

## **ORDINANCE NO. 188948**

Amend contract with Just Bucket Excavating, Inc. in the amount of \$141,860 accept contract as complete, release retainage, and authorize final payment (Ordinance; amend Contract No. 30005802)

The City of Portland ordains:

Section 1. The Council finds:

1. City Council Ordinance No. 188024 authorized competitive bidding for the construction of NW Cornell Road Services - Macleay Park Project (Project) which was solicited through Bid No. 00000493.
2. The work involved installation of 7,100 feet of new water main and appurtenances in NW Cornell Road beginning at NW Eloise Lane and ending near 5240 NW Cornell Road.
3. On March 22, 2017, City Council approved City Procurement's recommendation to award a contract in the amount of \$720,400.53 to Just Bucket Excavating, Inc. for the construction of the Project.
4. During construction, Just Bucket Excavating, Inc. encountered more rock than was anticipated based on the geotechnical report for the Project site. Change Order No. 1 and No. 2 added a total of 90 days to the Project for boring in areas where unexpected rock was encountered and increased the contract amount by \$180,100.13 to compensate for the boring work.
5. This council action provides for an additional contract change order to pay final costs for the additional rock and closes out the contract for the Project. Change Order No. 3 allows for an increase of \$141,860.28 to the contract. The amended final contract amount will be \$1,042,360.94.
6. The work on the Project is complete and has been satisfactorily executed in accordance with the contract. It is recommended that Council accept Change Order No. 3 and accept the contract with Just Bucket Excavating, Inc. as complete, release retainage, and authorize final payment.
7. The Disadvantaged, Minority, Women, and Emerging (DMWESB) Small Business participation for the contract was \$1,032,635.94 or 93% of the total contract dollars.

NOW, THEREFORE, the Council directs:

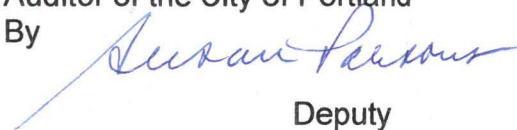
- a. The Chief Procurement Officer is authorized to amend Contract No. 30005802 with Just Bucket Excavating, Inc. for services in a form substantially in accordance with the Change Order attached as Exhibit A.

- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities.
- c. Council accepts Contract No. 30005802 with Just Bucket Excavating, Inc. as complete, authorizes to release retainage, and authorizes final payment.

Passed by the Council, MAY 16 2018  
Commissioner Nick Fish

Prepared by: Jamie Wilde  
Date Prepared: March 28, 2018


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

  
Deputy

Agenda No.  
**ORDINANCE NO. 188948**  
Title

contract with

Amend the Just Bucket Excavating, Inc. ~~contract~~ in the amount of \$141,860.28 and accept contract as complete, release retainage, and authorize final payment (Ordinance; amend Contract No. 30005802)

<p><b>INTRODUCED BY</b> Mayor <u>Wheeler</u> Commissioner/Auditor: <u>Wheeler</u> <del>Commissioner Nick Fish</del></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler <u>✓</u></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Water Bureau Head: <u>Michael Stubb, P.E.</u></p> <p>Prepared by: Jamie Wilde Date Prepared: March 28, 2018</p> <p>Impact 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> required for Code Ordinances</p> <p><u>✓</u> <b>City Attorney Approval:</b> <u>KLM</u> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>May 9, 2018</b></p>	<p>CLERK USE: DATE FILED <u>MAY 01 2018</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p> <p><b>ACTION TAKEN:</b> <u>MAY 09 2018</u> <b>PASSED TO SECOND READING</b> <u>MAY 16 2018 9:30 A.M.</u></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"/></p> <p><b>Total amount of time needed: 5 minutes</b> (for presentation, testimony and discussion)</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:30%;">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 style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td style="text-align: center;">_____</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>5. Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	✓		2. Fish	_____		3. Saltzman	✓		4. Eudaly	✓		5. Wheeler	✓	
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