

ORDINANCE No. 184210

* Amend contract with Merryman Barnes Architects, Inc. to increase compensation up to an additional \$150,000 for services relating to the Flavel Maintenance Yard Renovation Project (Ordinance; amend Contract No. 37190)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Parks & Recreation (PP&R) issued RFP 105103 on March 24, 2006 to establish flexible services contracts in six distinct service areas. PP&R awarded 19 flexible services contracts for Service Area #1 (Architectural Services), one of which was for Merryman Barnes (Contract 37190). Each contract was established with a not-to-exceed amount of \$100,000.
2. Amendment #1 to Contract 37190 changed the official name of the firm from Robertson Merryman Barnes Architects, Inc. to Merryman Barnes Architects, Inc.
3. Amendment #2 to Contract 37190 extended the contract term through September 30, 2011 and updated the hourly rates applicable to this contract.
4. The first supplement to Contract 37190 was authorized by Task Order No. 1 for preliminary design work for the renovation of the Flavel maintenance yard in the amount of \$39,332. A second supplement to the contract was authorized by Task Order No. 2 to provide construction documents, permit assistance, bidding and construction administration for the Flavel maintenance yard in the additional amount of \$46,731. A third supplement was issued to the contract authorized by Task Order No. 3 to prepare additional site studies and prepare an application for a conditional use adjustment in the amount of \$12,000. The current obligated contract amount is \$98,063.
5. Based on unforeseen project conditions and requirements, additional design services are now necessary to complete the design documents for the renovation of the Flavel maintenance yard. Merryman Barnes submitted a not to exceed fee proposal for \$150,000 that detailed the additional services required. That proposal, attached as Exhibit A, has been reviewed and determined to be fair and reasonable to the City of Portland. The cost of this additional work would bring the new contract total to \$250,000.
6. PP&R has consulted with Procurement Services and have agreed that amending this contract to increase the compensation by \$150,000 and extending the expiration date to December 31, 2012 for the sole purpose of completing this work is in the best interest of the City.
7. Sufficient funding is available within the Major Maintenance budget.

NOW, THEREFORE, The Council Directs:

- a. The Chief Procurement Officer is authorized to execute Amendment No. 3 to

Contract No. 37190 with Merryman Barnes Architects, Inc. Such amendment shall be in a form substantially like the form of agreement attached hereto, as approved as to form by the City Attorney.

- b. The Mayor and Auditor are authorized to provide payment chargeable to the applicable budgets when demand is presented and approved by the appropriate authorities.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the completion of design, permit, bid and construction administration services for the Flavel Maintenance Yard Renovation; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: NOV 03 2010
 Commissioner Fish
 Prepared by: Susan Meamber: ds
 October 22, 2010

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

Agenda No.
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Title

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<p>INTRODUCED BY Commissioner/Auditor: Fish</p>	<p>CLERK USE: DATE FILED <u>OCT 29 2010</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>[Signature]</i> OK</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Portland Parks & Recreation Bureau Head: <i>[Signature]</i> Zari Santner</p> <p>Prepared by: Susan Meamber Date Prepared: 10/18/10</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></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 November 3, 2010</p>	
<p><input checked="" type="checkbox"/> City Attorney Approval</p>	<p>ACTION TAKEN:</p>

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

	Commissioners Voted as Follows: #2		COMMISSIONERS VOTED AS FOLLOWS: #1		
	YEAS	NAYS		YEAS	NAYS
1. Fritz	✓		1. Fritz		✓
2. Fish	✓		2. Fish	✓	
3. Saltzman	✓		3. Saltzman	✓	
4. Leonard	✓		4. Leonard	✓	
Adams	✓		Adams	✓	