



CITY COUNCIL MEETING MINUTES

Vancouver City Hall | Council Chambers | 415 W. 6th St.
PO Box 1995 | Vancouver, WA 98668-1995
www.cityofvancouver.us

Anne McEnery-Ogle, Mayor

Bart Hansen · Bill Turlay · Ty Stober · Linda Glover · Laurie Lebowsky · Erik Paulsen

June 3, 2019

WORKSHOPS

Vancouver City Hall - 415 W 6th Street, Vancouver WA

Councilmember Lebowsky was absent from workshops.

5:00-6:00 p.m. Joint City Council / Transportation Benefit District Workshop : 2020-2025 Transportation Improvement Program

Chris Malone, Public Works and Assets Management Manager, 487-7711

Summary

Staff provided Council with an overview of the proposed 2020-2025 Transportation Improvement Program (TIP), including background information on the TIP, history and forecast of project and program finances, a summary of the projects and programs included in the TIP, arterial map updates, and a discussion about the potential impact of state initiative I-976.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6 PM)

COUNCIL REGULAR MEETING

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnery-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Paulsen, Glover, Stober, Turlay, Hansen, Mayor McEnerny-Ogle

Absent: Councilmember Lebowsky

Motion by Councilmember Paulsen, seconded by Councilmember Hansen, and carried unanimously to excuse Councilmember Lebowsky.

Approval of Minutes

Minutes - May 6, 2019

Motion by Councilmember Paulsen, seconded by Councilmember Hansen, and carried unanimously to approve the meeting minutes of May 6, 2019.

Minutes - May 13, 2019

Motion by Councilmember Glover, seconded by Councilmember Paulsen, and carried unanimously to approve the meeting minutes of May 13, 2019.

Citizen Communication (Items 1-5)

Mayor McEnerny-Ogle opened Citizen Communication and, receiving no testimony, closed Citizen Communication.

Consent Agenda (Items 1-5)

Motion by Councilmember Hansen, seconded by Councilmember Turlay, and carried unanimously to approve the Consent Agenda.

1. Request to Reject All Bids for the 2019 Resurfacing Project

Staff Report 065-19

Summary

On May 14, 2019, the City received three bids for the subject project. The bids ranged from \$2.5 million to \$2.7 million. The lowest bidder was not responsive because they did not submit a list of subcontractors with their bid. The second lowest bidder was responsive; however, their bid was \$500,000 more than the engineer's estimate. Staff is recommending that all the bids be rejected, and the City then re-advertise the project. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Granite Construction Company, Vancouver, WA	Non-

<i>Clark & Sons Excavating, Inc. Battle Ground, WA</i>	<i>Responsive</i>
<i>Lakeside Industries Inc., Vancouver, WA</i>	<i>\$2,715,843.17</i>
	<i>\$2,740,540.00</i>
<i>Engineers' Estimate</i>	<i>\$2,200,000.00</i>

Request: Reject all the bids for the 2019 Resurfacing Project.

Chris Sneider, Senior Civil Engineer, 487-8239; Ryan Miles, Operations Superintendent, 487-7708

Motion approved the request.

2. **Bid Award for 2019 East Mill Plain Blvd Resurfacing Project**

Staff Report 066-19

Summary

The East Mill Plain Blvd NHS Resurfacing Project (Fort Vancouver Way to Grand Blvd) is being constructed as part of the Pavement Management program. This year's pavement management program includes three separate resurfacing contracts. A total of 24 lanes miles of street will be treated under those contracts. These contracts include the "SE 164th/162nd Ave NHS Resurfacing Project", which includes 9 lane miles of paving, the "E. Mill Plain Blvd. NHS Resurfacing Project", which includes 5 lane miles of paving and microsurfacing, and the "2019 Resurfacing Project". which includes 10 lanes miles of paving.

The recommended action in this staff report is to award the East Mill Plain Blvd NHS Resurfacing Project. The SE 164th/162nd Ave NHS Resurfacing Project was awarded on May 13, 2019 and the 2019 Resurfacing Project is currently under bid review.

