

BEFORE THE INTERNAL AFFAIRS COMMITTEE
OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 88 - 990
CHANGE ORDER NO. 6 TO THE CONTRACT)
WITH DEWITT CONSTRUCTION COMPANY FOR) Introduced by
BID PACKAGE #2, SITE WORK, FOR) Executive Officer Rena Cusma
THE OREGON CONVENTION CENTER)

WHEREAS, Metro Code Chapter 2.04.045, Public Contract Extensions and Amendments, provides for amending any contract for additional work, including change orders; and

WHEREAS, Subsection 2.04.045 (a) (1), provides that contract change orders, and other changes in the original specifications which increase the original contract price may be made with the contractor without competitive bidding if the original contract was let by competitive bidding and unit prices or bid alternates were included that established the cost for additional work and a binding obligation exists on the parties covering the terms and conditions of the additional work; and

WHEREAS, On May 5, 1988, Metro entered into a contract with DeWitt Construction Company for \$971,984 for Bid Package #2, Site Work for the Oregon Convention Center; and

WHEREAS, On August 11, 1988, Metro approved five change orders to the original contract, and

WHEREAS, Contractor has submitted a change order for removal of unforeseen buried concrete obstructions and for removal and treatment of contaminated soil; and

WHEREAS, The change order has been reviewed by Turner Construction Company and the Convention Center Project staff and recommended for Council approval by the Council Convention Center Committee; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District authorizes Change Order No. 6, (Attachment A to this resolution) to Bid Package #2, Site Work for the Oregon Convention Center, dated May 5, 1988.

ADOPTED by the Council of the Metropolitan Service District this 13th day of October, 1988.



Mike Ragsdale, Presiding Officer

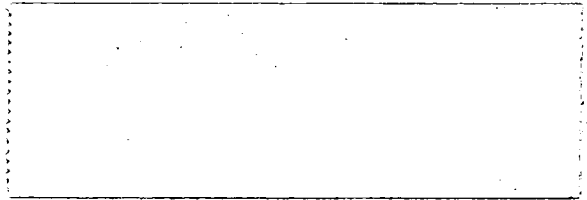


METRO

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Agenda Item No. 5.2

Meeting Date Oct. 13, 1988



Date: September 28, 1988

To: Metro Council

From: Councilor David Knowles, Chair
Council Convention Center Committee

Regarding: CONVENTION CENTER COMMITTEE REPORT ON
SEPTEMBER 27, 1988, COUNCIL MEETING AGENDA ITEM
NO. 88-990, CONSIDERATION OF CHANGE ORDER FOR BID
PACKAGE #2, SITE WORK FOR THE OREGON
CONVENTION CENTER CONTRACT WITH DEWITT
CONSTRUCTION

- Executive Officer
Rena Cusma
- Metro Council
- Mike Ragsdale
Presiding Officer
District 1
- Corky Kirkpatrick
Deputy Presiding
Officer
District 4
- Richard Waker
District 2
- Jim Gardner
District 3
- Tom DeJardin
District 5
- George Van Bergen
District 6
- Sharon Kelley
District 7
- Mike Bonner
District 8
- Tanya Collier
District 9
- Larry Cooper
District 10
- David Knowles
District 11
- Gary Hansen
District 12

Recommendation: At its September 27 meeting, the Convention Center Committee unanimously voted to recommend Council adoption of Resolution No. 88-990 attached. Councilors present were Kelley, Van Bergen, Waker and myself. Councilor Cooper was absent.

Background & Committee Discussion: The Convention Center project staff reported on this agenda item; noting that the magnitude of the Dewitt change order was \$27,000; that it had been reviewed and approved by Turner Construction and that the additional work was necessitated by unforeseen site conditions which required over excavation. Upon this report by Metro staff, Councilor Waker moved to recommend approval of Resolution 88-990. The motion was approved by unanimous vote.

