

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN) RESOLUTION NO. 00-2983
AMENDMENT TO THE CONTRACT BETWEEN)
METRO AND FIRST CASCADE CORPORATION)
FOR CONSTRUCTION SERVICES AT OXBOW) Introduced by
REGIONAL PARK) Mike Burton

WHEREAS, on March 15, 2000 Metro executed Contract No. 921942 with First Cascade Corporation for construction of improvements to Oxbow Regional Park; and

WHEREAS, the construction improvements include two restrooms, utilities, campsite expansion and road realignment in the contract amount of \$798,041; and

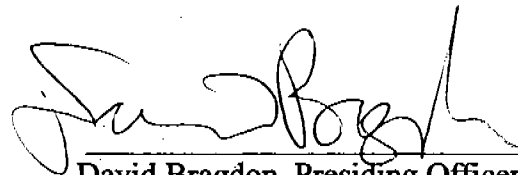
WHEREAS, funding has been appropriated for construction of campground capital projects at Oxbow Regional Park in the adopted FY 2000-01 budget; and

WHEREAS, the approved permit from the Oregon Department of Environmental Quality requires design revisions necessitating a change order to the existing contract with First Cascade Corporation; now, therefore,

BE IT RESOLVED,


That the Metro Contract Review Board authorizes the Executive Officer to execute Change Order No. 1 to Metro Contract No. 921942 with First Cascade Corporation in a form substantially similar to that attached as Exhibit A.

ADOPTED by the Metro Contract Review Board this 17th day of August, 2000.



David Bragdon, Presiding Officer

Approved as to Form:



Daniel B. Cooper, General Counsel

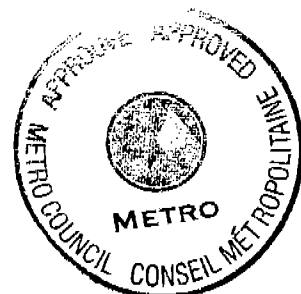


EXHIBIT A

CHANGE ORDER NO. 1
METRO CONTRACT NO. 921942
OXBOW REGIONAL PARK CAMPGROUND & RESTROOM ADDITIONS

MODIFICATION TO THE CONTRACT BETWEEN METRO
AND
FIRST CASCADE CORPORATION

This Change Order, dated as of the last signature date below, is entered into between Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter, and First Cascade Corporation, "Contractor," pursuant to the Construction Agreement dated March 15, 2000, (the "original contract".) In exchange for the promises and other valuable consideration described in the original contract, subsequent Change Orders, and this Change Order, the parties agree as follows:

Contractor shall make the following changes to this Contract:

<u>ITEM</u>	<u>Cost</u>
1. Contractor shall implement DEQ required changes to the Recirculating Gravel Filter, Drain Field, High Head Pump Station, and Septic Systems at the two Restrooms as detailed in Revision #1 dated 5/30/00 and Revision #2 dated 6/20/00 on Contract drawings C3, C7, C8, C9, C10, C12, C13, C14 and C15. Additional cost shall be:	\$ 76,000.00
2. Contractor shall implement changes to the restrooms as required by the City of Gresham Permit Department to make the building one-hour fire rated as detailed on the Otak, Inc. revised 8 -1/2" by 11" drawings dated 4/20/00 and transmitted via Metro letter dated April 28, 2000. Per your two cost proposals dated May 23, 2000 the additional cost shall be:	\$ 6,500.00
3. Add 3/4" Febco double check valves at the ten yard hydrants as required by the City of Gresham Plumbing Department and requested by Metro letter dated April 28, 2000. Per your cost proposal dated May 23, 2000 the added cost shall be:	\$ 5,258.00
4. Pay for demobilization and remobilization of the force main boring subcontractor per DEQ requirement. Per your cost proposal dated May 2, 2000 the added cost shall be:	\$ 2,956.00
5. Add occupancy sensors for lighting control to all restroom and shower areas in both restrooms. Per your cost proposal dated May 23, 2000 the added cost shall be:	\$ 2,074.00
6. Delete relocation of 3" double check valve to new location on the main water line. Per DaNeal Construction cost proposal dated July 25, 2000 (with your 5% markup & bond added) the credit shall be:	(\$ 1,476.00)
7. Add anti-graffiti coating to the river rock wainscot on both bathrooms. Per your cost proposal dated June 30, 2000 the added cost shall be:	\$ 1,464.00

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8. Additional costs to provide and install electrical conduit and wire required to connect the electrical panels to the pumps that were not detailed on the electrical drawings or specifications. Per your cost proposal dated July 5, 2000 the added cost shall be:	\$11,706.00
9. Add two 12' by 4' concrete pads at each restroom for propane tanks as requested by Metro.	\$ 800.00
10. Delete Schedule D Unit Price Bid Item #18 - Hydrosplitters 1 ea at \$677.00 for a total deleted cost of:	(\$ 677.00)
11. Delete Schedule D Unit Price Bid Item #19 - 3" Drain field Header Piping 250 LF at \$27.63 per LF for a total deleted cost of:	(\$ 6,908.00)
12. Delete Schedule D Unit Price Bid Item #20 - Shallow Gravelless Drain field 3240 LF at \$7.55 per LF for a total deleted cost of:	<u>(\$24,464.00)</u>
Total Contract Change Amount for this Change Order	\$73,233.00

The maximum compensation which Metro shall be obligated to pay Contractor, including this Change Order, shall be **EIGHT HUNDRED SEVENTY ONE THOUSAND TWO HUNDRED SEVENTY FOUR DOLLARS AND NO CENTS (\$871, 274.00)**.

