

ORDINANCE No. 185371

*Amend contract with Walker Macy, LLC for design services for the South Waterfront Greenway Central District Phase One Project. (Ordinance; amend Contract No. 37631)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland and the Portland Development Commission (PDC), under their respective charter authorities, are authorized to enter into cooperative agreements for the improvement of communities and environments.
2. In 2004, the City of Portland, through the PDC, entered into a Development Agreement with Oregon Health & Sciences University, River Campus Investors, LLC and North Macadam Investors, LLC for redevelopment of the South Waterfront Central District, SW Gibbs Street to SW Lane Street.
3. The City Council passed Resolution No. 36273 in December 2004 to accept the South Waterfront Greenway Development Plan Phase 1, Design Component, as the City's unified vision for the greenway in the South Waterfront District.
4. Walker Macy was awarded PTE Contract No. 37631 (Ordinance 181289) in September 2007 to provide PTE design services for planning, design and construction administration for implementation of the Greenway under management of Portland Parks & Recreation. The original contract amount was \$855,186.
5. Amendment No. 1 was executed administratively in April 2008 for \$13,543 to compensate Walker Macy for additional scientific testing related to hydraulic engineering of the riverbank.
6. Amendment No. 2 was executed administratively in July 2008 to extend the contract time to December 2010.
7. Amendment No. 3 was executed administratively in September 2008 for \$42,279 to compensate Walker Macy for additional work to assess soil conditions and negotiate on the City's behalf with Federal authorities regarding permitting of the riverbank design.
8. In July 2009, Federal authorities stated definitively they would not permit the riverbank configuration called for in the City's Greenway Development Plan, requiring a redesign.
9. Amendment No. 4. was executed administratively in August 2010 for \$128,852 to compensate Walker Macy for further negotiations regarding the federal permit, further study of soil conditions, redesign of the riverbank, value engineering studies and associated costs. The contract was extended to December 31, 2012.
10. The City of Portland decided to hire a Construction Manager General Contractor (CM/GC) during completion of contract documents and construction.
11. Amendment No. 5 was executed by ordinance 184388 on January 27, 2011, for \$219,760 to compensate Walker Macy for assistance with selection of and coordination with the CM/GC and production of construction documents.
12. In March 2012, PP&R asked Walker Macy for additional services to separate the project into phases, revise the Land Use submittal, coordinate the design with the Brownfield remedy and accommodate an existing, off-site Osprey nest placement in the project

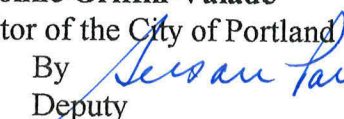
- area. This will require more coordination, meetings and design work. Compensation for this additional work is \$45,206. Contract will be extended to December 31, 2013.
13. The total not to exceed contract amount shall be \$1,305,000 which is 53% above the original contract amount.
14. Funds for this contract increase will come from the current project revenue.

NOW, THEREFORE, The Council Directs:

- a. The Chief Procurement Officer is authorized to execute Amendment No. 6 to Contract No.37631. Such amendment shall be in a form substantially similar to the agreement attached hereto, approved as to form by the City Attorney's Office.
- 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 provision of design services to the South Waterfront Greenway Central District Phase One Improvements; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: MAY 30 2012
Commissioner Fish
Prepared by: Liz Moorhead:sd
May 30, 2012

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

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Agenda No. **185371**
ORDINANCE NO.
 Title

*Amend contract with Walker Macy, LLC for design services for the South Waterfront Greenway Central District Phase One Project. (Ordinance; ~~sixth amendment~~ *amend* Contract No. 37631)

INTRODUCED BY Commissioner/Auditor: Fish	CLERK USE: DATE FILED <u>MAY 24 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish <i>Nia F</i> Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <i>Susan Parsons</i> Deputy
BUREAU APPROVAL Bureau: Parks Bureau Head: Mike Abbate <i>Mike Abbate</i> Prepared by: Lisa Tyler Date Prepared: 5/16/12	ACTION TAKEN:
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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 May 30, 2012	
City Attorney Approval	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 15-20 minutes for BOTH Greenway Ordinances. (for presentation, testimony and discussion) <i>2 of 2</i>
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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"/>	