



Randy Leonard, Commissioner
David G. Shaff, Administrator

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REPORT TO COUNCIL

December 15, 2011

Accept contract with Nutter Corporation for the construction of the Powell Butte Reservoir No. 2, Site Development, Phase 1 Project as complete, release retainage, and authorize final payment (Report; Contract No. 30000677)

In July 2009 the City entered into Contract No. 30000677 with Nutter Corporation for Powell Butte Reservoir Site Development. This was Phase 1 of two projects for construction of a new 50MG reservoir at Powell Butte Nature Park, which consisted of site preparation (installation of erosion construction measures including water detention ponds, flow diversion channels and swales, project fencing, road improvement, development of haul routes, clearing and grubbing, and trail relocation) and the preliminary excavation of Reservoir No. 2 (includes grading, stripping and stockpiling of materials).

The contract action was approved via Ordinance No. 182620 passed by City Council on March 25, 2009 and Report to Council dated June 17, 2009 based on an engineer's estimate of \$13,200,000 with an optimal confidence rating. The original contract amount was \$3,707,777; Change Orders No. 1 through 13 added \$899,921.04 to the contract, and the final cost of the contract is \$4,607,698.04. All work on the contract was completed satisfactorily on June 30, 2011. Liquidated damages in the amount of \$5,000 have been assessed for not meeting the 20% requirements in all trades as required per the Workforce Training and Hiring Program Requirements. The final payment to be made is in the amount of \$16,246, for release of retainage minus liquidated damages.

The final cost is 24.3% over the original contract amount for the project. The primary reasons for the cost increase over the original amount was due to change orders that were executed due to land use requirements for work within an environmental zone (Emmert Property – removal of asphalt concrete and non-native plants and restoring the site with native planting; and Vivian Parking Lot – construct a temporary parking lot for park users to accommodate the loss of parking at the existing Powell Butte Nature Parking Lot), erosion control and site maintenance between the Phase 1 to Phase 2 construction periods, and settling a delay/weather condition claim.

The M/W/ESB subcontractor utilization for this project was 85.2%.


David G. Shaff
Administrator

TO THE COUNCIL:

The Commissioner of Public Safety concurs with the above Report to Council, and;

RECOMMENDS

that the Council accept the contract with Nutter Corporation for the construction of the Powell Butte Reservoir No. 2, Site Development, Phase 1 Project as complete and authorize final payment.

Respectfully submitted,

Randy Leonard
Commissioner of Public Safety

Agenda No.
REPORT NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Commissioner Leonard	CLERK USE: DATE FILED <u>DEC 29 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard <i>Paula</i>	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy ACTION TAKEN: JAN 04 2012 ACCEPTED
BUREAU APPROVAL Bureau: Water Bureau Head: David G. Shaff <i>[Signature]</i>	
Prepared by: Michelle Lostra Date Prepared: December 15, 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 January 11, 2012	
City Attorney Approval	

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	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	