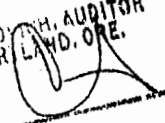


ACCEPTANCE

RECEIVED
 AUG 12 8 58 AM 1980
 GEORGE YERKOVICH, AUDITOR
 CITY OF PORTLAND, ORE.



Portland, Oregon, August 8, 1980

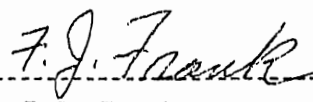
GEORGE YERKOVICH
 Auditor of the City of Portland,
 Room 202, City Hall
 Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 150193, passed by the Council August 7, 1980, amending Contract No. 18137 with F.J. Frank for geological services for the Groundwater Development Program, Bureau of Water Works, to increase the maximum contract fee by \$25,000.00, waiving Chapter 5.68 of the City Code, Professional Service Contracts, providing for acceptance, authorizing the drawing and delivery of warrants,

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,



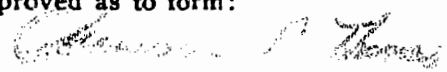
* F.J. Frank

[CORPORATE SEAL]

2108 NE 24th Ct., Gresham, Oregon 97030
 Address

APPROVED AS TO FORM

Approved as to form:



City Attorney

*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

An Ordinance amending Contract No. 18137 with F.J. Frank for geological services for the Groundwater Development Program, Bureau of Water Works, to increase the maximum contract fee by \$25,000.00, waiving Chapter 5.68 of the City Code, Professional Service Contracts, providing for acceptance, authorizing the drawing and delivery of warrants, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The City has entered into Contract No. 18137 with F.J. Frank to provide geological consulting services to monitor the construction of Phase I of the production wells for the Groundwater Development Program, Bureau of Water Works.
2. Construction work will soon begin on Phase II which will require the same type of geological consulting services as in Phase I.
3. It would be advantageous to the City to continue with the same consultant for Phase II because it would maintain the continuity of the project by utilizing a consultant already familiar with the project.
4. The selection of F.J. Frank for Phase I was made after review of proposals by a Consultant Selection Committee established in accordance with Chapter 5.68 of the City Code.
5. Negotiations with the consultant, F.J. Frank, have been conducted with the result that both the consultant and the Bureau of Water Works are satisfied to continue services under Contract No. 18137, with the following amendments:
 - (a) Increase the direct salary rate from \$17.00 to \$17.50 per hour.
 - (b) Establish the date of July 1, 1981 for renegotiation of fees at the option of either party.
6. These additional services and the fee increase will necessitate that the maximum contract fee be increased from \$21,000.00 to \$46,000.00.
7. It will be necessary to waive Chapter 5.68 of the City Code, Professional Service Contracts, to allow this contract increase without following a new consultant selection process.

ORDINANCE NO.

8. This contract amendment, under the terms stated herein, was recommended by the Administrator of the Bureau of Water Works, and approved by the Commissioner-in-Charge.

NOW, THEREFORE, the Council directs:

- a. Contract No. 18137 is amended as follows:

- (1) Increase the direct salary rate as stated in paragraph 1 of Article 2 from \$17.00 to \$17.50.
- (2) Delete paragraph 1 of Article 4 and substitute the following:

"Renegotiation of Fees and Termination of Contract. If the consulting services covered in this agreement have not been completed before July 1, 1981, the OWNER or GEOLOGIST may at the option of either, on written notice, request negotiation of Article 2 (providing for the compensation to be paid the GEOLOGIST for services rendered), to allow for changes in the cost of services. Such new schedule of compensation is to apply only to work performed by the GEOLOGIST after date of delivery of such written notice."

- (3) The total contract fee as stated in paragraph 2 of Article 2 is increased from \$21,000.00 to \$46,000.00.

- b. Chapter 5.68 of the City Code is waived to allow said increase in the total contract fee without following a new consultant selection process.
- c. This contract amendment will not be effective until written notice of acceptance of the Ordinance by F.J. Frank is filed with the City Auditor.
- d. The Mayor and the Auditor are hereby authorized to draw and deliver warrants chargeable to the 1980-81 Budget, Water Fund, BUC 18600374, Project 3700, Object Code 210, when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because a delay in amending the contract will unnecessarily

ORDINANCE No.

deprive the City of the benefits that would be derived from the service provided by the contract; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

ORDINANCE No. 33

Commissioner No. 33

Life

AN ORDINANCE AMENDING CONTRACT NO. 18133 WITH THE CITY OF PORTLAND FOR SCULPTURE SERVICES FOR THE GROUNDWATER PROTECTION PROGRAM, WHICH PROVIDES FOR THE EXTENSION OF THE CONTRACT TO AUGUST 31, 1980, AND TO INCREASE THE CONTRACT PRICE TO \$100,000.00 FROM \$75,000.00.

APPROVED TO AUG 7 1980 AND 8 1980

APPROVED TO JUL 31 1980

APPROVED TO JUL 31 1980

[Handwritten signature]

City Auditor	City Engineer	City Planner	City Attorney	City Manager	Commissioner
City Recorder	City Clerk	City Treasurer	City Director	City Inspector	City Controller
City Assessor	City Surveyor	City Engineer	City Planner	City Attorney	City Manager
City Auditor	City Engineer	City Planner	City Attorney	City Manager	Commissioner

Passed by the Council, **AUG 7 1980**

Commissioner Ivancie
 BUC 18600374
 R.E. Rector:jb
 Project 3700
 Object Code 210
 July 29, 1980

Attest:
Charles Spear
 Chief Deputy Auditor of the City of Portland

Calendar No. 2831

ORDINANCE No. 150193

Title

An Ordinance amending Contract No. 18137 with F.J. Frank for geological services for the Groundwater Development Program, Bureau of Water Works, to increase the maximum contract fee by \$25,000.00, waiving of Chapter 5.68 of the City Code, Professional Service Contracts, providing for acceptance, authorizing the drawing and delivery of warrants, and declaring an emergency.

AUG 6 1980

CONTINUED TO AUG 7 1980

JUL 31 1980

Filed _____

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon Bell*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
COMMISSIONER IVANCIE

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities <i>FJ Frank</i>
Works

BUREAU APPROVAL
Bureau: WATER WORKS
Prepared By: R.E. Rector:jb Date: July 29, 1980
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>Carl Goebel</i> Carl Goebel, Administrator

CALENDAR
Consent -- Regular YES

NOTED BY
City Attorney
City Auditor
City Engineer