

## ORDINANCE No. 184822

\*Authorization to amend contract with Tri-State Construction, Inc. for landslide mitigation on SW Sam Jackson Park Rd to include additional emergency landslide mitigation work on nearby SW Broadway Dr (Ordinance; amend Contract No. 30002144)

The City of Portland ordains:

Section 1. The Council finds:

1. As authorized by Ordinance No. 184709, adopted by City Council on June 29, 2011, Tri-State Construction, Inc. is currently constructing the Emergency Landslide Mitigation Retaining Wall and Roadway Works on SW Sam Jackson Park Road under construction Contract No.30002144. The project is currently on schedule and on budget, and Tri-State Construction's level of minority, women, and emerging small business (MWESB) subcontractor participation is estimated at 30%.
2. A nearby City-owned roadway and retaining wall on SW Broadway Drive has undergone substantial settlement and disturbance in December 2010 and was closed for a number of weeks during February 2011 while the City's Maintenance Operations crews carried out temporary repairs to rebuild the roadway.
3. A recent Geotechnical Investigation conducted by Cornforth Consulting Engineers has recommended that the existing stone retaining wall and roadway on SW Broadway Drive be completely replaced before winter sets in to prevent failure and collapse during the wet season.
4. The expected cost of the required work on SW Broadway Drive is in the range of \$250,000 to \$400,000. The Not to Exceed (NTE) amount of the existing contract with Tri-State Construction Inc. will be increased to \$1.40 Million. The work is expected to take up to 6 weeks to complete.
5. There are significant costs and scheduling benefits to having Tri-State Construction, Inc. carry out the work, as the additional roadway construction for SW Broadway Drive is identical to the work at nearby SW Sam Jackson Park Road. The City would benefit from cost savings in mobilization and planning, the use of remaining construction material from the SW Sam Jackson Park Road work, and seamless scheduling of construction activities. Additionally, Tri-State Construction, Inc. will continue to make good faith efforts to maximize MWESB subcontractor participation.
6. Portland Bureau of Transportation's level of confidence in the cost estimate for the SW Broadway Drive work is moderate.

NOW, THEREFORE, the Council directs:

- a. Approval to amend the existing emergency Contract No. 30002144 for landslide mitigation on SW Sam Jackson Park Road to include the required emergency work on nearby SW Broadway Drive.
- b. The Chief Procurement Officer is authorized to negotiate and execute the contract change order with Tri State Construction, Inc. for the not to exceed amount of \$1.40 Million.

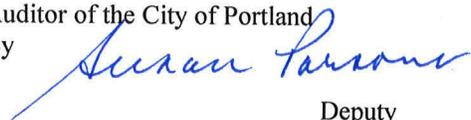
Section 2. The Council declares that an emergency exists because necessity of constructing the landslide mitigation during dry weather is paramount; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **AUG 17 2011**

Mayor Sam Adams  
Prepared by: David O'Longaigh:slg  
Date Prepared: August 5, 2011

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By



Deputy

228181

886

Agenda No. **ORDINANCE NO. 184822**

Title

\*Authorization to amend contract with Tri-State Construction, Inc. for landslide mitigation on SW Sam Jackson Park Rd to include additional emergency landslide mitigation work on nearby SW Broadway Dr (Ordinance)

amend Contract No 300021 44

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b>	CLERK USE: DATE FILED <u>AUG 12 2011</u>
<b>COMMISSIONER APPROVAL</b>	LaVonne Griffin-Valade Auditor of the City of Portland
Mayor—Finance and Administration - Adams <i>[Signature]</i>	
Position 1/Utilities - Fritz	By: <i>[Signature]</i> Deputy
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
<b>BUREAU APPROVAL</b>	<b>ACTION TAKEN:</b>
Bureau: Bureau of Transportation Group Manager: Steve Townsen Engineering & Technical Services <i>SPT</i>	
Other:	
Prepared by: David O'Longaigh:slg Date Prepared: August 5th, 2011 <i>pol</i>	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date <b>August 17, 2011</b>	
<b>City Attorney Approval</b>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____
<b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input checked="" type="checkbox"/> <b>Total amount of time needed:</b> <u>10 min</u> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<i>[Signature]</i>	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	