

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING ) RESOLUTION NO. 88 - 902  
CONTRACT WITH RITTENHOUSE-ZEMAN )  
& ASSOC TO INCLUDE SPECIFICATIONS ) Introduced by  
REVIEW AND SPECIAL SOILS INSPECTIONS ) Executive Officer Rena Cusma  
FOR THE OREGON CONVENTION CENTER )

WHEREAS, The Council of the Metropolitan Service District selected Rittenhouse-Zeman and Associates for preliminary soils investigation for the Oregon Convention Center; and

WHEREAS, Rittenhouse-Zeman has completed the preliminary soils investigation in accordance with their contract; and

WHEREAS, The Bureau of Buildings of the City of Portland considers Rittenhouse-Zeman to be the geotechnical engineer of record for the Oregon Convention Center; and

WHEREAS, The Bureau of Buildings of the City of Portland requires that special soils inspection be done by the geotechnical engineer of record; and

WHEREAS, the specifications review and special soils inspections are continuing activities of the contract with Rittenhouse-Zeman ; now, therefore,

BE IT RESOLVED,

That the contract between Rittenhouse Zeman and Associates and Metro be increased by \$86,000 to include specification reviews and special soils inspection services for the Oregon Convention Center.

ADOPTED by the Council of the Metropolitan Service District this 14th day of April, 1988.

  
\_\_\_\_\_  
Corky Kirkpatrick,  
Deputy Presiding Officer

AMENDMENT NO. 2

This amends the Agreement between the Metropolitan Service District ("Owner") and Rittenhouse-Zeman & Associates, Inc. ("Contractor") executed April 17, 1987 ("original agreement") as previously amended.

WHEREAS, the parties agreed to the conditions set forth in the original agreement and desire to amend the Agreement;

The following changes are made to the original agreement:

METRO AGREES:

1. To pay Contractor for services performed and materials delivered a sum not to exceed [*forty three thousand five hundred and no/100ths (\$43,500)*] \$129,500 (one hundred twenty-nine thousand five hundred) dollars and in the manner and at the time designated in Exhibit B, Compensation;

EXHIBIT A  
SCOPE OF WORK

6. Review plans and specifications for the Oregon Convention Center project submitted by project architect, Zimmer Gunsul Frasca Partnership
7. Act as special inspector for soils for the Oregon Convention Center Project. As Geotechnical Engineer of record, Contractor shall:
  - a) observe subgrade preparation for adequate floor slab and pavement support and confirm that topsoil and deleterious fills have been removed, both inside and outside of building
  - b) observe footing excavation for firm bearing
  - c) observe and test installation of engineered fills and cuts
  - d) observe installation of piling
  - e) monitor temporary cut slopes
  - f) make recommendations for erosion control
  - g) issue daily field reports summarizing observations and test results
  - h) provide intermittent summary reports as requested by Metro
  - i) provide final report stating whether geotechnical work conforms with recommendations, and noting any deviations

EXHIBIT B  
COMPENSATION

1. Total compensation for this contract shall not exceed [forty three thousand five hundred dollars] [\$43,500] **one hundred twenty nine thousand five hundred dollars (\$129,500)**. Contractor shall not perform any services if this amount is exceeded, unless prior approval in writing is obtained from Metro.

Compensation is allocated as shown below and shall not be exceeded without written approval by Metro.

Siting study	\$10,000
Site specific	\$30,000
Pavement design	\$ 3,500
<b>Specifications</b>	<b>\$ 6,000</b>
<b>Geotechnical inspections</b>	<b>\$80,000</b>

WHEREAS, all other conditions and covenants remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their duly authorized officers.

RITTENHOUSE-ZEMAN  
& ASSOCIATES, INC.

