

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AMENDING)	RESOLUTION NO. 02-3157
METRO CONTRACT NO. 923054 TO MODIFY)	Introduced By: Mike Burton,
THE SCOPE OF WORK BY ADDING)	Executive Officer
ADDITIONAL TASKS)	

WHEREAS, On October 16, 2001, Metro entered into Contract No. 923054 with Vigil-Agrimis, Inc., to provide design services for slope restoration at the St. Johns Landfill; and,

WHEREAS, Metro has the opportunity to combine design services for slope restoration at St. Johns Landfill with design services required for excavation of a flood storage basin in the Columbia Slough drainage area which will result in a single construction project; and,

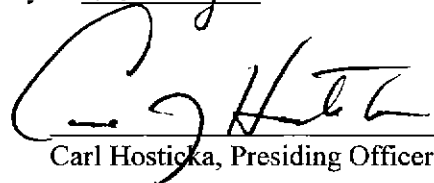
WHEREAS, the resulting combination will provide for efficiencies and reduced cost of construction; and,

WHEREAS, staff recommends increasing the contract amount as contained in Change Order #2, attached hereto as Exhibit "A" for the reasons described above and detailed in the accompanying staff report; now, therefore,

BE IT RESOLVED:

1. The Metro Contract Review Board authorizes the Executive Officer to execute Change Order #2 to Contract No. 923054, in a form substantially similar to that set forth in the attached Exhibit A:

ADOPTED by the Metro Contract Review Board this 14th day of February 2002.


Carl Hosticka, Presiding Officer

Approved as to form:

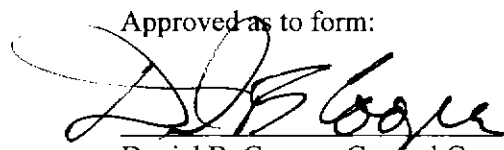

Daniel B. Cooper, General Counsel

EXHIBIT A

Metro Contract No. 923054

CHANGE ORDER NO. 2

This Agreement hereby amends the above titled contract between METRO, a metropolitan service district and VIGIL-AGRIMIS, INC., hereinafter referred to as Contractor.

This amendment is a change order to the original Scope of Work as follows:

1. Contractor shall provide services for design and construction oversight of a Flood Storage Basin at Smith Lake, as outlined in Metro's RFP #2 dated November 2, 2001 and Contractor's Proposal dated November 15, 2001, and incorporated herein by reference. The tasks, with associated costs, are as follows:

	<u>COST</u>
a. Site reconnaissance and planning	\$3,500
b. Survey and Map Smith Lake Property (including boundary survey)	9,600
c. Prepare Plans	4,040
d. Revise plans after review and incorporate With slope restoration plans	5,160
e. Assist Metro in obtaining Type II Environmental Review	1,930
f. Assist Metro in obtaining an NPDES Permit 1200-C from DEQ	1,890
g. Prepare final plans, specifications and cost Estimate for bid	3,260
h. Provide construction oversight	6,930
i. Miscellaneous Expenses	<u>250</u>
Total Estimate =	\$36,560

2. Request for Proposal #1 – Additional survey of St. Johns Landfill “swale” area required by changes due to settlement -- \$3,278.00.

TOTAL ESTIMATE	\$3,278
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3. GRAND TOTAL NOT TO EXCEED \$39,838

Metro agrees to pay Contractor additional consideration for such services in an amount not to exceed THIRTY NINE THOUSAND EIGHT HUNDRED THIRTY EIGHT and NO/100 Dollars (\$39,838.00) beyond the agreed payment for service under the original agreement. No payment beyond this additional sum shall be authorized by Metro without specific written amendment to the original agreement. This amendment increases the maximum contract price to SIXTY FOUR THOUSAND SEVEN HUNDRED SEVENTY EIGHT and NO/100 Dollars (\$64,778.00).

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.

VIGIL-AGRIMIS, INC.

METRO

EXECUTIVE SUMMARY

RESOLUTION 02-3157

Increasing Scope of Work for Design Services Provided by Vigil-Agrimis, Inc.

PROPOSED ACTION

Adoption of Resolution 02-3157 authorizes the amendment of a Personal Services Agreement with Vigil-Agrimis, Inc., to add engineering services for a flood storage basin on Metro property at Smith Lake to an existing contract for similar services for the purpose of slope restoration at St. Johns Landfill.

WHY NECESSARY

- DEQ requires Metro to restore proper drainage at St. Johns Landfill whenever settlement creates ponding on the cover. Existing contract for design of slope restoration is underway.
- Slope restoration will require approximately 10,000 - 12,000 cu. yds. of fill and 3,000 cu. yds. of topsoil.
- Metro is required to make an excavation in the flood zone to balance past and future fill in the flood zone for bank stabilization at St Johns Landfill. Metro has added 7,500 cu. yds. of fill and forecasts a like amount for future bank stabilization.
- Excavation of a flood storage basin in man-made fill in the Smith & Bybee Lakes Natural Area would provide much of the needed fill for slope restoration. It would help satisfy the cut-fill requirements for flood control for past and future bank stabilization. It could allow the addition of wetland habitat.
- Consolidation of this work into one construction contract would provide substantial savings in cost of materials, transportation and disposal.
- A single Design Engineer for the project will simplify the construction process and provide for more expeditious construction management. It is desirable that only one engineering firm provide oversight to the construction contractor to avoid confusion and claims.

