

# ORDINANCE No. 185777

\*Authorize an emergency contract and provide payment for the construction of the Fanno Force Main Hydraulic Surge Tank Project No. E10477 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services (BES) has determined that a threat to health and property exists due to the failure of the Fanno Force Main owned by BES resulting in sewage being released to the ground in public areas. The Bureau has conducted engineering studies of the force main and the operation of the Fanno Pump Station and found the need for immediate expansion of the pump station and modifications to the force main in order to meet capacity needs of the basin and to remedy the persistent failures.
2. BES has had to enter into a wholesale sewer services agreement with Clean Water Services for conveyance and treatment of City sewage flows discharged from the Fanno Creek Basin service area to mitigate the risk exposure. Until this system is put into place, areas of Washington County will be at risk to health and property damage. Each day the system is inoperable the City will incur additional mitigation costs.
3. This project will require specialty expertise to excavate, modify the steel force main, add a surge tank, and controls with minimum delay. Given the urgency needed to complete this work, the Commissioner-in-Charge of BES has signed a letter to the Chief Procurement Officer declaring an emergency and recommending the work be competitively bid to the following contractors who have been determined to have the expertise required: Moore Excavation, Inc., Emery & Sons Construction, and James W. Fowler Co. Accordingly, BES has prepared construction documents for this project.
4. The Estimated cost is \$1,000,000. The level of confidence in this estimate is low. Funds are available in the Sewer System Operating Fund, FY 2013 Budget, and BES Project No. E10477.

NOW, THEREFORE, the council directs:

- a. Approval of an emergency contract for the purpose described in Section 1.
- b. The Commissioner of Public Affairs is authorized to execute a contract with the lowest responsible bidder for the purpose described in Section 1.

- c. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

Section 2. The Council declares that an emergency exists because of the imminent threat to health and property due to continued failure of the Fanno Force Main owned by BES. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,  
Dan Saltzman  
Commissioner of Public Affairs

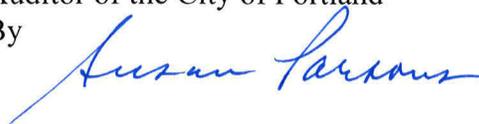
H. Scott Clement  
October 25, 2012

WBS E10477 - ord

DEC 05 2012

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

By



Deputy

Agenda No.  
**ORDINANCE NO.**  
Title

185777

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <i>Saltzman</i></p>	<p>CLERK USE: DATE FILED <u>NOV 30 2012</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>Don Saltzman</i></p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Environmental Services Bureau Head: Dean <i>Donnaus</i></p> <p>Prepared by: H. Scott Clement Date Prepared: October 25, 2012</p>	
<p><i>EM</i> Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	<p><b>ACTION TAKEN:</b></p>
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date <u>11/28/12</u></p>	
<p>✓ <b>City Attorney Approval</b> <i>GF</i></p>	

**AGENDA**

**TIME CERTAIN**   
Start time: \_\_\_\_\_

**Total amount of time needed:** \_\_\_\_\_  
(for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**Total amount of time needed: 10 minutes**  
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	