

RESOLUTION NO. 3281

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE THE SEVENTH AMENDMENT OF DESIGN-BUILD-OPERATE AGREEMENT FOR WASTEWATER TREATMENT PLANT IMPROVEMENTS.

WHEREAS, the Wastewater Treatment Plant was updated and expanded through the Design-Build-Operate Agreement executed on July 22, 2011; and

WHEREAS, it is in the interest of the City and its utility customers to have the City's Wastewater Treatment Plant staffed by personnel who have the appropriate experience to operate such a facility; and

WHEREAS, CH2M Hill Engineers, Inc. (dba Jacobs Solutions, Inc.), is a firm with extensive national and international experience in water and wastewater treatment; and

WHEREAS, the continuity of operations of the wastewater plant is necessary while work associated with the five-year renewal of the Design-Build-Operate Agreement for Wastewater Treatment Plant Improvement is occurring; and

WHEREAS, it is in the best interest of the City to have CH2M Hill Engineers, Inc. to continue to provide services while this work is taking place; and

WHEREAS, a detailed description of the desired services and associated costs is contained in a comprehensive contract document, and incorporated by reference as if fully set forth herein; and

WHEREAS, said contract for the continuing services of CH2M Hill Engineers, Inc. to operate the Wastewater Treatment Plant at an estimated annual cost for Fiscal Year 2026/2027 of approximately \$2,938,532.14; and

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The Wilsonville City Council hereby authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, the Seventh Amendment of the Design-Build-Operate Agreement for Wastewater Treatment Plant Improvements.

2. EFFECTIVE DATE OF RESOLUTION.

This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 10th day of September 2026 and filed with the Wilsonville City Recorder this date.

Signed by:

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Shawn O'Neil, Mayor

ATTEST:

DocuSigned by:

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Kimberly Veliz, City Recorder, MMC

SUMMARY OF VOTES:

Mayor O'Neil	Yes
Council President Berry	Yes
Councilor Cunningham	Yes
Councilor Shevlin	Yes
Councilor Scull	Yes

EXHIBIT:

- A. Seventh Amendment of Design-Build-Operate Agreement for Wastewater Treatment Plant Improvements.

**CITY OF WILSONVILLE
DBO AGREEMENT AMENDMENT (DAA) #007**

**DESIGN-BUILD-OPERATE AGREEMENT FOR WASTEWATER
TREATMENT PLANT IMPROVEMENTS**

This Seventh Amendment to the Design-Build-Operate Agreement for Wastewater Treatment Plant Improvements (“DAA #007”) is effective on September 20, 2026 (“Effective Date”), by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (“City”), and **CH2M Hill Engineers, Inc., doing business as Jacobs Solutions Inc.**, a Delaware corporation (“Consultant”), upon the terms and conditions set forth below.

RECITALS

WHEREAS, the City entered into a Design-Build-Operate Agreement (“DBO Agreement”) with Consultant CH2M Hill Engineers, Inc. on July 22, 2011, relating to the Wastewater Treatment Plant Improvements Project (“Project”); and

WHEREAS, the City entered into a first amendment to the DBO Agreement titled DBO Agreement Amendment 001 (“DAA #001”) with Consultant CH2M Hill Engineers, Inc. on March 5, 2012; and

WHEREAS, the City entered into a second amendment to the DBO Agreement titled DBO Agreement Amendment 002 (“DAA #002”) with Consultant CH2M Hill Engineers, Inc. dated July 16, 2015, with indications of a possible scrivener’s error regarding the year where the amendment may have been executed in 2014; and

WHEREAS, the City entered into a third amendment to the DBO Agreement titled DBO Agreement Amendment 003 (“DAA #003”) with Consultant CH2M Hill Engineers, Inc. on July 23, 2014; and

WHEREAS, the City entered into a fourth amendment to the DBO Agreement titled DBO Agreement Amendment 004 (“DAA #004”) with Consultant CH2M Hill Engineers, Inc. on October 1, 2016; and

WHEREAS, Consultant CH2M Hill Engineers, Inc. merged with Jacobs Engineering Group Inc. in 2017 and began doing business as Jacobs Engineering Group Inc.; and

WHEREAS, the City entered into a fifth amendment to the DBO Agreement titled DBO Agreement Amendment 005 (“DAA #005”) with Consultant Jacobs Engineering Group Inc. on July 1, 2019; and

WHEREAS, the City entered into a sixth amendment to the DBO Agreement titled DBO Agreement Amendment 006 (“DAA #006”) with Consultant Jacobs Engineering Group Inc. on April 17, 2020; and

WHEREAS, Consultant Jacobs Engineering Group, Inc., began doing business as Jacobs Solutions Group Inc in 2022.; and

WHEREAS, the City and Consultant CH2M Hill Engineers, Inc. agreed in the DBO Agreement that the Contract Term will be effective on September 20, 2011, through September 20, 2026, plus an optional five (5) year renewal extension; and

WHEREAS, the City provided intent to renew the DBO Agreement to Consultant Jacobs Solutions Group, Inc. on June 23, 2026, pursuant to Article III, Section 3.2 of the DBO Agreement; and

WHEREAS, the City and Consultant anticipate that additional amendments to the DBO Agreement will be made concurrent with an amendment exercising the full renewal period option and the parties are extending the contract term at this time to allow for the negotiations; and

WHEREAS, Consultant represents that Consultant is qualified to continue performing the Services described herein and in the DBO Agreement on the basis of specialized experience and technical expertise; and

WHEREAS, Consultant is prepared to provide such Services as the City does hereinafter require;

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

AGREEMENT

The DBO Agreement is amended as follows:

Section 1. Term

The term of the DBO Agreement is hereby extended to December 31, 2026.

Section 2. All Other Terms

All of the other terms and conditions of the DBO Agreement, DAA #001, DAA #002, DAA #003, DAA #004, DAA# 005, and DAA #006 shall remain in full force and effect, as therein written. Unless otherwise defined herein, the defined terms of the DBO Agreement shall apply to this DAA #007.

The Consultant and the City hereby agree to all provisions of this Seventh Amendment DAA #007.

CONSULTANT:

CH2M HILL ENGINEERS, INC dba
JACOBS SOLUTIONS GROUP INC.

By: _____

Name: _____

As Its: _____

CITY:

CITY OF WILSONVILLE

By: _____

Name: _____

As Its: _____

APPROVED AS TO FORM:

By: _____

Name: _____

City of Wilsonville Legal Counsel