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1/29/92

Department of Public Works  
Bert S. Teitzel, P.E.  
Director

414 E. First St.  
Newberg, Oregon 97132  
(503) 538-9421  
FAX (503) 538-5393

January 28, 1992

Gary D. Katsion, P.E.  
Kittelson & Associates, Inc.  
610 S.W. Alder, Suite 700  
Portland, Oregon 97205

RE: Professional Service Agreement for Newberg's Transportation Plan

Dear Gary,

Enclosed is your copy of the fully executed Professional Service Agreement for the City of Newberg's Transportation Plan Study.

The Citizens Advisory Committee applications are slow at being returned. We now anticipate that the Committee will be formally appointed by the Council on February 18, 1992. We need to firm up a date for the first meeting of the CAC and the TAC so we can get that process running. Also, I need to sit down with you and/or Andy to discuss what I have been working on as far as downtown parking and how to handle some of the small issues like the intersection Springbrook and Highway 99 during the study process.

I look forward to getting in full swing on this project.

Sincerely,

Bert S. Teitzel, P.E.  
Director of Public Works

BST/alm  
enc.



Home of Old Fashioned Festival

## AUTHORIZATION FOR PROFESSIONAL SERVICES

Kittelson & Associates, Inc.  
610 S.W. Alder, Suite 700  
Portland, Oregon 97205

January 13, 1992

The City of Newberg, with offices at 414 E. First Street in Newberg, Oregon 97132, hereby requests and authorizes Kittelson & Associates, Inc. to perform the following services:

### SCOPE OF SERVICES:

#### TASK I: ASSESSMENT OF EXISTING CONDITIONS

**Purpose:** The purpose of this task is twofold. First, the City and Consultant will form and meet with the Technical and Citizen Advisory Committees (TAC and CAC) to identify the local, regional and state transportation issues in the City of Newberg. Transportation issues from the general public will also be identified. Secondly, an inventory of the existing transportation system will be conducted and summarized to provide the consultant and City with a comprehensive data base describing the physical, operational, traffic safety and travel characteristics of all the major roadways within the City.

**Activities:**

*A. Form and Meet with the TAC and CAC Committees:* The first part of this task will involve formation of the Technical and Citizen Advisory Committees (TAC and CAC). The City will select and appoint the members of the TAC and CAC. The TAC is to be composed of City, County and ODOT staff members plus key consultant team members and will be responsible for guidance of the technical proceedings of the study. The CAC will be comprised of between 12 and 15 members of the community and will advise the City and Consultant team as to the community's desires and comments of the study. Both the TAC and CAC are planned to meet nine times (approximately once a month) during the course of the study.

*B. Prepare Newsletter and Conduct Public Workshop:* The initial project newsletter will be prepared by the consultant for printing and distribution by the City to the community that describes the transportation study process. After the newsletter has been sent out, a joint "Kick-Off" public workshop/ Newberg Urban Area Management Committee (NUMAC) meeting will be conducted to introduce the project and gather issues and concerns from the local citizens.

*C. Conduct an Inventory of the Existing Transportation System:* The second part of this task is to inventory the existing transportation system conditions, involving the gathering of transportation and land use data from existing plans and policies and through field observation. To the maximum extent possible, this project will rely upon data and analysis reports available from the City, County and State. Examples of the type of data

that will be solicited include traffic volume counts, intersection turning movement counts, vehicle classification/pedestrian/bicycle counts, the most recent and readily available accident data for a three year period, existing City street standards, signal timing parameters, approach lane configuration, railroad operating characteristics and emergency vehicle operating characteristics. It is anticipated that weekday evening peak hour turning movement traffic counts will be conducted at up to 18 intersections by the consultant to supplement existing traffic volume data.

