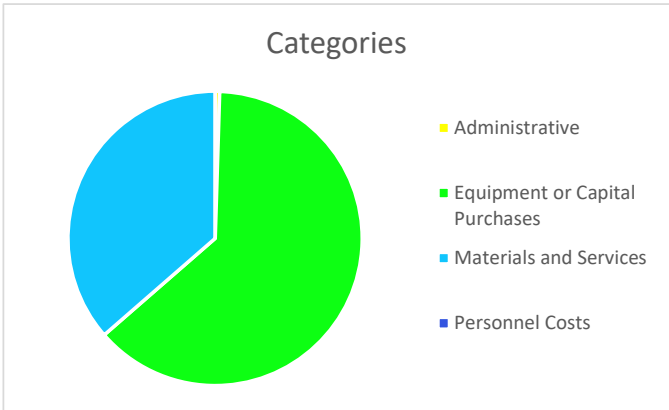
	Yes	No (explain)	Explanation
Confirm that the new total MC ARPA Budget is equal to or less than the total original MC ARPA award.	Yes		

Project Budget Summary

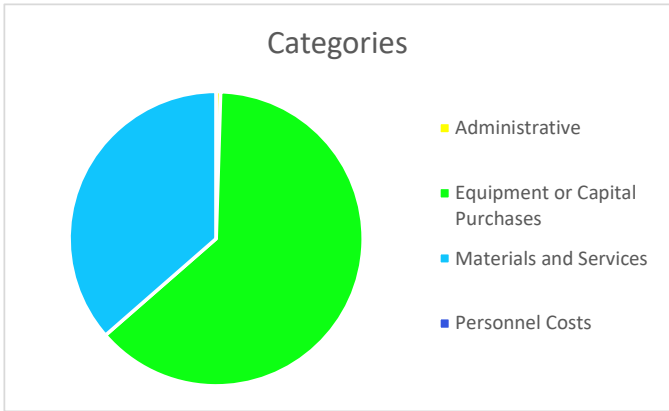
Total Project Budget	\$ 1,000,000
ARPA Funds Requested	\$ 1,000,000
Other Funds	\$ -
Cash	\$ -
Debt	\$ -
Donation	\$ -
Local	\$ -
Other Federal	\$ -
State	\$ -



Total Project Budget	\$ 1,000,000
Categories	
Administrative	\$ 5,000
Equipment or Capital Purchases	\$ 630,800
Materials and Services	\$ 364,200
Personnel Costs	\$ -



Total ARPA Project Budget	\$ 1,000,000
Categories	
Administrative	\$ 5,000
Equipment or Capital Purchases	\$ 630,800
Materials and Services	\$ 364,200
Personnel Costs	\$ -



ARPA Amendment and Budget Adjustment Request Form
Application Section II Project Information - Scope Change Request

Note: This form may ONLY be submitted if Marion County authorizes the subrecipient to submit a scope change request.

**Subrecipient must complete each section of this form for the request to be considered by the
Marion County Board of Commissioners**

	Question	Answer
1a	Describe the project and the project deliverables.	See "BO-4576-22 - Donald Drinking Wells 091523 Amendment No 1" attached.
1b	Describe the organization and individuals that will manage the project.	
1c	Provide the total estimated or completed project budget and the amount of ARPA funding to be used for the project.	
1d	Provide a timeline including the start date, interim check-points, and completion dates.	
1e	List the project team. Include the name, title, employer, and a high-level overview of their role in the project.	
2	Describe the project need and the impact the project will or did have on the local community and Marion County. Identify each project element and include a timeline and key team member(s) who will or did work on the project	
3a	Describe how the project meets the ARPA eligible categories and the specific category requirements according to U.S. Treasury Guidelines and the Final Rule	
3b	Describe how the project meets the ARPA period of performance.	
4	Describe the organization's experience as a subrecipient or beneficiary of federal funding. Describe the capacity to successfully manage and submit reporting requirements for the proposed project as a subrecipient of federal awards	
5	Identify and describe partnerships or contracted services the organization has secured to assist with the project?	
6	Describe how the operations will be funded after the project is complete, if applicable. If application is for reimbursement of funds already spent, explain how project will be maintained and/or funded in future years	
7	Identify and describe other Federal, State, or local government funding the organization has applied for, including ARPA funds from governments for this proposed project. Include the source(s) and amount(s) applied for, and any awards received.	

