

RECEIVED
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 ACCEPTANCE
 GEORGE YERKOVICH, AUDITOR
 CITY OF PORTLAND, ORE.
 BY [Signature] Portland, Oregon, May 28 1931

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. 151611, passed by the Council May 27, 1931, amending Contract No. 18443 with David L. Cole for professional services for the Groundwater Development Program, Bureau of Water Works, to increase the maximum contract fee by \$12,000.00 and to increase the salary and mileage rates, 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,

David L. Cole

David L. Cole

[CORPORATE
 SEAL]

2853 NE 77th Place, Portland, OR 97213

Address

APPROVED AS TO FORM
 Approved as to form.

Christopher P. Thomas

CITY ATTORNEY
 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.

ORDINANCE NO. 151611

An Ordinance amending Contract No. 18443 with David L. Cole for professional services for the Groundwater Development Program, Bureau of Water Works, to increase the maximum contract fee by \$12,000.00 and to increase the salary and mileage rates, 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. 18443 with David L. Cole to provide consulting services to monitor the construction of Phase I of the production wells for the Groundwater Development Program, Bureau of Water Works.
2. The contract was previously increased by \$15,000.00 on October 16, 1980, Ordinance No. 150591, to provide funds for the continuation of the necessary consulting services for the completion of Phase I and Phase II of the production well drilling. However, the completion of Phase I was significantly delayed by changes required in the last well drilled during this phase and by two long-term pump tests. The majority of the contract funds provided by Ordinance No. 150591 were expended inspecting the remaining work under Phase I, and additional funds are necessary to provide these necessary services for Phase II of this project.
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. The selection of David L. Cole 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.
4. A fee increase has been negotiated between the Bureau of Water Works and David L. Cole as provided for in Contract No. 18443.
5. These additional services and the fee increase will necessitate that the maximum contract fee be increased by \$12,000.00 from \$23,000.00 to \$35,000.00.

ORDINANCE NO.

6. 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.
7. 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. 18443 is amended as follows:

- (1) Increase the direct salary rate from \$8.50 to \$10.00 per hour beginning June 1, 1981. Initiate a direct salary rate of \$12.50 per hour for time worked over 40 hours per week.
- (2) Increase the mileage rate from \$0.22 to \$0.24 per mile beginning June 1, 1981.
- (3) The consultant agrees that the hourly salary rate and mileage for Groundwater Project work are to be charged from the time the consultant arrives at the Groundwater Project office to the time the consultant leaves the Groundwater Project office. Overtime shall be charged only with the prior approval of the Water Bureau.
- (4) Establish the date of November 1, 1981, for renegotiation of fees at the option of either party.
- (5) The total contract fee as stated in paragraph 2 of Article 2 is increased by \$12,000.00 from \$23,000.00 to \$35,000.00.
- (6) Consultant or Contractor agrees to sign a joint declaration with the City that the services are rendered as those of an independent contractor.

- 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 David L. Cole is filed with the City Auditor.

ORDINANCE No.

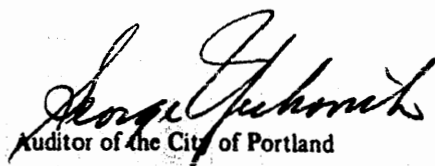
- d. The Mayor and the Auditor are hereby authorized to draw and deliver warrants chargeable to the 1980-81 Budget, Water Fund, BUC 18600374, Project 3700, Object Code 210, when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because a delay in amending the contract will unnecessarily deprive the City of the benefits that would be derived from the services provided by the contract; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council, **MAY 27 1981**

Mayor Ivancie
W.F.Hoffstetter:ij
May 20, 1981
BUC 18600374
Project 3700
Object Code 210

Attest:


Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	—	
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Calendar No. 1633

ORDINANCE No. 151611

Title

An Ordinance amending Contract No. 18443 with David L. Cole for professional services for the Groundwater Development Program, Bureau of Water Works, to increase the maximum contract fee by \$12,000.00 and to increase the salary and mileage rates, 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.

Filed MAY 21 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon Crowell*
Deputy

INTRODUCED BY	
MAYOR IVANCIE	
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration FJI/MK	
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau: WATER WORKS	
Prepared By: R.F.W.	Date: May 20, 1981
Budget Impact Review:	
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required	
Bureau Head: Carl Goebel, Administrator	
CALENDAR	
Consent <input checked="" type="checkbox"/>	Regular <input type="checkbox"/>
NOTED BY	
City Attorney	
City Auditor	
City Engineer	