

## ORDINANCE No. 188127

\*Amend contract with Tetra Tech, Inc. for additional compensation to revise and complete final design, and the Biddability, Constructability, Operability, Environmental and Sustainability review for the Oaks Bottom Wildlife Refuge Enhancement Project No. E08576 for \$169,485 (Ordinance; amend Contract No. 38016)

The City of Portland ordains:

### Section 1. The Council finds:

1. In January of 2011, Council passed Ordinance No. 184346 authorizing the City to enter into Project Partnership Agreements (PPA) with the U.S. Army Corps of Engineers (hereinafter "Corps") under the Section 206 Aquatic Ecosystem Restoration program of the Water Resources Development Act (WRDA).
2. In January of 2016, the City entered into a PPA for the design and construction of the Oaks Bottom Wildlife Refuge Habitat Enhancement Project (hereinafter the "Project"). The Project includes the following elements to benefit juvenile salmonids and other native species: 1) replacement of an existing culvert with an arch culvert; 2) excavation of tidal slough channels; 3) removal of an existing water control structure and replacement with riffles; 4) restoration of the riparian and wetland habitats adjacent to other project features and around the perimeter of the reservoir; and 5) installation of two viewing decks adjacent to the Springwater Trail.
3. The Corps will procure and manage the construction contract; thus, all final deliverables under the design contract must meet Corps requirements and format. Under the PPA, the Corp was to prepare the 100% and final design package, however to maintain the Project's construction schedule it was agreed the final design package would be completed through the City's design contract.
4. The additional work required to complete the final Project design includes revising the 90% design; preparing final design and bid documents, including preparation of specifications, permit assistance, cost estimating, and conversion of technical specifications into the Corps' SPECSINTACT format; and completing the BCOES. All drawings will conform to the Corps' CAD standards and cost estimates will conform to the Corps' format.
5. The total cost of the amendment to the contract is \$169,485. The level of confidence is optimal. Funds are available in the Sewer System Operating Fund, FY2017-FY2021, CIP, Bureau of Environmental Services, WBS Element E08576.

NOW, THEREFORE, the Council directs:

- a. The Commissioner-in-Charge or their authorized delegate is authorized to execute an amendment to Contract No. 38016 with Tetra Tech, Inc. for the purposes described in Section 1, up to a revised contract amount of \$654,717, subject to approval as to form by the City Attorney's Office.
- b. The Mayor and City Auditor are hereby authorized to pay for the contract amendment from the Sewer System Operating Fund Budget.

Section 2. The Council declares that an emergency exists because the Project final design and construction are funded in the U.S. Army Corps of Engineers work plan for the current Federal fiscal year. Federal funding may be at risk if the final design and Biddability, Constructability, Operability, Environmental and Sustainability review and approval are not complete prior to the end of the Federal fiscal year. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,  
Commissioner Nick Fish

DEC 07 2016

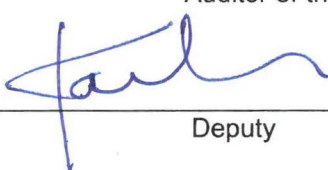
Scott Gibson  
October 12, 2016  
WBS E08576 - ord

**Mary Hull Caballero**  
Auditor of the City of Portland

By 

Deputy

\* Amend contract with Tetra Tech, Inc. for additional compensation to revise and complete final design, and to complete the Biddability, Constructability, Operability, Environmental and Sustainability (BCOES) review for the Oaks Bottom Wildlife Refuge Enhancement, BES Project E08576 for \$169,485 (Ordinance; amend Contract No. 38016) No.

<b>INTRODUCED BY</b> Commissioner/Auditor: FISH	CLERK USE: DATE FILED <u>NOV 29 2016</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland By:  Deputy
<b>BUREAU APPROVAL</b> Bureau: Environmental Services Bureau Head: Michael Jordan Prepared by: Scott Gibson Date Prepared: October 12, 2016 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"/> <b>City Auditor Office Approval:</b> <b>City Attorney Approval:</b> Council Meeting Date December 7, 2016	<b>ACTION TAKEN:</b>

<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)
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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. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	