

## ORDINANCE No. 176179

\* Authorize a contract with Impregilo/Healy Joint Venture and provide for payment for Pre-Constuction Services for the West Side Willamette River Combined Sewer Overflow Program,  
Project No. 6680 (Ordinance)

The City of Portland ordains:

### Section 1. The Council finds:

1. Ordinance No. 167573, passed April 20, 1994, authorized the City to execute the Amended Stipulation and Final Order (ASFO) between the Environmental Quality Commissioner and the Department of Environmental Quality and the City for the Combined Sewer Overflow (CSO) Program.
2. Portland's CSO Program is a large multidimensional project and is under a strict timeline, mandated by the ASFO, to reduce combined sewer overflows by the year 2011.
3. The Bureau has completed the first phase of the CSO Program, which was to control the CSO's on the Columbia Slough by December 31, 2000.
4. The second phase of the CSO Program requires construction of facilities to control the West Side CSO outfalls to the Willamette River by December 31, 2006.
5. On June 20, 2001, the City Council approved Ordinance 175696, which authorized an exemption to the competitive bidding process and allowed the Bureau of Environmental Services to use a qualifications-based method to procure a construction contractor prior to design completion of the projects.
6. The Bureau received four Statements of Qualifications, three of which were accepted as qualified. The Bureau subsequently issued a Request for Proposals from the qualified Contractors. A Selection Committee then evaluated the Contractors based on their Proposal and Interview to determine the most qualified.
7. During the Pre-Construction Services phase, the Contractor will provide input into the final project design and prepare a construction estimate, schedule, safety plan, and subcontracting and M/W/ESB participation plan for the Construction Phase of the project. Upon successful completion of the Pre-Construction Work, the Bureau will likely then negotiate a contract with the Contractor for the Construction of the project.

8. The Selection Committee recommends that Impregilo/Healy Joint Venture be retained to provide the Pre-Construction services.
9. The established, not-to-exceed cost is \$1,082,948. Funds are available in the Sewer System Operating Fund, FY 2001-2002 Budget, Bureau of Environmental Services, Center Code 14522110, Account Code 521000, Project Number 6680. The form of the contract is a PTE format, and although no exemption is probably legally necessary given the prior exemption, any contrary provisions in Chapter 5.68 are hereby waived.

NOW, THEREFORE, the council directs:

- a. The Commissioner of Public Affairs and Auditor are authorized to execute a contract with Impregilo/Healy Joint Venture for the purpose described in Section 1, in the amount of \$1,082,948.
  - b. The City's Project Manager shall be authorized to execute any amendments not increasing the cost ceiling.
  - c. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.
- Section 2. The Council declares that an emergency exists because delays in issuing this contract will prevent City staff from completing the construction projects for the West Willamette CSO Program by the mandated Amended Stipulation and Final Order deadline. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JAN 02 2002  
Commissioner Dan Saltzman

**Gary Blackmer**  
Auditor of the City of Portland  
By /S/ Terry Reisz

Paul Gribbon  
December 18, 2001  
14522110/521000/6680 – ord

Deputy

BACKING SHEET INFORMATION

AGENDA NO. 1-2002

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176179

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
HALES	X	
SALTZMAN	X	
STEN	X	
KATZ	X	