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## AMENDMENT NO.1

CONTRACT NO. 30002704

FOR

Skidmore and Safeway Pump Stations Upgrades

This Contract was made and entered by and between BergerABAM, hereinafter called Contractor, and the City of Portland, a municipal corporation of the State of Oregon, by and through its duly authorized representatives, hereinafter called City.

1. Additional compensation is necessary and shall not exceed \$97,413. The project task budget amounts are adjusted as indicated in the attached Exhibit A – Modification to the Statement of the Work and Payment Schedule. The new not-to-exceed total contract amount is \$442,933.
2. Additional work is necessary as described in the modifications to the Scope of Work as follows:

**SCOPE OF WORK**

Amendments to the contractor's scope of work result from the following additions to the project:

- Permitting. Initial investigations with BES and BDS have determined that additional permitting efforts for the Safeway pump station are required.
- Odor treatment facilities. BES has decided to incorporate odor treatment equipment as standard features at both pump stations with this project.
- Safeway pump station expansion. Recent BES flow modeling efforts concluded that the existing pump station is significantly undersized for projected growth. BES flow modeling identified the potential for a substantial increase in sewer flows resulting from a planned development on Hayden Island.
- Reuse existing generator. BES has requested that the design team evaluate an existing generator for compatibility with the upgrades.
- Supplemental environmental information. BES will collect soil and groundwater samples for environmental analysis during the geotechnical investigations. This will necessitate a modification to the geotechnical investigation procedures.

Additional Items by task are identified below.

**Task 1 – Project Management**

The following additions to the originally authorized scope of work are necessary during the project management phase of the project:

- 1.1. Additional project management will result from the increased scope of work. This will primarily relate to additional QA/QC review and internal team communications.

## **Task 2 – Pre-Design Services**

The following additions to the originally authorized scope of work are necessary during the pre-design phase of the project:

- 2.1. Additional permitting assistance. Based on an initial review of zoning regulations pertaining to the Safeway pump station site it was not anticipated that a land use pre-application would be necessary for this pump station upgrade. However, it is now understood that this will be necessary and a pre-application conference will be held between BES and BDS. The primary purpose of the pre-application conference will be to determine non-conforming site upgrades that could be required by this upgrade. The design team will support BES in this effort by providing technical assistance at the pre-application conference and preparing a technical memorandum outlining the expected permit reviews and key review criteria for the Safeway pump station. The permit specialist will also provide consultation to the design team to ensure that required site upgrades and right-of-way improvements are incorporated into the design at the 30% level of completion.
- 2.2. Safeway pump station sizing. Upgrades to the Safeway pump station were originally intended to be limited to replacing equipment with similar capacity. The Safeway Pump Station Flow Analysis conducted by BES for this facility found that the existing pump station capacity may be insufficient to meet future sewer flows due to a planned 800-unit development that BES was unaware of at the time this original contract was awarded. However, the timing of this development is unknown and could occur beyond the typical 20-year lifespan of the pumping equipment. Projected design flows without this development are within the existing pump station capacity. For these reasons, BES has instructed the design team to size replacement pumping equipment for the lower design flow, yet size new structures (including wetwell and control building) for the higher design flow. Additional pre-design effort will be required to essentially size two pump stations; one for the lower design flow, and one for the higher flow, and integrate them so that the final product is an upgraded facility that is appropriately sized yet has the ability to expand within the limits of the upgraded structures and site footprint.
- 2.3. Odor treatment predesign. The original Statement of Work (SOW) included an evaluation of odor treatment requirements for both facilities and a recommendation for incorporating odor treatment equipment into the upgrades.

It was understood that if odor treatment was deemed necessary then the associated additional engineering efforts would be conducted under a contract amendment. BES has since decided that odor treatment equipment will be included in this project regardless of the anticipated need and has directed the design team to incorporate odor treatment equipment into both pump station upgrades. Additional pre-design tasks associated with this task include an evaluation of the most appropriate odor treatment strategies for each pump station upgrade, and a recommendation for the preferred option at each facility. The evaluation and recommendations will be summarized in the pre-design reports (PDRs) to be prepared under the original SOW.

- 2.4. Evaluate Owner furnished generator. During the project kickoff meeting on 6/27/2012 it was brought to the design team's attention that BES owns a standby generator that they would like to consider installing at either pump station with this project. BES has directed the design team to evaluate the existing generator for compatibility with the pump station upgrades.
- 2.5. Assist BES in obtaining supplemental environmental information. BES will obtain soil and water samples to supplement the findings of the Environmental Records Search with actual field data. BES will schedule this work to coincide with the geotechnical field investigations so that samples can be obtained from geotechnical borings. In order to provide characteristic samples it will be necessary for the team's geotechnical engineer to modify their field investigation procedures. This will include decontaminating equipment between borings, using a geoprobe to obtain uncontaminated water samples, and coordinating the sequencing of the work with BES environmental staff onsite.

### **TASK 3 – Final Design Services**

The following additions to the originally authorized scope of work are necessary during the final design phase of the project:

- 3.1. Odor treatment final design. The preferred odor treatment systems identified in Task 2.3 will be incorporated into the final design of the pump stations improvements. Additional final design documents will include additional mechanical drawings (M sheets) and electrical drawings (E sheets), along with appropriate specification sections. The odor treatment systems will also be shown on the civil and architectural drawings, and estimated construction costs included in the 60%, 90%, and 100% plans, specifications and estimate (P,S,&E) packages.

### **TASK 4 - Bidding Support Services**

The following additions to the originally authorized scope of work are necessary during the bid advertisement phase of the project:

- 4.1. Odor treatment system bidding support. Additional bidding support is anticipated

due to the addition of the odor treatment systems to both pump stations. This is expected to include additional responses to requests for information (RFIs) and requests for clarification (RFCs), and assisting BES in issuing bid addenda.

## **TASK 5 - Services during Construction**

The following additions to the originally authorized scope of work are necessary during the construction phase of the project:

- 5.1. Odor treatment system construction support. Additional construction support will be necessary due to the addition of the odor treatment systems to both pump stations. This is expected to include additional technical submittal review, responding to requests for information (RFIs) and requests for clarification (RFCs), providing support during startup and testing of the odor treatment equipment, and incorporating odor treatment system record drawings based on the construction contractor's field sketches and redlined plans.

### **Deliverables:**

- Safeway pump station permitting technical memorandum
- Odor treatment systems evaluation documented in pre-design reports
- Odor treatment system design documents incorporated into the 60%, 90%, and 100% P,S,&E packages
- Responses to bidder RFIs and RFCs related to the odor treatment system.
- Bid addenda related to the odor treatment system if necessary.
- Responses to construction contractor submittals, RFIs, and RFCs related to the odor treatment system
- Odor treatment system operations and maintenance documentation
- Odor treatment system record drawing

3. The payment schedule is revised as follows:

**Table 1 – Skidmore Pump Station Amendment 1 Contract Amount**

Task	Description	Original Contract	Amendment 1	Revised Contract Amount
1.0	Project Management	\$10,910	\$3,710	\$14,620
2.0	Predesign Services	\$62,849	\$14,134	\$76,983
3.0	Final Design Services	\$77,820	\$15,949	\$93,769
4.0	Bidding Services	\$3,407	\$753	\$4,160
5.0	Services During Construction	\$27,279	\$2,953	\$30,232
TOTAL CONTRACT AMOUNT		\$182,265	\$37,499	\$219,764

**Table 2 – Safeway Pump Station Amendment 1 Contract Amount**

Task	Description	Original Contract	Amendment 1	Revised Contract
1.0	Project Management	\$10,909	\$3,710	\$14,619
2.0	Predesign Services	\$44,633	\$32,118	\$76,751
3.0	Final Design Services	\$80,239	\$20,380	\$100,619
4.0	Bidding Services	\$3,407	\$753	\$4,160
5.0	Services During Construction	\$24,067	\$2,953	\$27,020
<b>TOTAL CONTRACT AMOUNT</b>		<b>\$163,255</b>	<b>\$59,914</b>	<b>\$223,169</b>

**Table 3 – Total Amendment 1 Amount**

Task		Original Contract	Amendment 1	Revised Contract Amount	% Increase
1.0	Project Management	\$21,819	\$7,419	\$29,238	34%
2.0	Predesign Services	\$107,482	\$46,252	\$153,734	43%
3.0	Final Design Services	\$158,059	\$36,328	\$194,387	23%
4.0	Bidding Services	\$6,814	\$1,506	\$8,320	22%
5.0	Services During Construction	\$51,346	\$5,907	\$57,253	12%
<b>TOTAL CONTRACT AMOUNT</b>		<b>\$345,520</b>	<b>\$97,413</b>	<b>\$442,933</b>	<b>28%</b>

**4. M/W/ESB Participation:**

The following table summarizes the Contractor's amended M/W/ESB subconsultant participation.

Subconsultant	M/W/ESB Certifications	Scope/Type of Work	Current Subcontract Amounts	Amendment No. 1 Amended Subcontract Amounts
Epsilon Engineering	2369	Electrical, Instrumentation and Controls	\$80,643	\$101,223
R&W Engineering	NA	HVAC and Misc. Mechanical	\$20,166	\$51,846
Michael Willis Architects	NA	Architectural Design	\$31,511	\$38,821
Hart Crowser	NA	Geotechnical Engineering	\$35,460	\$45,974
<b>M/W/ESB Total Amounts</b>			<b>\$80,643</b>	<b>\$101,223</b>
<b>Total and Amended Contract Amounts</b>			<b>\$345,520</b>	<b>\$442,933</b>
<b>M/W/ESB Percentage of the Amended Contract Amount</b>			<b>23.3%</b>	<b>22.9%</b>

All other terms and conditions shall remain unchanged and in full force and effect.

Contract No. 30002704Amendment/Change Order No. 1Contract Title: Skidmore and Safeway Pump Stations Upgrades

This contract amendment may be signed in two (2) or more counterparts, each of which shall be deemed an original, and which, when taken together, shall constitute one and the same contract amendment.

The parties agree the City and Contractor may conduct this transaction by electronic means, including the use of electronic signatures.

**CONTRACTOR SIGNATURE:**

BergerABAM Inc.

By: Thomas R. WilcoxDate: 8/9/12Name: THOMAS R. WILCOXTitle: VICE PRESIDENTAddress: 700 NE Multnomah, Suite 900Telephone: (503) 872-4100

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Contract No. 30002704 Amendment/Change Order No. 1

Contract Title: Skidmore and Safeway Pump Station Upgrades

**CITY OF PORTLAND SIGNATURES:**

By: n/a Date: \_\_\_\_\_  
Purchasing Agent

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Elected Official

Approved:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Office of City Auditor

Approved as to Form:

APPROVED AS TO FORM  
By: James H. Van Dyke Date: 9/4/12  
Office of City Attorney  
CITY ATTORNEY