

PERSONAL SERVICES CONTRACT

This Agreement is made and entered into by and between the City of Lafayette, Oregon, hereinafter referred to as "City", and Don Ganer & Associates, Inc., an Oregon corporation, hereinafter referred to as "Consultant", regarding work related to review and modification of the City's System Development Charges.

IT IS HEREBY AGREED by and between the parties to this Agreement:

1. Effective Date. The effective date for this Agreement shall be (date).
2. Consultant's Services. Consultant agrees to provide the services described in the Consultant's proposal dated July 21, 2006, hereinafter referred to as "Exhibit A", and incorporated herein by this reference.
3. Consideration. City shall pay Consultant a total of \$8,200 for services as outlined in Exhibit A. Additional services, if any (such as additional meetings, work products, etc. not included in the proposal), shall be paid at the rate of \$130.00 per hour, plus expenses. However, additional services shall not be provided without prior authorization of the City.
4. Payment. Consultant shall submit an invoice to the City by the 10th day of each month detailing projects hours and expenses incurred during the previous month. City shall make payment to Consultant for each invoice by the last day of the month in which it is received.
5. Insurance. Consultant shall maintain General Liability and Automobile liability insurance with combined single limits of not less than \$500,000 each occurrence for Bodily Injury and Property Damage.
6. Nonwaiver. The failure of the City to enforce any provision of this Agreement shall not constitute a waiver by the City of that or any other provision of the Agreement.

7. Termination. This Agreement may be terminated by City or Consultant upon thirty (30) days written notice to the other party. In the event Consultant fails to perform the work in a manner satisfactory to City, this Agreement may be terminated and all costs incurred and fees earned by Consultant prior to that termination date shall be paid by City.
8. Severability. If any provision of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.
9. Entire Agreement. This Agreement (including Exhibit "A") constitutes the entire agreement between the parties. No waiver, consent modification or change of terms of this agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement.

DATED this 11th day of August, 2006.

City of Lafayette, Oregon

Don Ganer & Associates, Inc.

By: Deane J. Rinks

By: Don Ganer
Don Ganer

Date: 8/11/06

Date: 8/14/06

**PROPOSAL TO PREPARE
CITY OF LAFAYETTE, OREGON
TRANSPORTATION AND STORMWATER
SYSTEM DEVELOPMENT CHARGES
July 21, 2006**

A. Organization Description

Don Ganer & Associates, Inc. (DGA) is a specialty consulting firm focused on public facilities planning, management and funding, with particular emphasis on system-development charges (SDCs). Since 1991, DGA has provided consulting services for more than forty (40) local governments and special districts to develop/update more than sixty (60) SDCs/impact fees.

B. References

During the past five years, DGA has developed/updated Transportation SDCs for the following Oregon local government organizations (listed alphabetically):

1. Clackamas County, Oregon
Contact: Ron Weinman
Clackamas County
Transportation & Development
9101 SE Sunnybrook
Clackamas, OR 97015
(503) 353-4335

2. Columbia City, Oregon
Contact: Leahnette Rivers, City Administrator
1840 Second Street/PO Box 189
Columbia City, OR 97018
(503) 397-4010

3. Hubbard, Oregon
Contact: Rob Daykin, Finance Director
PO Box 380
Hubbard, OR 97032
(503) 981-9633

4. Ontario, Oregon
Contact: Steve Gaschler, Public Works Director
444 SW 4th St.
Ontario, OR 97914
(541) 881-3231

5. Scappoose, Oregon
Contact: Gene Smith, City Engineer
P.O. Box P
Scappoose, OR 97056
(503) 543-7184

C. Project History

Since 1991, DGA has developed/updated SDCs for the following Oregon government organizations:

