

BEFORE THE METRO COUNCIL CONTRACT REVIEW BOARD

FOR THE PURPOSE OF APPROVING ) RESOLUTION NO. 10-4219  
CONTRACT AMENDMENTS FOR THE MRC )  
THIRD FLOOR CONFERENCE ROOM ) Introduced by Chief Operating Officer  
PROJECT ) Michael Jordan with the concurrence of  
) Council President Carlotta Collette

WHEREAS, pursuant to ORS 279A.060 and Metro Code 2.04.058, the Metro Council is designated as the Public Contract Review Board for the agency; and

WHEREAS, Metro Code 2.04.058 requires Council approval for public improvement contract amendments that exceed five percent of the initial contract value or \$25,000.00; and

WHEREAS, the Metro Council approved 2010-2011 Capital Budget includes the construction of a third floor conference room for the Metro Regional Center (MRC) (the "Project"); and

WHEREAS, under the direction of Metro Parks and Environmental Services, contracts for the construction of said conference room have been awarded by informal competitive bidding in accord with ORS 279C.335(1)(d), and Metro Code Section 2.04.054(a); and

WHEREAS, the contract for the Project's electrical, audio-visual and HVAC work was awarded to Northwest Electrical Contractors in the amount of \$78,402.00, and the contract for construction and remodeling was awarded to Donkin Construction in the amount of \$24,950.00; and


WHEREAS, both Project contractors are certified by the State of Oregon's minority, women, and emerging small business (MWESB) program, providing contract opportunities to MWESB contractors in accordance with Metro Code 2.04.105; and

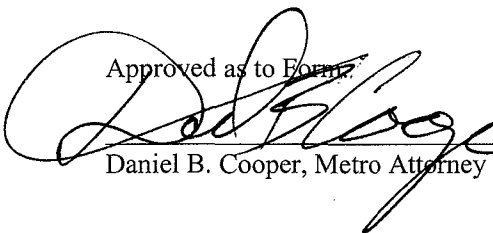
WHEREAS, during the course of construction, additional items have been deemed necessary to be added to the Project, including dimmable lighting, additional electrical outlets, and energy efficient lighting ballasts, the addition of which will not exceed the Project's existing capital budget; and

WHEREAS, the Metro Procurement Officer believes that amending the existing contracts with Northwest Electrical Contractors and Donkin Construction is appropriate and that such action is in the best interests of Metro; now therefore

BE IT RESOLVED that the Metro Council acting as the Public Contract Review Board authorizes the Procurement Officer to execute contract amendments in the amounts of \$4,000.00 and \$15,235.25 with Northwest Electrical Contractors and Donkin Construction, respectively.

ADOPTED by the Metro Council Contract Review Board this 16 day of DEC 2010.

  
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Carlotta Collette, Council President

  
Approved as to Form  
Daniel B. Cooper, Metro Attorney



## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 10-4219, FOR THE PURPOSE OF APPROVING CONTRACT CHANGE ORDERS FOR THE CONSTRUCTION OF THE MRC THIRD FLOOR CONFERENCE ROOM.

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Date: December 5, 2010

Prepared by: Darin Matthews  
Richard Thompson

### BACKGROUND

This resolution is intended to adjust the amounts of two individual contracts. While the project is completed and under budget, Council authorization is needed according to Metro Code. No additional project funding is required, as the current capital project has the necessary funds to cover these change orders.

The Metro Regional Center has long had a need for a more sustainable conference room. In 2009 the Metro Council approved a capital funded project for remodeling the existing Gustafson Conference room and adjacent offices to make room for a more sustainable conference room. The sustainable features of the new conference room include building envelope blinds, energy efficient light fixtures, low VOC paint, 100% recycled chairs, eco ceiling tiles, eco back carpet, sustainable audio visual technologies and future video conferencing capabilities.

This work was competitively bid, as required by Metro Code 2.04, and two contracts were awarded. The electrical, audiovisual (AV) and heating, ventilation and cooling (HVAC) work went to Northwest Electrical Contractors, a state-certified women-owned business enterprise (WBE); and the construction and remodeling portion went to Donkin Construction, a state-certified emerging small business (ESB).

Under the direction of the Parks and Environmental Services property staff, the work has been performed in a quality manner and in a timely fashion. The construction work is completed and the project is in the final stages of training and commissioning. During the project, additional items were deemed necessary for both contracts as they were not identified in the original scope of work. These items included LED light fixtures throughout, USB drops to table and floor boxes, additional wall receptacles and network connections in walls, additional front wall framing and sheetrock for presentation, additional ceiling insulation and AV system modification. These additional features added to the sustainability of the conference room, and by adding them during construction, saved the time and money of having them performed later.

These contracts represent 100% utilization of MWESB contractors, which is consistent with Metro Code 2.04 encouraging the use of minority, women and emerging small contractors.

### PROJECT SUMMARY

Project Name:	MRC Third Floor Conference Room
Project Manager:	Richard Thompson
Total Capital Project Budget:	\$160,000
Total Construction Project Cost:	\$122,584.25

***Electrical/AV/HVAC***

Contractor:	Northwest Electrical Contractors (Contract 930112)
Original Contract Value:	\$78,402
Change Order Value:	\$15,232.25
Total Contract Value:	\$93,634.25
Percent Increase:	\$19.43
MWESB Utilization:	100%

***Construction/Remodel***

Contractor:	Donkin Construction (Contract 930103)
Original Contract Value:	\$24,950
Change Order Value:	\$4,000
Total Contract Value:	\$28,950
Percent Increase:	16%
MWESB Utilization:	100%

In accordance with Metro Code 2.04.058, contract amendments and change orders for construction contracts that represent an increase of \$25,000 or 5% of the contract value must be approved by the Metro Council. However, the increased contract costs are within industry standards, as well as contract amendment limitations set out by the Oregon Attorney General's Model Public Contracting Rules.

**ANALYSIS/INFORMATION**

1. **Known Opposition** None known.
2. **Legal Antecedents** Metro Code 2.04.058 (1) (3); 2.04.105; ORS 279B.070; ORS 279C.300
3. **Anticipated Effects** Availability of conference facility for agency use.
4. **Budget Impacts** No additional project funding is required, as the current capital project has the necessary funds to cover these change orders.

**RECOMMENDED ACTION**

Metro Council, acting as Public Contract Review Board, approves the requested change orders for Northwest Electrical Contractors and Donkin Construction.