

## ORDINANCE No. 184188

\*Amend contract with Brant Construction for additional restoration work on the pond at Laurelhurst Park for an additional not to exceed amount of \$500,000 (Ordinance; amend Contract No. 30001538)

The City of Portland ordains:

Section 1. The Council finds:

1. The Council set aside funds in the amount of 1,280,732 for the restoration of the Pond at Laurelhurst Park in the FY 2007-08 CIP budget.
2. The Council passed Ordinance 183609 which authorized a contract and provided for payment to the lowest responsible bidder for sediment removal at Laurelhurst Pond. The construction cost estimate was \$877,000.
3. The City entered into Contract 30001538 on July 22, 2010 with Brant Construction in the amount of \$398,000 for the removal of sediment from Laurelhurst Pond.
4. Change order #1 was approved under delegated authority in the amount of \$63,300. The top layer of organic sediment has proven to be much more challenging to handle than anticipated. It has not drained despite prolonged exposure and attempts to reduce saturation levels. This change order related to over excavating and rehandling organic material to enable access to transportable material.
5. Change order #2 was approved under delegated authority to begin to cement treat the organic material so that it could be effectively handled. This enabled Portland Parks & Recreation (PP&R) to confirm that the addition of a cement additive is an effective method.
6. Change order #3 exceeds the delegated 25% change order authority and therefore requires Council approval. This work consists of treating 6,000 cubic yards of sediment with cement so that it can be hauled and disposed of and so that the organics which are left in place at the pond are encapsulated.
7. Approval of this contract amendment will enable the contractor to cement treat the sediment, resulting in material that is workable. The contractor can then move forward and remove sediment from the pond and reshape the pond so it is a deeper, healthier pond prior to the start of the rainy season.
8. Approval to amend this contract amendment will further fulfill the objective of the City of Portland's Local Economic Stimulus Program to put Portlanders back to work as quickly as possible.
9. It is recommended that the Council approve amending Brant Construction's contract 30001538 in increments not to exceed an additional \$500,000.

NOW, THEREFORE, The Council Directs:

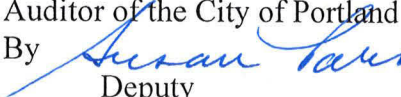
- a. PP&R is authorized to increase the contract amount for Brant Construction

on the Laurelhurst Pond project to address additional work, up to a total of \$898,000, as necessary.

- b. The Chief Procurement Officer is authorized to sign any amendments that may increase this contract, not to exceed an additional \$500,000. The Auditor is authorized to draw and deliver checks chargeable to the Parks CIP funds when demand is presented and approved by the proper authority.

Section 2. The Council declares that an emergency exists because delay may result in additional expense by pushing the project out into wet weather; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: OCT 27 2010  
 Commissioner Fish  
 Prepared by: Liz Moorhead  
 October 21, 2010

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

Agenda No.  
**ORDINANCE NO. 184188**  
 Title

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No.

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Nick Fish</b>	<b>CLERK USE: DATE FILED</b> <u>OCT 22 2010</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish <i>Nick Fish</i> Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy
<b>BUREAU APPROVAL</b> Bureau: Portland Parks & Recreation Bureau Head: Zari Santner <i>Zari Santner</i> Prepared by: Liz Moorhead Date Prepared: October 21, 2010 Financial Impact 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>October 27, 2010</b>	<b>ACTION TAKEN:</b>
<b>City Attorney Approval</b> <i>Note: Construction Contract - pm</i>	

<b>AGENDA</b> <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	