

ORDINANCE No. 185338

*Amend contract with Tri-State Construction, Inc. for landslide mitigation on SW Sam Jackson Park Road to include additional emergency landslide mitigation work on nearby SW Broadway Drive (Ordinance; amend Contract No. 30002144)

The City of Portland ordains:

Section 1. The Council finds:

1. As authorized by Ordinance No. 184109, adopted by City Council on June 29, 2011, Tri-State Construction, Inc. has recently constructed the Emergency Landslide Mitigation Retaining Wall and Roadway works on SW Sam Jackson Park Road under construction Contract No.30002144. The project was constructed on schedule and on budget.
2. A nearby City-owned roadway and retaining wall on SW Broadway Drive had undergone substantial settlement and disturbance in December 2010 and was closed for a number of weeks during February 2011 while the City's Maintenance Operations crews carried out temporary repairs to rebuild the roadway.
3. The expected cost of the required permanent repairs on SW Broadway Drive was in the range of \$250,000 to \$400,000. The Not to Exceed (NTE) amount of the existing contract with Tri-State Construction Inc. was increased to \$1.40 Million to cover both the SW Sam Jackson Park Road and SW Broadway Drive repairs. The additional work at SW Broadway Drive was expected to take up to six weeks to complete.
4. On August 17, 2011, City Council passed Ordinance Number 184822 to amend the contract with Tri-State to allow the work to begin.
5. In September 2011, PBOT began work at the SW Broadway Drive site, completely closing the roadway and partially removing the roadway to excavate over twenty feet down into the hillside to construct a retaining wall.
6. During the course of construction, drivers continued to attempt to drive through the construction site around the excavation. In order to ensure safety, PBOT required additional flagging to direct drivers away from the construction site.
7. In December 2011, PBOT had substantially completed the project.
8. The unanticipated increase in the flagging budget, while able to be funded through existing revenues, requires an increase in the contract amount of \$12,765.00.
9. The Bureau's level of confidence in the cost estimates for this project is high as the project has been completed.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are authorized to amend the contract with Tri-State Construction Inc. in the amount of \$12,765.00.

Section 2. The Council declares that an emergency exists because the contract work has been completed and the bureau wishes to close the contract in this fiscal year; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **MAY 23 2012**

Mayor Sam Adams
Prepared by: David O'Longaigh:akh
Date Prepared: May 1, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland

By *Gayla Jennings*
Deputy

Title

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MAY 18 2012

<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration <i>Sam Adams</i></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: Bureau of Transportation Group Manager: Steve Townsen Engineering & Technical Services Other: <i>ST</i></p> <p>Prepared by: David O'Longaigh Date Prepared: May 1, 2012 <i>DO</i></p> <p>Financial Impact & Public Involvement 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 May 23, 2012</p> <p>City Attorney Approval <i>cl</i></p>	<p>CLERK USE: DATE FILED _____</p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>Susan Parsons</i> 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 checked="" type="checkbox"/></p>
<p>REGULAR <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	✓	
2. Fish	_____	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	