- Products:**
- List of TAC and CAC members.
  - List of transportation issues and concerns raised by City staff, State, County and the local citizens.
  - Project Newsletter No. 1.
  - A comprehensive data base describing existing physical, weekday evening peak hour operational, travel pattern and traffic safety characteristics on the local, regional and state road facilities within the Newberg urban area.
  - Recommended City street standard revisions.
  - A technical report (#1) summarizing the City of Newberg' transportation issues and the inventory of existing transportation system conditions.

- Materials to be supplied by City & Others:**
- City of Newberg comprehensive land use plan, ordinances and street standards.
  - Population and employment forecasts for existing and 20-year planning horizon
  - Build-out conditions by land use category or district.
  - Printing and distribution of the first project newsletter.
  - Average daily and peak hour traffic volumes on the arterial and collector streets within the City of Newberg.
  - Vehicle and pedestrian accident records within the City of Newberg over the most recent and readily available three year period.

## **TASK II: ASSESSMENT OF TRANSPORTATION NEEDS**

**Purpose:** The purpose of this task is to identify existing operational and physical transportation deficiencies, identify short-term improvements, develop a future travel forecasting model, develop project evaluation criteria and conduct a planning workshop with the County and State to fully integrate the regional and state transportation system within the City of Newberg.

**Activities:**

*A. Identify existing transportation deficiencies:* This subtask includes the quantitative assessment and comparison of peak hour service levels at all significant intersections and roadway links, existing physical or design characteristics, and accident rates at key intersections.

*B. Develop short-term transportation improvements:* Transportation system management (TSM) improvement measures involving capacity-enhancement options or travel demand-reduction will be developed to mitigate identified deficiencies. Short-term improvements are those that could be implemented within the next five to six year period based on input from City staff regarding project funding and resource availability.

*C. Develop future travel forecast model:* The consultant will set up and calibrate a computer-based travel demand forecasting model that can be used to develop future traffic conditions for both the 20-year planning horizon and full build-out within the City of Newberg based upon planned land uses. The TRAFFIX model will be utilized as the computer model for this study.

*D. Develop project evaluation criteria:* The consultant team and the City staff will develop draft project evaluation criteria. The evaluation criteria will consist of a list of goals and objectives that will be used in Task IV to rank the alternatives. The draft list of evaluation criteria will be presented for discussion and approval by both the TAC and CAC.

*E. Conduct County/State planning workshop:* The Consultant will plan and conduct a four-hour workshop with Yamhill County and ODOT transportation planning staff to identify the significant regional and state transportation issues affecting the City of Newberg. The topics include anticipated roadways in the County and State Transportation System Plans (TSP), access management plans and policies, roadway capacities, long-range improvement plans and schedules and multi-modal transportation plans and policies.

- Products:**
- A summary of the existing operational and physical transportation deficiencies within the City of Newberg.
  - A summary of the short-term transportation improvements identified to correct existing operational and physical deficiencies.
  - A fully calibrated travel forecasting model for the City of Newberg.
  - List of evaluation criteria consisting of the project goals and objectives.
  - A summary of the regional and state transportation issues, plans and policies from the State/County transportation planning workshop.
  - A technical report (#2) summarizing the results of each activity in the task.

- Materials to be supplied by City & Others:**
- List of Yamhill County and ODOT transportation improvements in the City of Newberg area.
  - Yamhill County comprehensive land use plan and ordinances.
  - State of Oregon Transportation Plan

**TASK III: IDENTIFICATION OF FUTURE TRANSPORTATION DEFICIENCIES AND INTERIM SOLUTIONS**

**Purpose:** The purpose of this task is to assess the long-range impacts of local and regional growth in the Newberg urban area, on the current and planned transportation system. It also provides interim solutions to the identified long-range transportation deficiencies. These solutions may include, but are not limited to, comprehensive traffic signal coordination along 99W, development of enhanced inter-urban transit commuter service to/from Portland, design and implementation of bike-route signing and striping along all local collectors and arterials, and re-design of downtown couplet for greater pedestrian access until 99W bypass is completed.

**Activities:** *A. Identify future transportation deficiencies:* Using the future transportation forecasts prepared in Task II, a planning level assessment will be made to identify any major physical, operational, or safety deficiencies that are likely to result under both the 20-year planning horizon and full build-out scenarios from the development of land uses in the Newberg urban area. This assessment serves as a reference point for evaluating the effectiveness of alternative roadway/land use improvement scenarios to be studied in Task IV.

*B. Identify longer-range transportation improvements:* Since the Yamhill County and ODOT TSPs have not been developed, it will be necessary to make use of information from those jurisdictions as to their future transportation projects that will likely occur in the Newberg area. The identification of longer-range transportation improvements, which singly or in combination can be expected to provide an acceptable operating system for more than the 5-6 years associated with the TSM improvements identified in the Task II. These longer-range solutions to the 20-year planning horizon transportation deficiencies may be required to alleviate deficiencies that will ultimately be mitigated by County or ODOT projects. The period of time over which these longer-range improvements can be expected to remain effective will be estimated using standard straight-line projection/interpolation techniques.

**Product:** The product of this task is a technical report (#3) identifying the future transportation system deficiencies and possible interim solutions.

#### **TASK IV: ALTERNATIVE TRANSPORTATION/LAND USE SOLUTIONS**

**Purpose:** The purpose of this task is to develop up to three transportation/land use system alternatives that will resolve all identified future transportation deficiencies through the 20-year planning horizon and identify the impacts each has on the City of Newberg's existing policy and plans. These alternatives will investigate how alternative modes of travel (bicycle, walk, bus) and the location of planned land uses and the transportation system in the Newberg urban area can be enhanced in order to reduce the overall dependency on the automobile for local and regional travel. This task will also identify the regional and state improvements required for the City of Newberg's future transportation system to work within the new Transportation Planning Rule requirements. Both qualitative and quantitative analyses of the benefits and dis-benefits of each of the alternatives will be identified. The required land use policy, plan and ordinance changes required to achieve a system-wide solution under each alternative will be identified. The results of the analysis in this task will be presented in the second public meeting for citizen discussion and recommendations.

**Activities:** *A. Develop transportation/land use alternatives:* A maximum of three transportation/land use system alternatives will be developed through the use of three half-day workshops. The first workshop will involve the consultant team meeting with City staff. The second workshop will include meeting with ODOT, DLCD, and Yamhill County staff plus other members of the TAC. The third meeting will be with the CAC. Following the development of the transportation/land use alternatives, travel demand model testing of each alternative will occur.

*B. Evaluate alternatives:* Each alternative will be analyzed using the project goals and objectives study evaluation criteria developed in Task II. Advantages and disadvantages of each alternative will be identified in this subtask.

*C. Prepare second project newsletter:* The second project newsletter will be prepared by the consultant for printing and distribution by the City. The newsletter will describe the study results of Task II, Task III and Task IV to the community and announce the upcoming public workshop.

*D. Conduct second public workshop:* The second joint public workshop/NUMAC meeting will be held to convey the results of Tasks II, III and IV to the community. This workshop will also include the gathering of public input.

- Products:**
- Three future transportation/land use system alternative solutions to future transportation deficiencies within the City of Newberg, with required land use policy, plan and ordinance changes as needed.
  - The second project newsletter.
  - A technical report (#4) summarizing the State and County future long-range transportation policies, plans and schedules; future transportation/land use system alternative analysis results; and, public comment and recommendations.

- Services to be supplied by City & Others:**
- Printing and distribution of the second project newsletter.

#### **TASK V: INTERIM TRANSPORTATION SYSTEM PLAN**

**Purpose:** The purpose of this task is to provide the City with an interim transportation system plan that including a recommended future transportation system and financing plan. This task will involve public comments and recommendations gathered at a third public meeting, and will result in a recommendation to the Newberg City Council for adoption.

**Activities:**

*A. Develop list of interim transportation system improvement projects:* Following the receipt of public input to the transportation system alternatives in Task IV, the alternatives will be refined and a list of improvement projects will be developed. Cost estimates for the list of transportation system projects will be developed and reviewed with the City staff. After review and comment, the list of interim transportation system projects will be finalized.

*B. Develop financial plan:* The financial plan will examine the primary funding sources for the alternatives and review the advantages and disadvantages of each. This review will include various funding options, such as system development charges, user fees, property taxes, gasoline taxes, state financing assistance, and other revenue sources. The analysis will evaluate the options according to the adequacy of the revenue source(s), the equity of each source, anticipated public acceptance, and ease of implementation. The City's transportation system development charge analysis will be reviewed for its general approach and compliance with state requirements regarding preparation of such charges.

The financial plan will consider the funding of identified improvements over a ten year period and will track projected costs, anticipated revenues, and expected fund balances over this period.

*C. Prepare draft interim transportation system plan:* The list of interim transportation system projects will then be coupled with the financial plan to develop the Draft Interim Transportation System Plan.

*D. Prepare third project newsletter:* The third project newsletter will be prepared by the consultant for printing and distribution by the City. The newsletter will describe the study results of Task V to the community and announce the upcoming public workshop.

*E. Conduct third public workshop:* The third joint public workshop/NUMAC meeting will be held to convey the results of Task V to the community. This workshop will also include the gathering of public input.

*F. Prepare recommended Interim Transportation System Plan and present to City Planning Commission and Council:* The public comments will be incorporated into the recommended Interim Transportation System Plan. The recommended plan will be presented to the City Planning Commission and Council for adoption.

**Product:** The product of this task will be the City of Newberg Interim Transportation System Plan, to be used until the final TSP can incorporate the regional and state TSP elements.

**Materials to be supplied by City & Others:**

- City of Newberg Transportation System Development Charges Program.
- Printing and distribution of third project newsletter.

**TASK VI: PROPOSED COUNTY/STATE TRANSPORTATION SYSTEM PLAN ELEMENTS**

**Purpose:** The purpose of this task is to develop local recommendations to Yamhill County and the State on what they should consider in the development of their TSPs. This task would summarize the City of Newberg's recommendations regarding transportation/land use policy, plans, and design alternatives for consideration in light of the needs and goals identified in the City of Newberg's interim TSP from Task V.

**Activities:** Prepare a recommendation plan to Yamhill County and the State summarizing the City of Newberg's transportation system needs and goals.

**Product:** The product of this task will be a recommended transportation system plan from the City of Newberg to Yamhill County and the State on what they should consider in their transportation system plans.

**TASK VII: DEVELOPMENT OF A SCOPE OF WORK FOR MODIFICATION OF NEWBERG LAND USE PLAN AND COMPLETION OF TRANSPORTATION SYSTEM PLAN**

**Purpose:** The purpose of this task is to develop a scope of work focusing on public involvement in considering the impacts of the transportation system alternatives identified in Task IV. The work identified in the scope would include reexamination of the City of Newberg's Comprehensive Plan in light of the transportation system plan solutions, examine the City of Newberg's subdivision and zoning code required modifications (if any), and examine the implications of the County and State TSP results. At the completion of the activities identified in the scope of work, the City of Newberg will have a transportation system plan that complies with the new state Transportation Planning Rule.

**Activities:** A. *Develop scope of work:* The consultant team will develop a scope of work for the modifications of the City of Newberg's comprehensive land use plan and ordinances (if necessary) and the Interim TSP to accommodate Yamhill County and ODOT TSPs.

**Product:** Recommended scope of work for modifications of comprehensive land use plan and ordinances for the completion of the City of Newberg's TSP.



## COMPENSATION

Compensation will be on the basis of salary of record multiplied by a factor of 2.80, plus all Direct Expenses. Any technical or professional services furnished by an outside source shall have 5 percent added to the cost of such services to cover Kittelson & Associates' administrative costs. The total cost of the scope of work described on pages 1-7 will not exceed \$80,000. In addition, each described work task will not exceed the estimated budget, shown in Exhibit "A", by 20 percent. The total budget and individual work task amounts will not be exceeded without prior written authorization from the Client.

## PROJECT SCHEDULE

The project schedule is shown in the attached Exhibit "B".

## PROJECT MANAGER

Andy Mortensen is the designated Kittelson & Associates, Inc. project manager for this project. The project manager will not be changed without the prior written authorization of the City of Newberg project manager.

## INSURANCE

Kittelson & Associates, Inc. shall maintain the following types of insurance covering the firm, its employees and agents. All such insurance shall name the City of Newberg, its City Council, employees and agents as a NAMED INSURED, and shall be for a minimum of \$100,000.00 per person, \$500,000.00 per occurrence, and \$50,000.00 property damage. A copy of the policy or Certificate of Insurance acceptable to the City shall be filed with the City prior to the effective date of this agreement. The policy or certificate shall provide for thirty (30) days notice of cancellation or material change.

Kittelson & Associates, Inc. shall furnish the City with certification for each of the following policies:

- 1) Worker's Compensation with limits as required by statute. Employer's liability shall be a minimum of \$100,00.00;
- 2) Comprehensive general liability insurance covering personal injury and property damage. This insurance shall include contractual liability coverage for the indemnity provided under this agreement;
- 3) Automobile liability insurance; and
- 4) Professional liability insurance covering any personal injury or property damage caused by error, omission, or any negligent act in the amount of \$1,000,000.00.

PROVISIONS

Services covered by this Authorization shall be performed in accordance with the following set of provisions:

1. General: In case any one or more of the provisions contained in this Agreement shall be held illegal, the enforceability of the remaining provisions contained herein shall not be impaired thereby.
2. Authorization to Proceed: Signing this form shall be construed as authorization by CLIENT for KITTELSON & ASSOCIATES, INC. to proceed with the work, unless otherwise provided for in the Authorization.
3. Direct Expenses: KITTELSON & ASSOCIATES, INC.'s Direct Expenses shall be those costs incurred on or directly for the CLIENT'S Project, including but not limited to necessary transportation costs including mileage at KITTELSON & ASSOCIATES, INC.'s current rate when its automobiles are used, meals and lodging, computer services, word processing services, telephone, printing, and binding charges. Reimbursement for these Expenses shall be on the basis of actual charges plus five percent when furnished by commercial sources and on the basis of usual commercial charges when furnished by KITTELSON & ASSOCIATES, INC.
4. Outside Services: When technical, professional, or clerical services are provided by an outside source, when approved by CLIENT, an additional amount shall be added to the cost of these services for KITTELSON & ASSOCIATES, INC.'s administrative costs, as provided earlier in this agreement.
5. Cost Estimate: Any cost estimates provided by KITTELSON & ASSOCIATES, INC. will be on a basis of experience and judgement, but since it has no control over market conditions or bidding procedures KITTELSON & ASSOCIATES, INC. cannot warrant that bids or ultimate construction costs will not vary from these cost estimates.
6. Professional Standards: KITTELSON & ASSOCIATES, INC. shall be responsible, to the level of competency currently maintained by other practicing professional engineers in the same type of work in CLIENT'S community, for the professional and technical soundness, accuracy, and adequacy of all designs, drawings, specifications, and other work and materials furnished under this Authorization. KITTELSON & ASSOCIATES, INC. makes no other warranty, express or implied.
7. Termination: Either CLIENT or KITTELSON & ASSOCIATES, INC. may terminate this Authorization by giving 30 days written notice to the other party. In such event, CLIENT shall forthwith pay KITTELSON & ASSOCIATES, INC. in full for all work previously authorized and performed prior to effective date of termination. If no notice of termination is given, relationships and obligations created by this Authorization shall be terminated upon completion of all applicable requirements of this Authorization.
8. Arbitration: All claims, disputes, and other matters in questions arising out of, or relating to, this Authorization or the breach thereof may be decided by arbitration in accordance with the rules of the American Arbitration Association then obtaining. Either CLIENT or KITTELSON & ASSOCIATES, INC. may initiate a request for such arbitration, but consent of the other party to such procedure shall be mandatory. No arbitration arising out of, or relating to this Authorization may include, by consolidation, joinder, or in any other manner, any additional party not a party to this Authorization.
9. Legal Expenses: In the event legal action is brought by CLIENT or KITTELSON & ASSOCIATES, INC. against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for fees, costs and expenses as may be set by the court.
10. Payment to KITTELSON & ASSOCIATES, INC.: Monthly invoices will be issued by KITTELSON & ASSOCIATES, INC. for all work performed in excess of the retainer amount under the terms of this agreement. Invoices are due and payable within 30 days of receipt.  
  