METROPOLITAN SERVICE DISTRICT

\_\_\_\_\_  
TITLE: \_\_\_\_\_

\_\_\_\_\_  
TITLE: \_\_\_\_\_

\_\_\_\_\_  
DATE: \_\_\_\_\_

\_\_\_\_\_  
DATE: \_\_\_\_\_

swb  
3/24/88



# GRANT/CONTRACT SUMMARY

METROPOLITAN SERVICE DISTRICT

GRANT/CONTRACT NO. 87-4-285CC BUDGET CODE NO. 52 50 00 00 8630 7500 40900 *per Neil McFarlane*

FUND: CTS DEPARTMENT: Convention Ctr (IF MORE THAN ONE) Project

SOURCE CODE (IF REVENUE) \_\_\_\_\_

### INSTRUCTIONS

- OBTAIN GRANT/CONTRACT NUMBER FROM CONTRACTS MANAGER. CONTRACT NUMBER SHOULD APPEAR ON THE SUMMARY FORM AND ALL COPIES OF THE CONTRACT.
- COMPLETE SUMMARY FORM.
- IF CONTRACT IS —
  - SOLE SOURCE, ATTACH MEMO DETAILING JUSTIFICATION.
  - UNDER \$2,500, ATTACH MEMO DETAILING NEED FOR CONTRACT AND CONTRACTOR'S CAPABILITIES, BIDS, ETC.
  - OVER \$2,500, ATTACH QUOTES, EVAL. FORM, NOTIFICATION OF REJECTION, ETC.
  - OVER \$50,000, ATTACH AGENDA MANAGEMENT SUMMARY FROM COUNCIL PACKET, BIDS, RFP, ETC.
- PROVIDE PACKET TO CONTRACTS MANAGER FOR PROCESSING

1. PURPOSE OF GRANT/CONTRACT provide geotechnical services for convention center site.

2. TYPE OF EXPENSE  PERSONAL SERVICES  LABOR AND MATERIALS  PROCUREMENT  
 PASS THROUGH AGREEMENT  INTER-GOVERNMENTAL AGREEMENT  CONSTRUCTION  
 OTHER

OR

TYPE OF REVENUE  GRANT  CONTRACT  OTHER

3. TYPE OF ACTION  CHANGE IN COST  CHANGE IN WORK SCOPE  
 CHANGE IN TIMING  NEW CONTRACT

4. PARTIES METRO and Rittenhouse Zeman and Associates, Inc.

5. EFFECTIVE DATE 4/14/88 TERMINATION DATE June 30, 1990  
 (THIS IS A CHANGE FROM Dec 31, 1987)

6. EXTENT OF TOTAL COMMITMENT:	ORIGINAL/NEW	\$	<u>40,000.00</u>
	PREV. AMEND		<u>Amendment 1</u> <u>3,500.00</u>
	THIS AMEND		<u>Amendment 2</u> <u>86,000.00</u>
	TOTAL	\$	_____

### 7. BUDGET INFORMATION

A. AMOUNT OF GRANT/CONTRACT TO BE SPENT IN FISCAL YEAR 198 7-8 88 \$ 15,000.00

B. BUDGET LINE ITEM NAME Engineering contract SVCS AMOUNT APPROPRIATED FOR CONTRACT \$ 0

C. ESTIMATED TOTAL LINE ITEM APPROPRIATION REMAINING AS OF Feb 29, 1988 \$ 1,313,738.00

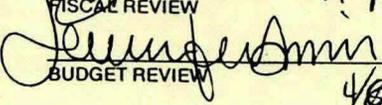
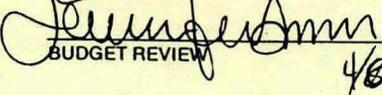
### 8. SUMMARY OF BIDS OR QUOTES (PLEASE INDICATE IF A MINORITY BUSINESS ENTERPRISE)

_____	\$ _____	<input type="checkbox"/> MBE
SUBMITTED BY	AMOUNT	
_____	\$ _____	<input type="checkbox"/> MBE
SUBMITTED BY	AMOUNT	
_____	\$ _____	<input type="checkbox"/> MBE
SUBMITTED BY	AMOUNT	

