

## ORDINANCE NO. 186404

Amend contract with MWH Americas, Inc. to extend term and increase compensation in the amount of \$1,475,000 for the Kelly Butte Reservoir project (Ordinance: amend Contract No. 30001127)

The City of Portland ordains:

Section 1. The Council finds:

1. The Water Bureau entered into Contract No. 30001127 with MWH Americas, Inc. (MWH) to provide professional, technical and expert services for the Kelly Butte Reservoir project. The project replaced the above ground 10 million gallon (MG) storage tank at Kelly Butte with a 25 MG underground covered finished water reservoir as part of the solution for complying with the Environmental Protection Agency's Long Term 2 Enhanced Surface Water Treatment Rule.
2. This amendment to the MWH contract provides additional design services, construction administration, Engineer-of-Record services, and extends the terms of the contract.
3. The permit process has required additional services that are to be provided by the Engineer-of-Record. This includes the Bureau of Development Services requirement for Engineer-of-Record geotechnical evaluations and inspections of the construction of a Mechanically Stabilized Earth wall.
4. Upon removal of the existing tank, a siltstone layer was found under the tank. Also, during construction, contaminated soils and other materials were encountered. These required design and contract modifications and ongoing geotechnical observations during construction.
5. The original contract provided for \$848,156, or 25.7% of the contract dollars being awarded to State of Oregon certified Minority Owned, Woman Owned, or Emerging Small Businesses (MWESB). Upon execution of this amendment \$1,104,817, or 19.7% of the contract dollars will be awarded to MWESB vendors. The additional work is being performed by the Contractor.
6. The original not to exceed amount of this contract was \$3,300,000. Amendments 1 through 6 added \$825,000. This amendment will add \$1,475,000 and increase the contract total to \$5,600,000. Funding is available in the Fiscal Year 2013-14 Budget, and will be requested in the Fiscal Year 2014-15 and 2015-16 Budgets.

NOW, THEREFORE, the Council directs:

- a. That the Chief Procurement Officer is authorized to execute on behalf of the City an amendment to Contract No. 30001127 with MWH Americas, Inc. in a form in accordance with the amendment attached to this Ordinance as Exhibit A.

- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities.

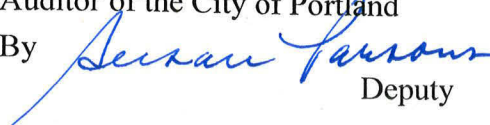
Passed by the Council,

JAN 02 2014

Commissioner Nick Fish  
Teresa Elliott  
November 15, 2013

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By

  
Deputy

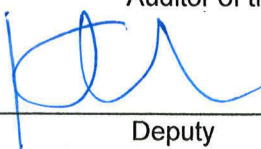
1208-18

✓140

Agenda No.  
**ORDINANCE NO.**  
Title

**186404**

Amend contract for professional, technical and expert services with MWH Americas, Inc., to extend term and increase compensation in the amount of \$1,475,000, (Ordinance; amend Contract No. 30001127)  
for the Kelly Butte Reservoir project

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Commissioner Nick Fish</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</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><b>BUREAU APPROVAL</b></p> <p>Bureau: Water</p> <p>Bureau Head: David G. Shaff</p> <p>Prepared by: Teresa Elliott Date Prepared: November 15, 2013</p> <p>Financial Impact 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 <b>December 18, 2013</b></p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p>	<p>CLERK USE: DATE FILED <u>DEC 13 2013</u></p> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p> <p><b>ACTION TAKEN:</b></p> <p><b>DEC 18 2013 PASSED TO SECOND READING JAN 02 2014 9:30 A.M.</b></p>
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<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 type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p><b>Total amount of time needed: 10 minutes</b> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	