

DIRECTOR INFORMATION for GENERAL BOARD MEETING April 18, 2023

Revised

Redmond Area Park and Recreation District 465 SW Rimrock Dr PO BOX 843 Redmond, OR 97756 Administrative office phone – 541-548-7275

BOARD OF DIRECTORS

Mercedes Bostick-Cook, Director Ed Danielson, Director Matt Gilman, Director Zack Harmon, Director Kevin Scoggin, Director

RAPRD STAFF LEADERSHIP TEAM

Katie Hammer, Executive Director
Mike Elam, Recreation Manager
Jessica Rowan, Aquatic Director
Vicki Osbon, Administrative Services Manager

TABLE OF CONTENTS

General Board Meeting Agendap	og 4
March 14, 2023, General Board Meeting Minutesp	og 6
Financial: March 2023 Financial Summaryp	og 9
Action Agenda Items: Approval of Alternative Contracting Method	pg 20
Discussion/Procentation Itams:	



Redmond Area Park and Recreation District 465 SW Rimrock Way Redmond Oregon 97756 541-548-7275 www.raprd.org

GENERAL BOARD MEETING AGENDA April 18, 2023 (revised 4/14/23) 7:30am

This meeting will take place in person at the Cascade Swim Center, 465 SW Rimrock Way, Redmond. Virtual access is available using the following link: https://meet.goto.com/647496005

You can also dial in using your phone. Toll Free: 877-309-2073 Access Code: 647496005

AGENDA

1. Call to Order

Adjustments to the Agenda

- 2. **Communications** (Comments by Citizens are Limited to 3 Minutes)
- 3. Consent Agenda

Approval of the General Board Meeting Minutes from March 14, 2023 Acknowledgement of Receipt of March Financial Summary

- 4. Action Agenda Items
 - 4.a Public Hearing

Approval of Alternative Contracting Method (Resolution #8)

4.b General Action Agenda Items

Approval of Architect Contract for Community Recreation Center Approval of IGA between the City of Redmond and RAPRD for the Centennial Park Spray Pad Operations

5. Discussion Items

General Obligation Bond Sale Update

- 6. Public Comments
- 7. Board/Staff Comments
- 8. Executive Session

Oregon Law permits public bodies to meet in executive session to discuss specific items which are not open to the public. Final action or decisions on these matters will be made during regular session.

Executive Director Evaluation - ORS 192.660 (2) (i) which authorizes executive sessions "to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member..."

Reconvene Regular Session;

- 9. Action(s) as a result of Executive Session
- 10. Adjournment

Public Comments will be taken during the meeting. Those wishing to speak should sign up on the sheet provided. Comments by citizens are limited to five minutes. **Speakers will be called in order of sign up**. **Our meetings are recorded**. Accessibility requests must be made to Administrative Services Manager, Vicki Osbon at 541-548-7275 or by email at wicki.osbon@raprd.org at least 72 hours prior to any public meeting. **This is a no-smoking facility**.



Redmond Area Park and Recreation District 465 SW Rimrock Way Redmond Oregon 97756 541-548-7275

www.raprd.org

REDMOND AREA PARK AND RECREATION DISTRICT BOARD OF DIRECTORS Minutes of General Meeting

A general meeting of the Board of Directors of the Redmond Area Park and Recreation District convened at 465 SW Rimrock Way, Redmond, Oregon, March 14, 2023 at 7:30am.

Attendance:

Directors Present: Matt Gilman

Kevin Scoggin

Zack Harmon (Attended Virtually)

Ed Danielson

Directors Absent: Mercedes Bostick-Cook (Excused)

Staff: Katie Hammer, Executive Director, Jessica Rowan, Aquatic Director

Vicki Osbon, Administrative Services Manager, Mike Elam,

Recreation Manager

Media: None

Public Attending: Maria Ramirez, City of Redmond Parks Planner, Project Manager

Cathleen Wallace, David McKay, HMK, Chad Franke, HMK

Public Attending

Virtually: Jamie Benallo, Perkins & Will, Chris Kastelic, Perkins & Will

Chris Esker, Perkins & Will, Paige Hawthorne, Steele & Associates,

Catherine Lepine, Steele & Associates, Chris Thome, Steele &

Associates

GENERAL MEETING MINUTES

1. Call to Order: Matt Gilman called the meeting to order at 7:32am

Adjustments to the Agenda: None

2. Communications: Cathleen Wallace, commented about amenities at the new recreation center. She said she wanted to let the board know how important it was that there were adequate showers and dressing rooms provided.

3. Consent Agenda:

Approval of the General Board Meeting Minutes from February 14, 2023; Approval of the Special Meeting Minutes from February 21, 2023; Approval of the Special Meeting Minutes from February 28, 2023; Acknowledgment of Receipt of February Financial Summary: Kevin Scoggin made a motion to approve the consent agenda as presented. Ed Danielson seconded the motion. Motion passed unanimously.

4. Action Agenda Items:

Appoint Budget Committee Members:

Katie Hammer said that we have two applicants, Michael Rogers and John Sweat. Michael Rogers is a RACE swim team parent; his background is in banking. John Sweat is a regular lap swimmer and has a background in park and recreation and aquatics. John Sweat requested the fill in term and Michael Rogers requested the full term. Kevin Scoggin made a motion to appoint Michael Rogers and John Sweat to the budget committee. Ed Danielson seconded the motion. Motion passed unanimously.

Approval of Resolution #7 2022-23 – Authorizing District Staff to Negotiate a Contract for Architect for Community Recreation Center: Matt Gilman said that we have chosen our Owners Representative, and they are in attendance. He added that the next step is to choose an architect firm. David McKay, HMK, said that the Barker Rinker Seacat team has worked together on many projects that sets them apart from the other architect firms. He felt that they presented how they would show and then describe how they would work on the project. Ed Danielson asked how often HMK would be meeting with the BRS team and David McKay said that they are proposing once a month, but David felt that it should be more often, and they were going to discuss that during negotiations. Chad Franke, HMK, added that typically it would be bi-weekly. Matt Gilman added that he felt that the BRS team isn't starting from scratch and follow through on what they say they are going to do. Ed Danielson made a motion to approve resolution #7 and authorize district staff to negotiate a contract with Barker Rinker Seacat, architect, for a community center. Kevin Scoggin seconded the motion. Motion passed unanimously.

