

AMENDMENT NUMBER 7
CONTRACT NUMBER 30001127
FOR
Kelly Butte Reservoir

Pursuant to Ordinance Number _____

This Contract was made and entered by and between MWH Americas, Inc., 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.

The Contract is hereby amended as follows:

1. The Contract is extended to September 30, 2015.
2. Task 500 – Engineering Services During Construction. The Contractor shall perform the following additional work under this task:
 - Complete an additional 166 site visits for field services and meetings;
 - Siltstone analysis, contract document modifications & geotechnical observations;
 - Mitigation of contaminated soils and other materials;
 - Additional City requested meetings and site visits to facilitate the construction schedule; and,
 - Special inspections.

The additional work shall not exceed \$805,115.

3. Task 600 – Project Management. The Contractor shall extend Project Management Services as described in the original contract and subsequent amendments through September 30, 2015. The additional work shall not exceed \$128,877.
4. Task 700 – Project Mitigation. The Contractor shall perform the following additional under this task:
 - Additional permit-required geotechnical evaluations and inspections, including Bureau of Development Services required MWH geotechnical engineer inspections and reports for Mechanically Stabilized Earth wall;
 - Permitting/land use documents;
 - Site security improvements;
 - Additional site visits by engineer-of-record or their designee for initial phase and construction observation;
 - City of Portland's Contract Manager / General Contractor initiated issues; and,
 - Land Use Review and permit required improvements.

The additional work shall not exceed \$338,045.

5. Gross profit (MWH Labor), Other Direct Charges (MWH Labor) and Subconsulting Mark-Up shall increase by \$202,963 due an overall increase in added work to Tasks 500, 600, and 700.
6. Additional compensation for added work shall not exceed \$1,475,000. The new not to exceed contract amount shall be \$5,600,000. The Budget Detail, attached as Exhibit A, replaces all previous Budget Details for this contract.

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

Contract Number: 30001127

Amendment Number: 7

Contract Title: Kelly Butte Reservoir

CONTRACTOR SIGNATURE:

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.

MWH Americas, Inc.

By:  Date: November 15, 2013

Name: Kristen M. Miller

Title: V.P., Northwest Business Unit Leader

Address: 806 SW Broadway, Suite 200 Portland OR 97205

Telephone: (503) 226-7377

Contract Number: 30001127Amendment Number: 7Contract Title: Kelly Butte Reservoir

CITY OF PORTLAND SIGNATURES:

By: _____ Date: _____
Chief Procurement OfficerBy: _____ Date: _____
Elected Official

Approved:

By: _____ Date: _____
Office of City AuditorApproved as to Form: **APPROVED AS TO FORM**
By: James H. Van Dyke
Office of City Attorney
CITY ATTORNEYDate: 11/19/13