9. NUMBER AND LOCATION OF ORIGINALS 1 - Rittenhouse Zeman, 2- Contract Officer and 3 - Convention Center Project office

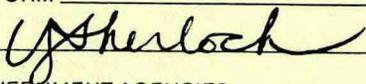
10. A. APPROVED BY STATE/FEDERAL AGENCIES?  YES  NO  NOT APPLICABLE  
 B. IS THIS A DOT/UMTA/FHWA ASSISTED CONTRACT  YES  NO
11. IS CONTRACT OR SUBCONTRACT WITH A MINORITY BUSINESS?  YES  NO  
 IF YES, WHICH JURISDICTION HAS AWARDED CERTIFICATION \_\_\_\_\_
12. WILL INSURANCE CERTIFICATE BE REQUIRED?  YES  NO
13. WERE BID AND PERFORMANCE BONDS SUBMITTED?  YES  NOT APPLICABLE  
 TYPE OF BOND \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_  
 TYPE OF BOND \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_
14. LIST OF KNOWN SUBCONTRACTORS (IF APPLICABLE)
- |            |               |                              |
|------------|---------------|------------------------------|
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
15. IF THE CONTRACT IS OVER \$10,000  
 A. IS THE CONTRACTOR DOMICILED IN OR REGISTERED TO DO BUSINESS IN THE STATE OF OREGON?  
 YES  NO  
 B. IF NO, HAS AN APPLICATION FOR FINAL PAYMENT RELEASE BEEN FORWARDED TO THE CONTRACTOR?  
 YES DATE \_\_\_\_\_ INITIAL \_\_\_\_\_
16. COMMENTS:

## GRANT/CONTRACT APPROVAL

INTERNAL REVIEW  DEPARTMENT HEAD Donald R Cox, Jr. FISCAL REVIEW  BUDGET REVIEW 	CONTRACT REVIEW BOARD (IF REQUIRED) DATE _____ 1. _____ COUNCILOR 2. _____ COUNCILOR 3. _____ COUNCILOR	COUNCIL REVIEW (IF REQUIRED) _____ DATE
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LEGAL COUNSEL REVIEW AS NEEDED:

A. DEVIATION TO CONTRACT FORM \_\_\_\_\_

B. CONTRACTS OVER \$10,000  \_\_\_\_\_

C. CONTRACTS BETWEEN GOVERNMENT AGENCIES \_\_\_\_\_



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

Date: March 31, 1988

To: Tuck Wilson, Project Director  
Convention Center Project

From: Sandy Bradley *Sandy*

Regarding: Sole Source for Soils Special Inspections

Rittenhouse-Zeman and Associates was selected by competitive Request for Qualifications (RFQ) procedures to perform the preliminary soils investigations for the Oregon Convention Center. Ten firms responded to the RFQ released in February, 1987. The three firms considered the most responsive were interviewed by a panel of the Advisory Committee on Design and Construction. The panel recommended that Rittenhouse-Zeman be retained for the initial geotechnical work. The Metro Council approved the contract with Rittenhouse-Zeman on April 16, 1987.

Rittenhouse-Zeman and Associates completed the initial soils investigation and issued their report. The report was discussed with the Advisory Committee on Design and Construction and accepted by the convention center project. Rittenhouse-Zeman is the project's geotechnical engineer of record.

The Bureau of Buildings of the City of Portland requires special inspections to be completed during construction. The Bureau further requires that all soils special inspections be performed by the geotechnical engineer of record. Rittenhouse-Zeman is therefore the sole source available to Metro for the performance of this work.

Copies of the Bureau of Building's correspondence are attached.



CITY OF  
**PORTLAND, OREGON**  
BUREAU OF BUILDINGS

Margaret M. Mahoney, Director  
1120 S.W. 5th Avenue  
Portland, Oregon 97204-1992  
(503) 796-7300

January 26, 1988

TO: David A. Wachob, Turner Const. Co.  
FROM: Fred C. Deis  
RE: Convention Center Special Inspections

The following is a summary of our meeting that we held today. These special inspection requirements are partly based on a recent discussion with Mike Hagerty, the plan review staff lead engineer.

