



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: 19 July 2017

Department: Public Works Agenda Planning Date: 13 July 2017 Time required: 3 Min.

Audio/Visual aids

Contact: Steve Preszler Phone: 503-365-3157

for Department Head Signature: Cynthia J. Schmidt

TITLE

Approval of a Disaster Declaration to allow an emergency procurement for the River Road South Emergency Repairs

Issue, Description & Background

Marion County Public Works Department is requesting an exemption to allow the use of an emergency declaration for a public improvement project to repair landslide damage to River Road South. The Willamette Valley experienced damaging storms and flood events during December 2016 and January 2017, triggering the availability of emergency relief funds to Marion County through the Federal Highway Administration's (FHWA) Emergency Relief (ER) program. The storm event mobilized an historic landslide on River Road South, located between Salem and Independence, which resulted in severe pavement distress, sunken grades and loss of roadway shoulders. Marion County Public Works responded by removing slide debris, and installing temporary pavement patches and warning signs to make the site traversable by vehicles at low speed. At this time, temporary signs remain in place and the safe driving speed at this location has been reduced. On March 16, 2017, Marion County received a request from the Oregon Department of Transportation (ODOT) for project applications to repair roadway damage attributable to the events of January 2017 under the FHWA ER program. On March 22, 2017, Marion County submitted two project applications to ODOT, one for reconstruction of the River Road South roadway and one for stabilization of the hillside above River Road South. On May 4, 2017, Marion County staff accompanied FHWA and ODOT to conduct field reconnaissance of the River Road South project site and to discuss the county's project applications, proposed scope of work and associated cost estimates. On May 22, 2017, FHWA approved Marion County's project applications. FHWA's ER program has two funding categories: 1. Emergency Work - This funding category is used to restore facilities to their pre-event condition. Funding approved under this category is only available for 180 calendar days following the date of the qualifying event and the approved scope of work completed using these funds are 100% reimbursable by FHWA. On the South River Road Landslide Repair project, 100% reimbursement will expire on August 21, 2017. Thereafter, any permanent restoration work is reimbursable at the reduced rate of 80%. 2. Permanent Restoration - This funding category is used to fund any form of facility improvement that exceeds the pre-event condition for the purposes of preventing future foreseeable damage. Funding approved under this category may be available for 3 years or longer, depending on FHWA approval. However, work performed under this funding category is reimbursable at the reduced rate of 89.73%. Standard contracting procedures will delay the work past the current construction season, which will impact public safety and may result in additional damage. Public Works has expedited development of plans and specifications and has obtained a bid for the work from K&E Excavating, Inc. In order to proceed with the emergency work, the Board must issue a Disaster Declaration allowing an emergency



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procurement for the River Road South Emergency Repairs.

Financial Impacts:

The total cost of the ER project is estimated at \$595,000, including engineering and contingencies. Federal ER funds will cover 100% of the road work needed to restore the damage and 89.73% of the rock buttress. The County will cover roadwork connecting the two damage sites and the 10.27% match toward the rock buttress.

Impacts to Department & External Agencies

Adopting the Disaster Declaration and approving the exemption will not directly impact other Marion County Departments. Approving the Disaster Declaration will benefit the public at large by ensuring the road is safe and remains passable this coming winter.

Options for Consideration:

- 1) Approve a Disaster Declaration and allow an emergency procurement.
2. Take no action at this time.

Recommendation:

It is the recommendation of the Public Works department that the Board choose option 1 and approve the Disaster Declaration.

List of attachments:

Disaster Declaration

Presenter:

Brian Nicholas

Copies of completed paperwork sent to the following: (Include names and e-mail addresses.)

Copies to:

Tim Beaver, tbeaver@co.marion.or.us

BEFORE THE BOARD OF COMMISSIONERS

FOR MARION COUNTY, OREGON

RESOLUTION No. _____

In the Matter of Declaring a State)
of Emergency)

WHEREAS, ORS 401.305 provides authority for Marion County to act as an emergency management agency, including authority to establish policies and protocols for defining and directing responsibilities during time of emergency; and

WHEREAS, Marion County has enacted Marion County Code Chapter 2.35 pursuant to the authority granted by ORS Chapter 401 that provides for executive responsibility in times of emergency and specifically delegates authority to declare a state of emergency to the County Board of Commissioners. If circumstances prohibit timely action of the Board of Commissioners the duties shall be performed by The Emergency Management Board Designee, Chair, Vice-Chair, third member of the Board, Chief Administrative Officer, Emergency Management Director, or the Sheriff (in this order); and

WHEREAS, the following conditions have resulted in the need for a state of emergency: The Willamette Valley experienced damaging storms and flood events during December 2016 and January 2017; and

WHEREAS, the following damage to life and property can be expected from the above conditions: The storm event mobilized an historic landslide on River Road South, located between Salem and Independence, which resulted in severe pavement distress, sunken grades and loss of roadway shoulders.

1 WHEREAS, the entire County is in a state of emergency and if not the entire County, an
2 emergency is declared for the following area(s) S. River Road MP 2.40 now, therefore it is

3 RESOLVED that the Board formally declares a state of emergency for Marion County,
4 effective on this _____ day of July, 2017 at _____, am. for the area described above; and it
5 is further

6 RESOLVED that upon this declaration of a state of emergency the County Office of
7 Emergency Management is empowered to carry out the appropriate function and duties identified
8 in County ordinance during times of emergency and shall implement the Marion County
9 Emergency Operations Plan; and it is further

10 RESOLVED that the Emergency Management Director shall take all necessary steps
11 authorized by law to coordinate response and recovery from this emergency, including, but not
12 limited to, requesting assistance from the State of Oregon; and it is further

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19 RESOLVED that this declaration of emergency shall expire August 21, 2017 (on a date
20 certain after which the conditions giving rise to the emergency no longer exist; upon further
21 order of the Marion County Board of Commissioners; or both, whichever comes first).

22 DATED this _____ day of July, 2017.

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MARION COUNTY BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner