

## ORDINANCE No. 188817

\*Amend contract with Tetra Tech, Inc. for additional compensation to perform engineering during construction for the Oaks Bottom Culvert Replacement Project No. E08576 for \$263,401 (Ordinance; amend Contract No. 38016)

The City of Portland ordains:

### Section 1. The Council finds:

1. Ordinance No. 181774, passed by the Council on April 30, 2008, authorized contract No. 38016 with Tetra Tech, Inc. for the design of the Oaks Bottom Culvert Replacement Project (herein after the "Project") in the amount of \$429,442.50.
2. Ordinance No. 184346, passed by the Council on January 5, 2011, authorized the City to enter into Project Partnership Agreements with the U.S. Army Corps of Engineers under the Section 206 Aquatic Ecosystem Restoration program of the Water Resources Development Act.
3. In January of 2016, the City entered into a Project Partnership Agreement for the design and construction of the Project.
4. The Project includes the following elements to benefit juvenile salmonids and other native species: replacement of an existing culvert with an arch culvert; excavation of tidal slough channels; removal of an existing water control structure and replacement with riffles; restoration of the riparian and wetland habitats adjacent to other project features and around the perimeter of the reservoir; and installation of two viewing decks adjacent to the Springwater Trail.
5. Ordinance No. 188127, passed by the Council on December 7, 2016, authorized an amendment to contract No. 38016 with Tetra Tech, Inc. in the amount of \$169,485 to revise and complete final design, and the Biddability, Constructability, Operability, Environmental and sustainability review for Project.
6. The U.S. Army Corps of Engineers is managing construction of the Project. However, the Corps' contracting mechanism does not allow them to procure these services from Tetra Tech who is the engineer of record for the project.
7. The City agreed to modify Contract No. 38016 with Tetra Tech, Inc. to provide the necessary engineering services during construction.
8. The engineering services during construction include a pre-construction kickoff meeting, weekly construction progress meetings, review of contractor requests for information, review of submittals, weekly as-built drawing preparation, weekly look-ahead schedules, coordination meetings, teleconferences and project construction reporting. The listed tasks will be performed for a construction duration of 32 weeks.
9. The total cost of the amendment to the contract is \$263,401. The level of confidence is high. Funds are available in the Sewer System Operating Fund, FY2017-FY2018, 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 \$918,118, 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.

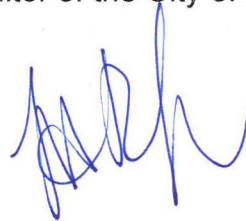
Section 2. The Council declares that an emergency exists because the Project construction and engineering during construction are funded in the U.S. Army Corps of Engineers work plan for the current Federal fiscal year. Federal funding may be at risk if construction and engineering during construction 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

FEB 14 2018

Scott T. Gibson, PE  
January 2, 2017  
WBS E08576 - ord

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



Deputy

Agenda No.  
**ORDINANCE NO. 188817**  
 Title

\*Amend contract with Tetra Tech, Inc. for additional compensation to perform engineering during construction for the Oaks Bottom Culvert Replacement, BES Project, E08576 for \$263,401 (Ordinance; amend Contract No. 38016) No.

<p><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>FISH</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Environmental Services          Bureau Head: Michael Jordan <i>[Signature]</i></p> <p>Prepared by: Scott T. Gibson, PE          Date Prepared: January 2, 2018</p> <p>Financial Impact &amp; Public Involvement Statement          Completed <input checked="" type="checkbox"/> Amends Budget <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><b>City Auditor Office Approval:</b></p> <p><b>City Attorney Approval:</b> <i>[Signature]</i></p> <p>Council Meeting Date          February 14, 2018</p>	<p><b>CLERK USE: DATE FILED</b> <u>FEB 06 2018</u></p> <p style="text-align: center;">Mary Hull Caballero          Auditor of the City of Portland</p> <p>By: <i>[Signature]</i>          Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<p style="text-align: center;"><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/>          Start time: _____</p> <p><b>Total amount of time needed:</b> _____          (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input type="checkbox"/></p> <p><b>REGULAR</b> <input checked="" type="checkbox"/>  <b>Total amount of time needed: 10 min</b>          (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>3. Saltzman <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler <input checked="" type="checkbox"/></td> <td></td> </tr> </table>	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. Eudaly	4. Eudaly <input checked="" type="checkbox"/>		Wheeler	Wheeler <input checked="" type="checkbox"/>	
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