

ORDINANCE No. 188961

*Amend contract with Stacy and Witbeck, Inc. of Oregon for Construction Manager/General Contractor Pre-Construction Services to perform early site work for the Portland Open Space Sequence Restoration Project No. P00721 for \$58,000 (Ordinance; amend Contract No. 30006003)

The City of Portland ordains:

Section 1. The Council finds:

1. The Council adopted Ordinance No. 184646 on June 8, 2011 authorizing an agreement with Halprin Landscape Conservancy to fundraise and undertake repair and maintenance of the fountains and surrounding park areas in the Portland Open Space Sequence. The agreement has been amended three times.
2. The Council adopted Resolution No. 37245 on November 2, 2016 with 71.4% petition support, declaring its intent to initiate local improvement district formation proceedings and establishing the name of the local improvement district as the Portland Open Space Sequence Local Improvement District.
3. The Council adopted Ordinance No. 188068 on November 2, 2016 that approved findings to authorize an exemption to the competitive bidding requirements and authorize the alternative contracting method of Construction Manager/General Contractor ("CM/GC"); and authorized payment for construction related to the Portland Open Space Sequence Restoration Project.
4. The Council adopted Ordinance No. 188165 on December 21, 2016 that created a local improvement district to construct park improvements in the Portland Open Space Sequence Local Improvement District in partnership with the Halprin Landscape Conservancy.
5. A Request for Proposals for Portland Open Space Sequence Restoration Project Construction Manager / General Contractor Services, RFP No. 00000617, was issued on May 4, 2017, and Contract No. 30006003 was entered into with Stacy and Witbeck, Inc. of Oregon for Pre-Construction Services on August 1, 2017 for \$153,436.
6. In February of 2018, Amendment No. 1 was approved and clarified some administrative items regarding BOLI Prevailing Wages and subcontractor professional liability insurance and changed compensation from an hourly not to exceed basis to a lump sum basis.
7. Amendment 2, fully executed and approved on May 11, 2018, added \$38,359 Owner Site Investigation Allowance for expanded site investigation services and added a subcontractor to perform foundation site investigation concrete conservation services.

8. Amendment No. 3 in the amount of \$58,000 is needed to add site mechanical investigation work at The Source Fountain and an owner allowance for early site work to consist of fountain concrete repairs to Keller and Lovejoy Fountains.
9. The total cost of the three amendments under this Contract is \$96,359, which is an increase of 63% over the original Contract value of \$153,436. The level of confidence is high. Funds are available in the project budget, WBS Element P00721.
10. The City recommends that Contract No. 30006003 with Stacy and Witbeck, Inc. of Oregon, be amended by \$58,000.

NOW THEREFORE, the Council Directs:

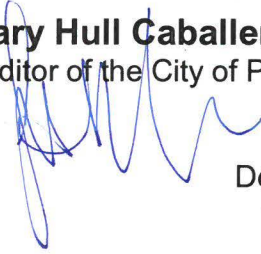
- a. The Chief Procurement Officer is authorized to amend Contract No. 30006003 with Stacy and Witbeck, Inc. of Oregon for services in accordance with Amendment No. 3 attached hereto as Exhibit A.
- b. The Mayor and City Auditor are hereby authorized to pay for the Contract Amendment from the Project No. P00721 budget.

Section 2.

The Council declares that an emergency exists because the Early Site Work is necessary to begin in June of 2018 in advance of an anticipated GMP contract start date in July 2018. The Early Site Work is necessary to allow the project to be built during the 2018 construction season. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: MAY 30 2018

Commissioner Amanda Fritz
Prepared by: Sandra Burtzos
Date Prepared: April 30, 2018

Mary Hull Caballero
Auditor of the City of Portland
By 

Deputy

✓140

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Agenda No.
ORDINANCE NO. 188961
Title

***Amend ~~Contract~~ for Construction Manager/General Contractor Pre-Construction Services with Stacy and Witbeck, Inc. of Oregon for additional compensation to perform Early Site Work for the Portland Open Space Sequence Restoration Project No. P00721 for \$58,000 (Ordinance; amend Contract No. 30006003)**

<p><i>Mayor Wheeler and</i></p> <p>INTRODUCED BY Commissioner/Auditor: Fritz</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>VC</i></p> <p>Position 1/Utilities - Fritz <i>Amanda Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p> <p>BUREAU APPROVAL</p> <p>Bureau: Portland Parks & Recreation Bureau Head: Mike Abbate <i>Mike Abbate</i></p> <p>Prepared by: Sandra Burtzos Date Prepared: April 30, 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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date May 30, 2018</p>	<p>CLERK USE: DATE FILED <u>MAY 22 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>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: <u>15 minutes</u> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	