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ORDINANCE NO. 184687

Amend contract with Moore Excavation, Inc. to increase compensation and scope of work for Walker Creek Culvert Replacement (Ordinance; amend Contract No. 30001196)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland Water Bureau entered into Contract No. 3001196 with Moore Excavation, Inc. to replace the existing Walker Creek Culvert with a fish friendly culvert that meets the standards of the Oregon Department of Fish and Wildlife (ODFW) and the National Marine Fisheries Services (NMFS). This culvert improvement project fulfilled one of the 49 habitat conservation measures listed in the Bull Run Water Supply Habitat Conservation Plan (HCP).
2. Due to a delay in obtaining the erosion control permit the contractor was unable to mobilize to site and start work; this resulted in the contractor changing their original sequencing and scope. In addition, unknown concrete anchor blocks were found under conduits 2 and 4, which were in direct conflict with the proposed culvert. These issues resulted in the contractor utilizing additional shoring to insure a safe anchor block removal and accelerating the work to finish within the in-water work permit.
3. The contract will be amended to increase funding by \$272,512.68. The new total contract will be \$1,267,350.00. Funding for the change was made available in the FY 2010-11 Spring BuMP.

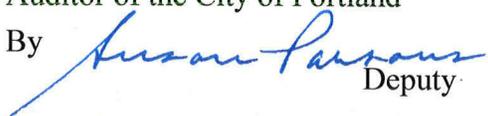
NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and Auditor are authorized to execute on behalf of the City a change order to Contract No. 30001196 with Moore Excavation, Inc. as outlined in a form substantially in accordance with the contract document attached as Exhibit A, at a cost not to exceed \$272,512.68.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities.

Passed by the Council, JUN 22 2011

Commissioner Leonard
Tom Leavitt
May 26, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By  Deputy

Agenda No. **ORDINANCE NO. 184687**
Title

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INTRODUCED BY Commissioner/Auditor: Commissioner Leonard	CLERK USE: DATE FILED <u>JUN 10 2011</u>
COMMISSIONER APPROVAL	LaVonne Griffin-Valade Auditor of the City of Portland
Mayor—Finance and Administration - Adams	By: <u><i>[Signature]</i></u> Deputy
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard <i>[Signature]</i>	
BUREAU APPROVAL	ACTION TAKEN: JUN 15 2011 PASSED TO SECOND READING JUN 22 2011 9:30 A.M.
Bureau: Water Bureau Head: David G. Shaff <i>[Signature]</i>	
Prepared by: Tom Leavitt Date Prepared: May 26, 2011	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date June 15, 2011	
City Attorney Approval	

order

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____
Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

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