1. Soils Special Inspection. All soils special inspections shall be performed by your geotechnical engineer of record Rittenhouse-Zeman Assoc. Some of the items which they will be responsible for are:
  - A. Approval of subgrade (within and outside building);
  - B. Approval of foundation excavations;
  - C. Observe installation of engineered fills/cuts;
  - D. Observe installation of piling;
  - E. Monitor temporary cut slopes;
  - F. Make recommendations for erosion control measures.

Please see the letter to Dan Huberty, 2GF, for other requirements not discussed.

2. Structural Special Inspections. The typical special inspections are listed in Section 306 of the State Building Code and Title 24, i.e., reinforced concrete, structural steel, masonry, fireproofing, etc.

Based on my discussions with Mike Hagerty the Bureau of Buildings will require that the engineer of record, KPFF, is responsible to provide special inspections for this project. We would expect that the typical special inspections listed in Section 306 will be performed by special inspectors certified by the City.

To get a better understanding of the responsibilities of KPFF please see page #3 of my letter to Dan Huberty.

3. All recommendations by Rittenhouse-Zeman and KPFF that are made as a result of their inspections shall be considered mandatory by the Bureau.
4. At least one of the special inspectors performing structural steel inspections shall be certified as a Certified Welding Inspector by AWS.

David A. Wachob  
January 26, 1988  
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5. KPFF shall specify the extent of non-destructive testing from the structural steel. This information shall be included in the specifications to the builders.
6. General requirements -
  - A. The special inspector shall provide daily inspection reports which shall be maintained at the job site.
  - B. The frequency and extent of inspections shall be done according to Section 306 of the State Building Code and Title 24.
  - C. The special inspector is directly responsible to the Bureau. They act as a deputy to the Bureau.
  - D. The sprayed-on fireproofing subcontractor shall submit an erection drawing indicating which structural members received fire rating, i.e., 2 hr, 3hr, etc.

If the preceding notes do not accurately reflect our discussions, please contact me at 796-7543.

Thank you.

FCD:phw  
cc: Bill Korsak, Shiels and Obletz  
Bob Reslock



CITY OF  
**PORTLAND, OREGON**  
BUREAU OF BUILDINGS

Dick Bogle, Commissioner  
Margaret M. Mahoney, Director  
1120 S.W. 5th Avenue  
Portland, Oregon 97204-1992  
Mailing Address: P.O. Box 8120  
Portland, Oregon 97207-8120  
(503) 796-7300

April 27, 1987

Mr. Dan Huberty, Architect  
Zimmer, Gunsul, Frasca Architects  
320 S. W. Oak Street, Suite 500  
Portland, Oregon 97204

Re: City of Portland Convention Center  
Special Inspections

Dear Mr. Huberty:

We wish to take this opportunity to address the Bureau's concerns relative to special inspections.

As you are probably aware, the requirements for special inspections are included in Section 306 of the State Building Code and Title 24, City Building Regulations.

The purpose of this letter is to summarize the types of special inspections which we would anticipate will be required. It is our hope that the costs related to these special inspections will be adequately addressed during your preparation of the project budget.

A. SOILS SPECIAL INSPECTIONS. All soils special inspections shall be performed by your geotechnical engineer of record. The purpose of soils special inspection is to verify design assumptions included in the soils report and to monitor the construction to verify compliance with the recommendations contained in the soils report and with the permit documents and all applicable codes.

The specific duties to be performed will be finalized after the staff has reviewed the permit documents. Typical items that are anticipated are the following:

1. Installation of piling and/or tiebacks, if applicable;
2. Foundation excavation, subgrade approval;
3. Temporary excavation slopes;
4. Installation of engineered fills;
5. General monitoring/instrumentation for tieback work, surcharge work;
6. Review permit documents for coordination/compliance with

Mr. Dan Huberty, Architect  
Zimmer, Gunsul, Frasca, Architects  
April 27, 1987  
Page 2

the recommendations contained in the soils report. (This may already be included in the site evaluation services contract that would be negotiated with your geotechnical engineer.)

B. STRUCTURAL SPECIAL INSPECTIONS. The typical structural special inspections are listed in Section 306 of the State Building Code, i.e. reinforced concrete, structural steel (welding and high strength bolting), structural masonry, etc.

