

ORDINANCE No. 186450

*Increase contract with MacKay Sposito, Inc. for additional construction management services provided for the South Waterfront Greenway Central District Phase 2 Improvements project. (Ordinance; amend Contract No. 30000285)

The City of Portland ordains:

Section 1. The Council finds:

1. Council provided support and direction for the development of the South Waterfront Greenway Central District Improvements through Resolution No. 36273 in December 2004 and Ordinance 184389 in January 2011.
2. In March 2012, the City split the Greenway Central District Improvements project into two phases due to a lack of funding.
3. Council authorized a construction contract for the Phase 1 improvements in May 2012 in the amount of \$4,035,843.62.
4. In May 2012, Amendment No. 1 to Contract 30000285 with MacKay Sposito for construction administration services administratively extended the contract date to March 4, 2014.
5. In October 2012, Amendment No. 2 to Contract 30000285 administratively increased the contract amount to \$125,000, a 25% increase, to reflect the increase in construction management scope on Phase 1 during 2012 related to unexpected site conditions.
6. In December 2012, Council authorized Ordinance 185797 and Ordinance 186136 in July 2013 to increase the value of the construction contract to a total of \$7,028,787.29 to reflect the increased scope and duration of Phase 1.
7. In March 2013, Council authorized Ordinance 185912 for \$203,596, a 228.6% cumulative increase, to compensate MacKay Sposito for another year of construction management services required to complete Phase 1.
8. The City intends to move ahead with construction of the Greenway Central District Phase 2 Improvements and requires further services from Mackay Sposito for construction management and project close out tasks over a fourteen month expected project duration.
9. An increase to the contract amount of \$215,573 is required to cover the additional services requested by the City. The total not to exceed contract amount shall be \$544,169, which is 444.17% above the original contract amount.
10. The expiration date of the contract will also be extended to June 30, 2015 to ensure coverage of the expected construction period and all post-construction closeout tasks.
11. Funds for this contract increase will come from the project's budgeted funds.

NOW, THEREFORE, The Council Directs:

- a. The Chief Procurement Officer is authorized to execute Amendment No. 4 to Contract No. 30000285 up to a not to exceed total contract value of \$544,169. Such amendment shall be in a form substantially similar to the agreement

attached hereto, approved as to form by the City Attorney's Office.

- b. The Commissioner and Auditor are authorized to provide payment chargeable to the applicable budgets under project code P00193 when demand is presented and approved by the appropriate authorities.

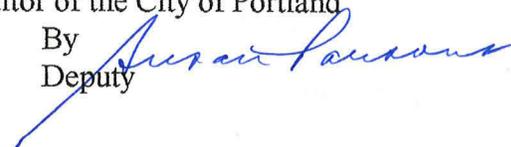
Section 2. The Council declares that an emergency exists in order to avoid further delay in the provision of construction management services to the South Waterfront Greenway Central District Phase 2 Improvements; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council:
Commissioner Fritz
Prepared by:
A. Rouse 01/23/14

FEB 05 2014

LaVonne Griffin-Valade
Auditor of the City of Portland

By
Deputy



186453

Agenda No. **ORDINANCE NO. 186453**

Title

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<p>INTRODUCED BY Commissioner/Auditor: Fritz</p>	<p>CLERK USE: DATE FILED <u>JAN 31 2014</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>Amanda Fritz</i></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>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: PP&R Bureau Head: Mike Abbate <i>Mike Abbate</i></p> <p>Prepared by: A. Rouse Date Prepared: 01.23.2014</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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 02.05.2014</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p>	<p>ACTION TAKEN:</p>

AGENDA 3
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: _____ (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	_____	