On May 7, 2019, the City received 3 bids for the subject project. The bids ranged between \$1,236,106.00 to \$1,699,277.75. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Granite Construction Company, Vancouver, WA</i>	<i>\$1,236,106.00</i>
<i>Clark & Sons Excavating, Battle Ground, WA</i>	<i>\$1,427,883.40</i>
<i>Tapani, Inc, Battle Ground, WA</i>	<i>\$1,699,277.75</i>
<i>Engineers' Estimate</i>	<i>\$1,200,000</i>

Due to the federal funding associated with this project, the Washington State Department of Transportation (WSDOT) set an Underutilized Disadvantaged Business Enterprise (UDBE) goal of 8%. Granite Construction Company has committed to meet this goal. Although this project has not been assigned a federal training requirement, federal guidelines for grant projects do not allow the inclusion of local agency apprenticeship programs. Consequently, there are no City apprenticeship goals for this project.

Request: Authorize the City Manager or designee to award a construction contract for the East Mill Plain Blvd NHS Resurfacing Project to the lowest responsive and responsible bidder, Granite Construction Company, of Vancouver, WA, Washington, at their bid price of \$1,236,106.00, which includes Washington State sales tax.

Chris Sneider, Senior Civil Engineer, 487-8239; Ryan Miles, Operations Superintendent, 487-7708

Motion approved the request.

3. Bid Award for 6th Street Parking Lot (Project #070717)

Staff Report 067-19

Summary

The existing City Hall parking lot, as well as the surrounding downtown parking structures, is at capacity and there is a waiting list for spots. A portion of the capacity in the Vancouvercenter garage is occupied by City fleet vehicles. There is also a waiting list for downtown on-street permit parking.

Due to existing physical conditions and access limitations, the new facility is designed to be an extension of the existing City Hall parking lot and therefore has a similar design. The expansion will add 121 parking spaces to accommodate City fleet vehicles that are currently in the Vancouvercenter garage as well as add off-street parking inventory to the City's parking system.

The project design includes site grading, determination of appropriate pavement type and structure, surface water management and treatment, installation of 3 new overhead light poles, and minor existing landscaping revisions. The project will also open the currently closed 6th street access from the lot, as "exit only". The parking lot entrance will continue to be through the gated access off Esther Street.

If the contract is approved, construction will take place this summer, with the

parking lot scheduled to be available for use by September 2019.

Invitation to Bid #19-07 was issued on April 10, 2019. Based on the anticipated contract value of less than \$500,000, the Invitation to Bid documents did not include an Apprenticeship Utilization Requirement. The City received 10 contractor bids by the bid solicitation close on April 30, 2019. City staff and key stakeholders met to review the bids and to provide a recommendation for award. The bid results are as follows:

SUMMARY OF BIDS (includes WA Sales Tax)	
BIDDER	AMOUNT
<i>McDonald Excavating, Inc., Washougal, WA</i>	<i>\$328,733.84</i>
<i>Proexc, LLC, Battle Ground, WA</i>	<i>\$344,712.00</i>
<i>Nutter Corporation, Vancouver, WA</i>	<i>\$353,689.22</i>
<i>C & J Contracting LLC, Battle Ground, WA</i>	<i>\$363,980.10</i>
<i>3 Kings Environmental, Inc., Battle Ground, WA</i>	<i>\$365,966.07</i>
<i>Lee Contractors, Battle Ground, WA</i>	<i>\$371,812.00</i>
<i>GT Bladeworks Inc., Battle Ground, WA</i>	<i>\$379,043.13</i>
<i>Advanced Excavating Specialists, LLC (AES), Longview, WA</i>	<i>\$398,912.00</i>
<i>Clark and Sons Excavating, Inc., Battle Ground, WA</i>	<i>\$406,500.00</i>
<i>Halme Excavating, Inc., Battle Ground, WA</i>	<i>\$460,971.00</i>
<i>Engineers' Estimate</i>	<i>\$368,720.84</i>

McDonald Excavating, Inc. was determined to be the lowest responsive and responsible bidder. The Engineers' Estimate was \$368,720.84. The contract with McDonald Excavating, Inc. is written for \$328,733.84. Construction work is proposed to take place between June and September of this year.

Request: Authorize the City Manager or designee to award a contract to the lowest responsive and responsible bidder, McDonald Excavating, Inc. of Washougal, WA, and execute a contract for the 6th Street Parking Lot in the amount of \$328,733.84, which includes Washington State Sales tax.

Dan Swensen, Construction Manager, 487-7754

Motion approved the request.

