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## 191980

Ordinance

### Amend contract with Titan Utilities, LLC to add funds for storm sewer and maintenance hole replacement at Outfall 42 due to railroad permit delays (amend Contract 30008429)

Passed

The City of Portland ordains.

Section 1. The Council finds:

1. The Bureau of Environmental Services (BES) needs to amend Contract No. 30008429 with Titan Utilities, LLC for storm sewer and maintenance hole replacement at Outfall 42 adjacent to the Willamette River and active Union Pacific rail lines.
2. Following competitive bidding, pursuant to Ordinance No. 191254, Contract No. 30008429 was made and entered into on April 26th, 2023, for a maximum, not to exceed, amount of \$1,313,140.00. The contractor was issued a Notice to Proceed on August 14, 2023.
3. On December 21st, 2023, Ordinance No. 191569 was passed, which amended Contract No. 30008429 to add \$679,900 to the original contract. This resulted in a new total contract amount of \$1,993,040.
4. In the course of executing work required under the contract, the contractor experienced a series of delays associated with Union Pacific Railroad (UPRR) and Rail Pros. Increased review time delayed completion of the contractor's work.
5. Due to delays, the contractor incurred additional costs for extended rental time of the following equipment: slide rail shoring, auger bore equipment and contractor-owned equipment.
6. The established cost is \$84,115.96. Funds are available in the Sewer System Operating Fund, FY 2024-25 Budget, Bureau of Environmental Services, BES Project Number E11220.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer or their designee is hereby authorized to execute additions to Contract No. 30008429 with Titan Utilities, LLC for the purpose and amount described in Section 1, for an amended contract amount of \$2,077,155.96.

Introduced by

[Mayor Ted Wheeler](#)

City department

[Environmental Services](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

December 4, 2024

B. The Mayor and Auditor are hereby authorized to pay for the contract from the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

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 4, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

The purpose of this legislation is to amend a construction contract for the Outfall 42 Maintenance Hole and Storm Sewer Construction Rebid Project. The current amended contract is for \$1,993,040, and this ordinance would authorize BES to increase the contract for an amount of \$84,115.96 for a total contract amount of up to \$2,077,155.96. This is the 2<sup>nd</sup> contract amendment.

This increase is required to cover all additional costs associated with contractor work delays due to Extended review time by Union Pacific Railroad.

### Financial and Budgetary Impacts

The cost for this delay is \$84,115.96, which will result in a 4.2% increase from the current contract amount, resulting in a 58.17% increase from the original contract amount. The costs were determined by adding the costs of receipts, sub-contractor invoices and additional documentation.

Funds are available in the Sewer System Operating Fund, FY 2024-25 Budget, Bureau of Environmental Services, BES Project No E11220.

### Economic and Real Estate Development Impacts

Not applicable

### Community Impacts and Community Involvement

There are currently no community impacts.

### 100% Renewable Goal

This project will neither increase nor decrease the City's total energy use.

This project will neither contribute to nor take away from the City's goal of meeting 100 percent community-wide energy needs with renewable energy by 2050

## Financial and Budget Analysis

This action amends BES service contract with Titan Utilities, LLC for storm and sewer maintenance hole replacement at Outfall 42. Additional associated cost of \$84,115.96 will be absorbed by the Sewer System Operating Fund within the current FY 2024-25 budget. No additional appropriations are required as a result of this action.

## Document History

Agenda	Council action
<a href="#">November 20, 2024</a> Consent Agenda City Council	<b>Passed to second reading</b> Passed to second reading December 4, 2024 at 9:30 a.m.
<a href="#">December 4, 2024</a> Consent Agenda City Council	<b>Passed</b> <b>Aye (4):</b> Mingus Mapps, Dan Ryan, Rene Gonzalez, Ted Wheeler <b>Absent (1):</b> Carmen Rubio