

## ORDINANCE No. 189191

\*Increase contract with Miller Consulting Engineers, Inc. by \$250,000 to provide additional on-call engineering consultant services to the Spectator Venues Program. (Ordinance, amend Contract No. 30005601)

The City of Portland ordains:

### Section 1. The Council Finds:

1. The City's Spectator Venues Program within the Office of Management and Finance (OMF) oversees the Veteran Memorial Coliseum (VMC), Rose Quarter Parking Facilities, Rose Quarter Plaza, Providence Park, and the Portland's Centers for the Performing Arts.
2. As property owner, the City has a long-term interest in the condition of these aging facilities and has undertaken a series of studies to understand the structural condition and seismic risks associated with the facilities. These studies are conducted by consultants working under On-Call Contracts with OMF/Spectator Venues.
3. The City's Spectator Venues are key civic assets and together host close to two million visitors annually. Understanding the structural integrity and ability to perform adequately in a potential seismic event is important to public safety.
4. Contract 30005601 was awarded to Miller Consulting Engineers, Inc. through competitive QBS RFP 00000405 in December 2016 with a three-year contract term. Amendment 1, adopted by Council Ordinance 188372 on May 17, 2017, increased the contract amount by \$150,000. By the end of September 2018, the entire capacity of the original contract and Amendment 1 is anticipated to have been committed to seismic analysis and modeling at the spectator venues.
5. Due to the age and complex nature of the facilities, as has been encountered through the analysis of the Keller Auditorium, additional consulting services are necessary from Miller Consulting Engineers. Increasing the amount of this contract will allow the program to further develop potential mitigation options and plans for the Keller Auditorium and to undertake additional structural and seismic studies of other program venues as needed.
6. The additional compensation authorized by this Ordinance is \$250,000.00 which is 250% of the original contract amount of \$100,000.00. Amendment 1 added additional compensation in the amount of \$150,000.00. The new not-to-exceed amount of the Contract is \$500,000.00.
7. This amendment requires Council approval because it exceeds 25% of the original contract amount.

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8. Sufficient funding for this contract amendment resides in the Spectator Venues and Visitor Activities Fund 607000 in FY 2018-19 and is projected to be sufficient in subsequent years.

NOW THEREFORE, the Council directs:

- a. The Chief Procurement Officer is hereby authorized to amend Contract No. 30005601 between the City and Miller Consulting Engineers, Inc. for services in accordance with Amendment No. 2 attached hereto as Exhibit A.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks payable to Miller Consulting Engineers, Inc. chargeable to OMF when demand is presented and approved by the proper authorities.

Section 2. The Council declares an emergency exists because any delay in funding may result in delays to seismic analysis and modeling work currently underway, negatively impact project schedules, and ultimately delay work to improve the safety of the City's spectator venues. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: OCT 03 2018

Mayor Ted Wheeler  
Prepared by: Karl Lisle  
Date Prepared: September 6, 2018

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

Deputy

Agenda No.  
**ORDINANCE NO. 189191**  
 Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Wheeler</b>	CLERK USE: DATE FILED <u>SEP 18 2018</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By:  Deputy
<b>BUREAU APPROVAL</b> Bureau: OMF/CAO Bureau Head: Tom Rinehart	<b>ACTION TAKEN:</b> SEP 26 2018 <b>CONTINUED TO</b> OCT 03 2018 9:30 A.M.
Prepared by: Karl Lisle Date Prepared: September 6, 2018	
<b>Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
<b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date <b>9/26/2018</b>	

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)		YEAS	NAYS
<b>CONSENT</b> <input checked="" type="checkbox"/> <i>Pulled</i>	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"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)	Wheeler	Wheeler	<input checked="" type="checkbox"/>