

An emergency meeting of the Port of Toledo Board of Commissioners (The Board) was held at the Port of Toledo Shipyard Office at 1000 SW Altree Lane, in Toledo, Oregon. This meeting is Pursuant to ORS 192.640 (3).

- **Call to Order**

The emergency meeting of the Port of Toledo Board of Commissioners was called to order at 4:04 PM by Commission President Lorna Davis.

- **Roll Call**

Commissioners present were Lorna Davis, Mike Kriz, Zack Dahl (via Zoom call), Chuck Gerttula, and Charlie Cyphert constituting a quorum for the commission. Staff present were Debbie Scacco, Port Manager.

- **Visitors/Public Comment:** Darin Nicholson, PE of Civil West joined the meeting via Zoom call.

- **Discussion:** The meeting was called on an emergency basis to consider a change order to the contract for the Port of Toledo Sewer Expansion project. Since the contractor is not be able to meet the originally accepted schedule to construct six washdown pads in the shipyard by October 1st, and Shipyard jobs have been scheduled starting October 1st, the contractor submitted a proposal to complete three washdown pads by October 21st, with the last three being completed by November 24. The additional cost for the proposed accelerated work was \$206,319. Due to the necessity of accelerating work immediately the contractor asked for a response from the Port by August 15, 2025.

- Commissioners were provided the Concrete Washdown Slab Schedule Acceleration Proposal, the July 31, 2025, Construction Schedule Update which was not accepted by the Port, and a Schedule Narrative provided by the contractor.
- Scacco reported that an analysis of the project budget was in process. Since EPA funds are not available to use for the washdown pads, funding for the change order can only be from Business Oregon ARPA funds. Cost savings from other parts of the sewer project cannot be reallocated without considering the funding source. Additional time would be needed to confirm that sufficient Business Oregon ARPA funds would be available.
- Commissioners expressed concern that the project was behind schedule. Benchmark dates were not included in the contract; the contract provides for substantial completion within 330 days of commencement date.
- Z Dahl was opposed to the term in the proposal to change the method of testing.
- Darrin Nicholson will discuss options with the contractor to determine costs to defer construction of the washdown pads until a later date. Scacco will confirm dates for yard availability.
- Board is unwilling to pay more to cancel washdown portion of project.
- A motion was made by M Kriz and seconded by C Cyphert to decline the proposal for Concrete Washdown Slab Schedule Acceleration, and to direct Project Manager Darin Nicholson to request proposals from the contractor for completing concrete next year. Motion carried 5-0.

- **Adjourned Emergency Meeting**

- President Davis adjourned the meeting at 4:35pm

Mike Kriz, Commission Vice President