

ORDINANCE No. 184325

* Amend contract with 3 Kings Environmental, Inc. by an additional \$511,431 for additional construction services for the Stanton Yard Fuel Facility project (Ordinance; amend Contract No. 30001449)

The City of Portland ordains:

Section 1. The Council finds:

1. In May of 2010, the Office of Management and Finance/Facilities Services solicited bids through a formal Invitation for Bids to provide construction services for the Stanton Yard Fuel Facility project. A contract in the amount of \$260,433.00 was awarded to 3 Kings Environmental, Inc. who was the lowest, responsive, responsible bidder.
2. Change order no. 1, dated September 14, 2010 increased the contract amount \$26,970 to include the following construction services:
 - Irrigation and landscape work on the east parking lot required for construction permit to resolve non-conforming use issue for the Stanton Yard Fuel Facility project.
3. Change order no. 2, dated October 8, 2010 increased the contract amount \$204,497.38 to include the following construction services:
 - Obtain Fire Marshall Permit;
 - Remove poured concrete slab underneath storage tanks;
 - Remove contaminated soil and haul to landfill.
4. Additional services as shown in attached Attachment 1 are necessary to allow for the following additional services:
 - Remove and dispose of existing overhead fuel station canopy;
 - Install 10 canopy lights, conduit, and wiring in new canopy;
 - Soil testing lab analysis reports;
 - Remove oil water separator and dispose;
 - Shoring for extended time to remove contaminated soil;
 - Remove contaminated soil in phase 2 of site remediation;
 - Additional landscaping in east parking lot required for canopy permit;
 - Install vapor extraction piping between tanks for future leak recovery;
 - Gravel infill required for contaminated soil excavations;
 - Credit for deletion of shed roof, canopy refurbishment, waste oil tank.
5. The fee for the additional services listed in paragraph no. 4 above is \$511,431.08 and is included in the budget for the Stanton Yard Fuel Facility project. In addition, the City of Portland and the Contractor wish to extend the substantial completion date of Contract No. 30001449 for an additional thirty-four (34) calendar days or until December 21, 2010.

6. The Office of Management and Finance/Facilities Services recommends that Contract No. 30001449 with 3 Kings Environmental, Inc. be amended, Attachment 1, to increase the contract by \$511,431.08 and extend substantial completion date for an additional thirty-four (34) calendar days or until December 21, 2010 to provide additional construction services for the Stanton Yard Fuel Facility project. The new total Contract amount will not exceed \$1,003,331.40.

NOW THEREFORE, the Council directs:

- a. The Mayor and Auditor are hereby authorized to amend Contract No. 30001449 to increase the contract amount by \$511,431.08 for a total contract amount of \$1,003,331.40 and extend substantial completion date for an additional thirty-four (34) calendar days or until December 21, 2010 for additional construction services for the Stanton Yard Fuel Facility project.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the fiscal year 2010-2011 Fleet Services budget when demand is presented and approved by the proper authorities.

SECTION 2. The Council declares that an emergency exists in order to avoid additional expenses and a delay in the completion of this project; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: DEC 15 2010

Commissioner: Mayor Sam Adams
Prepared by: Rich Attridge:dseaton
Date Prepared: December 1, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By *Erin Matasan*
Deputy

Agenda No.
ORDINANCE NO. 184325
 Title

* Amend contract with 3 Kings Environmental, Inc. to increase contract amount by an additional \$511,431.08 to provide additional construction services for the Stanton Yard Fuel Facility project. (Ordinance; amend Contract No. 30001449)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Adams</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: Internal Business Services Bureau Head: Jeff Baer, Director</p> <p>Prepared by: Rich Attridge: dseaton Date Prepared: December 1, 2010</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 December 15, 2010</p> <p>City Attorney Approval</p>	<p style="text-align: right;">DEC 10 2010</p> <p>CLERK USE: DATE FILED _____</p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: _____ 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: 5 minutes (for presentation, testimony and discussion)</p>

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