5. Discussion Items: None

6. Public Comments: None

7. Board & Staff Comments:

Jessica Rowan, Aquatic Director said that we are bringing back aqua fitness five days a week in the morning, and we have also added new instructors. She will be instructing a lifeguard class over spring break. She also said that there is a lot of school programming coming up too.

Mike Elam, Recreation Coordinator, said that spring soccer registration numbers are up. Lacrosse was cancelled due to low registration numbers. He added that enrichment programs are doing well, and we are developing a new partnership with RPA to use their facility to run programming. He said fitness classes at the Senior Center are going well. The first annual RAPRD Golf Tournament is going to be held on May 21st and donations are starting to come in for that event. Mike also said that softball registration is open and that pickleball tournament planning is happening too. Matt Gilman, board chair, added that the club is getting ready to go too. Ed Danielson, board member, asked Mike about adding disk golf to our programming. Mike responded that he would need to find a teacher.

Katie Hammer, Executive Director, said that she met with Kiwanis, and they have adopted the playground for the new center. Their goal is to raise \$100,000. RAPRD will be the non-profit beneficiary at the annual Vintners Dinner on May 19, 2023. There will also be an opportunity to make a presentation at this event. Katie said she would like to have eight RAPRD representatives in attendance at this event.

Kevin Scoggin, board member, said he will not attend the April 11td board meeting. He thanked HMK for being in attendance and working together. He also thanked Perkins and Will and the staff.

Board Chair, Matt Gilman	_
Recording Secretary, Vicki Osbon	

Matt Gilman adjourned the meeting at 8:13am.

Redmond Area Park and Recreation District Financial Summary

March 31, 2023

Summary

March 31, 2022 is 74.0% of the 2022/2023 budget year.

Financial Performance By Fund

General							
Resources (% of 22/23 Budget)	102%	Resources change from FY 21/22	5%				
Expenditures (% of 22/23 Budget)	71%	Expenses change from FY 21/22	7%				

		YTD FY		YTD FY		22/2023 YE		
	N	1ar 21/22	ſ	Mar 22/23		Budget	% Current Budget	Target %
Resources (Income)	\$	1,781,491	\$	1,864,738	\$	1,829,000	102%	100.0%
Personnel Services	\$	253,033	\$	293,339	\$	436,000	67%	67.0%
Materials & Services	\$	166,636	\$	158,532	\$	230,300	69%	72.0%
Debt Service	\$	90,940	\$	94,070	\$	98,000	96%	95.0%
Capital Outlay	\$	-	\$	-			0%	0.0%
Transfers & Contingency	\$	-	\$	-	\$	1,140,000	0%	0.0%

Aquatic						
Resources (% of 22/23 Budget)	112%	Resources change from FY 21/22	12%			
Expenditures (% of 22/23 Budget)	59%	Expenses change from FY 21/22	17%			

		YTD FY		YTD FY		22/2023 YE		
	Fe	Feb 21/22		Feb 22/23		Budget	% Current Budget	Target %
Resources (Income)	\$	192,586	\$	214,942	\$	192,500	112%	95.0%
Personnel Services	\$	359,892	\$	430,229	\$	751,100	57%	64.0%
Materials & Services	\$	123,238	\$	141,453	\$	190,700	74%	65.0%
Debt Service	\$	35,797	\$	35,797	\$	35,800	100%	100.0%
Capital Outlay	\$	3,972	\$	-	\$	57,000	0%	40.0%

Redmond Aquatic Club Eels (RACE)							
Resources (% of 22/23 Budget)	87%	Resources change from FY 21/22	76%				
Expenditures (% of 22/23 Budget)	91%	Expenses change from FY 21/22	106%				

	/TD FY b 21/22	YTD FY eb 22/23	22/2023 YE Budget		Target %
Resources (Income)	\$ 32,596	\$ 57,509	\$ 66,000	87%	73.0%
Personnel Services	\$ 20,954	\$ 49,954	\$ 55,850	89%	66.0%
Materials & Services	\$ 22,395	\$ 39,332	\$ 42,000	94%	68.0%

Financial Performance By Fund

Programs							
Resources (% of 22/23 Budget)	112%	Resources change from FY 21/22	36%				
Expenditures (% of 22/23 Budget)	84%	Expenses change from FY 21/22	57%				

		YTD FY					2022/2023 YE			
	Fe	eb 21/22	F	eb 22/23		Budget	% Current Budget	Target %		
Resources (Income)	\$	194,391	\$	263,554	\$	235,000	112%	95.0%		
Personnel Services	\$	177,137	\$	220,986	\$	317,500	70%	71.0%		
Materials & Services	\$	77,290	\$	178,913	\$	156,250	115%	70.0%		
Capital Outlay	\$	-	\$	-	\$	-	0%	0.0%		

Parks						
Resources (% of 22/23 Budget)	66%	Resources change from FY 21/22	102%			
Expenditures (% of 22/23 Budget)	52%	Expenses change from FY 21/22	14%			

	/TD FY b 21/22	YTD FY eb 22/23	20	22/2023 YE Budget	% Current Budget	Target %
Resources (Income)	\$ 488	\$ 987	\$	1,500	66%	70.0%
Personnel Services	\$ 78,895	\$ 90,552	\$	151,700	60%	68.0%
Materials & Services	\$ 33,817	\$ 38,414	\$	52,700	73%	71.0%
Capital Outlay	\$ -	\$ -	\$	45,000	0%	25.0%

Year to Date Comparison by Program Category

YTD Detail

Property Tax Collections

FY 22/23 (Current)	1,770,342
FY 22/23 (Budget, current yr)	1,750,000
FY 21/22	1,682,296
FY 20/21	1,558,987
FY 19/20	1,449,279

Resources/Expense Detail

Pool Activities

Pool Activities Resources		Pool Activities Expenses	
FY 22/23 (Current)	98,201	FY 22/23 (Current)	5,316
FY 22/23 (Budget, current yr)	75,000	FY 22/23 (Budget, current yr)	12,000
FY 21/22	87,612	FY 21/22	10,270
FY 20/21	21,855	FY 20/21	4,336
FY 19/20	58,119	FY 19/20	10,438