The duties of the special inspectors are defined in Section 306 and Title 24. However, the Bureau is in the process of re-defining and re-clarifying these duties and we anticipate that this will be completed in the near future.

In order to prepare the project budget, it should be assumed that special inspections will be required for all structural work, since most of the work will undoubtedly be covered by one of the categories listed in Section 306.

C. STRUCTURAL OBSERVATIONS. Section 306(a)(12), Special Cases; gives the Bureau the authority to require special inspections for work which involves special cases. Quite often, the Bureau will designate the engineer of record to perform these special inspections.

The need for this type of special inspections cannot be determined until our plan review staff reviews the construction documents. However, for a project this large or complex, we would strongly recommend that the Metro Service District employ the structural engineer of record to perform observations of all the structural work. The structural engineer would verify general compliance with the approved structural plans, specifications, and applicable codes.

The intent is to assist in assuring that the work is being performed in a manner intended to achieve a result which conforms to the design criteria and assumptions.

It should be noted that often it is advantageous to the progress of the construction to have the engineer on site to expedite the clarifications of the structural plans, that may occur during the course of construction.

Mr. Dan Huberty, Architect  
Zimmer, Gunsul, Frasca, Architects  
April 27, 1987  
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The most recent literature on structural failures has emphasized that there have been many instances of building failures that might have been avoided had the engineer been on site, checking for a conformance of construction with design. The presence of the design engineer of record during construction can go a long way toward protecting the public and the owners, by preventing such occurrences.

We are attaching a copy of a technical article that pertains to this matter. The following is a direct quote from that article: "The investigative reports following several recent catastrophic engineering project failures have cited limited or non-existent field inspection as a major contributing factor. Lack of such inspection is contrary to traditional design and construction practices. Field inspection of construction, traditionally provided by the design engineer, has served in the interest of public safety".

The American Society of Civil Engineers is now developing a Manual of Professional Practice that will outline the role and responsibility of the design engineer throughout the life of a project. Preliminary information shows that it will be recommended that the engineer provide inspection services during the construction.

The duties of the design engineer for this project should be the following:

1. Verify general compliance with the approved structural plans, specifications and applicable codes;
2. Verify that the work is being performed in a manner which conforms to the design criteria and assumptions;
3. Monitor the work performed by the inspection/testing agency for the structural special inspections (Section 306 and Title 24). Review testing methods and reports for conformance to Title 24 and all applicable codes and the structural plans and specifications.
4. Review all changes to the approved permit documents to determine the effect on the original design assumptions and then take appropriate action to provide for the public safety.

Mr. Dan Huberty, Architect  
Zimmer, Gunsul, Frasca, Architects  
April 27, 1987  
Page 4

We hope that this information will provide the necessary basis for you to prepare the project budget in order to insure adequate resources for costs associated with quality control.

I would appreciate the opportunity to offer my suggestions relative to accepting proposals for the special inspection services. All too often I have found that the proposal process is treated simply as a bid process to receive the cheapest prices without thought given to quality. This would not be beneficial to the public's safety.

Yours truly,



FRED DEIS  
SPECIAL INSPECTION COORDINATOR

FD:jd  
Attch.

cc: Chuck Stalsberg  
Mike Hagerty  
Steve Siegel



METRO

# Memorandum

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

Date: 7 March 1988

To: Tuck Wilson, Convention Center Project Director  
Kay Rich, Acting Zoo Director  
Rich Owings, Director of Solid Waste

From: Rena Cusma, Executive Officer

Re: Contract Administration

Present Metro procedures call for all contracts and contract modifications to be staffed through the Contract Administrator in the Finance and Administration Department. To assure that neither the Administrator nor I be presented with a fait accompli when contract changes are proposed, I wish to establish a more intensive management system to assure the earliest identification of potential changes.

Beginning immediately, a copy of any written direction, clarification or response to the Contractor provided by the Project Manager, will be provided to Contract Administration. This includes responses for which Metro recognizes the need for a change order as well as other directions to the Contractor which could have the potential for producing a claim.

