

MATTERS TO BE CONSIDERED BY THE COUNCIL AT THE MEETING
TO BE HELD WEDNESDAY, August 4, 2010 AT 9:30 A.M.

FOUR-FIFTHS AGENDA

Commissioner Dan Saltzman

Bureau of Environmental Services

Agenda No.

Title

- *1121-1 Amend contract with Brown and Caldwell for additional work and compensation for the Fanno Basin Pump Station Project No. E08294 (Ordinance; amend Contract No. 37106) 10 minutes requested

FINANCIAL IMPACT STATEMENT
For Council Action Items
(Use this form for Ordinances and Resolutions)
(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Scott Gibson	2. Telephone Number 503-823-7615	3. Bureau/Office/Dept. Environmental Services
4a. To be filed (date) August 4, 2010	4b. Calendar (Check One) Regular Consent 4/5ths [X] [] []	5. Date Submitted to FPD Budget Analyst:

1) Legislation Title:

*Amend contract with Brown and Caldwell for additional work and compensation for the Fanno Basin Pump Station Project No. E08294 (Ordinance, Amend Contract No. 37106)

2) Purpose of the Proposed Legislation:

To authorize the Commissioner of Public Affairs and Auditor to execute amendment 6 to Contract 37106 with Brown and Caldwell for the purpose described in Section 1 of the proposed Ordinance, in the amount of \$725,727.

3) Revenue:

Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If new revenue is generated identify the source.

No.

4) Expense:

What are the costs to the City as a result of this legislation? Include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract include the local contribution or match required.

The estimated cost of this contract amendment is \$725,727. Funds are available in the Sewer System Operating Fund, FY 2010 Budget, Bureau of Environmental Services, Projects E08294, E09050, E09051, E09052, and E09168. The level of confidence in the negotiated cost for the proposed amendment 6 to contract No. 37106 with Brown and Caldwell is high.

5) Staffing Requirements:

a) Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? If new positions are created include whether they will be part-time, full-time, limited term or permanent positions. If the position is limited term, indicate the end of the term.


No.

b) Will positions be created or eliminated in future years as a result of this legislation?

No.

6) Change in Appropriations: Budget changes for the current year must go through the BMP Process. This section may only be use with prior permission of your OMF analyst for exceptions. Reflect the dollar amount to be appropriated by this legislation. Include the appropriate center codes and accounts to be used by Central Accounting. Indicate "new" in Center Code column if new center needs to be created. Use additional space if needed.

Fund	Center Code	Account	Amount	Project Fund	Project No.
OMF USE ONLY					


 Dean Marriott, Director, Bureau of Environmental Services
 APPROPRIATION UNIT HEAD (Typed name and signature)



CITY OF PORTLAND
ENVIRONMENTAL SERVICES

184039



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Dan Saltzman, Commissioner ■ Dean Marriott, Director

City Council
 Agenda Item
 Staff Supplemental Report

TO: Commissioner Dan Saltzman
 THROUGH: Matt Grumm or Amy Trieu

FROM: Scott Gibson, Principal Engineer BES Design Service Division *Scott*
CG

DATE: July 6, 2010

RE: Authorization to amend contract No. 37106 with Brown and Caldwell for additional work and compensation for the Fanno Basin System Improvement Projects No. E08294, E09050, E09051, E09052, and E09168 (Ordinance, Amend Contract No. 37106)

Requested Council Hearing Date: *August 4*, 2010

I. RECOMMENDATION

Amend contract No. 37106 with Brown and Caldwell for additional work and compensation for the Fanno Basin System Improvement Projects No. E08294, E09050, E09051, E09052, and E09168 (Ordinance, Amend Contract No. 37106)

II. BACKGROUND

The Fanno Basin (FABA) pump station located at 6895 SW 86th Ave. was commissioned in May 2000, and replaced five older wastewater pump stations in the Fanno Basin. The FABA pump station receives flow from the Fanno Interceptor sewer and conveys the wastewater through an approximately 16,700-foot long, nominal 30-inch diameter pressure line to a discharge structure located as SW 31st Ave. & SW Multnomah Blvd. where the flow enters the City of Portland's sewer system to be delivered to the Columbia Boulevard Wastewater Treatment Plant (CBWTP).

Detailed flow studies and basin modeling have been conducted recently by the BES Systems Analysis section. These studies have concluded that the firm pumping capacity of the FABA pump station needs to be expanded from the current 24-cubic feet per second (cfs) up to approximately 40-45-cfs.

