

ORDINANCE NO. 183689

*Amend contract with Shearer & Associates, Inc. to increase compensation, extend the performance period, and increase the scope of work for the Burlingame Tanks Improvements Project (Ordinance; amend Contract No. 30000960)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland Water Bureau entered into a contract with Shearer & Associates, Inc. for construction services on the Burlingame Tanks Improvements Project.
2. After work had started on the tanks, it was discovered that the roof and upper shell walls of Tank No. 4 were severely corroded, and the coal tar lining is failing. Exposed steel within the tank is also in need of recoating. Additional funding is required to pay for these new repairs.
3. The contract will be amended to increase the contract by \$371,543.22. The new contract total will be \$1,010,043.30. Funding is available in the FY 2009-10 Budget and has been requested in the FY 2010-11 Budget.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and Auditor are authorized to execute on behalf of the City a change order to Contract No. 30000960 with Shearer & Associates, Inc. as outlined in a form substantially in accordance with the change order attached as Exhibit A at a cost not to exceed \$371,543.22.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because Burlingame Tank No. 4 is a critical part of the water system in the area it serves. The tank was not originally scheduled to be out of service for the length of time needed to replace the roof and must be back in service by the beginning of the peak demand season for the Water Bureau. If the tank is not placed back in service as quickly as possible, additional cost will be incurred due to contract delays and the pumping required to supply water to the area. Additionally, residents in the area may experience a loss of flow or pressure. Therefore this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, APR 14 2010

Commissioner Leonard
Thomas Gilman
March 26, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By  Deputy

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 Ordinance **REPORT NO. 183689**
 Title

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INTRODUCED BY Commissioner/Auditor: Commissioner Leonard	CLERK USE: DATE FILED <u>APR 09 2010</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard <i>Frank</i>	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>Susan Parsons</i></u> Deputy
BUREAU APPROVAL Bureau: Portland Water Bureau Bureau Head: David G. Shaff <i>[Signature]</i> Prepared by: Thomas Gilman Date Prepared: March 26, 2010 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Council Meeting Date April 28, 2010	ACTION TAKEN:
City Attorney Approval <i>PK</i>	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Leonard	4. Leonard <input checked="" type="checkbox"/>	
Adams	Adams <input checked="" type="checkbox"/>	