ARPA Amendment and Budget Adjustment Request Form
Application Section II Project Information - Scope Change Request

8	Identify and describe other non-governmental funding sources (e.g. fees, donations, grants) the organization has applied for specific to this proposed project. Include the source(s) and amount(s) applied for, and any awards received.	
9	When was your last financial statement or single audit performed and what was the result (i.e clean audit opinion, recommendations, or findings)? Please be prepared to provide this information if requested.	
10	Provide any additional information related to the project.	



**2021 MARION COUNTY
ARPA FUNDS APPLICATION ROUND 1
Revised 9-15-2023**

Organization Name: City of Donald

Project Title: New City Drinking Wells; Well #3 & Well #4

ARPA Funding Category: 5.14 Drinking Water Storage

I. Organization Information

Legal Name of the Organization: * City of Donald

Doing Business As (DBA) Name (if applicable): _____

Employer Identification Number (EIN): * 93-6009756

DUNS Number: ** 026464248

**Organization must be able to obtain a DUNS Number by the time the Contract is executed

Organization Street Address: * 10710 Main Street

City: Donald State: Oregon Zip Code: 97020

Organization Mailing Address: P.O. Box 388
(if different from street address)

City: Donald State: Oregon Zip Code: 97020

Organization Website: * www.donaldoregon.gov
(Please enter "N/A" if none)

Applicant Name: * Eric Underwood

Applicant Title: * Interim City Manager

Applicant Mailing Address: _____
(if different from organization mailing address)

City: _____ State: _____ Zip Code: _____

Applicant Phone: * (971) 715-8571 Applicant E-mail: * interim@donaldoregon.gov

Project Contact: _____
(if different from applicant)

Project Contact Phone: (_____) _____ Project Contact E-mail: _____

* Response required for application to be considered complete

II. Project Information (not exceed a total of 25 single-sided, 8.5" x 11" numbered pages)

1. Describe the organization that will manage the project and include the following:

- a. Total estimated project budget
- b. Estimated start date and completion dates
- c. List the project team. Include the name, title, employer, and a high-level overview of their role in the project.

The total estimated budget is **\$4,000,000**. The estimated start date is April 2022 and the estimated completion date is ~~June 2023~~ **December 2024**

of Phase 1b

The organization that will manage the project includes the City of Donald, and the City's engineering consulting firm – Tetra Tech. The key organization members include the following:

Table 1 – Organization Key Team Members

Name	Title	Organization	Role
Eric Underwood	Interim City Manager	City of Donald	Project Owner
Lisa Hassel	City Accountant	City of Donald	Project Controller
Holly Byram	Associate Planner	MWVCOG	Planning Approvals
Matt Huxley	City Engineer	Tetra Tech	Project Manager
Hunter Bennett-Daggett	Civil Engineer	Tetra Tech	Project Engineer and Design Lead
David Munro	Senior Scientist	Tetra Tech	Environmental Permitting Lead
Kenny Jansen	Hydro-Geologist	GSI Water Solutions	Well Permitting, Design, and Construction Support

2. Describe the project need and the impact the project will have on the local community and Marion County.

The City is needing to pursue options to improve the reliable source capacity of its water system to meet current and future demands. City Well 1 has been taken out of service because of sand pumping and performance failures. This leaves City Well 2 as the only reliable source for the water system and its operational life span is limited. Groundwater is the sole source of drinking water supply for the City's water system.

The project includes decommissioning one drinking water well (Well No.1), installing two new drinking water wells (Well No.3 and Well No.4), piping from the wells to the Water Treatment Plant (WTP), and Plant upgrades. One new well (#3) will be installed at the WTP. The other well (#4) will be installed at a to be determined location between City Hall and Oak Street. WTP upgrades include new distribution booster pumps, hydro-pneumatic tank, filter backwash recovery tank, piping, valves, standby generator, controls, supervisory control and data acquisition (SCADA) system, and physical

building upgrades. Building upgrades include seismic strengthening, replacement electrical, HVAC, and plumbing systems, and offices for City maintenance staff. The new SCADA system will fully automate operation of the new wells, existing reservoirs, and distribution booster pumps.

