



Charlie  
Hales  
Mayor

February 1, 2013

**TO THE MAYOR:**

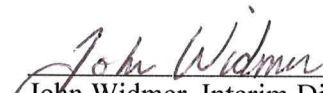
Transmitted herewith is the Certificate of Completion, Acknowledgement, Release & Certification, for the SW Sam Jackson Park Road and Broadway Drive Emergency Landslide Mitigation projects.

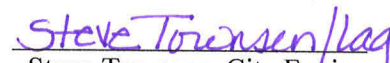
As authorized by Ordinance No. 184709, the Emergency Construction Contract No. 30002144 was signed on July 7<sup>th</sup>, 2011 for SW Sam Jackson Park Road. Work was completed by September 2<sup>nd</sup>, 2011 for a cost of \$789,281.68 by Tri-State Construction.

As authorized by Ordinance No. 184709 Construction Change Order #1, dated Sept 16<sup>th</sup>, 2011, amended the original contract to add Landslide Mitigation work on SW Broadway Drive. That additional work was completed by Dec 9<sup>th</sup>, 2011 at a cost of \$618,728.76.

The final contract amount was \$1,408,010.44 which is 78 % over the original contract amount. The contractor has been paid in full. This project had 28 % participation by Minority, Women and Emerging Small Business sub-contractors.

It is recommended that the Council approve the Certificate of Completion and accept the completed projects.

  
John Widmer, Interim Director  
Bureau of Transportation

  
Steve Townsen, City Engineer  
Bureau of Transportation

**TO THE COUNCIL:**

The Mayor of the City of Portland concurs with the above report, and

**RECOMMENDS**

That the Council approve the Certificate of Completion, accept the Acknowledgement, Release & Certification, for the 2011 Emergency Landslide Mitigation repairs for SW Sam Jackson Park Road and SW Broadway Drive.

Respectfully submitted,

**Charlie Hales**  
**Mayor of Portland**

1120 SW Fifth Avenue, Suite 800 • Portland, OR 97204 • 503-823-5185  
FAX 503-823-7576 • TTY 503-823-6868 • [www.portlandoregon.gov/transportation](http://www.portlandoregon.gov/transportation)



CITY OF  
**PORTLAND**  
BUREAU OF  
**TRANSPORTATION**

RECEIVED

JUL 26 2012

TRI-STATE CONSTRUCTION



Sam  
Adams  
Mayor

Tom  
Miller  
Director

## CERTIFICATE OF COMPLETION

PROJECT / IMPROVEMENT NAME Emergency landslide Mitigation on SW Sam Jackson Park Road and SW Broadway Drive			
CONTRACT NO. 30002144	ORDINANCE NO. 184709	PBOT PROJECT NO. T00295 & T00309	BES PROJECT NO. N/A
TYPE OF IMPROVEMENT Landslide Mitigation			
CONTRACT SIGNED 7.7.2011	SUBSTANTIAL COMPLETION DATE 9.2.2011 & 12.9.2011	WARRANTY EXPIRES N/A	DELINQUENT CONTRACT DAYS 0
CONTRACTOR NAME Tri State Construction, attn Larry Thompson, Vice President			
I hereby certify that I have completed the work under the above numbered Contract and furnished the materials and performed all work as shown by the final estimate of the City Engineer.			
CONTRACTOR SIGNATURE 		DATE July 27-12	
The various kinds of work as described in the above improvement have been inspected as to quality, classification and allowances of work performed and found to be completed in compliance with the plans, specifications and requirements under the above numbered Contract. The work in the above improvement has been attested as to the alignment and the grade is found to conform to that established by the Contract.			
DATE OF ACCEPTANCE (When all punch list work is complete and accepted) 12/9/2011			
INSPECTOR SIGNATURE 		DATE 8/1/12	
CONTRACT MANAGER SIGNATURE (CM) 		DATE 30 Jul 12	
CONSTRUCTION SUPERVISOR SIGNATURE (CON) 		DATE 8/2/12	
CITY ENGINEER SIGNATURE 		DATE 8/6/12	