Youth Sport Leagues

Youth Sports League Resource	es	Youth Sports League Expenses
22/23 (Current)	136,768	FY 22/23 (Current)
2/23 (Budget, current yr)	119,500	FY 22/23 (Budget, current yr)
1/22	113,462	FY 21/22
20/21	27,947	FY 20/21
19/20	76,783	FY 19/20

Note: Youth Sports League include: Youth Basketball, Soccer and LaCrosse

Enrichment Resources

Enrichment Resources		Enrichment Expenses
FY 22/23 (Current)	32,059	FY 22/23 (Current)
FY 22/23 (Budget, current yr)	24,000	FY 22/23 (Budget, current yr)
FY 21/22	17,866	FY 21/22
FY 20/21	9,557	FY 20/21
FY 19/20	22,239	FY 19/20

Fitness

		Fitness Expenses
4,698		FY 22/23 (Current)
20,000		FY 22/23 (Budget, current yr)
6,194		FY 21/22
8,035		FY 20/21
38,941		FY 19/20
	20,000 6,194 8,035	4,698 FY 22/23 (Current) 20,000 FY 22/23 (Budget, current yr) 6,194 FY 21/22 8,035 FY 20/21

Note: Fitness classes are held at the Senior Center.

Adult Sport Leagues

Adult Sport League Resources		Adult Sport League Expenses	
FY 22/23 (Current)	1,975	FY 22/23 (Current)	
FY 22/23 (Budget, current yr)	15,000	FY 22/23 (Budget, current yr)	10
FY 21/22	2,184	FY 21/22	
FY 20/21	1,400	FY 20/21	
FY 19/20	5,470	FY 19/20	4

Note: Adult Sport Leagues include, Adult Softball and Adult Basketball.

Updated 4/4/2023

The Redmond Area Parks and Recreation District Board, sitting as the local contract review board for the RAPRD District, is requested to consider an exemption from public bidding and use of an alternative contracting method for construction of the new Recreation Center. ORS 279C, sets forth the process for a public agency's procurement of public improvement contracts, requiring public agencies to award contracts to the low responsive bidder.

We believe the low bid process have inherent pitfalls which we believe not to be in the District's best interests.

We are requesting the Board to adopt an alternative contracting method as follows:

Construction Manager|General Contractor (CM|GC).

The Construction Manager|General Contractor procurement method benefits this class of Capital Projects allowing the CM|GC to be chosen during the Schematic Design Phase. The CM|GC will be involved through the remaining design phases providing constructability, value engineering, cost estimating, as well as the development of a construction phasing plan.

The project teams, HMK Company the Program Manager, Dunn Carney LLP Construction Counsel, and BRS Architecture are and shall be experienced with these alternative contracting methods, having facilitated the processes successfully on other projects, and believe it is in the best interest of the district to adopt the alternative contracting methods as presented.

Construction Manager | General Contractor

Recommended Motion: I Board Member	move
to approve the findings of fact and adop	t the other resolutions included in the attached
Proposed Findings of Fact and Resolution	n.



PROPOSED FINDINGS PURSUANT TO ORS 279C.335 AND OAR 137-049-0610, -0620, -0630, and -0690 BY THE REDMOND AREA PARKS AND RECREATION DISTRICT BOARD OF DIRECTORS FOR RECREATION CENTER

On April 18, 2023, the Redmond Area Parks and Recreation District ("the District") requested an exemption from the competitive bidding requirements of ORS Chapter 279C.335(1), pursuant to ORS 279C.335(2), for construction of the New Community Recreation Center project ("Project") to enable it to utilize an alternative contracting method for construction of the Project. The specific alternative contracting method which the District wishes to utilize is a Construction Manager | General Contractor (CM|GC) selection process.

Recreation Center Project:

The new Community Recreation Center is expected to be constructed at SW 35th and Lava Ave in Redmond, Oregon. This land, approximately 9.5 acres was purchased by Redmond Area Parks and Recreation District in January 2009. The new community recreation center is needed because the Redmond Area Parks and Recreation District currently operates a 25-meter swim facility that was constructed in 1979 and is located on property that Redmond Area Parks and Recreation District leases and no longer meets the needs of the growing population.

Voters in the Redmond Area Park and Recreation District boundary approved a \$49 million bond for the construction of this approximately 74,000 square foot facility in November 2022. The new community recreation center will provide the ability to meet current and future recreation needs of the greater Redmond community.

The facility is planned to include the following amenities:

- Pools for swimming lessons, aquatic exercise classes, therapy, recreation and lap swimming. (Both a competitive pool and a separate leisure pool)
- Gymnasium for multipurpose programming use
- Indoor Walking track
- Exercise facilities and equipment
- Group fitness room(s)
- Classroom/special events and meeting space for recreation programming, events and meetings
- Administrative and support spaces including locker rooms, lobby and office space
- Other amenities; which may include outdoor sports fields, sport courts, playground and walking paths

Approving exemption from the competitive bidding requirement of ORS 279C.335 will benefit the District by allowing for utilization of the CM|GC procurement process, and the resultant benefits to the District outlined in the below findings, including allowance for value engineering, cost estimating, schedule development, phasing, constructability, integration with existing facilities, safety, and consideration of staff and community input, by and with the CM|GC contractor during the each of the design phases. These enhancements are likely to promote the efficient use of the public funds.

In considering the requested exemption, the District Board is requested to approve the following findings:

- 1. The District is a Special District organized and existing under the laws of the State of Oregon.
- The Board is the local contract review board for the District.
- 3. Pursuant to ORS 279C.335(2), with regard to exempting the Project from competitive bidding and use of the CM|GC method:
 - a. The exemption is unlikely to encourage favoritism in the awarding of public improvement contracts or substantially diminish competition for public improvement contracts.



<u>Justification for finding</u>: The District will select the CM|GC for the Project through a competitive request for proposals process that fosters competition and focuses on delivering the best value to the District with no favoritism, through an objective point-scoring system. The District will administer an openly-advertised CM|GC process in a manner that will attract competition.

"Subcontractable" work will be procured by the CM|GC selected for the Project, with the oversight of the District, through a bid process. Should the CM|GC firm choose to bid any of the subcontractable work, then bids will need to be submitted to the District or an independent third party a minimum of 2 hours prior to bid closing.

b. Awarding a public improvement contract under the exemption for the Project will likely result in substantial cost savings and other substantial benefits to the District.