The project will expand the water system capacity to serve both new and existing customers, improve reliability with new equipment, reduce the burden on operators with fully automated systems, improve energy and water efficiency, and provide redundancy with the addition of the second well. The benefit to the community includes a modern, reliable, safe, and secure drinking water system that will support population growth and economic development for the next 20 years

3. Describe the project proposal to be accomplished. Identify each project element and include a timeline and key team member(s) who will work on the project.

The project will be constructed in three phases:

1. Phase 1a – Install and permit the new Well No.3. ~~Decommission Well No.1 and transfer water rights. Timeframe: January 2022 to April 2022.~~ **May 2023 to October 2023**
2. Phase 1b – Construct Well No.3 well head, ~~replace hydro-pneumatic tank, booster pumps, standby generator, electrical, and controls, and install backwash recovery tank.~~ **December 2024** **TBD based on funding**
~~Timeframe: April 2022 to December 2022.~~
3. Phase 2a – Install and permit new Well No.4. **TBD based on funding**
~~Timeframe: April 2022 to October 2022.~~
4. Phase 2b – Construct Well No.4 well head, install raw water line from well to water treatment plant, upgrade water treatment plant building. **TBD based on funding**
~~Timeframe: October 2022 to June 2023.~~

All of the key team members identified in Table 1, except for GSI, will work on these project phases. GSI will work on phases 1a and 2a.

replace hydro-pneumatic tank, booster pumps, and install backwash recovery tank

4. Describe how the project meets the ARPA eligible categories and the specific category requirements according to U.S. Treasury Guidelines, see State and Local Fiscal Recovery Funds (marion.or.us). <https://www.co.marion.or.us/BOC/CD/Pages/fiscalrecoveryfunds.aspx>

a. Describe how the project meets the ARPA period of performance.

This project is eligible by way of being initiated and managed by a local government authority (City of Donald, OR) with funds being used for making a necessary investment in water infrastructure for access to sufficient, safe and clean drinking water. The project addresses a need identified for funding in the Marion County Recovery Plan Performance Report dated July 31, 2021, which is (e) Water, sewer, broadband infrastructure. The project funds will be expended and will be completed well within the SLFR expenditure deadline of December 31, 2026. Expected completion date for the Well Project is 2023.

The project directly addresses three of the ARPA categories, including:

- Public Health – Safe drinking water is a primary public health concern. If the project is not completed the ability of the City to provide safe drinking water will eventually be compromised, as treatment equipment deteriorates and sole remaining supply well loses capacity.
- Negative Economic Impacts – Donald is a growing community with a strong economic base that includes farming and light industry. The community is unusual in that it has a significant portion of industrial land that is slated for development. The City has also partnered with a local

developer to construct housing for employees of local businesses. The new industrial and residential development will require the City's drinking water system be expanded to serve the growing customer base. If this project is not completed, the City will eventually have to place a moratorium on new development which will negatively impact economic growth.

- Water, Sewer, and Broadband Infrastructure – The project includes new and replacement drinking water infrastructure.

5. Is this project included in an adopted City/County or organization's plan or another documented community need? For example: City Infrastructure Master Plan, City Economic Development Plan, City Transportation Plan or City Strategic Plan, etc.

This project is included and adopted in the City of Donald Water Master Plan (dated 2021) and the need for a new water source is also addressed in the adopted Comprehensive Plan.

6. Describe the organization's experience as a subrecipient. Describe the capacity to successfully manage and submit reporting requirements for the proposed project as a subrecipient of federal awards.

The City has been a subrecipient of several grants including State Workforce Housing grants, COVID Relief Funds and ARPA funds. The City's accounting staff has successfully complied with and managed all reporting requirements for these programs and will do so if award was made for this source of funding.

7. Identify and describe partnerships the organization has secured to assist with the project?

The City of Donald has partnered several State agencies for this project. A partnership with the Governor's Regional Solutions Team has been formed for assistance in seeking funding and support for the Well Project. This partnership is also helping the City and the State to elevate awareness of the importance of the Agri-hood project (Harvest Gardens) for workforce housing. Business Oregon and the Oregon Health Authority are working with the City to complete a Technical and Managerial Capacity Assessment (Well 3) for site location, well placement, and well construction.

The City has also partnered with GSI Water Solutions, Inc. and Tetra Tech to conduct a Well Siting Evaluation for Well 4 for the purposes of accommodating future growth. A technical memorandum that includes an estimation Well capacity, siting options, well design recommendations, and project cost estimates has been created and approved by the Donald City Council.

8. Describe how the operations will be funded after the project is complete.

Operations will be funded by utility fees collected through monthly utility billing.

- 9. Identify and describe other Federal, State, or local government funding the organization has applied for, including ARPA funds from governments. Include the source(s) and amount(s) applied for, and any awards received.**

The City has applied for the Safe Drinking Water Revolving Loan Fund through Business Oregon in the amount of \$2,025,000 for the Well 3 project. No award has been made to date. A portion of a \$195,000 State of Oregon Workforce Housing grant is being utilized for ongoing design and engineering of the water system associated with Well 3 and permitting requirements but is not being used for construction.

- 10. Identify and describe other non-governmental funding sources (e.g. fees, donations, grants) the organization has applied for. Include the source(s) and amount(s) applied for, and any awards received.**

Non-governmental funding sources have not been applied for.

- 11. If the total ARPA funding request is not granted, how will the organization be able to complete the project?**

If the total ARPA funding is not met, the City will have the option to draw from the Water System Development Fund (SDC's). However, depending on the amount of the ARPA award, this option could take many years to reach the amount of funding needed to complete the project. In addition, and if not awarded, the City will proceed to seek out other grants and loans to complete the project.

- 12. Describe how the project will meet project deadlines – include engineering. Identify any reports or other information related to the project such as completed engineering, architectural, or design studies or other technical studies required for the project. Identify the name and a brief description of the completed study. Marion County will request copies of these studies during the technical review period.**

Phase 1a and 1b must be completed by the end of 2022 to support planned and ongoing residential development within the City. In order to meet this schedule the City has taken pro-active steps and completed planning activities for the project:

- Updating and amending the water master plan: The Water Master Plan Amendment (WMPA) was approved by the Oregon Health Authority Drinking Water Division (OHA) and adopted by City Council in July 2021. The master plan evaluated the existing drinking water system and projected future water demands based on population forecasts to determine the required project elements.
- Completing a well siting study: the study evaluated the City's existing wells and identified the preferred locations for the new replacement wells in December 2020. The study is included in the Water Master Plan.
- Outreach with regulatory agencies: The City has reached out to OHA and the Oregon Water Resources Division (OWRD) and has received conditional informal approval to construct the new well. This will expedite permitting.
- Completed Pre-Design: The City has completed some pre-design activities for the project including topographic surveys and sizing calculations for the project elements.

13. Provide any additional information related to the project.

The Well 3 project is planned and designed. The City is now ready to move forward to the construction bidding phase for the well itself. Previously, the City committed resources to conduct thorough Well Siting Studies that identified optimal placement for the new wells (Wells 3 & 4). Documents for site location, well placement, and well construction of Well 3 were submitted by the City to the Oregon Health Authority (OHA) for assessment approval on June 14, 2021. On November 3, 2021, the City received a completed Technical and Managerial Capacity Assessment from OHA and is now being reviewed by Business Oregon.

The City has also conducted a successful One-Stop Infrastructure Roundtable meeting with Business Oregon and consulted with the Governor's Regional Solutions Team on several occasions. We continue to work with the Regional Solutions Team to strategize and elevate the project.

The Well Construction Project has become the number 1 priority for the Donald City Council due to its level of importance and the need to maintain appropriate service levels for the community. The City would be honored to partner with Marion County in meeting the infrastructure needs of its communities while helping to further economic prosperity for all. Thank you for your consideration of this application.