

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Tom Leavitt	2. Telephone No. 503-823-7403	3. Bureau/Office/Dept. Water Bureau/Public Safety
4a. To be filed (date): September 22, 2011	4b. Calendar (Check One) <div style="display: flex; justify-content: space-around;"> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/> </div>	5. Date Submitted to Commissioner's office and FPD Budget Analyst: September 22, 2011
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed

1) Legislation Title:

Accept contract with Moore Excavation, Inc. for the construction of the Walker Creek Culvert Replacement project as complete, release retainage, and authorize final payment (Report; Contract No. 30001196)

2) Purpose of the Proposed Legislation:

Accept contract with Moore Excavation, Inc. for the construction of the Walker Creek Culvert Replacement project as complete, release retainage, and authorize final payment.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|--|------------------------------------|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |
| <input type="checkbox"/> Internal City Government Services | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.
No.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the level of confidence.)

The contract action was approved via Ordinance No. 183276 based on an engineer's estimate of \$1,000,000 with a high confidence rating. The original contract amount was \$939,625; Change Orders No. 1 and 2 added \$327,725 to the contract, and the final cost of the contract is \$1,267,350. Change Order No. 2 was approved via Ordinance No. 184687. Funding was made available for the increase in the FY 2010-11 Spring BuMP. The actual cost is 34.9% over the original contract amount for the project. The final payment to be made in the amount of \$10,000 is to pay for final work and release of retainage.

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*
No.
- **Will positions be created or eliminated in future years as a result of this legislation?**
No.

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☐ **YES:** Please proceed to Question #9.

☒ **NO:** Please, explain why below; and proceed to Question #10.

This Report to Council is authorizing final payment for a completed project and does not necessitate public involvement.

The overall project included public involvement via council approval for the following: the original contract action was approved via Ordinance No. 183276 in October of 2009 and Change Order No. 2 was approved via Ordinance No. 184687 in June of 2011.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

c) How did public involvement shape the outcome of this Council item?

d) Who designed and implemented the public involvement related to this Council item?

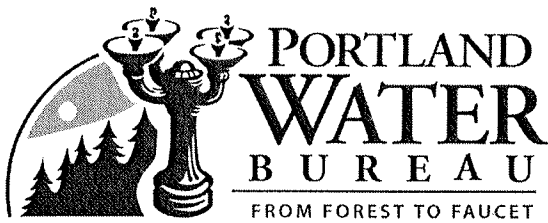
e) Primary contact for more information on this public involvement process (name, title, phone, email):

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

No further public involvement is necessary for the council item as this is the final action for this project.

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David G. Shaff, Administrator



Randy Leonard, Commissioner
David G. Shaff, Administrator

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Information: 503-823-7404
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DATE: September 7, 2011

TO: Commissioner Randy Leonard

FROM: David G. Shaff, Administrator

RE: Accept contract with Moore Excavation, Inc. for the construction of the Walker Creek Culvert Replacement project as complete, release retainage, and authorize final payment (Report; Contract No. 30001196)

1. **INTENDED THURSDAY FILING DATE:** September 22, 2011
2. **REQUESTED COUNCIL AGENDA DATE:** September 28, 2011
3. **CONTACT NAME AND NUMBER:** Tom Leavitt, (503) 823-7403
4. **PLACE ON:** ☒ **CONSENT** ☐ **REGULAR**
5. **BUDGET IMPACT STATEMENT ATTACHED:** ☒ **Y** ☐ **N** ☐ **N/A**
6. **THREE (3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY ATTACHED:** ☐ **Yes** ☐ **No** ☒ **N/A**

7. BACKGROUND/ANALYSIS:

On March 25, 2010, the City entered into Contract No. 30001196 with Moore Excavation, Inc. for the replacement of the existing Walker Creek Culvert with the fish friendly culvert that met 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 forty-nine habitat conservation measures listed in the Bull Run Water Supply Habitat Conservation Plan (HCP). All work on the contract was completed satisfactorily on February 3, 2011.

Change Order No. 1 added funds to the contract for additional potholing, fixing a leak on Conduit 2, bringing the drain of Conduit 4 to the surface, and additional boulder sorting.

Change Order No. 2, approved via Ordinance No. 184687, added funds to the contract for additional costs incurred due to a delay in obtaining the erosion control permit. Due to the delay, 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 ensure a safe anchor block removal and accelerating the work to finish within the in-water work permit requirements.

8. FINANCIAL IMPACT:

The original contract amount was \$939,625; Change Orders No. 1 and 2 added \$327,725 to the contract, and the final cost of the contract is \$1,267,350. The actual cost is 34.9% over the original contract amount for the project. The final payment to be made in the amount of \$10,000 is to pay for final release of retainage.

9. RECOMMENDATION/ACTION REQUESTED:

Accept contract with Moore Excavation, Inc. for the construction of the Walker Creek Culvert Replacement project as complete, release retainage, and authorize final payment.

Funds are available _____

Michael P. Stuhr, P.E., Chief Engineer

David G. Shaff, Administrator