Portland Water Bureau - Kelly Butte Reservoir Project

CONTRACT 30001127
AMENDMENT 7, EXHIBIT A

11/14/2013

TASK	Individual/Classification	MWH Key Staff ²							Supv.	Senior	Prof.	Sr.	Assoc.	Total Hours	Labor Cost	Project Expenses ³	Total MWH ⁵	Total	Task Fee		
		PIC	PM	PE/DM	Struct QC	Civil QC	Civil Lead	Struct Lead	Gen QC	Engr.	Engr.	Engr.	Designer					Designer		Admin	Subconsultants
Project Rate (2.64 Multiplier)		\$250.00	\$186.40	\$146.89	\$218.96	\$170.31	\$144.28	\$217.04	\$208.94	\$151.01	\$123.55	\$104.33	\$109.82	\$82.37	\$68.64						
<u>Task 100 – Preliminary Engineering</u>																					
<u>Task 110 – Project Planning</u>		8	30	100	0	0	40	0	0	0	0	80	0	0	0	258	\$36,399	\$1,200	\$37,599	\$5,000	\$42,599
A. Permitting Approach			4	20								10				34	\$4,727				
B. Construction Approach			6	20			10					10				46	\$6,542				
C. Design and Construction Cost Control Plan			6	24			10					20				60	\$8,173				
D. Conduct Project Approach Workshop		4	8	16			10					20				58	\$8,371				
E. Project Approach TM		4	6	20			10					20				60	\$8,586				
<u>Task 120 – Design Criteria</u>		4	24	50	0	0	24	24	0	32	40	0	0	60	0	258	\$36,206	\$1,300	\$37,506	\$2,000	\$39,506
A. Review BODR			6	8			4	4		4	8			8		42	\$5,990				
B. Initial Site Reconnaissance			4	8			4	4		4	4			8		36	\$5,123				
C. Develop Comprehensive List of Design Criteria			2	10			4	4		8	8			12		48	\$6,472				
D. Conduct Criteria Workshop		4	8	8			8	8		8	8			8		60	\$9,412				
E. Prepare Design Criteria TM			4	16			4	4		8	12			24		72	\$9,209				
<u>Task 130 –Reservoir Configuration and Appurtenance/Fac</u>		10	50	70	12	24	24	24	20	16	188	240	0	60		738	\$97,294	\$4,100	\$101,394	\$26,000	\$127,394
A. Conceptual Reservoir Configuration TM			4	8		2	2	12	2		16			12		58	\$8,537				
B. Site Access and Roadways TM		2	4	8		2	4		2		16			12		50	\$6,722				
C. Inlet/Outlet Configuration TM		2	4	6		2	6	2	2	16	100	240		6		386	\$44,491				
D. Drainage and Overflow Configuration TM		2	6	8		2	4	2	2		8			6		40	\$6,046				
E. Operational Considerations			4	6		2		2	2		2					18	\$3,067				
F. Electrical and I&C Considerations TM			2	2	8	1			1					4		18	\$3,127				
G. Reservoir Startup Considerations TM			4	4		2		2	2							14	\$2,526				
H. Corrosion Analysis and Coatings System Development TM			2	2		1	2		1							8	\$1,334				
I. Develop/Confirm Evaluation Criteria		2	2	4		1					8					17	\$2,619				
J. Final Site Utilization Development/Evaluation TM		2	6	10		4	4	4	4		16			8		58	\$8,685				
K. Temporary and Permanent Erosion Control Strategy TM			4	4		1	2		1		8			4		24	\$3,319				
L. Landscape TM			2	2		1					4			2		11	\$1,496				
M. Surface Restoration Approach TM			2	2		1			1		4			2		12	\$1,705				
N. Site Security TM			2	2	4	1					2			2		13	\$2,125				
O. Preliminary Construction Cost Estimate TM			2	2		1					4			2		11	\$1,496				
<u>Task 140 – Geotechnical Support</u>		0	8	20	0	0	0	0	0	100	240	200	0	160	0	728	\$83,228	\$426	\$83,654	\$18,195	\$101,848
A. Background Review			2	4						16	24	20		16		82	\$9,746				
B. Site Characterization				4						24	32	24		16		100	\$11,987				
C. Meetings			2	4						8	24	16		8		62	\$7,462				
D. Geotechnical Evaluation and Design			4	8						52	160	140		120		484	\$54,032				
<u>Task 150 – Basemaps and Surveying</u>			4	16	0	0	0	0	0	0	0	0	24	40		84	\$9,026	\$10,750	\$19,776	\$46,000	\$65,776
A. Review Preliminary Base Mapping			2	8									8	16		34	\$3,744				
B. Establish Horizontal and Vertical Control													2	2		4	\$384				
C. Finalize Base Maps			2	8									14	22		46	\$4,898				
<u>Task 160 – Preliminary Design Report</u>		4	12	16	0	4	2	4	2	4	2	2	0	8	4	64	\$9,836	\$1,550	\$11,386	\$0	\$11,386
A. Prepare Preliminary Design report		4	12	16		4	2	4	2	4	2	2		8	4	64	\$9,836				
<u>TASK 100 SUBTOTAL</u>		26	128	272	12	28	90	52	22	152	470	522	24	328	4	2,130	\$271,989	\$19,326	\$291,315	\$97,195	\$388,509
<u>TASK 200 - DESIGN</u>																					
<u>Task 210 – 30% Design</u>		6	60	60			60	24	16	140	200	100		420	60	1,146	\$133,704	\$5,600	\$139,304	\$56,000	\$195,304
<u>Task 220 – 60% Design</u>		6	86	91			72	43		196	240			480	62	1,276	\$153,661	\$9,650	\$163,311	\$79,000	\$242,311
<u>Task 230 – 90% Design</u>		2	110	110			110	71.55		500	410			410	52	1,776	\$232,062	\$10,400	\$242,462	\$108,520	\$350,981
<u>Task 240 – 95% Design</u>		1	40	16			24	18		60	80			120	16	375	\$47,353	\$6,400	\$53,753	\$24,470	\$78,223
<u>Task 250 – Conformed (100%) Set</u>		1	16	16			16	12		40	40			80	16	237	\$29,166	\$4,400	\$33,566	\$7,850	\$41,416
<u>Task 260 – QA/QC</u>			60	16	60	80		12	40							268	\$51,259	\$6,000	\$57,259	\$4,200	\$61,459
<u>Task 270 – Cost Estimating</u>		6	12	24			20			24	32			40	2	160	\$21,158	\$1,900	\$23,058	\$3,000	\$26,058