BES has established a Primary Project E09045 FANNO BASIN SYSTEM IMPROVEMENTS to manage and track the various secondary projects that are needed to address known deficiencies in the FABA pump station and pressure line system. B&C is the Engineer of Record for five of the secondary projects under Contract No. 37106:

- Project E08294 FABA Pump Station Force Main, Multnomah Section: The Multnomah section of the Fanno Basin pump station pressure main experienced a point failure on October 4, 2005 that occurred near the

intersection of SW 69th and Railroad Ave. Engineering investigations and hydraulic modeling of the pressure main system have concluded that the wall thickness of the existing pipe cannot withstand the reoccurring operating surge pressures over the intended 50-year service life of the facility, and project E08294 is currently in construction to replace the existing single pressure line with twin 30-inch ductile iron pressure lines in order to provide the needed additional 16-21-cfs flow capacity and to achieve a minimum 50-year service life for the force main.

- Project E09115 FABA Pump Station Force Main, Garden Home Section: The Garden Home section of the pressure main has experience multiple leaks related to joint failures, and project E09115 is currently in construction to replace the existing single pressure line with twin 30-inch welded steel pressure lines. (CH2M Hill is the Engineer of Record for this project)
- Project E09050 FABA Surge Tank Facility will provide long term reliability and protect the planned parallel pressure lines, valves and pumping equipment from damage due to pressure transient conditions in the force main system during normal operations, and during power failure events.
- Project E09051 FABA Pump Station Expansion will add an additional 16-21-cfs pumping capacity at the FABA pump station that flow monitoring and system modeling demonstrate is needed to capture and convey peak influent flows at the FABA pump station during a 5-year storm event in the Fanno Basin system.
- Project E09052 Burlingame Trunk Sewer Improvements will provide additional flow capacity in the existing Burlingame trunk sewer that receives flow from the FABA pump station force main system. A portion of the 30-inch Burlingame trunk sewer system in SW Multnomah Blvd will be replaced with 48-inch pipe, and an additional reach will be lined with a cast in place pipe (CIPP) liner system to the east side of I-5 to adequately convey the projected peak flows.
- Project E09168 Multnomah Stormwater Improvements is required to design and build or improve twelve storm water management facilities along the alignment of the Multnomah Section of the FABA pressure line.

The purpose of this contract amendment is to authorize additional work and compensation as follows:

E08294 FABA PS FM: Multnomah

- Task 1.0 B&C will continue to manage and direct the consultant team as required through construction and project closeout.
- Task 4.0 Continue to provide public outreach and coordination services for the Fanno Basin System Improvements projects.
- Task 5.0 Conduct field measurements for ambient noise conditions, and prepare a technical memorandum to define design criteria for noise mitigation measures, and assist with obtaining a noise variance from the City of Portland Noise Review Board for night construction work.

- Task 7.0 Provide professional services for the design of the needed relocation of approximately 2,200 feet of existing water main pipelines to meet OAR separation requirements.
- Task 8.0 Provide professional services to prepare record drawings based on markups prepared by the construction contract, and provided by the Owner's Representative.

E09050 FABA Surge Tanks

- Task 1.0 Continue to manage and direct the consultant team as required through the Washington County Type III LU review process, and the identification and evaluation of alternative projects.
- Task 2.0 Provide professional services for constructability review efforts, and coordination with the BES construction services division to complete the QA/QC task for the project.
- Task 9.0 Provide professional services to complete the final design of the proposed surge tank facility in parallel with the LU review process due to schedule constraints, and to incorporate temporary bypass pumping, electrical design coordination with all other facilities proposed for the same site, incorporate the final design of all underground construction that was originally planned to be part of project E09051 the FABA PS Expansion project, incorporate acoustical design measure for noise control, and adjust the final grading and drainage design to address Washington County flood plain requirements.
- Tasks 10.0-12.0 Budget amounts for services during bidding (Task 10.0), services during construction (Task 11.0), and project closeout assistance (Task 12.0) are being redirected due to the need to re-evaluate the design of the surge tank facility and the pump station expansion project after the LU application was denied by Washington County.

E09051 FABA Pump Station Expansion

- Task 1.0 Continue to manage and direct the consultant team as required to cover additional flood plain restoration design efforts needed to support the Washington County Type III LU application, and additional professional services needed to identify and evaluate project alternatives needed to obtain LU approval and permits for construction.
- Task 7.0 Prepare a biological assessment to meet the requirements of the Oregon Department of Fish and Wildlife, the Oregon Department of State Lands, and the US Army Corps of Engineers. Provide professional services needed to develop construction drawings, technical specifications, and construction cost estimates for a new culvert at the entrance to the FABA PS.

- Task 8.0 Provide legal services to prosecute an appeal of the Washington County LU decision to the State of Oregon Land Use Board of Appeals (LUBA).
- Task 13.0 Provide professional services to identify and evaluate alternative projects, and project approaches to provide the needed additional pumping capacity at the FAB A PS.