- Albany, Oregon
- Canby, Oregon
- Central Oregon Park and Recreation District, Oregon
- Chehalem Park and Recreation District, Oregon
- Clackamas County, Oregon
- Columbia City, Oregon
- Columbia County, Oregon
- Corvallis, Oregon
- Crook County Park and Recreation District, Oregon
- Durham, Oregon
- Forest Grove, Oregon
- Gladstone, Oregon
- Gresham, Oregon
- Happy Valley, Oregon
- Hood River Valley Park and Recreation District, Oregon
- Hubbard, Oregon
- Keizer, Oregon
- Lake Oswego, Oregon
- Lane County, Oregon
- Lebanon Aquatic District, Oregon
- Marion County, Oregon
- McMinnville, Oregon
- Medford, Oregon
- North Bend, Oregon
- North Clackamas Park and Recreation District, Oregon
- North Plains, Oregon
- Ontario, Oregon
- Oregon City, Oregon
- Portland, Oregon
- Scappoose, Oregon
- Sherwood, Oregon
- The Dalles, Oregon
- Tigard, Oregon
- Tualatin, Oregon
- Tualatin Hills Park and Recreation District, Oregon
- Troutdale, Oregon
- Willamalane Park and Recreation District, Oregon
- Woodburn, Oregon
- Yamhill County, Oregon

A contact list including names and telephone numbers is included at the end of this proposal.

D. Proposed Task List and Schedule

The City of Lafayette is experiencing significant residential growth and development. An analysis of the growth share of needs for transportation and stormwater facilities is needed to address the effects this growth is having on the community so that the City can implement reasonable SDCs to cover growth costs. The following task list identifies key work requirements, estimated completion dates, and consulting project hours.

Task 1.0 Information Review/Capital Improvement SDC-Eligibility Analysis

Task 1.1 - Demand Analysis

DGA will review the City's Transportation System Plan (TSP), Stormwater Plan (SWP), and capital improvement plans. DGA will meet with City staff (including the City's engineer) to review the data used for growth projections and demands included in the TSP and SWP, and will work with staff to identify the SDC-eligible growth share of existing and planned facilities.

ESTIMATED COMPLETION DATE: 09/08/06

Estimated Project Hours: 20

Task 1.2 – SDC-Eligible Capital Improvement Project List

Using information from Task 1.1, DGA will work with City staff to prepare lists of the SDC-eligible transportation and stormwater projects, including the estimated cost, timing, and growth-required share (percentage) of each project.

ESTIMATED COMPLETION DATE: 09/22/06

Estimated Project Hours: 10

Task 2.0 SDC Methodology/Presentations

Task 2.1 – SDC Methodology Report/Notifications

Using information from Task 1.0, DGA will draft methodology reports and rate schedule that (1) establish the nexus of benefit for each project, (2) determine the potential SDC costs per unit of development, and (3) apply the costs per unit to proposed development consistent with Oregon Law and other relevant case law. The proposed methodologies will include a mechanism for incorporating future construction cost escalation consistent with industry practice.

DGA will draft a notice of intent to consider the SDC methodology for distribution to those who have requested notice 90 days prior to the first public hearing. DGA will present the draft SDC methodologies report including preliminary SDC base rates, credits, exemptions and exceptions, and administrative charges to City staff for review and modifications, as needed. DGA will insure that a copy of the draft methodologies report is available for review 60 days prior to the first public hearing, as required by Oregon Law.

ESTIMATED COMPLETION DATE: 10/13/06

Estimated Project Hours: 20

Task 2.2 - City Council Work Sessions/Hearing

DGA will prepare and present the draft transportation and stormwater SDC methodologies report, capital improvements plans, and proposed SDC rates to the City Council for review in a work session.

DGA will present the final draft SDC methodologies report and capital improvements plans, and proposed SDC rates to the City Council at a public hearing.

ESTIMATED COMPLETION DATE: 01/05/07

Estimated Project Hours: 10

E. Project Budget

The estimated total cost for all tasks identified in this work plan is \$8,200, based on 60 hours at \$130 per hour, plus \$400 for expenses (travel). Additional tasks, if any, will be billed at the hourly rate of \$130 per hour, plus expenses.

SDC Clients/References

(in alphabetical order)

Albany, Oregon

Ed Hodney, Director

PO Box 490

Albany, OR 97321

(541) 917-7769

2002 - 2003

Scope: Audit parks system development charges (SDC) program, update SDC methodology, ordinance, and CIP.