ISSUES

- Vigil-Agrimis, Inc., is an MBE consultant selected by competitive process. Work to-date has been excellent.
- An evaluation of the flood storage site indicates that the material is suitable for fill at St. Johns Landfill.
- Additional engineering services related to the flood storage basin will be performed at the same unit price as the original contract for slope restoration engineering.

BUDGET/FINANCIAL IMPACTS

The change order for Vigil-Agrimis will add \$39,838 to the existing contract of \$24,940. The adopted FY 2002-03 budget included sufficient funds for this purpose.

SOLID WASTE AND RECYCLING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 01-3157, FOR THE PURPOSE OF AMENDING METRO CONTRACT NO. 923054 TO MODIFY THE SCOPE OF WORK BY ADDING ADDITIONAL TASKS

Date: February 26, 2002

Presented by: Councilor McLain

Committee Recommendation: At its February 6 meeting, the committee considered Resolution No. 01-3157 and voted unanimously to send the resolution, to the Council for adoption. Voting in favor: Councilors McLain, Monroe, and Chair Atherton. Councilors Bragdon and Park were absent.

Background: Metro is responsible for the closure and environmentally sound maintenance of the St. Johns Landfill. Metro has been continually involved in addressing settling within the landfill that can result in the "ponding" of water on the site. Metro is also engaged in the excavating soil at the flood storage basin within the Smith and Bybee Lakes Natural Area.

Vigil-Agrimis was awarded the contract for the engineering design work related to modification of slopes within the landfill to correct the "ponding" problem. Following the awarding of this contract, REM staff determined that using the same design and construction contractors for both the slope restoration and excavation projects would result in overall cost and time savings.

The resolution authorizes the executive officer to execute a change order to the contract that would authorize Vigil-Agrimis to provide the additional design work for the excavation project. The change order would increase the amount of the original contract by \$39,838. The Metro Code requires that the Council must approve a change order of this size.

Committee Discussion: Terry Petersen, REM Director, presented the staff report. He explained the time and cost savings that can be achieved by using a single contractor for the design work on both the slope restoration and excavation projects at the landfill.

Councilor McLain asked about the status of discussions with the DEQ concerning a final closure permit or plan for the landfill. Petersen indicated that recent discussions with the DEQ staff have been more productive. He expressed hope that the permitting process will be completed by the end of 2002. He indicated that he would continually update the committee on the status of these negotiations.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 02-3157 FOR THE PURPOSE OF AMENDING METRO CONTRACT NO. 923054 FOR THE PURPOSE OF MODIFYING TO ADD ADDITIONAL WORK

Date: December 3, 2001

Presented by: Terry Petersen

PROPOSED ACTION

This resolution would authorize execution of Change Order #2 to Contract #923054. This change order would add design and construction oversight services for a flood storage basin on Metro property to incorporate that work into a single project with the slope restoration of nearby St. Johns Landfill.

EXISTING LAW

Metro Code 2.04.046(a) requires that amendments increasing the contract amount as recommended in Change Order #2 require approval of the Metro Council. The original contract amount was \$24,940. Change Order No. 2 would increase the contract by \$39,838.

FACTUAL BACKGROUND AND ANALYSIS

DEQ requires Metro to restore slopes to provide proper drainage on the St. Johns Landfill cover whenever settlement creates extensive ponding on the surface. Design services to that end are well underway under Contract #923054. The staff is recommending that these services be expanded to include design and construction oversight for excavation of a flood storage basin on a 1.66-acre parcel of Metro land by North Portland Road, within the Smith & Bybee Lakes Natural Area.

The proposed additional design work would provide the following benefits.

- a. Fulfill Metro's obligation to remove soil in the flood zone to balance past and future fill requirements in the flood zone for bank stabilization at St. Johns Landfill. Metro has added approximately 7,500 cu. yds. of fill in the flood zone for bank stabilization and forecasts a like amount for future bank stabilization.
- b. Use of this excavated soil to provide part of the needed fill for slope restoration at St. Johns Landfill. Vigil-Agrimis has completed preliminary plans for the slope restoration under Contract #923054. The slope restoration will require 10,000 - 12,000 cu. yds. of fill and about 3,000 cu. yds. of topsoil.
- c. Design a flood storage basin that supports the restoration of wetland within the Smith & Bybee Lakes Natural Area. Wetland restoration will be carried out by one or more specialized contractors.
- d. Provide future savings to Metro by combining construction of the flood storage basin and slope restoration into one construction contract. The construction cost savings would be due to decreased mobilization costs and other economics of scale, as well as reuse of the fill from excavation of the storage basin.
- e. Use a single design engineer to simplify the construction process and provide more expeditious construction management. It is desirable that only one engineering firm provide oversight to the construction contractor to avoid confusion and claims.

- f. Obtain the benefit of the same unit prices incorporated into the original contract for slope restoration.

It would be desirable to complete this design as soon as possible and to secure the necessary regulatory permits to complete this work next summer. It is most desirable to retain Vigil-Agrimis as the single engineer to produce a comprehensive set of plans and specifications for both excavation and slope restoration. Vigil-Agrimis is an MBE consultant selected using a competitive proposal process. They have done excellent work so far.

BUDGET IMPACT

Adequate funds have been budgeted for this project. The FY 2001-02 budget contains \$180,000 for establishment of proper drainage, which is in the Capital Improvement Plan.

EXECUTIVE OFFICERS RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 02-3157.