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# 191546

Ordinance

## Amend contract with Opsis Architecture, Inc. for additional Architecture/Engineering Services for New Construction and Renovations for Maintenance Facilities at Mt. Tabor Maintenance Yard and Urban Forestry Delta Park Maintenance Yard for \$225,000 (amend Contract 30005221)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Pursuant to Ordinance No. 187702 passed by Council on April 27, 2016, a contract with Opsis Architecture, Inc. (Opsis) was authorized to provide Architecture/Engineering Services for New Construction and Renovations for Maintenance Facilities at Mt. Tabor Maintenance Yard and Urban Forestry Delta Park Yard (Contract No. 30005221). The original value of the Contract was \$899,462.
2. Eleven contract amendments have been executed to date due to scope revisions dictated by unforeseen conditions and permitting requirements. An amendment summary is outlined below.
  - A. Amendment 1, dated September 7, 2016, which increased the original not-to-exceed amount of the Contract from \$899,462, by \$60, to a new total not-to-exceed amount of \$899,522, and updated the compensation table on page 18 of Exhibit A.
  - B. Amendment 2 dated March 31, 2017, which increased the original not-to-exceed amount of the Contract from \$899,522, by \$3,850, to a new total not-to-exceed amount of \$903,372.
  - C. Amendment 3 dated October 2, 2017, which reduced the not-to-exceed amount of the contract from \$903,372 by \$3,850, to a new total not-to-exceed amount of \$899,522 and recalculated and reduced the compensation table.
  - D. Amendment 4 dated November 22, 2017, which recalculated the compensation table to account for scope change.
  - E. Amendment 5 dated July 9, 2018, which increased the not-to-exceed amount of the contract from \$899,522 by \$75,267, to a new total not-to-exceed amount of \$974,789 and recalculated the compensation table.

Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Parks & Recreation](#)

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

December 13, 2023

- F. Amendment 6 dated October 15, 2018, which increased the not-to-exceed amount of the contract from \$974,689 by \$109,355, to a new total not-to-exceed amount of \$1,084,144.
  - G. Amendment 7 dated July 8, 2019, which increased the not-to-exceed amount of the contract from \$1,084,144 by \$39,913, to a new total not-to-exceed amount of \$1,124,057, and which extended the contract end date from March 31, 2019, to June 30, 2021.
  - H. Amendment 8 dated August 1, 2020, which increased the not-to-exceed amount of the contract from \$1,124,057 by \$81,582, to a new total not-to-exceed amount of \$1,205,639, and which extended the contract end date from June 30, 2021, to March 31, 2022, and added project scope from Additional Service Requests dated July 1, 2020, and July 15, 2020.
  - I. Amendment 9 dated March 31, 2022, which extended the contract end date from March 31, 2022 to December 31, 2023.
  - J. Amendment 10 dated March 1, 2023, which added project scope from Additional Service Requests and increased the not-to-exceed amount of the contract from \$1,205,639 by \$8,012, to a new total not-to-exceed amount of \$1,213,651.
  - K. Amendment 11 dated July 13, 2023, which added project scope from Additional Service Requests and increased the not-to-exceed amount of the contract from \$1,213,651 by \$25,634, to a new total not-to-exceed amount of \$1,239,285.
3. From March 2019 through projected contract completion in February of 2024, Opsis has not requested additional funding related to wage rate inflation or additional services associated with Construction Administration over an extended schedule.
4. PP&R acknowledges that contract 30005221 permits adjustment of wage rates subject to the then-current average inflation rate for the Portland Metropolitan Area as determined by the US Department of Labor Statistics.
5. PP&R has reviewed and approved Opsis Architecture, Inc's request for compensation for additional services associated with an extended project design and construction schedule.
6. An Amendment 12 to the Contract for the additional design scope of work would be a lump sum fee of \$225,000.00 and would increase the Contract value to a new not-to-exceed amount of \$1,464,285.00. The resulting amended contract value exceeds a 25% Procurement threshold increase and requires Council approval.
7. The amended contract dollar amount is within the original total Project budget allocation. No additional funds are requested to complete this work. Sufficient funding exists within the 2014 Parks Replacement Bond fund, WBSElements P30075, P30076, and within SDC funds, WBS Element PI0472.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer or designee is authorized to execute Amendment to Contract No. 30005221 for additional design services as outlined in the Findings, in the amount of \$225,000.00, which would increase the Contract to a new not-to-exceed amount of \$1,464,285.00. The contract amendment shall be approved as to form by the City Attorney.
- B. The Mayor and City Auditor are authorized to provide payment chargeable to the applicable budgets when demand is presented and approved by the appropriate authorities.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
December 13, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

Council action to authorize an amendment to Contract Number 30005221 with Opsis Architecture, Inc for additional design services for Architectural/Engineering Services for New Construction and Renovations for Maintenance Facilities at Mt. Tabor Maintenance Yard and Urban Forestry Delta Park Yard ("Project"). The current contract is more than 125% of the original value and Council approval is required to add further funds. The cost of the proposed amendment can be covered within the current Project budget.

The Project provides the public with a new multi-modal path adjacent to the Mt. Tabor Yard operations facility and makes extensive infrastructure improvements to the maintenance facilities at the site.

Both the Maintenance Yard improvement portions of the Project are funded with 2014 Parks Replacement bond monies (\$15.7M) and the trail work is funded with System Development Charge monies (\$1.95M). To facilitate design work, a professional services contract was advertised to provide design and construction oversight services for this Project, as well as for the Urban Forestry Yard Renovations at Delta Park. After a competitive Request for Proposals process, Opsis Architecture was awarded the contract for design services on 4/27/2016 via Ordinance number 187702. Since contract award, eleven amendments have been made to accommodate scope changes on the Mt. Tabor Maintenance Yard/Multi-modal Path project and the Urban Forestry Maintenance Yard project.

Currently, the Mt. Tabor Yard/Multimodal Path Project is in construction with completion anticipated in February 2024. The Urban Forestry Project is complete.

### Financial and Budgetary Impacts

The contract amendment amount will be covered by the existing Project budget.

Funding for this Project was secured from voters with approval of the 2014 Parks Replacement Bond and from PP&R System Development Charges.

### Community Impacts and Community Involvement

No community involvement necessary. There was a robust community engagement process around the 2014 Parks Replacement Bond and SDC funding of the multi-modal pathway, the additional funds are required to deliver on existing public commitments.

### 100% Renewable Goal

N/A

### Agenda Items

1003 Consent Agenda in [December 6, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/12/6)  
(<https://www.portland.gov/council/agenda/2023/12/6>)

Passed to second reading

Passed to second reading December 13, 2023 at 9:30 a.m.

1039 Consent Agenda in [December 13, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/12/13)  
(<https://www.portland.gov/council/agenda/2023/12/13>)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea