

## AMENDMENT NO.2

CONTRACT NO. 30002704

FOR

Skidmore and Safeway Pump Stations Upgrades

Pursuant to Ordinance No. \_\_\_\_\_

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 \$21,498. The amended not-to-exceed total contract amount is \$464,430.
2. Additional work is necessary as described below.
  - Skidmore permitting assistance. Additional permitting is necessary at the Skidmore pump station as the City of Portland Bureau of Development Services (BDS) is requiring an Environmental Review concurrent with the Land Use Review.
  - Manhole rehabilitation. The City of Portland Bureau of Environmental Services (BES) has requested that each pump station's force main discharge manhole be rehabilitated due to the anticipated high dissolved sulfide concentrations at the discharge points and obvious deterioration observed at the Safeway pump station discharge manhole.
  - Supplemental geotechnical information. BES recently learned that the Skidmore pump station is located close to the site of a former waste disposal area. Furthermore, the fill slope on the east side of the site is deteriorating and undermining the eastern perimeter. Additional geotechnical investigations have been requested by BES to determine if these concerns will impact the proposed project, and to provide recommendations for mitigating measures as necessary.
  - Adjust site plans in response to BES review comments on the draft 30% submittal.
  - Relocate yard light. There is an existing yard light for the Grotto parking area installed on a tree stump at the northwest corner of the existing pump station. This tree stump will be removed with this project necessitating that the yard light be relocated. BES has requested that this work be included with this project.

Additional Items by task are identified below.

## Task 1 – Project Management

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

- 2.1. Additional permitting assistance. Based on an initial review of zoning regulations pertaining to the Skidmore pump station site it was not anticipated that an Environmental Review (ER) would be necessary for this project. Following a pre-application conference held on 17 December, 2012 between BDS, BES and the Contractor, BDS commented that an ER will be required due to the proximity of the Environmental Protection (EP) zone. The exact location of the EP zone was unknown at the time the scope of work for this project was developed. Publically available zoning maps reviewed at that time indicated the EP zone to be outside the proposed work area. The design team will support BES in securing ER approval by preparing the ER application, compiling the final submittal documents, coordinating with BES and BDS, and updating the application as required by BDS. The Contractor's permit specialist will also provide consultation to the design team to ensure that the project complies with applicable environmental ordinances.
- 2.2. Perform supplemental geotechnical investigations, and prepare a revised geotechnical report for the Skidmore pump station. BES recently learned that the existing pump station was constructed next to a suspect former waste disposal site. The property owner had previously used this area to dispose of landscaping cuttings. As this project will extend the boundaries of the existing site, additional geotechnical field investigations are necessary to ensure that new structures and pavement are not placed atop unsuitable material. Furthermore, the fill slope on the east side of the existing pump station is visibly eroding. Mitigation measures will be necessary to prevent further deterioration and undermining of the eastern perimeter of the site.

The Contractor's geotechnical engineer will dig three test pits along the southern perimeter of the existing site to investigate the extent of unsuitable organic fill material, and one test pit at the top of the slope on the east side of the pump station. The findings of the field investigations will be summarized in the final version of the geotechnical report, which will be included in the final version of the pre-design report. The final geotechnical report will also include recommendations for replacing unsuitable material if encountered, and recommendations for protecting the eastern perimeter of the site against further slope deterioration while avoiding impacts to the EP.

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- 2.3 Update site plans for vehicle access to the proposed planter. BES review comment 74 on the draft 30% submittal noted that a gate should be added in the perimeter fence at the northwest corner to allow maintenance vehicle access to the proposed vegetated basin. In order to provide room for a vehicle to access the planter at this location it will be necessary to adjust the location of the proposed control building. This will require civil and site plans to be modified and updated accordingly.

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

- 3.1. Forcemain discharge manhole rehabilitation. The design team conducted dissolved hydrogen sulfide tests at each forcemain discharge manhole to determine if sulfide protection is warranted. This work was performed within the original scope of work. Based on the results of the sulfide tests the design team recommends lining and rehabilitation of both discharge manholes. Added scope items pertaining to this task include additional civil details and specification sections, updated construction cost estimates, and expanded temporary traffic control and temporary pumping plans to be incorporated into the 60%, 90%, and final plans, specifications, and construction cost estimate (P,S,&E) packages.
- 3.2. Incorporate findings of the supplemental geotechnical field investigations into the design. The original design concept assumed that the slope instability issue would be addressed by placing additional fill material from the top of the slope to the toe. This approach will now require substantial permitting cost and effort due to the EP zone which extends to within four feet of the top of the slope. The exact boundary of the EP zone was established by BDS after this project's predesign report phase started. The preferred approach to addressing slope failure will be determined in Task 2.2. This may require the addition of a low retaining wall along the eastern perimeter of the site or modification of the proposed site layout to locate the improvements outside of the unstable slope area. Either of these approaches will require updating the final design packages. A retaining wall will require additional structural engineering including stamped calculations and the addition of wall details to the final design packages. Relocating structures will require updating the civil and electrical site plans.
- 3.3. Incorporate relocated yard light into the final design packages. This task will require coordination between the team's electrical engineer, BES, and the Grotto for locating the replacement yard light. This task assumes the replacement light will be mounted on an aluminum pole with a concrete foundation.