In addition to the foregoing, I have asked the Construction Project Manager to periodically review your Project Manager's correspondence to assure that the exchange of information between your Project Manager and the Contractor has no potential for leading to an unpleasant surprise.

Please discuss the foregoing with your Project Managers. I am open to any suggestions for improving the quality of our information flow and timely staff review in this critical area.

RC/NES/ksm

cc: Ray Phelps, Finance & Administration Director

*To date I have received  
no correspondence indicating  
the necessity for this change  
nor the results of negotiation  
over the pricing of the change*  
Niles

STAFF REPORT

Agenda Item No. 8.1

Meeting Date: April 14, 1988

CONSIDERATION OF AMENDMENT TO CONTRACT WITH RITTENHOUSE-ZEMAN AND ASSOCIATES FOR SPECIFICATIONS REVIEW AND GEOTECHNICAL INSPECTIONS FOR OREGON CONVENTION CENTER PROJECT

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Date: April 4, 1988

Presented by: Tuck Wilson

BACKGROUND AND FACTUAL ANALYSIS

In the spring of 1987, Rittenhouse-Zeman was selected by competitive Request for Qualifications procedures to perform preliminary geotechnical work for the Oregon Convention Center. Metro Council approved the contract on April 16, 1987.

Rittenhouse-Zeman performed the required preliminary soils investigation and issued their report on the conditions of the site. Because of this work, they are considered the geotechnical engineer of record by the Bureau of Buildings of the City of Portland.

Geotechnical testing and inspection work is required during the construction phases of the project. The Bureau of Buildings of the City of Portland requires that all soils special inspections be performed by the geotechnical engineer of record. This is a continuing activity of the original work.

The purposes of soils special inspection are the verification of design assumptions included in the soils report and monitoring of construction to verify compliance with recommendations of the soils report, permit documents, and all applicable codes.

Although hired by the owner, the geotechnical engineer of record acts as a deputy to the Bureau of Buildings and is directly responsible to the Bureau. All recommendations made by the engineer are considered mandatory by the Bureau.

This amendment to the original contract adds the following to the scope of work: review of plans and specifications, and performance of duties as special soils inspector. The additional compensation is on a time-and-materials basis, not to exceed \$86,000. The actual amount expended on the contract will depend upon the soils conditions encountered once excavation and construction begin.

The Council Convention Center Committee is scheduled to review this amendment on April 12.

EXECUTIVE OFFICER RECOMMENDATION:

The Executive Officer recommends approval of the amendment to the contract with Rittenhouse-Zeman and Associates for special soils inspections for the convention center project.

Councilor Van Bergen, the Committee member in opposition of adoption, explained he did not support the ordinance because he thought the proposed fees were too high for minor Urban Growth Boundary (UGB) amendment cases. He favored increasing fees for major land cases in order to give relief to the minor cases.

Councilor Waker pointed out that locational (minor) UGB adjustment cases had historically cost the District more to process than major amendment adjustments which was why the ordinance had been proposed.

Councilor Hansen asked if the Council had a mechanism to waive fees for certain locational adjustment cases. Councilor Waker said fees could be amended by the Council.

Councilor DeJardin suggested if the ordinance were adopted, staff monitor the program to determine if fees were equitable.

Vote: A roll call vote on the motion to adopt Ordinance No. 88-236 resulted in:

Ayes: Collier, Cooper, DeJardin, Gardner, Hansen, Kelley, Kirkpatrick, Knowles, Van Bergen and Waker

Nays: Bonner

Absent: Ragsdale

The motion carried and Ordinance No. 88-236 was adopted.

## 8. RESOLUTIONS

### 8.1 Consideration of Resolution No. 88-902, for the Purpose of Amending a Contract with Rittenhouse-Zeman & Associates to Include Specifications Review and Special Soils Inspections for the Oregon Convention Center

Motion: Councilor Cooper moved, seconded by Councilor Collier, to adopt Resolution No. 88-902.

Council Convention Center Committee Chair Cooper reported the Committee had recommended the Council adopt the resolution.

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Presiding Officer Ragsdale was absent.

The motion carried unanimously and Resolution No. 88-902 was adopted.