

ORDINANCE No. 184510

* Amend contract with 3 Kings Environmental, Inc. to increase contract amount by an additional \$104,426 to provide additional construction services for the Stanton Yard Fuel Facility project. (Ordinance; amend Contract No. 30001449)

The City of Portland ordains:

Section 1. The Council finds:

1. In May of 2010, the Office of Management and Finance/Facilities Services solicited bids through a formal Invitation for Bids to provide construction services for the Stanton Yard Fuel Facility project. A contract in the amount of \$260,433.00 was awarded to 3 Kings Environmental, Inc. who was the lowest, responsive, responsible bidder.
2. Change order no. 1, dated September 14, 2010 increased the contract amount \$26,970 to include the following construction services:
 - Irrigation and landscape work on the east parking lot required for construction permit to resolve non-conforming use issue for the Stanton Yard Fuel Facility project.
3. Change order no. 2, dated October 8, 2010 increased the contract amount \$204,497.38 to include the following construction services:
 - Obtain Fire Marshall Permit;
 - Remove poured concrete slab underneath storage tanks;
 - Remove contaminated soil and haul to landfill.
4. Change order no. 3, dated December 17, 2010 increased the contract amount \$511,431.08 to include the following construction services:
 - Remove and dispose of existing overhead fuel station canopy;
 - Install 10 canopy lights, conduit, and wiring in new canopy;
 - Soil testing lab analysis reports;
 - Remove oil water separator and dispose;
 - Shoring for extended time to remove contaminated soil;
 - Remove contaminated soil in phase 2 of site remediation;
 - Additional landscaping in east parking lot required for canopy permit;
 - Install vapor extraction piping between tanks for future leak recovery;
 - Gravel infill required for contaminated soil excavations;
 - Credit for deletion of shed roof, canopy refurbishment, waste oil tank.
5. Additional services as shown in attached Attachments 1 and 2 are necessary to allow for the following additional services:
 - Install footings for new canopy;
 - Extend concrete islands and drive slab for new canopy dimensions;
 - Install State 2 vapor recovery piping.
 - Canopy and DEF dispenser electrical work;

- Completion of backfill of contaminated soil;
 - Install transition sump and piping, DEF sump and piping;
 - Connect canopy roof drains to storm water drainage system;
 - Install vent pipes and caps, paint bollards, islands and piping, grout for canopy;
 - Additional asphalt pavement;
 - Install new oil/water separator and provide pipes, valves, risers, and covers;
 - Submit final report to DEQ for clean up of the release of petroleum on the site as required by DEQ.
6. The fee for the additional services listed in paragraph no. 5 above is \$104,425.57 and is included in the budget for the Stanton Yard Fuel Facility project. In addition, the City of Portland and the Contractor wish to extend the substantial completion date of Contract No. 30001449 for an additional thirty (30) calendar days or until January 20, 2011.
7. The Office of Management and Finance/Facilities Services recommends that Contract No. 30001449 with 3 Kings Environmental, Inc. be amended, Attachments 1 and 2, to increase the contract by \$104,425.57 and extend substantial completion date for an additional thirty (30) calendar days or until January 20, 2011 to provide additional construction services for the Stanton Yard Fuel Facility project. The new total Contract amount will not exceed \$1,107,757.03.

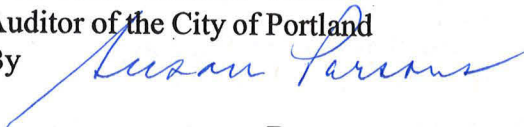
NOW THEREFORE, the Council directs:

- a. The Mayor and Auditor are hereby authorized to amend Contract No. 30001449 to increase the contract amount by \$104,425.57 for a total contract amount of \$1,107,757.03 and extend substantial completion date for an additional thirty (30) calendar days or until January 20, 2011 for additional construction services for the Stanton Yard Fuel Facility project.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the fiscal year 2010-2011 Fleet Services budget when demand is presented and approved by the proper authorities.

SECTION 2. The Council declares that an emergency exists in order to avoid additional expenses and a delay in the completion of this project; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: APR 13 2011

Commissioner: Mayor Sam Adams
Prepared by: Rich Attridge:dseaton
Date Prepared: March 28, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland
By 

Deputy

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Agenda No. **184510**
ORDINANCE NO.
Title

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INTRODUCED BY Commissioner/Auditor: Mayor Adams	CLERK USE: DATE FILED <u>APR 08 2011</u>
COMMISSIONER APPROVAL	
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL	
Bureau: Internal Business Services Bureau Head: Jeff Baer, Director	
Prepared by: Rich Attridge: dseaton Date Prepared: March 28, 2011	
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 April 13, 2011	
City Attorney Approval <u>D.H.</u>	

By: LaVonne Griffin-Valade
Deputy

ACTION TAKEN:

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: 5 minutes (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	✓	