

**PORT OF NEWPORT
MINUTES
October 27, 2009
Combined Work Session and Regular Meeting**

I. CALL TO ORDER

Commission President Ginny Goblirsch called the combined work session and regular meeting of the Port of Newport Board of Commissioners to order at 6:00 p.m. in the Yaquina Bay Yacht Club Clubhouse, 750 SE Bay Blvd., Newport, OR, the same being within the boundaries of the Port District.

The chairwoman said the agenda would be changed slightly because one of the three commissioners present had to leave for another meeting at 6:45 p.m., so action items requiring a quorum would be dealt with first.

Commissioners Present: Ginny Goblirsch, President; Dean Fleck, Vice President; David Jincks, Assistant Secretary-Treasurer.

Commissioner Excused: JoAnn Barton, Secretary; Don Mathews, Treasurer.

Port of Newport Management and Staff: Don Mann, General Manager; Pete Dale, Project Manager; Maureen Keeler, Special Projects Manager; Patty Benjamin, Administrative Assistant.

Others Present: Frank Berg, Joshua Dodson, Glenn Schnaidt, Day CPM Services; Martin Cloe, Lonnie Kronsteiner, Brad Nile, Mark Reusser, Andersen/WCC; Yale Fogarty, Pat Ruddiman, Rod Worman, ILWU Local 53; Lee Fries, CM/GC Selection Committee; Tony Heinzl and Jim Shaw, South Beach residents; Patricia Patrick-Joling, Newport City Council; Dr. Hal Pritchett, Facility Use & Design and Terminal Steering Committees.

II. MINUTES

- A. **Work Session and Regular Meeting—September 22, 2009**
- B. **Special Meeting—September 29, 2009**
- C. **Special Meeting—October 7, 2009**

There was no discussion on the meeting minutes.

Commissioner Jincks moved to approve the minutes of the Work Session and Regular Meeting of September 22, 2009, the Special Meeting of September 29, 2009, and the Special Meeting of October 7, 2009 as submitted. Commissioner Fleck seconded the motion and it passed 3-0.

III. FINANCIAL STATEMENTS

A. **Financial Reports.** Finance Director Patti Britton was attending a financial officers' conference in Portland, OR so was not present for the meeting. There was no discussion on her written report, the financial statements, or accounts paid.

B. **Accounts Paid.**

Commissioner Fleck moved to approve the Financial Statements and Accounts Paid, Check Nos. 11322-11324/Construction Fund and Check Nos. 29331-29461/Operating Account. Commissioner Jincks seconded the motion and it passed 3-0.

C. **Resolution 9-2009 Creating NOAA MOC-P Fund.**

Commissioner Jincks moved to adopt Resolution 9-2009 establishing a separate fund for the NOAA MOC-P Project. Commissioner Fleck seconded the motion and it passed 3-0.

IV. PUBLIC COMMENT

There was no public comment.

V. STAFF REPORTS (* Indicates no questions or additional comments.)

A. **Department Reports.**

- Kevin Bryant, Commercial Marina Harbormaster*
- Pete Dale, Project Manager/Engineer Technician*

- Maureen Keeler, Special Projects Manager*
- Gina Nielsen, RV-Marina Office Supervisor*
- Ron Smith, Terminal Manager*
- Chris Urbach, South Beach Marina Harbormaster*

B. General Manager.

In his written report, General Manager Don Mann requested that the commission approve his looking into a construction plan and budget for a new building to replace the deteriorating structure that serves as the administration office. In answer to a question from Commissioner Fleck, Mann said the new office would be separate from the proposed Fisheries Center project, which has been put on the back burner pending commitments from the Seafood Consumers Center and Newport Fishermen's Wives. Commissioner Jincks said he felt the port was fortunate to keep the administrative staff it had, considering the building they work in, and he thanked staff for putting up with it. The General Manager said a new office should be seriously considered over the next couple of years, and Commissioner Goblirsch said a committee of one or two commissioners would be appointed to work with him on the proposed project when he was ready.