Canby, Oregon

Matilda Deas, Planning Assistant

PO Box 930

Canby, Oregon 97013

(503) 266-9404

2003

Scope: Advice on parks and recreation system development charges methodology,

Central Oregon Park and Recreation District, Redmond, Oregon

Katy Hammer, General Manager

P.O. Box 843

Redmond, OR 97756

(541) 548-7275

1998, 1992 - 1993

Scope: Facilities inventory, capital improvement program, develop parks and recreation system development charges methodology, rate study, resolutions, intergovernmental agreements/negotiations (1992 -93); update workshop (1998).

Chehalem Park and Recreation District, Newberg, Oregon

Don Clements, Director

1802 Haworth Avenue

Newberg, Oregon 97132

(503) 538-7454

2003, 1992

Scope: Advice on parks and recreation system development charges methodology, rate study, and ordinance; SDC rate index.

Clackamas County Parks, Oregon

Dan Zinzer, Transportation Engineering and Parks Manager
902 Abernethy Road
Oregon District, OR 97045
(503) 650-3320
1998 - 1999

Scope: Needs analysis, inventory, parks and recreation system development charges methodology, and rate study.

Clackamas County Transportation, Oregon

Ron Weinman, Transportation Planner
9101 SE Sunnybrook Blvd
Clackamas, OR 97015
(503) 353-4533
2006, 2001, 1995 -1998, 1992 -93

Scope: Research and prepare ordinance for transportation “zone of benefit recovery fees” for new development; prepare transportation system development charges methodologies, rate studies, and ordinances; update transportation system development charges methodologies and ordinances. (underway)

Columbia City, Oregon

Leahnette Rivers, City Administrator
1840 Second Street/PO Box 189
Columbia City, OR 97018
(503) 397-4010
2002

Scope: Update transportation CIP costs, prepare SDC methodology, rate study, rate index, and resolution.

Columbia County, Oregon

John Knight, County Attorney
P.O. Box 366
St. Helens, OR 97051
(503) 397 -3839
1993 - 1994

Scope: Facilities inventories, capital improvement programs, transportation and parks and recreation system development charges methodologies, rate studies and ordinance.

Corvallis, Oregon

Julee Conway, Director
1310 SW Avery Park Dr
Corvallis OR 97333
(541) 754-1702
2005 - 2006

Scope: Parks and recreation capital improvements plan system development charges methodology update.

Crook County Parks and Recreation District, Prineville, Oregon

Maureen Crawford, Director

398 N. Fairview

Prineville, OR 97754

(503) 447-1209

2000, 1994

Scope: Facilities inventory, capital improvement program, parks and recreation system development charges methodology, rate study, resolutions and intergovernmental agreements; and methodology update.

Durham, Oregon

Roel Lundquist, City Administrator

District of Durham

P.O. Box 23483

Durham, OR 97281

(503) 639-6851

1998

Scope: Needs analysis, inventory, parks and recreation system development charges methodology, rate study, and resolution.

Forest Grove, Oregon

Thomas Gamble, Parks and Recreation Director

P.O. Box 326

Forest Grove, OR 97116

(503) 359-3237

2000 - 2002

Scope: Facilities master plan, parks and recreation system development charges methodology, and rate study (with MIG, Inc.).

Gresham, Oregon

Robb Courtney, Community Development

1333 NW Eastman Parkway

Gresham, OR 97030-3813

(503) 618-2408

2004 - 2006

Scope: Prepare combined Gresham/Springwater/Pleasant Valley parks and recreation system development charges methodologies, rate study, and ordinance.

Happy Valley, Oregon

Wanda Kuppler, City Manager

12915 SE King Road

Happy Valley, OR 97236

(503) 760-3325

2003 - 2004, 2001

Scope: Prepare combined Happy Valley/Clackamas County transportation system development charges methodology, rate study, and ordinance; prepare updated parks SDCs methodology and rates.

Hood River Valley Parks and Recreation District, Hood River, Oregon

Lori Stirn, Director
1706 May Ave.
Hood River, OR 97031
(541) 386-1303
1993, 1999

Scope: Needs analysis, inventory, maintenance analysis, parks and recreation system development charges methodology, rate study, resolutions, intergovernmental agreements; facilities master plan.