Portland Water Bureau - Kelly Butte Reservoir Project

CONTRACT 30001127
AMENDMENT 7, EXHIBIT A

11/14/2013

TASK	Individual/Classification	MWH Key Staff ²								Supv.	Senior	Prof.	Sr.	Assoc.	Total Hours	Labor Cost	Project Expenses ³	Total MWH ⁵	Total	Task Fee	
		PIC	PM	PE/DM	Struct QC	Civil QC	Civil Lead	Struct Lead	Gen QC	Engr.	Engr.	Engr.	Designer	Designer					Admin		Subconsultants
	Project Rate (2.64 Multiplier)	\$250.00	\$186.40	\$146.89	\$218.96	\$170.31	\$144.28	\$217.04	\$208.94	\$151.01	\$123.55	\$104.33	\$109.82	\$82.37	\$68.64						
	<u>TASK 200 SUBTOTAL</u>	22	384	333	60	80	302	181	56	960	1,002	100	0	1,550	208	5,238	\$668,362	\$44,350	\$712,712	\$283,040	\$995,752
	<u>TASK 300 - CM/GC Procurement</u>																				
	<u>Task 310 – CM/GC Selection & Support</u>	4	40	120								80			40	284	\$37,175	\$800	\$37,975	\$0	\$37,975
	<u>Task 320 – Contract Packages</u>	2	20	0	0	0	0	0				0		21	40	83	\$8,665	\$1,700	\$10,365	\$0	\$10,365
	<u>Task 330 – Partnering</u>	8	18	36			16	16				40				134	\$20,598	\$10,593	\$31,191	\$7,000	\$38,191
	<u>TASK 300 SUBTOTAL</u>	14	78	156	0	0	16	16	0	0	0	120	0	21	80	501	\$66,437	\$13,093	\$79,530	\$7,000	\$86,531
	<u>TASK 400 - Permitting and Public Outreach</u>																				
	<u>TASK 400 SUBTOTAL</u>	0	34	46	0	0	0	0	0	0	180	0	0	68	0	328	\$40,935	\$12,950	\$53,885	\$427,016	\$480,901

Portland Water Bureau - Kelly Butte Reservoir Project

CONTRACT 30001127
AMENDMENT 7, EXHIBIT A

11/14/2013

TASK	Individual/Classification	MWH Key Staff ²							Supv.	Senior	Prof.	Sr.	Assoc.	Total	Labor	Project	Total	Total	Task		
		PIC	PM	PE/DM	Struct QC	Civil QC	Civil Lead	Struct Lead	Gen QC	Engr.	Engr.	Engr.	Designer	Designer	Admin	Hours	Cost	Expenses ³	MWH ⁵	Subconsultants	Fee
Project Rate (2.64 Multiplier)		\$250.00	\$186.40	\$146.89	\$218.96	\$170.31	\$144.28	\$217.04	\$208.94	\$151.01	\$123.55	\$104.33	\$109.82	\$82.37	\$68.64						
TASK 500 - ESDC																					
Task 510 – Submittal / RFI Review		26	40	353	168	180	382	398	193	360	535	1,020	206	402	220	4,483	\$612,791	\$53,199	\$665,990	\$12,800	\$678,790
A. Submittal/Shop Drawing Review		4	8	35	35	35	64	70	35	70	180	380		32	32	980	\$130,285	\$10,000	\$140,285	\$4,000	\$144,285
B. Address RFC's/RFI's		4	8	40	40	40	200	200	38	200	260	400	40	40	90	1,600	\$222,065	\$9,299	\$231,364	\$8,800	\$240,164
C. Issue CDCs		4	8	20	40	40	40	40	40	40	40	160	48	100	20	640	\$86,367	\$3,000	\$89,367	\$0	\$89,367
D. Address Potential Change Orders		4	8	8	8	20	20	30	30	20	20	80	10	30	12	300	\$42,720	\$10,300	\$53,020	\$0	\$53,020
E. Technical Coodination and QA/QC		8	4	200	20	20	8	8	40	10	10	0	8	0	16	352	\$55,880	\$10,300	\$66,180	\$0	\$66,180
F. Revised Contract Drawings and Specs		2	4	50	25	25	50	50	10	20	25	0	100	200	50	611	\$75,474	\$10,300	\$85,774	\$0	\$85,774
Task 520 – Field Services & Meetings ³		32	62	332	0	0	152	208	20	1,120	296	1460	4	20	24	3,730	\$501,338	\$20,800	\$522,138	\$13,200	\$535,338
A. Observation and Inspection Support			8	40			128	192	16	1,040	100	1,200				2,724	\$365,452	\$15,231	\$380,683	\$0	\$380,683
B. Meetings		16	16	200						40	40	200				512	\$68,209	\$2,931	\$71,140	\$13,200	\$84,340
C. Subcontractor Selection Support		4	8	24							24					60	\$8,982	\$326	\$9,308	\$0	\$9,308
D. Start-up and Testing Assistance		4	8	24							24					60	\$8,982	\$326	\$9,308	\$0	\$9,308
E. Prepare Punch List			8	16			16				16					56	\$8,127	\$278	\$8,405	\$0	\$8,405
F. Claims and Change Order Assistance		8	8	8				16			24					64	\$11,104	\$308	\$11,412	\$0	\$11,412
G. Review Contractor's O&M Manual			4	8						24	48					84	\$11,475	\$483	\$11,959	\$0	\$11,959
H. Provide Overall O&M Manual			2	12			8		4	16	20	60	4	20	24	170	\$19,007	\$916	\$19,923	\$0	\$19,923
Task 530 – Record Drawings		2	16	40						40	70		60	160	24	412	\$45,463	\$2,000	\$47,463	\$2,900	\$50,363
TASK 500 SUBTOTAL		60	118	725	168	180	534	606	213	1,520	901	2,480	270	582	268	8,625	\$1,159,592	\$75,999	\$1,235,591	\$28,900	\$1,264,491
TASK 600 - Project Management																					
Task 610 – Initial Project Setup		4	40	60											40	144	\$20,015	\$2,550	\$22,565	\$0	\$22,565
Task 620 – Project Management for Design		48	472	552											120	1,192	\$189,300	\$18,000	\$207,300	\$0	\$207,300
Task 630 – Project Management for ESDC		60	810	240											260	1,370	\$219,083	\$7,500	\$226,583	\$20,000	\$246,583
TASK 600 SUBTOTAL		112	1,322	852	0	0	0	0	0	0	0	0	0	0	420	2,706	\$428,398	\$28,050	\$456,448	\$20,000	\$476,448
TASK 700 - Project Mitigation																					
Task 710 – Project Mitigation			100	1,141												1,241	\$186,169	\$0	\$186,169	\$171,874	\$358,043
Task 720 – Design		18	303	862	24	24	142	199		68	396	128	140	563.2	84.4	2,952	\$400,728	\$14,000	\$414,728	\$3,500	\$418,228
720.1 - Design for ACE transfer from Task 500																	\$0			\$48,400	\$48,400
Task 730 – LUR Drawing Production			10	20						36						66	\$10,243	\$0	\$10,243	\$0	\$10,243
Task 740 – Permitting/Land Use		0	20	40	10	10	40	120		220	200	245				905	\$128,806	\$87	\$128,893	\$4,000	\$132,893
Task 750 – ESDCs		8	104	140	50	50	80	120	40	140	200	200	100	160	120	1,512	\$206,475	\$34,964	\$241,439	\$5,238	\$246,677
Task 760 – Project Management			60												40	100	\$13,930	\$0	\$13,930	\$0	\$13,930
TASK 700 SUBTOTAL		26	597	2,203	84	84	262	439	40	464	796	573	240	723	244	6,775	\$946,350	\$49,051	\$995,401	\$233,012	\$1,228,413
TOTALS		260	2,661	4,587	324	372	1,204	1,294	331	3,096	3,349	3,795	534	3,272	1,224	26,302	\$3,582,062	\$242,819	\$3,824,881	\$1,096,163	\$4,921,045

¹ Project total is based upon Scope of Work. Changes to the project from those stated in the Scope of Work may result in a change in total project cost.

² Rates are based upon assumed labor costs; actual rates may vary based on individuals identified.

³ Project Expenses Include, but are not limited to, travel, lodging and reproduction.

⁴ Reproduction fees assume \$1250 for Preliminary Design Report and \$2500 for each of the design submittals.

⁵ 'Total MWH' does not include Other Direct Costs; these costs are summarized in the overall Project Total

Gross Profit (MWH Labor)	\$171,291
Other Direct Charges (MWH Labor)	\$452,856
Subconsulting Mark-Up	\$54,808
PROJECT TOTAL ¹	\$5,600,000