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

- 5.1. Slope stability construction support. If a retaining wall is constructed along the eastern perimeter then one additional site visit is anticipated for BDS' required special inspections.

Deliverables:

- Skidmore pump station Environmental Review package
- Updated geotechnical report
- Discharge manhole rehabilitation and lining added to the 60%, 90%, and final P,S,&E packages
- Slope stability design added to the 60%, 90%, and final P,S,&E packages
- Special investigation report related to the slope stability mitigation measures
- Relocated yard light included in the 60%, 90%, and final P,S,&E packages

**Table 1 – E10291 Skidmore Pump Station Remodel Amendment 2 Contract Amount**

Task	Description	Prior Contract Amount	Amendment 2	Revised Contract Amount
1.0	Project Management	\$14,620	\$747	\$15,367
2.0	Predesign Services	\$76,983	\$8,008	\$84,991
3.0	Final Design Services	\$93,769	\$9,969	\$103,738
4.0	Bidding Services	\$4,160	\$0	\$4,160
5.0	Services During Construction	\$30,232	\$453	\$30,685
<b>TOTAL CONTRACT AMOUNT</b>		<b>\$219,764</b>	<b>\$19,177</b>	<b>\$238,941</b>

**Table 2 – E10292 Safeway Pump Station Remodel Amendment 2 Contract Amount**

Task	Description	Prior Contract Amount	Amendment 2	Revised Contract Amount
1.0	Project Management	\$14,619	\$498	\$15,117
2.0	Predesign Services	\$76,751	\$0	\$76,751
3.0	Final Design Services	\$100,619	\$1,823	\$102,442
4.0	Bidding Services	\$4,160	\$0	\$4,160
5.0	Services During Construction	\$27,020	\$0	\$27,020
<b>TOTAL CONTRACT AMOUNT</b>		<b>\$223,169</b>	<b>\$2,321</b>	<b>\$225,490</b>

**Table 3 – Total Amendment 2 Amount**

Task	Description	Prior Contract Amount	Amendment 2	Revised Contract Amount	% Increase from Prior Contract Amount
1.0	Project Management	\$29,238	\$1,245	\$30,483	4%
2.0	Predesign Services	\$153,734	\$8,008	\$161,742	5%
3.0	Final Design Services	\$194,387	\$11,792	\$206,179	6%
4.0	Bidding Services	\$8,320	\$0	\$8,320	0%
5.0	Services During Construction	\$57,253	\$453	\$57,706	1%
<b>TOTAL CONTRACT AMOUNT</b>		<b>\$442,932</b>	<b>\$21,498</b>	<b>\$464,430</b>	<b>5%</b>

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. 2 Amended Subcontract Amounts
Epsilon Engineering	2369	Electrical, Instrumentation and Controls	\$101,223	\$106,973
R&W Engineering	NA	HVAC and Misc. Mechanical	\$51,846	\$51,846
Michael Willis Architects	NA	Architectural Design	\$38,821	\$38,821
Hart Crowser	NA	Geotechnical Engineering	\$45,974	\$48,763
M/W/ESB Total Amounts			\$101,223	\$106,973
Total and Amended Contract Amounts			\$442,933	\$464,431
<b>M/W/ESB Percentage of the Amended Contract Amount</b>			<b>22.9%</b>	<b>23.0%</b>

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

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. Wilcox

Date: 4/4/13

Name: THOMAS R. WILCOX

Title: VICE PRESIDENT

05-0387

Contract No. 30002704

Amendment/Change Order No. 2

Contract Title: Skidmore and Safeway Pump Station Upgrades

**CITY OF PORTLAND SIGNATURES:**

By: n/a  
Chief Procurement Officer

Date: \_\_\_\_\_

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

Date: \_\_\_\_\_

Approved:

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

Date: \_\_\_\_\_

Approved as to Form:

By: \_\_\_\_\_  
Office of City Attorney

Date: \_\_\_\_\_