Hubbard, Oregon

Rob Daykin, Finance Director
PO Box 380
Hubbard, OR 97032
(503) 981-9633
2003

Scope: Review and update system development charges methodologies, complete rate study, and update ordinance and administrative procedures.

Keizer, Oregon

Rob Kissler, Public Works Director
930 Chemawa Road
Keizer, OR 97307
(503) 390-3700
1999 - 2001

Scope: Needs analysis, inventory, parks and recreation system development charges methodology update, rate study, and resolution.

Lake Oswego, Oregon

Kim Gilmer
Parks & Recreation Director
City of Lake Oswego
380 "A" Avenue.
Lake Oswego, OR 97034
(503) 675-2545
2003

Scope: Needs analysis, inventory, parks and recreation system development charges methodology, capital improvements plan, and rate study.

Lane County Parks, Oregon

90064 Coburg Road
Eugene, OR 97408
(541) 682-2000
1999 - 2001

Scope: Needs analysis, inventory, parks and recreation system development charges methodology, capital improvements plan, and rate study.

Lebanon Aquatic District, Oregon

Gus Arzner, Director

1800 South 5th St.

Lebanon, OR 97355

(541) 451-8551

2005 - present

Scope: Parks and recreation system development charges methodology, rate study, resolutions, intergovernmental agreements, negotiations; capital improvements plan update. (Underway)

Marion County Public Works, Oregon

Byron Meadows

5155 Silverton Rd, NE

Salem, OR 97305-3802

(503) 588-5036

1993 - 1999

Scope: Transportation system development charges in Salem/Keizer, Silverton, and Woodburn urban growth boundaries (1993 - 1997); Brooks Water System needs analysis (1993); parks and recreation system development charges methodology, rate study, and ordinance (1998); rural transportation system development charges methodology, rate study, and resolution (1998 - 1999).

McMinnville, Oregon

Jay Pearson, Parks and Recreation Director

600 N. Evans

McMinnville, OR 97128

(503) 434-7310, ext. 382

1996 - 1999

Scope: Facilities master plan, parks and recreation system development charges methodology, and rate study (with MIG, Inc.).

Medford, Oregon

Brian Sjothon, Director

411 West 8th St.

Medford, OR 97501

(541) 774-2200

2004 - 2006, 1995

Scope: Update parks and recreation Capital Improvement Plan and SDC methodology (2006); prepared model facility needs analysis and concurrency plan for Oregon Transportation and Growth Management Program (1995 with Henderson, Young & Company).

North Bend, Oregon

Kelli Watson, Park Services Manager
P.O. Box B
North Bend OR 97459
(541) 756-2656
1998 - 1999

Scope: Parks and recreation system development charges methodology, rate study, revenue projections, reports, and ordinance. (in association with Satre Associates)

North Clackamas Park and Recreation District, Oregon

Charlie Ciecko, Director
11022 SE 37th
Milwaukie, OR 97222
(503) 794-8002
2000 - 2005, 1996 - 1998, 1993 - 1994

Scope: Facilities inventory, capital improvements plan, parks and recreation system development charges methodology, rate study, revenue projections reports, ordinance, and intergovernmental agreements; reviews and updates.

North Plains, Oregon

Don Otterman, City Manager
P.O. Box 537
North Plains, OR 97133
(503) 647-5555
1999, 2004 - 2005

Scope: Facilities status and needs review, facilities inventory, maintenance requirements analysis, parks and recreation parks and recreation system development charges methodology, rate study, facilities master plan; update in 2005.

Ontario, Oregon

Steve Gaschler, Public Works Director
444 SW 4th St.
Ontario, OR 97914
(541) 881-3231
2004 - present

Scope: Capital facilities plans review, capital improvement plans, Water, Wastewater, Transportation and Parks and Recreation system development charges. (underway)

Oregon City, Oregon

Scott Archer, Parks and Recreation Director
P.O. Box 3040
Oregon District, OR 97045 -0304
(503) 496-1546
2000 - 2001

Scope: Facilities inventory, level of service standards analysis, facility needs analysis, residential and non-residential parks and recreation system development charges methodology, rate study, capital improvements plan, and ordinance.

