

AMENDMENT NO. 5

CONTRACT NO. C36324

FOR

CERCLA Technical Assistance

Pursuant to Ordinance No. _____

This Contract was made and entered by and between GSI Water Solutions, hereinafter called Contractor, and the City of Portland, a municipal corporation of the State of Oregon, by and through its duly authorized representatives, hereinafter called City.

1. This contract is hereby extended through October 25, 2011. The contract term may be extended for up to four additional one-year periods upon mutual agreement of the parties and by written amendment.
2. The City continues to require professional services for the Superfund sediment investigation as the schedule and workload need to meet project milestones over the next few years such as developing and reviewing the Remedial Investigation Report, the Feasibility Study, and the Record of decision. Services are also needed to support the City liability management efforts. Additional compensation is necessary for the work anticipated through October 25, 2011, and shall not exceed \$915,000.
3. The contract amount of \$2,946,000 is increased by \$915,000, for a new not-to-exceed total contract amount of \$3,861,000.
4. Adjustment of Hourly Rates. Annual adjustment of hourly rates will be considered upon written request from Contractor. Approval of a request for rate increases is solely within the City's discretion and under no circumstances is the City obligated to approve such a request.

Rate increases are subject to the following limitations:

- No more than one increase shall be granted per contract year;
- Rate increases may not exceed the then-current average inflation rate for the Portland Metropolitan Area (as determined from the US Department of Labor statistics and certified by the City of Portland Auditor);
- Rate increases shall not be retroactive.

Other than the impact of inflation as described above, hourly rates may not be increased.

All other terms and conditions shall remain unchanged and in full force and effect.

CONTRACTOR SIGNATURE:

This contract amendment may be signed in two (2) or more counterparts, each of which shall be deemed an original, and which, when taken together, shall constitute one and the same contract amendment.

The parties agree the City and Contractor may conduct this transaction by electronic means, including the use of electronic signatures.

GSI Water Solutions

By: _____ Date: _____

Name: _____

Title: _____

Contract No. 36324

Amendment/Change Order No. 5

184155

Contract Title: CERCLA Technical Assistance

CITY OF PORTLAND SIGNATURES:

By: _____
Chief Procurement Officer

Date: _____

By: _____
Elected Official

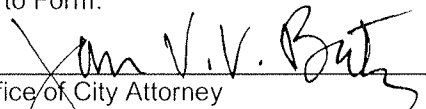
Date: _____

Approved:

By: _____
Office of City Auditor

Date: _____

Approved as to Form:

By: 
Office of City Attorney

Date: 9.22.10