

EXHIBIT "A"

AMENDING AGREEMENT

An agreement to amend Contract No. 17654 between Carson, Bekooy, Gulick and Associates, (hereinafter called the Engineer) and the City of Portland (hereinafter called the City).

WITNESSETH:

WHEREAS, the parties entered into an agreement, Contract No. 17654 on January 10, 1979 for engineering consultant services related to the implementation of the City's Energy Conservation Program.

WHEREAS, Contract No. 17654 provided for completion of all tasks specified in the contract by December 31, 1979.

WHEREAS, circumstances beyond the control of the engineer such as City staff turnover and delays imposed by external agencies have made it impossible to meet this deadline.

WHEREAS, by extending the deadline to October 1, 1980, the City will receive a more complete, comprehensive energy engineering program including; training programs, operating personnel Training Seminars, developing and distributing operating Building Maintenance Manuals and implementation of the City Facility Energy Retrofit Program.

WHEREAS, the contractor's rate schedule has increased as of January 1, 1980.

WHEREAS, all other terms and conditions of the contract will remain unchanged.

NOW, THEREFORE, in consideration of the premises, the parties hereto do agree as follows:

Contract No. 17654 is amended as follows:

1. The completion date (Item III, paragraph C), shall not exceed October 1, 1980.
2. The Engineer's hourly rates (Item IV, paragraph a) are amended as follows:

	<u>Previous Rate</u>	<u>New Rate</u>
Principal Engineer	\$ 36.00/hour	\$ 42.00/hour
Project Engineer	\$ 30.00/hour	\$ 34.00/hour
Staff Engineer	\$ 25.00/hour	\$ 28.00/hour
Engineering Technician	\$ 20.00/hour	\$ 23.00/hour
Draftsman	\$ 15.50/hour	\$ 17.50/hour
Stenographer	\$ 13.50/hour	\$ 15.00/hour

IN WITNESS, whereof the engineer has caused this amendment to be executed, in triplicate, by its duly authorized representative, the City has caused the same to be executed, in triplicate, by its Mayor and the Commissioner of Public Utilities, on this _____ day of _____, 19____, and pursuant to Ordinance No. _____.

Dated _____, 19____.

CARSON, BEKOY, GULICK & ASSOC., INC.

By _____

CITY OF PORTLAND

By _____
Mayor

APPROVED AS TO FORM:

By _____
Commissioner of Public Utilities

City Attorney

ORDINANCE NO. 149402

An Ordinance authorizing an amendment to Contract No. 17654 with Carson, Bekooy, Gulick and Associates, Inc., Consulting Engineers by extending the completion time of the contract, modifying compensation rates at no additional cost to the City, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That on January 10, 1979, the City entered into Contract No. 17654 with the firm of Carson, Bekooy, Gulick and Associates, Inc. for consulting services in relation to the implementation of the City's Energy Conservation Program.
2. That, under the terms of this contract, the consultant is to review energy retrofit options, prepare operating guidelines, develop training sessions for City personnel, and participate in the development of an automated accounting system to track the consumption of energy in City facilities.
3. That the review of energy retrofit options was complicated by the fact that much of the data gathered through the City's preliminary energy audit required professional mechanical engineering interpretation. This professional engineering service will maximize the benefits received from the implementation of the 1979-80 energy retrofit projects.
4. That the consultant's participation in the development of an automated accounting system is part of a team effort which includes representatives from the utilities, the Data Processing Authority, and City staff. Because of scheduling conflicts beyond the consultant's control, this element of the contract is behind schedule.
5. That Contract No. 17654 provided completion of all tasks by December 31, 1979.
6. That on December 31, 1979, it was not possible to project the revised completion date. It is now possible to project the completion date of October 1, 1980.

ORDINANCE No.

- 7. That, as of January 1, 1980, the consultant's rate schedule has increased.
- 8. That because the consultant is not responsible for the delays in the contract completion, Contract No. 17654 should be amended to extend the completion time to October 1, 1980 and to incorporate the consultant's revised rate schedule.
- 9. That by extending the time schedule for completion, the City will receive a more thorough and comprehensive product from the consultant.
- 10. That the total amount of Contract No. 17654, \$29,000, will remain unchanged.
- 11. That the City will not incur any additional costs as a result of this contract amendment.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Commissioner of Public Utilities are authorized to execute an amending agreement to Contract No. 17654 with Carson, Bekooy, Gulick and Associates, Inc., 2950 S.E. Stark St., Portland, Or. 97214 to extend the completion time to October 1, 1980, and to increase the consultants' hourly rates retroactive to January 1, 1980. Such an amending agreement will be substantially in accordance with the agreement attached hereto marked Exhibit "A" and by this reference made a part hereof.

Section 2. Council declares that an emergency exists because a delay in extending this Contract will impose an undue administrative burden upon the City; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **APR 9 1980**
 Commissioner Ivancie
 Mark Urdahl:aer
 April 1, 1980

Donna M. Priddy
 Mayor of the City of Portland

Attest:

George J. Johnson
 Auditor of the City of Portland

Calendar No. 1233

ORDINANCE No. 149402

Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	/	
Jordan	/	
Lindberg	/	
Schwab	/	
McCready	—	

4

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Commissioner Ivancie

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities <i>FJI May</i>
Works

BUREAU APPROVAL	
Bureau:	
Bureau of Facilities Management	
Prepared By: Mark Urdahl	Date: April 1, 1980
Budget Impact Review:	
<input type="checkbox"/> Completed <input type="checkbox"/> Not required	
Bureau Head:	
Allyn R. Staley	

NOTED BY
City Attorney
City Auditor
City Engineer

Filed APR 4 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *George Yerkovich*
Deputy