Except as modified herein, all other terms and conditions of the original contract and previous Change Orders (if any) remain in full force and effect. The terms and conditions of this Change Order constitute a full accord and satisfaction for all costs, overhead, time and profit related to the actions described or referenced herein. Not valid until signed by both the Owner and Contractor. Signature of Contractor indicates agreement herewith including any adjustments in the Contract Sum or Contract Time.

First Cascade Corporation.

Metro

Signature

Signature

Print name and title

Print name and title

Date

Date

OPERATIONS COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 00-2983, FOR THE PURPOSE OF AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN METRO AND FIRST CASCADE CORPORATION FOR CONSTRUCTION SERVICES AT OXBOW REGIONAL PARK

Date: August 17, 2000

Presented by: Councilor Atherton

Committee Recommendation: At its August 9, 2000, meeting, the Operations Committee voted 3-0 to recommend Council adoption of Resolution No. 00-2983. Voting in favor: Atherton, Monroe, Washington. Voting against: None. Absent: None.

Background: Charles Ciecko, Regional Parks and Greenspaces Director, presented the staff report. He explained that the proposed resolution authorizes an amendment of considerable size for capital construction at Oxbow Regional Park, increasing the original contract amount of \$798,000 to \$871,000. The increase is a result of a change in DEQ requirements for specifications on the sewage treatment plan. The construction project consists of site improvements, including two restrooms, utilities, campsite expansion, and road realignment.

Glen Taylor, Project Construction Manager at Oxbow Regional Park, provided further background. He stated that Metro staff had consulted with DEQ prior to completing designs for the project and used DEQ criteria in the design process. The contract with low-bidder First Cascade Corporation was not issued until March 2000 when tentative approval of the sewage treatment plant was received from DEQ, and full approval was received from Multnomah County. When the final design review was returned from DEQ in June, the conditions of approval were changed to the new requirements. Mr. Taylor stated that he negotiated with the contractor to reduce the cost of the change order from an initial estimate of \$101,000 to the current \$73,000.

Committee Issues/Discussion: Councilor Atherton questioned the cost basis of item number three on the change order, which adds \$5,258 for 3/4" double check valves as required by the City of Gresham plumbing department. Mr. Taylor clarified that the modification is for ten valves at a cost of approximately \$525 each, rather than a single valve at a cost of \$5,258.

There was no further discussion.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 00-2983 FOR THE PURPOSE OF AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN METRO AND FIRST CASCADE CORPORATION FOR CONSTRUCTION SERVICES AT OXBOW REGIONAL PARK

Date: July 28, 2000

Presented by: Charlie Ciecko
Glenn Taylor

PROPOSED ACTION

Resolution No. 00-2983 seeks approval to amend the existing contract (Contract No. 921942) between Metro and First Cascade Corporation for construction services at Oxbow Regional Park.

EXISTING LAW

Metro Code Sections 2.04.058 (b) requires Council approval for contracts with significant impact for amendments greater than \$25,000.

BACKGROUND

In 1997 Metro Council approved a master plan for Oxbow Regional Park including capital improvements estimated at \$5.4 million.

In December 1999, Metro Parks and Greenspaces issued a Request for Bids (RFB) for construction services at Oxbow Regional Park. The RFB was for construction of campground improvements including expansion of the existing campground area and addition of 22 new campsites, road realignment, construction of two shower and restroom buildings, utilities and the construction of a new septic sewer system. First Cascade Corporation was deemed the certified low bidder in this RFB process. On March 15, 2000 the contract with First Cascade Corporation was executed for the amount of \$798,041.

On June 22, 2000 the Oregon Department of Environmental Quality (DEQ) issued a permit for the proposed septic sewer system at Oxbow Regional Park. The application was submitted by Metro in November 1999. Despite earlier consultation and advice from DEQ, the final permit required a revision of all existing designs for the proposed septic sewer system at Oxbow. This change order will amend the contract to cover the increased costs that design revision and other changes added to the construction cost.

FISCAL IMPACT

\$1,180,715 for construction of this project was budgeted in the department CIP and adopted FY 2000-01 budget. The change order amount remains within the project's Council-approved appropriation.

RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 00-2983.