

BEFORE THE METRO COUNCIL CONTRACT REVIEW BOARD

FOR THE PURPOSE OF APPROVING A) RESOLUTION NO. 11-4253
CONTRACT AMENDMENT FOR THE)
VETERINARY MEDICAL CENTER PROJECT) Introduced by Acting Chief Operating Officer
AT THE OREGON ZOO) Dan Cooper with the concurrence of Council
) President Tom Hughes

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, on August 13, 2010, Metro awarded the contract (the "Contract") to construct the Oregon Zoo Veterinary Medical Center (the "Project") to SKANSKA USA, Inc., after conducting an open competitive bid process in which SKANSKA, USA, Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, the original Contract amount is \$6,454,899, and six amendments increasing the Contract in the amount of \$606,439 have been approved by the Metro Council; and

WHEREAS, the Oregon Zoo now wishes to obtain Metro Council approval for amendment seven to the Contract for additional work, in the amount of \$25,904. The additional work elements of Amendment 7 include the following: the rain water reclamation system was upgraded to potable water standards by upgrading filter systems, adding a drip chlorination component and other control systems; a portion of the building footings located in the garage and surrounding area changed in elevation from the bid drawings to the construction drawings and additional blocking was required in the bar joist supporting the roof structure; and

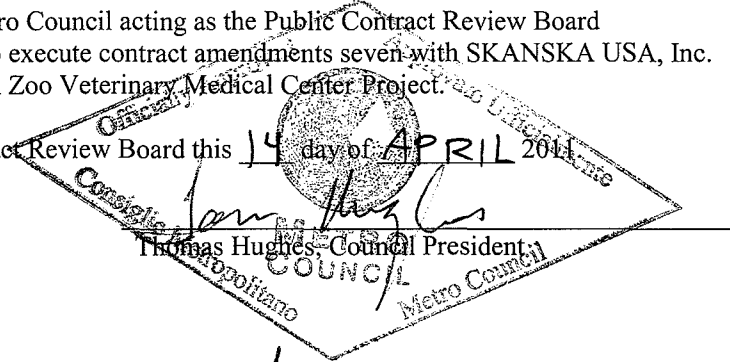
WHEREAS, the additional work has been reviewed by the Deputy Chief Operating Officer, the Oregon Zoo Bond Manager, the Oregon Zoo Construction Manager and the Project architect, and has been determined to be necessary, appropriately priced, and within the contingency budget for the project; and

WHEREAS, the sum of the prior approved contract amendments and the amendment proposed herein is \$632,343, amounting to six and one half percent of the Project's total budget of \$9.5million; and

WHEREAS, the Metro Procurement Officer believes that amending the existing contract with SKANSKA USA, Inc. is appropriate and that such action is in the best interests of Metro and will better ensure a timely Project delivery; now therefore

BE IT RESOLVED that the Metro Council acting as the Public Contract Review Board authorizes the Chief Operating Officer to execute contract amendments seven with SKANSKA USA, Inc. in the amount of \$25,904, for the Oregon Zoo Veterinary Medical Center Project.

ADOPTED by the Metro Council Contract Review Board this 14 day of APRIL 2011



Thomas Hughes, Council President

Attest:

N/A

Kelsey Newell, Recorder

Approved as to Form:

A handwritten signature in black ink, appearing to be 'Alison Kean Campbell', written over a horizontal line.

Alison Kean Campbell, Acting Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4253, METRO COUNCIL, ACTING AS THE METRO CONTRACT REVIEW BOARD, FOR THE PURPOSE OF APPROVING A CONTRACT AMENDMENT FOR THE VETERINARY MEDICAL CENTER PROJECT AT THE OREGON ZOO

Date: March 23, 2011

Prepared by: Darin Matthews, 503 797-1626
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BACKGROUND

An open, competitive Request for Bid was issued for the Veterinary Medical Center (VMC) project in 2010. In accordance with Metro Code, the lowest responsive, responsible bidder was selected, which was Skanska USA Building, Inc.

The project specifications and design drawings were prepared by Peck Smiley Ettlin Architects representing the scope of the project. The bond program team sought review of the drawings and specifications from multiple engineers and architects for constructability and completeness as a risk mitigating procedure. Those reviews concluded that the excavation and soil nail wall installation were the most inherently risky aspects of the entire project. Due to these risks, the project is carrying a substantial contingency.

During the course of construction, existing site conditions and necessary changes to the VMC construction documents have required contract change orders. The program team is requesting amendment to the contract to address the following conditions:

Change Order Seven

- A. The filters were upgraded a chlorination drip system and other equipment were added to the rainwater reclamation system in order to bring the water up to potable standards.
- B. Footings in a garage and a portion of the building were shown at an incorrect depth.
- C. Additional blocking not shown on the plans is required for the bar joists supporting the roof of the building.

Change Order Six		
Item	Brief Description	Amount
A	Rain Water Reclamation Re-design	10,188
B	Building Footing Changes, Bid to Permit	14,860
C	Blocking for Bar Joists	856
Change Order Six Total		\$25,904

The project's design consultants reviewed the requests and verified that the work is outside of the existing contract scope and reasonably priced, which the Metro Procurement Officer concurs with. The Zoo Bond Construction Manager, Program Director, and the Metro Deputy Chief Operating Officer reviewed these change orders and agreed the work is necessary and can be paid within the adopted project budget.

Information about prior contract amendments in change orders one through six totaling \$606,439 has been presented to the Metro Council in prior resolutions. The total for change order five is \$25,904. With

approval of these change orders, the total change orders to date total \$632,343, or approximately six percent of the project's budget of \$9.5 million.

Due to the risky nature of the soil nail wall and zoo site conditions, the project includes an adequate contingency to cover these change orders. As previously stated, the excavation and soil nail wall represent what is believed to be the riskiest aspect of the project. Remaining project contingency is believed adequate to complete the project within budget.

Metro Code 2.04.058, Public Contract Amendments, requires Metro Council approval of contract amendment or change orders that exceed \$25,000 or five percent of the original contract value. The Metro Procurement Officer has deemed this amendment to be appropriate and reasonably related to the original scope of work, and therefore, believes the amendment is in Metro's best interest to approve.

The bond program will continue to manage and administer this contract to ensure this project is constructed in accordance with the contract, including all plans and specifications. The Veterinary Medical Center project is scheduled to be completed in fall 2011.

ANALYSIS/INFORMATION

1. **Known Opposition:** None known.
2. **Legal Antecedents:** Metro Code 2.04.058, ORS Chapter 279C.
3. **Anticipated Effects:** Construction will continue on the new Veterinary Medical Center under the direction of the Bond Program Construction Manager and in accordance with contract documents and schedules. The project schedule will not be extended as a result of approval of Change Order seven.
4. **Budget Impacts:** These change orders total within the project's budgeted contingency. The total contract for Skanska USA Building, Inc will increase to \$7,087,242.

RECOMMENDED ACTION

Metro Council, acting as Public Contract Review Board, approves the attached contract amendment representing change orders seven with Skanska USA Building, Inc.