

ORDINANCE No. 183599

*Amend contract with Stacy and Witbeck, Inc. for construction of rail maintenance facility improvements related to the Portland Streetcar Loop Project (Ordinance; amend Contract No. 30000609)

The City of Portland ordains:

Section 1. The Council finds:

1. On June 10, 2009, the City Council passed Ordinance No. 182893, which established that the Portland Streetcar Loop Project (Loop Project) civil construction would be carried out under four (4) construction packages: Water Main Relocation Work (Phase One); Rail Procurement (Phase Two); Sewer Relocation Work (Phase Three) and Rail, Electrical and Civil Work (Phase Four). The Federal Transit Administration has granted the City pre-award authority with no prejudice for utility relocation and rail procurement, as well as for associated project management and design services.
2. Ordinance No. 182893 also authorized Contract No. 30000609 with Stacy and Witbeck, Inc. (SWI) for advanced utility water main work for the Loop Project.
3. On July 8, 2009, Council passed Ordinance No. 182998 authorizing Amendment No. 1 to the SWI contract for advanced procurement of rail and special trackwork for the Loop Project.
4. On September 2, 2009, Council passed Ordinance No. 183153 authorizing Amendment No. 2. to the SWI contract for advanced construction of sewer system improvements for the Loop Project.
5. On October 28, 2009, Council passed Ordinance No. 183282 authorizing Amendment No. 3 to the SWI contract for construction of rail, roadway, traffic signal, overhead electrical, landscape and structural improvements necessary for the Loop Project.
6. On March 3, 2010, Council is expected to pass an Ordinance authorizing Amendment No. 4 to the SWI contract for construction of sewer system improvements as requested by the Bureau of Environmental Services (BES) related to the Loop Project; and that they be considered "betterments" for which BES will provide funding to the Loop Project.
7. In September 2009, the City issue plans for the Portland Streetcar Loop Maintenance Facility Expansion followed by two Addenda and a series of Requests for Information (RFIs).
8. The cost proposal for the Maintenance Facility Expansion from SWI is \$3,170,547.00 based on unit costs and quantities.

9. It is anticipated that \$1,493,958 of the total costs of this amendment, or 47%, will be performed by Disadvantaged Business Enterprises (DBE).

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are hereby authorized to enter into an amendment to the Construction Services Contract with Stacy and Witbeck, Inc. (Contract No. 30000609) for construction of rail maintenance facility improvements, substantially in accordance with the Amendment attached to the original of this Ordinance as Exhibit A, and, by reference, made a part hereof.
- b. The Mayor and City Auditor are hereby authorized to draw and deliver checks payable to Stacy and Witbeck, Inc., chargeable to the Transportation Operating Fund, Fund 200000, Business Area TR00.

Section 2. The Council declares an emergency exists because the integrity of the Loop Project budget and schedule is dependent on the timely construction of work called for in this Amendment; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

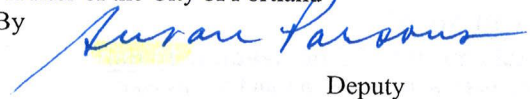
Passed by the Council, MAR 10 2010

Mayor Sam Adams
Prepared by: Vicky Diede:slg
Date Prepared: February 22, 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

Agenda No. **ORDINANCE NO. 183599**
Title

contract

*Amend Agreement with Stacy and Witbeck, Inc. for construction of rail maintenance facility improvements related to the Portland Streetcar Loop Project (Ordinance; amend Contract No. 30000609)

<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>S. Williams</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL</p> <p>Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>Michelle Greg Jones</i></p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date March 10, 2010</p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>MAR 05 2010</u></p> <p><i>on behalf of Mayor Adams</i> LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 10 min (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman ✓	
4. Leonard	4. Leonard _____	
Adams	Adams ✓	