

ORDINANCE No. 185797

* Increase contract with James W. Fowler Co. for additional construction services provided on the Phase 1 riverbank restoration of the South Waterfront Greenway Central District project (Ordinance; amend Contract No. 30002713)

The City of Portland ordains:

Section 1. The Council finds:

1. Council provided support and direction for the development of the South Waterfront Greenway Central District Improvements through Resolution No. 36273 in December 2004, Ordinance 184389 in January 2011 and acceptance of the Guaranteed Maximum Price proposed by JW Fowler Co. of \$4,035,843.62 for the Phase 1 improvements in May 2012.
2. In August 2011 Council in Ordinance 185370 accepted a grant in the amount of \$1,300,000 and authorized an Intergovernmental Agreement with TriMet for Wetland Mitigation within the Greenway Central District project.
3. The shallow water habitat portion of the Phase 1 improvements could not be completed on schedule because river levels remained unusually high, so Phase 1 has been split into Phase 1A, to be completed in spring of 2013 and Phase 1B, to be completed in the fall of 2013.
4. JW Fowler Co. has provided or will provide extra construction services in Phase 1A related to adjusting the construction plan to unusually high river levels; excessive volumes of contaminated soil and debris; design adjustments related to soft soils; and expenses associated with the increased duration of the construction.
5. Change Orders 1 through 7 have been administratively executed and increased the contract amount to \$4,907,403.06, representing a 21.60% increase.
6. A further increase to the contract amount of \$401,356.23 will be required to complete Phase 1A. The new value of Contract No. 30002713 will be \$5,308,759.29. Funds for this increase will come from the existing project budget.

NOW, THEREFORE, The Council Directs:

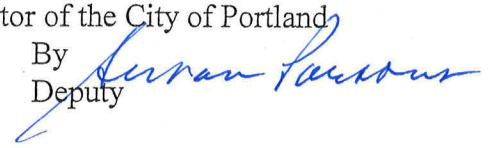
- a. The Chief Procurement Officer is hereby authorized to execute Change Orders to increase the contract amount of Contract No. 30002713 up to a not to exceed total contract value of \$5,308,759.29.
- b. The Commissioner and Auditor are authorized to provide payment chargeable to the applicable budgets under project code P00193 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 Phase 1A improvements to the South Waterfront Greenway Central District therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: DEC 12 2012
Commissioner Fish
Prepared by:
A.Rouse 12/4/12

LaVonne Griffin-Valade
Auditor of the City of Portland

By
Deputy

A handwritten signature in blue ink, appearing to read "Suran Parsons", is written over the printed text "By Deputy".

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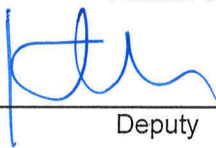
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Agenda No.
ORDINANCE NO.
 Title

185797

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INTRODUCED BY Commissioner/Auditor: Fish	CLERK USE: DATE FILED DEC 07 2012
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: Parks Bureau Head: Mike Abbate Prepared by: Allison Rouse Date Prepared: 12.04.12	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 December 12, 2012	
City Attorney Approval (✓ change order)	

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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	