C. Commissioners' Reports.

Commissioner Jincks said he would be in California from October 31 – November 5 with the National Marine Fisheries Council, so would need someone to sit in for him at the City of Newport's airport committee meeting on November 4. General Manager Don Mann said he would see that the meeting was covered.

Commissioner Goblirsch said she planned to attend the Governor's Economic Revitalization Team Directors/Deputy Directors Meeting at South Beach on November 4, and the Economic Development Alliance meeting on November 17 at the Agate Beach Best Western.

VI. OLD BUSINESS

A. Terminal Renovation—Day CPM Services. Using a photo of the terminal area projected onto a screen, Project Manager Joshua Dodson, Day CPM, pointed out the location of the Pasley and Hennebique. He said an overall schedule for the project was being developed and the preliminary project budget would be refined in December and January, after final estimates were in for removal and demolition of the ships. He introduced Frank Berg, Day CPM. Berg projected a drawing of the base overall plan for the ships onto the screen, noting the gravel area where the new docks would be. He said the pre-construction contract for Natt McDougall Company (NMC) had been extended and NMC was working to determine how much could be done with the funding remaining. Berg said the initial thought was to drive sheet pile around the Pasley and Hennebique, with the sheet pile around the Pasley becoming a cofferdam from which the ship would be removed. Using the same in-water permit, pile would be driven through the existing dock in front of the Hennebique, and the piers would be built and the warehouse and office building relocated. If all of that was completed in the first in-water work window, the second in-water work window would be used for removing the sheet pile that formed the cofferdam for the Pasley. Berg went on to say that the sheet pile would already be in place around the Hennebique, so when funding was available a cofferdam would be built and that ship would be removed as well. He said the "biggest risk" was what the Pasley would do when the water was removed from the cofferdam, since the ship is already listing more than 15-degrees. He added that "without complete information, we don't have complete budget information; and without complete budget information, we don't have a complete schedule"; however, he predicted that "from now until Christmas, this just gets better". He said KPFF would have 40% documents done by Friday, October 30, and those would be available on Monday, November 2.

B. NOAA MOC-P – Day CPM Services. Project Manager Joshua Dodson led the discussion on the NOAA project, referring to an architectural rendering projected onto a screen. The drawing of the 5-acre campus included a warehouse, haz-mat and security buildings, a 2-story administrative office with specific requirements outlined in the solicitation for offer, and space for a 2,000 pound totem pole. He said the final design and configuration are in progress, as are investigation work in the water and on the shorelines. The upland work is being designed by gLAs Architects; the pier work and upland civil work is being designed by KPFF Consulting Engineers. Dodson said the two firms were working well together. Meetings on the NOAA project are held every Tuesday, and monthly meetings are held the first Tuesday of the month, with NOAA personnel and other principals present via webcam and conference call. Dodson said the project is on budget and on schedule. In answer to a question from Commissioner Goblirsch, he said "dirt would be moved" after the first of the year and building pad preparations would start in the spring. Dodson introduced Martin Cloe, Brad Nile, and Mark Reusser from Andersen Construction and Lonnie Kronsteiner from West Coast Contractors. They are part of the Andersen/WCC, the joint venture

that was selected as CM/GC for the NOAA MOC-P Project. The team displayed a model they had made of the NOAA site as a visual aid in understanding the scope and scale of the project. A brief discussion followed about the effect Newport's winter weather might have on the project's schedule, and Dodson said the Joint Permit Application (JPA) would include a detailed plan of Andersen/WCC's approach to construction. A "kick-off meeting" with Andersen/WCC would be held on Tuesday, November 3, at 2:30 p.m. at the Hatfield Marine Science Center, and a revised project schedule would be sent to the commissioners. In conclusion, Commissioner Jincks welcomed Andersen/WCC aboard. He said the selection committee did a lot of reading prior to making a decision and had to choose one of four very good firms. He recognized Newport resident Lee Fries for volunteering to serve on the selection committee as a public representative and said the commission appreciated his time and effort.