Interest at the rate of 1.5 percent per month will be charged on all past-due amounts, unless not permitted by law, in which case, interest will be charged at the highest amount permitted by law.
11. Limitation of Liability: KITTELSON & ASSOCIATES, INC.'s liability to the CLIENT for any cause or combination of causes is, in the aggregate, limited to an amount no greater than the fee earned under this Agreement.

Approved for CITY OF NEWBERG

Accepted for  
KITTELSON & ASSOCIATES, INC.

By *Diane R. Cole*

By *Gary D. Kathan*

Title: *City Manager*

Title: *Principal*

		Kittelson	CH2M Hill	McKeever/Morris	Estimated Cost
TASK I.	Assess Existing Conditions	50	36	40	\$ 8,500
TASK II.	Assess Transportation Needs	210	48		\$15,600
TASK III.	Identify Future Transportation	115	16		\$ 7,800
TASK IV.	Alternative Transportation/Land Use Solutions	155	64	40	\$16,600
TASK V.	Interim Transportation Plan	90	72	40	\$13,500
TASK VI.	Proposed County/State Transportation System Plan Elements	20	12		\$ 2,000
TASK VII.	Develop Scope of Work For Modification of Newberg Plan	65	36	40	\$ 9,400
TOTAL HOURS:		680	290	160	
LABOR COST:		\$40,400	\$21,000	\$12,000	\$73,400
DIRECT EXPENSES:					\$ 6,600
<b>TOTAL PROJECT COST:</b>					<b>\$80,000</b>

**EXHIBIT A  
FEE ESTIMATE**

TASK DESCRIPTION	MONTH									
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
<b>I. ASSESS EXISTING CONDITIONS</b> 1. Form/Meet w/ TAC and CAC 2. Prepare Newsletter/Conduct Public Workshop 3. Inventory Existing Conditions		■	■	■						
<b>II. TRANSPORTATION NEEDS ASSESS.</b> 1. Identify Existing Deficiencies 2. Identify Short-Term Improvements 3. Develop Future Travel Forecasts 4. Develop Project Evaluation Criteria 5. Conduct County/State Workshop		■	■	■	■					
<b>III. IDENTIFY FUTURE TRANS. DEFIC.</b> 1. Identify Future Trans. Deficiencies 2. Identify Interim Solutions				■	■	■				
<b>IV. ALT. TRANS./LAND USE SOLUTIONS</b> 1. Develop Trans./Land Use Alts. 2. Evaluate Alternatives 3. Prepare Newsletter #2 4. Conduct Second Public Workshop						■	■	■		
<b>V. INTERIM TRANSPORTATION PLANS</b> 1. Develop List of Improvements 2. Develop Financing Plan 3. Prepare Draft Interim TSP 4. Prepare Newsletter #3 5. Conduct Third Public Workshop 6. Prepare TSP Recommendation							■	■	■	■
<b>VI. PROPOSED COUNTY/STATE TSP ELEMENTS</b> 1. Recommendations to County/State									■	
<b>VII. SOW</b> 1. Develop Scope of Work										■

**EXHIBIT B  
PROJECT SCHEDULE**