

## ORDINANCE No. 185016

Amend contract with Emery and Sons Construction, Inc., for additional work and compensation for the Fanno Basin Pump Station Force Main: Garden Home Section Project No. E09115 (Ordinance; amend Contract No. 30001207)

The City of Portland ordains:

Section 1. The Council finds:

1. Emery and Sons Construction, Inc., (Emery) was constructing the Fanno Basin Pump Station Force Main: Garden Home Section project under Contract No. 30001207, with an amended expiration date of February 16, 2011.
2. During the course of construction, many utility conflicts, changed or extra items of work were identified. The largest of these changes were associated Washington County land Use and Permit issues where other agencies (Clean Water Services, City of Beaverton, Washington County, Tualatin Valley Water District) required additional work by Emery beyond City of Portland standards to protect or restore their facilities that were impacted by the Force main installation.
3. The amount of changed and extra work brings the contract value to \$8,400,000, or 132.59% of the original contract. This Amendment authorizes the issuance of Change Orders in the amount of \$480,803.75 to compensate Emery for the amount of the overage that exceeds 25% of the original contract value.
4. The estimated cost is \$480,803.75. Funds are available in the Sewer System Operating Fund, FY 11-12 Budget, Bureau of Environmental Services, WBS Element E09115.

NOW, THEREFORE, the council directs:

- a. The Commissioner of Public Affairs is authorized to execute an amendment to Contract No. 30001207 with Emery and Sons Construction, Inc. for the purpose described in Section 1, in the amount of \$480,803.75.
- b. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

Passed by the Council, NOV 30 2011  
Dan Saltzman  
Commissioner of Public Affairs

Mark Hutchinson  
November 1, 2011

30001207 E09115

**LaVonne Griffin-Valade**  
Auditor of the City of Portland  
By

  
Deputy

Agenda No.  
**ORDINANCE NO. 185016**  
Title

Amend contract with Emery and Sons Construction, Inc., for additional work and compensation for the Fanno Basin Pump Station Force Main: Garden Home Section ~~project~~, Project No. E09115 (Ordinance, Amend Contract No. 30001207)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <i>Saltzman</i></p> <p><b>COMMISSIONER APPROVAL</b></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 <i>Saltzman</i></p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Environmental Services Bureau Head: Dean Marriott <i>Dean Marriott</i></p> <p>Prepared by: Mark Hutchinson Date Prepared: November 1, 2011</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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 <b>November 16, 2011</b></p> <p>City Attorney Approval <i>GF for LM</i></p>	<p>CLERK USE: DATE FILED <u>NOV 10 2011</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p style="text-align: center;">NOV 16 2011 PASSED TO SECOND READING NOV 30 2011 9:30 A.M.</p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (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	✓	