C. CM/GC Pre-Construction Contract Ratification. General Manager Don Mann explained that the next step after the decision by the CM/GC Selection Committee was for the commission to ratify a pre-construction contract with the successful company, and enter into that contract after a 7-day protest period, which would end on Friday, October 30, 2009. Project Manager Joshua Dodson, Day CPM, described the interview process that had taken place on September 21, 2009 for the four CM/GC firms and said a Notice of Intent to Award had gone out after the scoring was done and a selection was made. Commissioners Jincks and Barton had participated in those interviews, and Commissioner Goblirsch said Commissioner Barton had called her with a briefing on the process and had high praise for the company that was selected. Andersen/WCC had the highest score and Dodson recommended ratification of the pre-construction contract, which would take the project through to the Guaranteed Maximum Price.

Commissioner Fleck moved to ratify the pre-construction contract between the Port of Newport and Andersen/WCC, as recommended by General Manager Don Mann and Project Manager Joshua Dodson. Commissioner Jincks seconded the motion and it passed 3-0.

The commission further directed General Manager Don Mann to sign the contract on Monday, November 2, after the protest period was over.

D. Agreement for Professional Services with KPFF Consulting Engineers for International Terminal Renovation Project. Project Manager Joshua Dodson reported that a full accounting of the terminal project had been done as far as design and engineering, and the contract between the Port of Newport and KPFF Consulting Engineers had been re-negotiated. The re-negotiated contract would cover design and construction through the full scope of the entire project. General Manager Don Mann also recommended approval.

Commissioner Jincks moved to approve the agreement for professional services between the Port of Newport and KPFF Consulting Engineers for the International Terminal Renovation Project. Commissioner Fleck seconded the motion and it passed 3-0.

E. Insurance Agent of Record. At the regular meeting in September, General Manager Don Mann asked the commission for a consensus on changing the agent of record for the port's liability and property coverage to a local agent. The commission had no objection. Since that meeting, Mann and Finance Director Patti Britton had met with Mark Collson, Western States Insurance, and found him qualified to represent the port. Mann pointed out that the renewals for the property and casualty insurance would be due in January 2010, and the port's marine and health insurance are already handled by local, in-district agents.

Commissioner Fleck moved to accept Mark Collson, Western States Insurance, as agent of record for the Port of Newport's liability and property coverage. Commissioner Jincks seconded the motion and it passed 3-0.

VII. NEW BUSINESS

There was nothing under New Business.

VIII. MEETING RECESS at discretion of the chair.

There was no meeting recess.

IX. OTHER

There was nothing under Other Business.

X. PUBLIC COMMENT

Jim Shaw asked where the Oregon Coast Aquarium's water intake was located relative to the NOAA project. The General Manager said it was upstream, above the OSU dock.

Lee Fries thanked the port for allowing him to serve as a voting member on the panel to select the CM/GC for the NOAA MOC-P project. He said he came away with a couple of opinions. The first was that KPFF Consulting Engineers, gLAs Architects, and Day CPM are doing an outstanding job for the Port of Newport and the citizens of the port district. The second was that with the Andersen/WCC joint venture, the port is gaining not just one well respected firm but two. He said a lot of effort had gone into the selection and it had been an "eye-opening experience" for him. As the public representative on the panel, Fries said he would be willing to address any questions the public might have about the process and how the panel arrived at its decision

XI. UPCOMING MEETINGS

- A. Governor's Economic Revitalization Team Directors/Deputy Directors Meeting, South Beach Marina Activities Room, November 4, 8:00-9:30 a.m.
- B. Fishermen's Forum, Port Conference Room, November 10, 8:30-9:30 a.m.
- C. Veterans' Day, November 11 (Port office closed)
- D. Fishermen's Appreciation Day, November 20, 8:30 a.m.-3:00 p.m.
- E. Port Commission Work Session and Regular Meeting, November 24, 6:00 p.m.
- F. Thanksgiving Holiday, November 26-27 (Port office closed)

XII. ADJOURNMENT

There being nothing more to come before the Board of Commissioners, the meeting adjourned at 6:45 p.m.

ATTEST:

Ginny Goblirsch, President

JoAnn Barton, Secretary

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