Portland, Oregon

Riley Whitcomb, Design & Projects Management
1120 SW Fifth Avenue
Portland, OR 97204-1933
(503) 823-6148
1997 - 2005

Scope: Facilities inventory, level of service standards analysis, facility needs analysis, parks and recreation system development charges methodology, rate study, capital improvements plan, and ordinance; feasibility study for non-residential parks SDC.

Scappoose, Oregon

Gene Smith, City Engineer
P.O. Box P
Scappoose, OR 97056
(503) 543-7184
1996 - 1997, 2004 - 2005

Scope: Parks facilities status and needs review, facilities inventory, maintenance requirements analysis, parks and recreation parks and recreation system development charges methodology, rate study, facilities master plan. Transportation system development charges.

Sherwood, Oregon

Ross Schultz, City Manager
10 NW Washington St.
Sherwood, OR 97140
(503) 625-5524
2001 - present

Scope: Facilities inventory, level of service standards analysis, facility needs analysis, parks and recreation system development charges methodology, rate study, capital improvements plan, ordinance, implementation materials, and training. Maintenance utility fee study for transportation and parks. Parks SDC update. Water system development-charges methodology, rate study, and capital improvements list. Transportation system development charges methodology, rate study, and capital improvements list. (Underway)

Tigard, Oregon

Dan Plaza, Parks Manager
13125 SW Hall Blvd.
Tigard, OR 97223
(503) 639-4171
2004 - 2005

Scope: Facilities status and needs review, facilities inventory, parks and recreation system development charges methodology, rate study, ordinance, and administrative procedures.

The Dalles, Oregon

Brian Stahl, Public Works Director
City of The Dalles
1900 West 6th St
The Dalles, OR 97058
(541) 506-2008
2006 - present

Scope: Transportation system development charges methodology, rate study, ordinance, and administrative procedures. (Underway)

Tualatin, Oregon

Paul Hennon, Community Services Director
18880 SW Martinazzi Ave.
Tualatin, OR 97062
(503) 691-3060
2003

Scope: Review project cost assumption and develop SDC inflation index.

Tualatin Hills Park and Recreation District, Beaverton, Oregon

Jim McElhinny, Parks & Recreation Services Director
15707 S.W. Walker Rd.
Beaverton, OR 97006
(503) 645-6433
1994 - 2005

Scope: Facilities inventory, maintenance operations review and management plan; 20 -year facilities master plan (with David Evans and Associates, completed); parks and recreation system development charges methodology, rate study, capital improvements plan, resolution, and intergovernmental agreements.

Troutdale, Oregon

Rich Faith, Community Development Director
104 SE Kibling Ave
Troutdale, OR 97060-2099
(503) 665-5175
2002

Scope: Facilities inventory, capital improvement plan, parks and recreation system development charges methodology, rate study, resolution, and update.

Willamalane Park and Recreation District, Springfield, Oregon

Bob Keefer, Superintendent

200 S. Mill St.

Springfield, OR 97477 - 7303

(503) 726 - 4335

2006 – present, 1994 - 95, 1991 - 92

Scope: Facilities inventory, capital improvement plan, parks and recreation system development charges methodology, rate study, resolution. Update. (Underway)

Woodburn Parks, Oregon

Randy Westrick, Parks Director

270 Montgomery St.

Woodburn, OR 97071

(503) 982 - 5265

1996 - 1999, 1991

Scope: Parks and recreation system development charges methodology, rate study, and ordinance (completed, 1991); facility needs analysis, twenty year facilities master plan (with David Reed & Associates); update parks SDC.

Yamhill County, Oregon

Bill Gille, Public Works Director

2060 LaFayette Ave.

McMinnville, OR 97128

(503) 434-7515

2001 - 2003, 1996 - 97, 1993 - 94

Scope: Parks and recreation system development charges methodology, rate study, and ordinance; Transportation system development charges methodology, rate study, and ordinance; campgrounds feasibility study (with North Pacific Design); comprehensive parks and recreation master plan (with David Reed and Associates).