4. **Authorizing the award of a contract to Mark43, Inc. for the new police records management and report writing system (RMS)**

Staff Report 068-19

AN ORDINANCE authorizing the City Manager or designee to execute an Agreement with Mark43, Inc., a Delaware corporation licensed to do business in the State of Washington, for the provision of professional services and cloud-based software as a service for the benefit of providing the City of Vancouver, Washington, with a police record management system; and providing required Terms that such Agreement be for an initial term of not more than five years; providing for severability; and setting an effective date.

Summary

Background. In 2015, the Vancouver Police Department entered into a consortium of law enforcement agencies to participate in a shared regional records management system known as the Regional Joint Information Network (RegJIN), which is hosted by the Portland Police Bureau. Unfortunately, the efficiencies expected through the RegJIN system did not materialize. The RegJIN software system interaction has proven to be difficult and time-consuming from an officer/user perspective. For instance:

- RegJIN requires significant IT maintenance due to complex hardware architecture, antiquated software design, and frequent system updates.*
- Promised RegJIN system improvements have been slow to achieve and not fully delivered.*

Additionally, RegJIN costs to maintain system functionality are largely fixed and have not decreased significantly—even with decreasing numbers of users. As a result, the Portland Police Bureau has hired a consultant to assist their agency with the replacement of the RegJIN software system. It is anticipated that the existing RegJIN system will cease to exist in the summer of 2021. As a result of the factors above, in 2018, the City of Vancouver provided notice of intent to terminate participation in the RegJIN project to the Portland Police Bureau.

Selection of Mark43. After conducting an internal needs assessment, a competitive request for proposals (RFP) was developed and published. RFP responses were reviewed and rated by representatives of VPD and other key City stakeholders with diverse skills, experiences, and RMS needs. Vendor performances were evaluated by relevant users including Command members, Patrol officers and Records staff. Following review of vendor proposals and staff feedback, the Executive Steering Committee recommended the selection of Mark43 as the next VPD records management system vendor. Following several months of negotiations, Mark43 and City staff developed a tentative agreement pending City Council's approval. In recognition of City Charter provisions, this agreement (which could last fifteen years or longer if all renewal term option periods are exercised by the City) is accompanied by an enacting Ordinance.

Agreement Overview.

- **General Provisions.** *If approved, Mark43 would provide a combination of professional services (e.g., computer interface development and data migration), subscriptions and technical support to a cloud-based Software as a Service Records Management System (SaaS Services).*
- **Cost.** *The City would pay \$1,278,116 for the initial 5-year Term of this agreement for professional services and SaaS services. This covers implementation costs as well as the subscription costs, but is exclusive of applicable taxes (e.g., sales and use taxes). Following the initial agreement term, the City will be responsible for pass-through costs of \$16,500 per year for a third-party system ("CommSys") that facilitates Mark43's connection to state and federal criminal justice databases.*
- **Duration.** *After the initial 5-year term, the City will have the option of exercising up to two additional 5-year renewal periods. The annual subscription fee (\$217,651.20) would be discounted by 10% during the first 5-year renewal term option period (adjusted annual total: \$195,886.08). During the second 5-year renewal term option period, Mark43 will be allowed to increase the subscription fee by 4.5% on a year-over-year basis for years 11-14, with no increase allowed in year 15. Thereafter, the agreement will renew on a year-to-year basis unless renegotiated.*

Request: Approve the ordinance on first reading, setting date of second reading and public hearing for Monday, June 17, 2019.

Jonathan Young, Chief Assistant City Attorney, 487-8500

Mayor McEnemy-Ogle read the title of the ordinance into the record.

Motion approved the request.

5. Approval of Claim Vouchers

Request: Approve claim vouchers for June 3, 2019

(Copy available upon request.)

Motion approved claim vouchers for June 3, 2019, in the amount of \$17,120,918.85.

Communications

- A. From the Council
- B. From the Mayor
- C. From the City Manager

Executive Session re: Pending Litigation (2 hours)

Mayor McEnerny-Ogle announced Council would be entering into executive session at 7:00 p.m. for about two hours to discuss pending litigation and that no action regarding this topic or any additional Council business would be taken following the executive session.

Council entered into executive session from 7:00 - 8:40 p.m.

Adjournment

8:40 p.m.

DocuSigned by:

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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

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Natasha Ramras, City Clerk

Meetings of the Vancouver City Council are electronically recorded on audio and videotapes. The audio tapes are kept on file in the office of the City Clerk for a period of six years.