E09052 Burlingame Trunk Sewer Improvements

- Task 1.0 Continue to manage and direct the consultant team as required incorporating BES design modifications that extended the length of the open cut sewer replacement segment of the project, additional coordination with Portland Water Bureau and PGE facilities, and the extended schedule for the project.
- Task 10.0 Revise the project design to replace sections of the existing sewer that were originally planned to be lined with CIPP, assist BES with additional coordination with PWB and PGE facilities in the project area, and prepare detailed landscape drawings for tree protection purposes.
- Task 11.0 Prepare conformed drawings and specifications following the bid opening to incorporate changes made by addendum during the bid phase.
- Task 13.0 Prepare record drawings following the completion of construction based on as-built markups prepared by the construction contractor and provided by the Owner's Representative.

E09168 Multnomah Stormwater Improvements

- Task 2.0 Provide continued professional services as needed to complete the final design of the stormwater improvements incorporating site relocations, and re-design efforts to accommodate changes requested by the Portland Bureau of Transportation (PBOT), incorporate hazardous waste management in the special provisions, and to support extensive public involvement efforts.
- Task 3.0 Continue to manage and direct the consultant team as required incorporating design changes, and site relocations requested after BES and PBOT review, and coordinate with the BES public involvement specialist to support additional public outreach.
- Task 4.0 Provide professional services during bidding to prepare addenda, respond to bidder's requests for information and clarification, and prepare conformed drawings and specifications incorporating changes to the contract documents made by addendum.
- Task 5.0 Provide professional services during construction to review submittals, respond to contractor requests for information and clarification as requested by the Owner's Representative, review proposed construction change orders and prepare design modification sketches as requested by the Owner's Representative, and perform periodic site visits during construction.

Task 6.0 Prepare record drawings following the completion of construction based on as-built markups prepared by the construction contractor and provided by the Owner's Representative.

III. FINANCIAL IMPACT

The estimated cost of this contract amendment is \$725,727. Funds are available in the Sewer System Operating Fund, FY 2010 Budget, Bureau of Environmental Services, Projects E08294, E09050, E09051, E09052, and E09168. The level of confidence in the negotiated cost for the proposed amendment 6 to contract No. 37106 with Brown and Caldwell is high

IV. LEGAL ISSUES

There is ongoing litigation initiated by the City Attorney's office with Kerr Contractors the contractor that installed the Garden Home Section of the Fanno pressure line.

Christe White, PC has been added to the project consultant team to provide legal assistance and direction related to the preparation of a Land Use Review application, and to support BES during Washington County's review of the application. A decision was issued by the Washington Co. hearings officer in the case denying the LU application, and Ms. White will be representing BES in the appeal to LUBA.

V. CONTROVERSIAL ISSUES

There is organized neighborhood opposition to the planned FABA pump station expansion projects, and Washington Co. has received more than 20 letters from property owners in the neighborhood regarding the planned projects. Extensive public outreach efforts have been expended to communication with the various neighborhood and business associations, and the local citizens regarding the need to undertake these projects.

VI. LINK TO CURRENT CITY POLICIES

The project is consistent with BES strategic planning and the BES CIP process. Construction will be performed in accordance with the City of Portland Standard Construction Specifications.

VII. CITIZEN PARTICIPATION

Public outreach for this project has been conducted by the BES Director's Office. Several information flyers have been distributed to the community, and the project manager and public information office have been, and continue to attend neighborhood association meetings to brief the public on the project status and respond to questions. During several neighborhood association meetings throughout 2009 citizens were advised of the pending application for a noise variance and were provided with the contact information that would allow individuals or groups to provide comment to the City's Noise Board.

There was also significant citizen participation during the LU hearing held in Washington County on May 3, 2010. The people who live in the neighborhood testified in opposition to the proposed projects.

VIII. OTHER GOVERNMENT PARTICIPATION

No other government agencies are involved with the proposed contract amendment.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

This action will support 4 high paying jobs in engineering, architecture and associated industries.

IF THIS ACTION IS CONTRACT-RELATED, PROVIDE INFORMATION ON M/W/ESB PARTICIPATION (NUMBER AND PERCENTAGE)

M/W/ESB participation after the authorization of this contract amendment will be \$ 1,194,295, 32.6% of the total amended contract amount of \$3,665,250.

X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? Yes

WHAT IS THEIR BUSINESS LICENSE NUMBER? 373682

IS THEIR ACCOUNT WITH THE CITY CURRENT? Yes

IF NOT, HOW MUCH IS OWING? N/A