Original To Auditor, + 8 copies: Project file, Contractor, Mapping (Lee Sickler), SSM (Laurin Wild), CON (Todd Liles), BOM (Mike Richards), BES Construction Office (Katherine Freeman), Business Services (Truc Nguyen)

1120 S.W. 5th Avenue, Suite 800 • Portland, Oregon, 97204-1914 • 503-823-5185  
FAX 503-823-7576 or 503-823-7371 • TTY 503-823-6868 • www.portlandoregon.gov

An Equal  
Opportunity  
Employer

To ensure equal access, the Portland Bureau of Transportation will make accommodations in full compliance with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations and additional information, and complaints, contact the Title II and Title VI Coordinator at Room 1204, 1120 SW 5th Ave, Portland, OR 97204, or by telephone 503-823-5185, City TTY 503-823-6868, or use Oregon Relay Service: 711.

## ACKNOWLEDGEMENT, RELEASE AND CERTIFICATION

### 1. Acknowledgement:

Contractor acknowledges that it has been paid the amount of \$1,408,010.44 on Contract No. 30002144. No final payment remains to be made by the City of Portland.

### 2. Release:

Except for the amount of the final payment that remains to be paid, Contractor releases the City of Portland, its officers, agents and employees from any and all other claims for additional compensation that it does or might have as a result of its performance of work on this contract

### 3. Certification

Contractor certifies that:

- a) All work required by this Contract is complete;
- b) All amounts due for labor, materials and all other obligations under this Contract were paid by the Contractor except for any payments due after Final Payment by Owner is paid;
- c) All actions for injuries or damages arising out of its operations and work were fully and finally settled, or are fully covered by insurance protecting the Contractor, the City of Portland, its officers, agents and employees, and any additional insureds required by the contract; and
- d) Any claim brought against the Contractor by an employee, subcontractor, or supplier has been fully and finally settled, or if not resolved, is fully covered and payable by the Contractor's performance and payment bond, or, if no bond was required, by the Contractor itself, in the event that such claim is correct.

Signature

Tri State Construction, Inc.

PO Box 20476

Portland, OR 97294

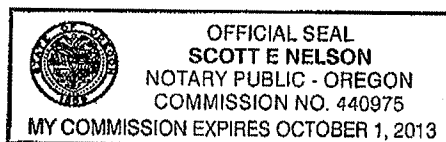
Title

State of OREGON )

)ss:

County of MULTNOMAH )

This instrument was acknowledged before me on DECEMBER 6, 2012 (date),  
by LARRY THOMPSON (name) as VICE PRESIDENT (title) of  
TRI-STATE CONSTRUCTION, INC. (company).



NOTARY PUBLIC FOR OREGON (State)

My Commission Expires: OCT. 1, 2013

Agenda No.  
**REPORT NO.**  
 Title

Accept the Certificate of Completion, Acknowledgement, Release and Certification for the Emergency Landslide Mitigation repairs for SW Sam Jackson Park Road and Broadway Drive. (Report)

<p><b>INTRODUCED BY</b>          Commissioner/Auditor:  <u>Hales</u></p>	<p>CLERK USE: DATE FILED <u>FEB 15 2013</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales <i>SA</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade          Auditor of the City of Portland</p> <p style="text-align: center;">By: <u><i>[Signature]</i></u>          Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Bureau of Transportation          Group Manager: Steve Townsen <i>SOT lag</i>          Engineering &amp; Technical Services          Other:</p> <p>Prepared by David O'Longaigh:slg          Date Prepared: February 1, 2013</p> <p>Financial Impact &amp; Public Involvement Statement          Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Council Meeting Date  <b>FEBRUARY 20, 2013</b></p> <p><b>City Attorney Approval:</b>          required for contract, code, easement,          franchise, comp plan, charter</p>	<p><b>ACTION TAKEN:</b></p> <p><b>FEB 20 2013 ACCEPTED</b></p>

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> _____          (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p><b>Total amount of time needed:</b> _____          (for presentation, testimony and discussion)</p>

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. Novick	4. Novick <input checked="" type="checkbox"/>	
Hales	Hales <input checked="" type="checkbox"/>	