Justifications for finding:

i. Public and District benefits

The new recreation facilities will facilitate better opportunity to the community for various recreation programs, providing safer and more efficient buildings. The CM|GC will help to maximize the quality and amount of construction items that can be delivered, within budget, and on schedule.

ii. Value engineering

The CM|GC process provides many benefits and opportunities for cost savings. During the preconstruction phase, the CM|GC will be evaluating the budget and making suggestions for cost-saving changes and value enhancements. The CM|GC will evaluate major systems and make design recommendations to the Project team about which systems are most cost-effective. Use of the CM|GC process will likely result in substantial benefit to the District by facilitating and coordinating the most efficient use of limited bond funds.

The CM|GC also identifies whether Project sequencing is viable and design elements can be built as drawn. All of these beneficial actions by the CM|GC can improve design, expedite construction and reduce the potential for costly change orders. The benefits of contractor value engineering are not available with the low bid process because the contractor is selected after the specifications are set.

Considerations for Finding Under ORS 279C.335(2)(b)

In developing finding 3(b), the type, cost and amount of the prospective contracts were taken into consideration, along with the following factors, in accordance with ORS 279C.335(2)(b):

(A) How many persons are available to bid?

Information considered by the District:

The CM|GC for the Project will be selected through a competitive Request for Proposal (RFP) process. The notification of will be publicly advertised in a state-wide trade newspaper. A review committee will screen, and rank proposals based on the criteria described in the request for proposal. Based upon the ranking, one or more proposers



may be selected for interview. It is anticipated there are multiple qualified contractors available to propose on the Project.

(B) The construction budget and the projected operating costs for the completed public improvement.

Information considered by the District:

The maximum allowable construction cost (MACC) is approximately \$37,000,000

Projected operating costs can be better taken into account through the CM|GC process through the contractor's earlier involvement and input in the design process.

(C) Public benefits that may result from granting the exemption.

Information considered by the District:

Utilization of the CM|GC process is likely to facilitate better designed and constructed facilities, providing safer, easier to maintain, and more efficient buildings. CM|GC contracting will help to enhance the quality and amount of construction items that can be delivered, within budget, and on schedule.

(D) Whether value engineering techniques may decrease the cost of the public improvement.

Information considered by the District:

During the design phase prior to material and subcontractor bidding, the CM|GC will provide value engineering and update cost estimate information. This engineering and cost estimate will assist final decision-making about the Project scope, product quality and material finish. Using a CM|GC will allow more flexibility to develop, evaluate, and implement design changes with less impact on construction cost and time. In the event fast track construction is necessary, the CM|GC process provides an appropriate means of managing fast track construction with value engineering to decrease costs and maintain a guaranteed maximum price for the construction.

Use of value engineering in the CM|GC process will likely result in substantial cost savings by reducing costly change orders through CM|GC value engineering, constructability review, scheduling, and estimating during the design process.

Use of the CM|GC process will likely result in substantial cost savings through efficiencies gained from having only one general contractor working with one design team for the Project, thereby reducing the need for additional job site conditions from multiple general contractors.

Use of the CM|GC process will likely result in substantial benefit to the District by facilitating and coordinating the most efficient use of limited bond funds.

(E) The cost and availability of specialized expertise that is necessary for the public improvement.

Information considered by the District:

The contractor ultimately selected as CM|GC will be required in the RFP process to demonstrate experience and expertise in providing CM|GC services to public and/or private organizations. The contractor will also be required to have thorough knowledge of recreation center and swimming pool construction. The CM|GC firm is hired at the



beginning of the Project and its specialized expertise can assist with master planning, design considerations, administrative coordination, scheduling, budget estimating, constructability review, and value engineering.

(F) Any likely increases in public safety.

Information considered by the District:

All work during the construction will be done in accordance with OR-OSHA safety regulations. The CM|GC selected will be required to show evidence of construction safety practices that are at the highest level of integrity. Safety is of upmost importance during construction.

(G) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement.

Information considered by the District:

The Project includes technical and logistical complexities, the risks of which will be reduced through working with the CM|GC firm working with the District and the Architect to solve specific challenges identified during the pre-construction phase. Technical complexity relates to planning and coordinating the various components of the Project for safety, schedule and budget. Each Project includes a limited budget as well as limited construction time.

The CM|GC process should add efficiencies in coordinating different elements of the work, in close proximity to one another, in over-lapping time periods, and with tight budgets, which has the benefit of reducing risks to the District.

(H) Whether granting the exemption will affect the sources of funding for the public improvement;

Information considered by the District:

The Project funding is provided by General Obligation Bonds. The CM|GC method of contracting provides cost controls for limited budgets and therefore benefits the district's funding. The team approach, the schedule, the value analysis, and constructability reviews provide effective cost analysis.

(I) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement.

Information considered by the District:

The CM|GC contracting process is a modern construction delivery method used by both public and private organizations. The CM|GC is tasked with keeping the Project team upto-date on the latest construction techniques and products. The CM|GC will inform the Project team of current market conditions, labor and materials availability, and construction methodologies that can reduce design and construction time and costs. The Guaranteed Maximum Price under the CM|GC method can be set at an earlier time in the design process than is feasible under the traditional bid method, helping to better control the impact of market conditions.

(J) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement.



Information considered by the District:

The Project must be delivered within strict technical and logistical parameters. The CM|GC firm will work with the District and the Architect to solve specific challenges identified during the pre-construction phase. Technical complexity relates to planning and coordinating the various components of the Project for safety, schedule and budget. The Project includes a limited budget as well as limited construction time.

(K) Whether the public improvement involves new construction or renovates or remodels an existing structure.

Information considered by the District:

The is new construction of the Community Recreation District

(L) Whether the public improvement will be occupied or unoccupied during construction.

Information considered by the District:

The Project will not be occupied during construction of the work.

(M) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions; **and**

Information considered by the District:

The Project may consist of multiple bid packages at the subcontractor level. CM|GC contracting is an effective form of procurement for multi-bid package projects because it allows for an accelerated schedule.

(N) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.

