

Coyl B. Shuman
174068

EXHIBIT 1

**AMENDMENT NO. 1
CONTRACT NO. 32638**

This amends Contract No. 32638 between the City of Portland, Oregon (City) and Interwest Construction, Inc. (Contractor).

RECITALS:

1. The City entered into Contract No. 32638 on October 13, 1999 with Interwest Construction, Inc. to provide construction services for site improvements for a Water Bureau Emergency Operations Facility.
2. Additional construction services associated with erection of the Emergency Operations Facility are needed and can be performed by Interwest Construction, Inc.
3. The Water Bureau recommends and desires to proceed with this work by amendment of the Contract.

NOW, THEREFORE, in consideration of the above recitals and mutual promises set forth above, the parties continue to agree to all conditions of the Contract, except that the original agreement is amended as follows:

MODIFICATIONS TO AGREEMENT:

1. Contractor shall provide additional services to the City according to the scope of work, and for the fees all as specified in the attached letter submittal entitled "Request for Contract Change Order No. 2, Water Bureau Emergency Operations Facility, City Contract No. 32368" dated December 17, 1999
2. The City shall pay the Contractor on a time and material basis in accordance with the Contractor's rate schedule and the Sub-contractor's rate schedule, as specified in the original Contract.
3. Total payments for the Contractor for all additional work authorized by this amendment shall not exceed \$59,231 unless specifically authorized by Change Order or through another amendment of this Agreement. All work will be charged to the Water Bureau Capital Improvements Program Fund, Bureau of Water Works, FY 1999-00 Budget, as amended by the Fall BuMP, Center Code 18089924, Project 3230.

4. The City Project Manager for a work associated with this Contract shall be William M. Elliott, P.E. Any notice, provided under this Agreement, shall be made to William M. Elliott (for City) and James Confer, Sr. (for Contractor).

5. All other terms and conditions for Contract No. 32368 remain the same.

CONTRACTOR: Interwest Construction, Inc.

BY: *James Confer, Sr.*
James Confer, Sr.

TITLE: President

DATE: 12/17/99

Business License No. 5528

Tax I.D. No. 92-1070245

Contractor's Construction Board No. 78519

CITY: CITY OF PORTLAND, OREGON

BY: _____
Erik Sten

TITLE: Commissioner of Public Works

DATE: _____

BY: _____
Gary Blackmer

TITLE: Auditor of the City of Portland

DATE: _____

APPROVED AS TO FORM

Jeffrey L. Rogers

CITY ATTORNEY

12-21-99

Extra Work			
1	Foundry Wall temporary bracing and construct fire wall	ls	\$31,900
2	Grounding, exterior system with test	ls	\$8,960
3	PSI special inspections	ls	\$1,725
4	Cable port entries for antenna system	ls	\$423
5	Post and Beam Framing For Modular Building	ls	\$7,530
6	Canopys and Crawl Space Cover For Modular Building	ls	\$815
7	Security Conduit for Gate Operator and Monitors	ls	\$338
8	Added flatwork at Tillamook Street	ls	\$3,500
9	Parking lot bumpers	ls	\$1,210
10	Drain System South of Building	ls	\$2,150
11	Gutters & downspouts on Modular Bldg	ls	\$680

INTERWEST CONSTRUCTION, INC
CHANGE ORDER #2 12/17/99

59231 ✓
59,231.00

174068

ORDINANCE No. 174068

*Amend contract with Interwest Construction, Inc. to provide additional construction services associated with construction of the Water Bureau Emergency Operations Facility. (Ordinance; amend Contract No. 32638)

The City of Portland ordains:

Section 1. The Council finds:

1. The Water Bureau is constructing an Emergency Operation Facility on Water Bureau property at 642 N. Tillamook adjacent to an existing building that the Bureau does not own.
2. Temporary bracing and a one hour firewall are needed to separate the new building from the existing structures to satisfy fire and life safety issues.
3. The additional services can be provided by the Contractor, Interwest Construction, Inc.
4. The total amount of funds to be authorized herein for this amendment is \$59,231.
5. Funds are available within the Water Capital Improvements Program Fund, Bureau of Water Works, 1999-00 Budget, Center Code 18089924, Project 3230 and were requested by the Bureau of Water Works in the Fall BuMP.
6. This Amendment has been recommended by the Water Bureau Administrator and approved by the Commissioner of Public Works.

NOW, THEREFORE, The Council directs:

- a. That the Commissioner of Public Works and Auditor are authorized to execute on behalf of the City an amendment to Contract No. 32638 with Interwest Constuction, Incorporated., as stated in Exhibit 1 (attached to original only).
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks payable to Interwest Constuction, Inc., for services rendered, in accordance with the amendment agreement referenced herein, when demand is presented and approved by the proper authority.

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Section 2. The Council declares that an emergency exists because a delay in proceeding with the construction work will result in delay of the project and increased project cost for the Bureau and City; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council,

JAN 12 2000

Commissioner Sten
WME:tr ORD:9912E532
CENTER 18089924

GARY BLACKMER
Auditor of the City of Portland
By

Britta Olson Deputy

Agenda No.

ORDINANCE NO. 174068

Title

* Amend contract with Interwest Construction, Inc. to provide additional construction services associated with construction of the Water Bureau Emergency Operations Facility. (Ordinance; amend Contract No. 32638)

INTRODUCED BY	DATE FILED: JAN 07 2000
Commissioner Sten	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	By: <u>Gay Kershner</u> Deputy For Meeting of: _____ ACTION TAKEN: _____
Affairs	
Finance and Administration	
Safety	
Utilities	
Works Commissioner Sten <i>[Signature]</i>	
BUREAU APPROVAL	
Bureau: Water Works	
Prepared by <u>William M. Elliott, P.E.</u> Date <u>December 22, 1999</u>	
Budget Impact Review: <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not Required	
Bureau Head: <i>[Signature]</i> Michael F. Rosenberger, Administrator	

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/>			
NOTED BY	Francesconi	Francesconi	}
City Attorney	Hales	Hales	
City Auditor	Saltzman	Saltzman	
City Engineer	Sten	Sten	
	Katz	Katz	