

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF EXTENDING THE) RESOLUTION NO. 97-2447
CURRENT OPERATIONS CONTRACTS FOR METRO)
CENTRAL AND METRO SOUTH STATIONS UNTIL) Introduced by Mike Burton
SEPTEMBER 30, 1997) Executive Officer

WHEREAS, It is in Metro's best interest to extend the existing operation contracts for the reasons described in the accompanying staff report; and

WHEREAS, Such extensions will provide appropriate time for the Council and Executive Officer to review the proposals for replacement operations contractor(s); and

WHEREAS, Such extensions will provide adequate time for mobilization while minimizing inconvenience to customers since it will not occur during a high-usage month; and

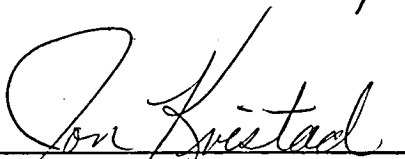
WHEREAS, It is unlikely that Metro would incur economic harm as a result of the extensions as unit prices for the work are fixed in the existing contracts which were competitively obtained; and

WHEREAS, The resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore,

BE IT RESOLVED,

1. That the Metro Council authorizes the Executive Officer to execute Change Order No. 21 to the Metro Central Station Operations Contract No. 901584, which is attached as Exhibit "A"; and
2. That the Metro Council authorizes the Executive Officer to execute Change Order No. 20 to the Metro South Operations Contract No. 901106, which is attached as Exhibit "B".

ADOPTED by the Metro Council this 6th day of February, 1997.



Jon Kvistad, Presiding Officer

EXHIBIT "A"

Contract No. 901584
Change Order No. 21

MODIFICATION TO THE CONTRACT BETWEEN
METRO AND TRANS INDUSTRIES
FOR THE OPERATION OF METRO CENTRAL STATION

METRO POC: Jim Watkins, Engineering & Analysis Manager

CONTRACTOR POC: Tom Wyatt, Operations Manager

This Agreement is dated as of the last signature date below and is entered into between Metro and Trans Industries, referred to herein as "Contractor," pursuant to the Metro Transfer Station Operation Agreement made and entered into December 8, 1989.

A. Purpose

The primary purpose of this change order is to change the termination date of the Agreement to September 30, 1997.

B. Terms

1. Term of the Agreement. Section 3.1 of the Agreement is changed to read as follows:

"The Term of this Agreement, unless terminated sooner as provided herein, shall expire on September 30, 1997."

2. Repairs and Maintenance: The second sentence of Section 7.3.2.1 (as stated in Change Order No. 15 and No. 20) is changed to read as follows:

"Contractor shall be reimbursed for one-half its Direct Costs until June 30, 1997, and for seventy five percent of its Direct Costs during the remaining three months of this Agreement (excluding Contractor-provided labor expenses except those pre-approved by Metro) for the extraordinary costs for replacement or rebuilding of those items listed in Exhibit 7.2 of Change Order No. 15 to the extent of Cost Substantiation, provided that the Contractor has performed the periodic maintenance consistent with historical levels and the Operation and Maintenance Manuals."

Except as modified herein, all terms and conditions of the original agreement and previous change orders remain in full force and effect.

TRANS INDUSTRIES

METRO

Signature

Signature

Print Name and Title

Print Name and Title

Date

Date

EXHIBIT "B"

Contract No. 901584
Change Order No. 20

MODIFICATION TO THE CONTRACT BETWEEN
METRO AND WASTE MANAGEMENT OF OREGON
FOR THE OPERATION OF METRO SOUTH STATION

METRO POC: Jim Watkins, Engineering & Analysis Manager

CONTRACTOR POC: Garry Penning, Division President

This Agreement is dated as of the last signature date below and is entered into between Metro and Waste Management of Oregon, referred to herein as "Contractor," pursuant to the Metro South Station Operation Agreement made and entered into October, 1989.

A. Purpose

The primary purpose of this change order is to change the termination date of the Agreement to September 30, 1997.

B. Terms

1. Contract Term. Item A of ARTICLE 32 of the General Conditions of the Agreement is changed to read as follows:

"The period of operations for Metro South Station will extend from 12:01 a.m. on January 1, 1990, to 11:59 p.m. on September 30, 1997."

2. Contract Term. Item B of ARTICLE 32 of the General Conditions of the Agreement is DELETED.

Except as modified herein, all terms and conditions of the original agreement and previous change orders remain in full force and effect.

WASTE MANAGEMENT OF OREGON

METRO

Signature

Signature

Print Name and Title

Print Name and Title

Date

Date

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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 97-2447 FOR THE PURPOSE OF EXTENDING THE CURRENT OPERATIONS CONTRACTS FOR METRO CENTRAL AND METRO SOUTH TRANSFER STATIONS UNTIL SEPTEMBER 30, 1997.

Date: January 3, 1997

Presented by: Jim Watkins

PROPOSED ACTION

Adopt Resolution No. 97-2447 which authorizes the Executive Officer to execute Change Order No. 21 to the Operations Agreement for Metro Central Station with Trans Industries and Change Order No. 20 to the Operations Agreement with Waste Management of Oregon for Metro South Station to extend the term of the agreements until September 30, 1997.

FACTUAL BACKGROUND AND ANALYSIS

In September 1996, Metro issued a Request for Proposals for the Operation of Metro South and/or Metro Central Transfer Stations (RFP #96R-31-REM). The purpose of the procurement was to replace the operations agreements for Metro's transfer stations which expires April 30, 1997.

The schedule for the RFP called for the submission of proposals in early November 1996. While this schedule provided vendors with only the minimum required mobilization time, it did place such mobilization during a period in which the stations were not receiving peak quantities of waste.

Due to a variety of factors, the submittal date for proposals has been delayed until at least March 5, 1997. The main reason for this delay has been consideration of a change order to the Waste Disposal Services Contract. The changes contemplated would affect the calculation of the impact of dry waste diverted from disposal through the disposal contract. If adopted, the change order would require adjusting the cost calculation for the RFP which in turn would necessitate Council approval. Therefore, a delay seemed appropriate.

As a result of these delays, the original schedule for securing replacement operations agreements and mobilizing contractor(s) is unattainable. This requires extending the current operations agreements. It is recommended that the extensions be for a five-month period, ending September 30, 1997. This extension would avoid mobilizing a potentially new contractor during the busiest period (June through September) and thereby minimize disruptions for customers. Also, vendors have stated a desire for more mobilization time than originally provided for in the RFP schedule. The extension should accommodate this desire.

BUDGET IMPACT

The contract costs of the recommended extension should not differ significantly from the budgeted amounts.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 97-2447.

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