Information considered by the District:

The District is working with an HMK Company as the Owner's Representative and Dunn Carney LLP as the Construction Counsel, and BAS Architects all of which have extensive experience with CM|GC procurement. The District intends to retain such additional consultants with appropriate expertise and experience as may be necessary for the Project.



REDMOND AREA PARKS AND RECREATION DISTRICT
CAPITAL CONSTRUCTION PROJECT
CM|GC ALTERNATIVE CONTRACTING METHOD
PROPOSED FINDINGS

RESOLUTION	NO
sitting as the lo	ne findings set forth above, the Board of Directors of Redmond Parks and Recreation District ocal contract review board for the District on its request for exemption from the public contracting RS 279C.335(2), hereby resolves, finds and concludes:
1.	Notice of public hearing was published in at least one trade newspaper of general statewide circulation a minimum of 14 days prior to the hearing.

- 2. A copy of the notice is attached hereto as Exhibit "A" and incorporated by this reference.
- 3. At the public hearing, the Board gave an opportunity for any interested party to appear and present comment.
- 4. The attached Proposed Findings ("Findings") are adopted and approved.
- 5. Based upon the approved Findings, the use of the Construction Manager | General Contractor process as the manner of selecting the proposed contractors for the Project, it is unlikely that an exemption from the competitive bidding requirements of the public contracting statutes will encourage favoritism in the awarding of public contracts for the Project, or substantially diminish competition for public contracts of the like nature.
- 6. Based upon the approved Findings, exemption of the Project prime contract from bidding using the alternative method of Construction Manager | General Contractor pursuant to an exemption under ORS 279C.335(2) will likely result in substantial cost savings and other substantial benefits to the District.
- 7. The District is granted an exemption under ORS 279C.335(2) from the competitive bidding requirements of ORS 279C.335(1) for the Project, and it is directed that the District utilize the Construction Manager | General Contractor method as the alternative contract method, provided the District also remains permitted, at the District's discretion, to use traditional bidding for any portion of the Project pursuant to ORS 279C.335(1).
- 8. For any Project utilizing the Construction Manager | General Contractor method of procurement, the procurement shall be in accordance with the Attorney General Model Rules adopted under ORS 279A.065.

These resolutions sl	nall take effect immediately.
DATED	
	REDMOND AREA PARKS AND RECREATION DISTRICT BOARD OF DIRECTORS
	By: Its Chairperson
	By: Its Vice-Chairperson



April 18, 2023

Katie Hammer, Executive Director Redmond Area Parks and Recreation District P.O. Box 843 Redmond, Oregon 97756

Re: Redmond Area Parks and Recreation District

New Recreation Center Project

Recommendation to Award Contract for Design Services

Dear Katie,

HMK Company has been negotiating with BRS Architecture to finalize the fee and contract language for the design of the New Recreation Center project. While we have finalized the negotiations for the fee, we are continuing to review the contractual language. We recommend accepting the fee, in the amount of \$3,232,740, with reimbursable expenses estimated in the amount of \$161,369. These reimbursables will be billed based upon actuals.

In addition, we are requesting that the board authorize you to award the contract at the abovementioned fee once we have finalized the contract language negotiation.

Accepting this approach will allow the contact to be issued immediately following the conclusion of the negotiations.

Sincerely,

David McKay Project Executive HMK Company

RAPRD BOARD AGENDA COMMUNICATION

MEETING DATE: April 18, 2023

SUBJECT: Intergovernmental Agreement for the Operation of the Spray Pad

at Centennial Park

STAFF RESOURCE: Jessica Rowan/Katie Hammer

ACTION PROPOSED: Approval of IGA for the Operation of the Spray Pad at Centennial

Park for the 2023 season

BACKGROUND:

The City of Redmond Public Works department and RAPRD partnered in 2022 for the maintenance and operation of the Spray pad. This partnership is mutually beneficial to both organizations. RAPRD has four certified pool operators on staff and has experience with aquatic facilities and features. The city will reimburse RAPRD for all costs incurred to provide staff for the spray pad. The city would be responsible for all chemical costs and contracting any large repairs.

This IGA is a renewal of the 2022 IGA for the 2023 season.

BUDGETARY IMPACT: The city will reimburse the District for the costs associated with payroll to provide staff for the spray pad.

RECOMMENDED MOTION: Motion to Approve the IGA for Operation of the Spray Pad at Centennial Park for the 2023 season.

INTERGOVERNMENTAL AGREEMENT

BETWEEN THE CITY OF REDMOND AND THE REDMOND AREA PARK AND RECREATION DISTRICT FOR OPERATION OF THE CENTENNIAL PARK SPRAY PAD

This Intergovernmental Agreement ("Agreement"), dated effective May 22, 2023, is entered into by and between the City of Redmond, an Oregon municipal corporation ("City"), and the Redmond Area Park and Recreation District, a special taxing district ("RAPRD").

WHEREAS, City and RAPRD are authorized pursuant to ORS 190.003 through 190.110 to enter into an intergovernmental Agreement for the performance of any or all functions which a party to the Agreement has the authority to perform; and

WHEREAS, the City owns the Centennial Park Spray Pad ("Spray Pad") located at 725 SW Evergreen Avenue in Redmond; and

WHEREAS, the City's core services include operating and maintaining park amenities; and

WHEREAS, RAPRD manages programs at other City park facilities, including operating the Centennial Park Kiosk next to the Spray Pad; and

WHEREAS, RAPRD has staff with the required certifications and training to perform specialized services necessary for daily operations of the Spray Pad; and

WHEREAS, the City is interested in contracting with RAPRD to perform specialized services at the Spray Pad.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is mutually agreed as follows:

1. EFFECTIVE DATE/DURATION

- 1.1 This Agreement is effective May 22, 2023.
- 1.2 The Agreement shall commence upon signature of all parties and shall continue in full force and effect until terminated on or before September 8, 2023.

2. TERMINATION

- 2.1 This Agreement may be terminated by either party upon 30-days written notice to the other party.
- 2.2 Termination under this section shall not affect any obligations or liabilities accrued prior to the effective date of the termination.

3. PURPOSE

3.1 This Agreement provides the basis for a cooperative working relationship for the purpose of operating the Spray Pad.

4. SCOPE OF SERVICES

4.1 City of Redmond:

- 4.1.1 Provide expertise, historical data, experience, judgement, and personal attention necessary for RAPRD staff to perform services or troubleshooting.
- 4.1.2 Furnish all equipment, chemicals, materials, supplies and facilities necessary to perform services unless otherwise agreed in writing.
- 4.1.3 Shall be responsible for all costs and subcontractor arrangements for repairs to equipment, surfaces, and structures of the Spray Pad during the term of this agreement.
- 4.1.4 Insure the property including the equipment, name RAPRD as additional insured.
- 4.1.5 Perform the seasonal start-up, winterization, or significant troubleshooting of the Spray Pad jointly with RAPRD staff.

4.2 RAPRD:

- 4.2.1 Provide a Certified Operator as defined in Oregon Administrative Rules Chapter 333 Division 60, Public Swimming Pools, to perform daily services.
- 4.2.2 Perform and document daily safety checks and complete the daily safety inspection record (ATTACHMENT A) for the Spray Pad.
- 4.2.3 Perform and document Oxidation Reduction Potential (ORP) chlorine and sanitation readings (ATTACHMENT B) every two (2) hours during operation of the Spray Pad. If the water quality is out of compliance, RAPRD will contact the City of Redmond and shut down the system via emergency switch per Public Works Standard Operating Procedure 2.1.3.1 (ATTACHMENT C).
- 4.2.4 Perform and document daily testing and complete the Oregon Health Authority (OHA) Public Swimming Pool Daily Record Sheet (ATTACHMENT D) for the Spray Pad.
- 4.2.5 Perform the backwashing of filters and rinsing of Spray Pad equipment as needed. Notify the City if excessive debris is observed and additional cleaning of Spray Pad area is required.
- 4.2.6 Perform the seasonal start-up, winterization, or significant troubleshooting of the Spray Pad jointly with City staff.

5. COMPENSATION

- 5.1 The maximum cost to the City shall not exceed \$15,000.00 over the term of this Agreement.
- 5.2 RAPRD will invoice the City monthly for costs of providing specialized services as completed by Certified Operator.
- 5.3 Any additional services requested by the City, but not included in the Scope of Services, shall be invoiced on a time-and-materials basis, and not included as part of this Agreement.

6. SPECIAL REQUIREMENTS

- 6.1 Legal Compliance: Each party agrees to comply with all applicable federal, state, and local ordinances, statutes, laws, and regulations.
- Assignment: Neither this Agreement nor any of the rights granted by this Agreement may be assigned or transferred by either party.
- 6.3 Record and Fiscal Control System: All payroll and financial records pertaining in whole or in part to this Agreement shall be clearly identified and readily accessible.
- 6.4 Access to Records: Both parties and their duly authorized representatives, shall have access to all books, documents, papers, and records of the parties which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts.
- 6.5 Attorney Fees: In the event of an action, lawsuit or proceeding, including appeal there from, is brought for failure to fulfill or comply with any of the terms of this Agreement, each party shall be responsible for their own attorney fees, expenses, costs, and disbursements for said action, lawsuit, proceeding or appeal.
- 6.6 No Waiver of Claims: The failure by any party to enforce any provision of this Agreement shall not constitute a waiver by that party of that provision or of any other provision of this Agreement.
- 6.7 Severability: Should any provision or provisions of this Agreement be construed by a court of competent jurisdiction to be void, invalid or unenforceable, such construction shall affect only the provision or provisions so construed, and shall not affect, impair, or invalidate any of the other provisions of this Agreement which shall remain in full force and effect.
- 6.8 Applicable Law: This Agreement shall be governed by and interpreted in accordance with the laws of the State of Oregon.
- 6.9 Each party shall be solely responsible for its own acts and those of its employees and officers under this Agreement. 10.1. To the extent permitted by Article XI, Section 10, of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, the parties will hold harmless, indemnify, and defend the other party, its officers, agents, volunteers, and employees from all claims arising solely by reason of any act or failure to act by each party.
- 6.10 Entire Agreement: This Agreement constitutes the entire Agreement between the parties concerning the subject matter hereof, and supersedes any and all prior or contemporaneous agreements or understandings between the parties, if any, whether written or oral, concerning the subject matter of this Agreement which are not fully expressed herein.

7. AMENDMENTS TO AGREEMENT

7.1 This Agreement may be amended at any time with the concurrence of both parties. Amendments become part of this Agreement only after the written amendment has been signed by both parties.

In agreement whereof, the parties have executed this Agreement on the dates specified next to their respective signature.

REDMOND AREA PARK RECREATION DISTRICT		CITY OF REDMOND				
Name: Title:	 Date	Jon Skidmore Interim Public Works Dire	Date ctor			
Katie Hammer Executive Director	Date					

PAD MOAS

CITY OF REDMOND

Public Works Department

243 E Antler Ave Redmond, OR 97756-0100 (541) 504-2000

Water Division On-Call: (541) 419-1011

Centennial Park Spray Pad Daily Safety Inspection Record

Month:_____

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	Bathrooms	AED	Emergency	Control	Signs &	Water	Water	Park	8	10	12	2	4	6	8
	&	&	Phone	Vaults	Pool	Feature	Qualit	Grounds	AM	AM	PM	PM	PM	PM	PM
	Drinking	First	1 Hone	Secure	Rules	Deck		Grounds							
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Bathrooms and Drinking fountains are clean and operational. AED and First Aid kits are functional and available. The emergency phone is available and operational. Vault lids are secure. Signs are in place and pool rules are in compliance. Spray deck is clear of debris (trash, food, diapers, etc.). Water quality does not appear to be compromised. The park grounds are in acceptable condition.

Comments:				
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Centennial Park Spray Pad Daily ORP Reading

	Inspector	8:00 am	10:00 am	12:00 pm	2:00 pm	4:00 pm	6:00 pm	8:00 pm
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Comments:					

SOP#	2.1.3.1					
Division/Unit	Public Works					
Procedure Title	Spray Park Vault					
Issue Date	3/23/2022					
Revision Date(s)						

PURPOSE: The purpose of this standard operating procedure is to define the common hazards and guidelines for the safety operations of the Spray Park in Centennial Park. The City of Redmond Public Works contracts with Redmond Area Park and Recreation District (RAPRD) on the maintenance of the park.

SCOPE: The scope of this work applies to Public Works employees and contractors who maintain the park.

DEFINITIONS:

<u>Confined Space</u>: Is a space that:

- 1) Is large enough and so configured that an employee can bodily enter and perform assigned work; and
- 2) Has limited or restricted means for entry or exit; and
- 3) Is not designed for continuous employee occupancy.

<u>Permit-Required Confined Space</u>: Is one that meets the definition of a confined space and has one or more of the following characteristics:

- 1) Contains, or has the potential to contain, a hazardous atmosphere;
- 2) Contains a material that has the potential for engulfing an entrant;
- 3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor that slopes downward and tapers to a smaller cross section; and / or
- 4) Contains any other recognizing serious safety or health hazards.

<u>Alternate Confined Space</u>: Is one that meets the definition of a permit-required confined space; however, the following characteristics apply:

- 1) The only hazard posed by the permit space is an actual or potential hazardous atmosphere; and
- 2) Continuous forced air ventilation alone is sufficient to maintain that permit space safety for entry; and
- 3) Documented monitoring and inspection data supports these conditions.

<u>Non-Permit Required Confined Space</u>: Non-permit required confined space means a confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain any hazards capable of causing death or serious physical harm.

Authorized Entrant: Employees who have been trained and approved to enter a confined space.

<u>Authorized Attendant</u>: Employees who stand watch outside of the entry point of space and DO NOT enter the confined space.

PROCEDURE:

Hazards:

The vault at the Spray Park is a vented vault that houses the mechanical components for complete operation of the facility. The hazards in the vault include atmospheric hazards, physical hazards, electrical hazards, slips and falls, chemical hazards, and noise hazards.

Tools:

Tools will vary depending on the task being performed. Generally, the minimum equipment will include the following:

- Warning lines / control barriers
- Gas meter
- Personal Protective Equipment (PPE)
- Communication Devices
- Fresh air blower (if ventilation requirements cannot be met)

Safety Measures:

Any entry into the vault will require that several safety procedures be followed to ensure the safety of all employees and contractors including:

- Atmospheric testing procedures
- Confined space entry procedures
- Testing of emergency lighting
- Use of appropriate PPE (gloves, safety glasses, hard hats, hearing protection)
- Lockout / Tagout procedures (if applicable)

General Maintenance:

Prior to entry into the vault, remote monitoring is conducted within the food kiosk electrical closet. On site RAPRD employee(s) will conduct the analysis of the water quality every two hours while the Spray Park is operational. If the water quality is out of compliance (between 1-5 PPM chlorine) they will contact Public Works to fix the situation and if not, shut down the system via emergency shut off switch.

Entry Procedures:

City of Redmond Public Works evaluates and classifies the space prior to entry using the procedure identified in Appendix A. Regardless of classification, only authorized entrants may enter the space and authorized attendants will monitor the space from above and activate the rescue plan (911), if needed.

<u>Authorized Entrant</u> will have passed confined space awareness / permit required training and lockout / tag out authorized training. Prior to entry the confined space identification checklist must be completed (Appendix A). Their duties will include the following:

- Ability to identify the hazards which may be faced during entry. This includes signs and symptoms of an exposure to a hazard as well as an understanding the consequences of that exposure.
- Authorized entrants will maintain communication with the authorized attendant(s) and will notify the attendant in the event the entrants initiate evacuation.
- Authorized entrants will be provided with and use appropriate personal protective equipment as noted under the Safety Measures section.
- Authorized entrants will be instructed to exit the space when the authorized attendant orders an evacuation, when an alarm (gas meter) sounds or when the authorized entrant perceives that they are in danger. The only exception to the entrants following these directions would occur when the entrant is not physically able to evacuate on their own.



<u>Authorized Attendant</u> will NOT enter the space and / or leave their post while entrants are performing work. Their duties will include the following:

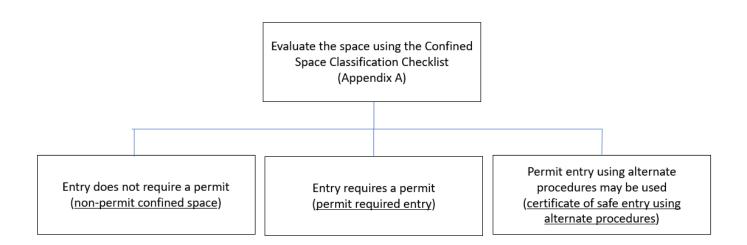
• Ensure a clear communication plan is in place between the authorized entrant(s) and themselves (cell phones, radios, etc.).

- Establish warning lines and control barriers outside of the vault opening. The warning lines and barriers will consist of yellow chains, cones, etc. The proper use of warning lines and control barriers helps to mitigate the potential fall hazard.
- Activates the rescue plan (call 911), if needed. Keep watch of bystanders and ensure area is kept clear of the public.



The vault has a ventilation system that blows fresh air into the vault at all times, however atmospheric monitoring will take place prior to entry and the confined space classification checklist will need to be completed prior to entrance into the vault (Appendix A). This checklist will be used to determine if the space can be declassified to a non-permit confined space and be entered using alternate procedures. Alternate procedures can be used to enter the space when:

- No other hazards exist; and
- Atmospheric hazards can be effectively removed and controlled be forced ventilation; and
- Workers can safely enter and work in the space; and
- All testing results and monitoring data are documented, retained, and made available to each employee who enters the space.
- If the above do not apply, a full entry permit is required.



All employees and contractors who may enter the vault at the Spray Park will review and sign off on the procedure. Annual review of the procedure and education will take place prior to opening of the park. All training records will be stored within the employee's profile within NEOGOV.

References:

Oregon OSHA's Confined Space Standard OAR 437-002-0146

City of Redmond - Confined Space Policy 6.10

APPENDIX A

Spray Park Confined Space Identification Checklist

Purpose: Determine if the confined space is a permit-required confined space

ONLY Authorized Entrants can complete the checklist

DATE:	<u> </u>	
TIME:		

STEP 1: Atmospheric Monitor Testing

HAZARD	LIMIT/PEL	TOP 1/3 RESULTS	MID LEVEL RESULTS	LOWER 1/3 RESULTS	AIR QUALITY ACCEPTABLE?
Oxygen	19.5-23.5%		•		
Flammable, LFL	10% (max)				
H2S	10ppm				
CO	25ppm				

STEP 2: Is the air quality acceptable?

If **YES** – Continue to Step 3

If **NO** – Purge space until air is acceptable. If air cannot be controlled through forced ventilation alone, the space must be entered using an ENTRY PERMIT.

STEP 3: Check the space for physical hazards:

	CONDITION	YES	NO	N/A
1	All conditions making it unsafe to remove an entrance opening are eliminated (live electrical, moving parts or other forms of energy, potential for explosions, etc.)			
2	Hazardous energy sources (electrical, pressure, mechanical, pneumatic, etc.) are either total contained (covers and guards in place, no line breaking activities, not leaks, etc.) or properly isolated			
3	Space has been purged, flushed or is otherwise clean of any hazardous materials / chemicals.			
4	The work area is free of fire hazards and the work in the space will not create any fire hazards			
5	Space can be entered by a ladder or other method that allows self-entry and self-rescue options			

6	Traffic and pedestrian controls have been adequately addressed
7	No other recognized safety hazards that could cause injury / death or that could impede exiting the space exist or has the potential to exist (visual hazards, falling objects and slip / trip hazards).
STEP	4: Is the space clear of physical hazards (i.e., all questions above have been answered YES or NA)?
	If YES – Continue to Step 5
	If NO – STOP! If the physical hazards cannot be eliminated, the space must be entered using an ENTRY PERMIT
STEP consid	5: Could your work activities <u>create physical hazards</u> while working in the space? Conditions to er:
	☐ Performing hot work inside the space
	☐ Bringing hazardous chemicals inside space (solvents, paints, coatings, gas-powered motors, exposed electrical, etc.)
	☐ Creating slip / trip hazards
	☐ Using electrical equipment in wet conditions without ground fault circuit protection
	□ Other

NOTE: If hazards cannot be eliminated: STOP! The space must be entered using an ENTRY PERMIT

STEP 6: If ALL physical hazards can be eliminated this is a Non-Permit Space. This means that this confined space does not contain, or have the potential to contain, any hazard capable of causing death or serious harm. Work may proceed without additional precautions.

NON-PERMIT Authorization: Person completing this Confined Space Evaluation Signs Below:

Signature Date

If YES: Can you eliminate the hazards? Describe how:

If NO: Go to Step 6

If physical hazards can be eliminated and the air quality can be maintained within acceptable limits by using continuous forced air ventilation, the space may be entered using Alternate Procedures:

CERTIFICATE OF SAFE ENTRY USING ALTERNATE PROCEDURES	 REQUIRED ENTRY CONDITIONS: Employee(s) may not enter the space until forced air ventilation has eliminated any hazardous atmosphere The forced air ventilation shall be used and directed as to ventilate the immediate areas where an employee is or will be present within the space and shall continue until all employees have left the space The air supply for the forced air ventilation shall be from a clean source and may not increase the hazards in the space The atmosphere within the space shall be periodically tested as necessary to ensure that the continuous forced air ventilation is preventing the accumulation of a hazardous atmosphere ADDITIONAL ENTRY CONDITIONS (check those that apply):							
	Safety Watch ☐ Other: REQUIRED PPE (check those that apply): ☐ Hard hat ☐ Gloves ☐ Safety glasses ☐ Goggles ☐ Chem. resistant suit ☐ Rain boots ☐ Other:							
	List all Entrants who will be entering this space: Entrant 1 Name: Entrant 2 Name:							
	Entrant 3 Name: Entrant 4 Name:							
	Entrants initial here:							
	Person Completing this Confined Space Classification Signature: Date:							
NOTE: Should unexpe	ected hazards or conditions arise, work will stop, entrants will evacuate and the space will be re-evaluated.							

If air cannot be controlled and hazards eliminated, an <u>Entry Permit is required</u>. Please contact your direct Supervisor and / or PW Safety Coordinator for further instructions.

34-717 (Rev. 09/11)

Public Swimming Pool Daily Record Sheet



Month / Year			Na	Name of Pool:								Location - City										
		Da	aily Pre	e-Open	ing Te	sts						Free C	I / Br l	Readin	gs (1 d	or 4 hrs	s)				Comm	
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Operator's Initials	DATE	Clarity	Pool Temp	Free Chlorine/Bromine	Combined CI	Hd	Total Alkalinity (1x / week)	Calcium Hardness (1x / wk)	Cyanuric Acid (1 x month)	TDS (Monthly)								Number of Bathers - Total	Backwashed – Clean Filters	Recirculation Rate - GPM	Swimme Eme > (blems cal akdowns
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150 ppm

250-350 ppm

0

175 ppm 0

Calcium Hardness

Cyanuric Acid

POOL



	<u> </u>
Month / Year	License Number
Name of Facility	•
Street Address	
City, State Zip	
Name of Operator	Phone
Monthly Saf	afety Self-Inspection
] Item Checked	<u>Maintenance Comments</u>
Pool & Enclosure	
☐ Fences – Openings < 4", Good Repair	
 Doors & Gates – Self-Closes, Completely Latches, Good Condition 	
□ Window / Sliding Glass Door – Open < 4"	
 □ Deck Equipment – Good Condition, Fasteners and Fittings not corroded Ladders – Handrail tight, Rungs tight Starting Blocks - Removed / Disabled Installed in >5' water depth 	
 □ Deck – Clean, Disinfected, Good Repair, No Puddle No Carpet/Matting/Wood 	lles,
☐ Skimmers / Gutters / Tile Line – Clean, Good Repai	air
□ Lighting – Maintained, Adequate	
□ Safety Equipment – Provided, Good Repair First Aid Kit Stocked, Phone Working Rescue Tubes Provided and Used	
□ Test Kit – Clean, Stocked w/ Fresh Reagents, Stored in Cool, Dry Location Recirculation Equipment	
□ Pumps / Filter / Disinfectant Feeders Maintained, Good Repair	
□ Gauges – Working, Accurate Readings within Parameters	
□ Piping – Good Repair, Marked, No Leaks	
	uard Supervision
technique, alertness, use of sun protection, distractions, rescue inci	utine lifeguard supervision. Items such as rescue tube use, scanning ncidents, people skills, etc. These notes can be used later for individual ors noted and modified for liability and supervision purposes. More comp s personnel files.
Date Comment	Date Comment
	