STAFF REPORT

CONSIDERATION OF CHANGE ORDER FOR BID PACKAGE #2, SITE WORK FOR
OREGON CONVENTION CENTER: CONTRACT WITH DEWITT CONSTRUCTION

Date: September 27, 1988

Presented by: McFarlane

BACKGROUND AND FACTUAL ANALYSIS:

On May 5, DeWitt Construction Company was awarded the site work contract for the Oregon Convention Center. Five requests for changes were approved by the Council on August 11. Change order No.6 requests a net increase of \$27,422.50 for removal of unforeseen buried concrete obstructions and for removal and treatment of certain contaminated soil. Turner Construction Company, the construction managers, and Rittenhouse-Zeman and Associates, the geotechnical engineers of record, have monitored this work.

The site work was substantially complete on September 9, 1988.

The total amount of the contract, including this change order, is \$1,134,937.70.

EXECUTIVE OFFICER RECOMMENDATION:

The Executive Officer recommends approval of change order 6 to the contract with DeWitt Construction for site work for the Oregon Convention Center project.



GRANT/CONTRACT SUMMARY

METROPOLITAN SERVICE DISTRICT

GRANT/CONTRACT NO. 88-4-609 CC

BUDGET CODE NO. 52 -00 -00- 8620 - 31 000

FUND: Conv. Center DEPARTMENT: Capital

(IF MORE THAN ONE) _____

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 site work for convention center

2. TYPE OF EXPENSE
- | | | |
|---|---|--|
| <input type="checkbox"/> PERSONAL SERVICES | <input type="checkbox"/> LABOR AND MATERIALS | <input type="checkbox"/> PROCUREMENT |
| <input type="checkbox"/> PASS THROUGH AGREEMENT | <input type="checkbox"/> INTER-GOVERNMENTAL AGREEMENT | <input checked="" type="checkbox"/> CONSTRUCTION |
| | | <input type="checkbox"/> OTHER |

OR

TYPE OF REVENUE GRANT CONTRACT OTHER

3. TYPE OF ACTION
- | | |
|--|---|
| <input checked="" type="checkbox"/> CHANGE IN COST | <input type="checkbox"/> CHANGE IN WORK SCOPE |
| <input type="checkbox"/> CHANGE IN TIMING | <input type="checkbox"/> NEW CONTRACT |

4. PARTIES DeWitt Construction, Inc., Metro

5. EFFECTIVE DATE orig: May 5, 1988 TERMINATION DATE September 9, 1988 (substantial completion)
(THIS IS A CHANGE FROM _____)

6. EXTENT OF TOTAL COMMITMENT:	ORIGINAL/NEW	\$ <u>971,984.00</u>
	PREV. AMEND	<u>135,531.20</u>
	THIS AMEND	<u>27,422.50</u>
	TOTAL	\$ <u>1,134,937.70</u>

7. BUDGET INFORMATION

A. AMOUNT OF GRANT/CONTRACT TO BE SPENT IN FISCAL YEAR 1988-89 \$ 516,731.06

B. BUDGET LINE ITEM NAME Construction in progress AMOUNT APPROPRIATED FOR CONTRACT* \$ 30,693,460.00

C. ESTIMATED TOTAL LINE ITEM APPROPRIATION REMAINING AS OF July 31, 1988 \$ 30,695,480.00

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

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

9. NUMBER AND LOCATION OF ORIGINALS Metro F&A; DeWitt, Convention Center Project

*included in overall appropriation

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 *original contract met goals*
 IF YES, WHICH JURISDICTION HAS AWARDED CERTIFICATION ODOT-

12. WILL INSURANCE CERTIFICATE BE REQUIRED? YES NO

13. WERE BID AND PERFORMANCE BONDS SUBMITTED? YES NOT APPLICABLE *- w/ original contract*

TYPE OF BOND _____ AMOUNT \$ _____

TYPE OF BOND _____ AMOUNT \$ _____

14. LIST OF KNOWN SUBCONTRACTORS (IF APPLICABLE)

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ 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:
Original contract competitively bid; met DBE goals

GRANT/CONTRACT APPROVAL

INTERNAL REVIEW


 DEPARTMENT HEAD

CONTRACT REVIEW BOARD

(IF REQUIRED) DATE _____

COUNCIL REVIEW

(IF REQUIRED)

1. _____
 COUNCILOR

DATE _____

FISCAL REVIEW

2. _____
 COUNCILOR

BUDGET REVIEW

3. _____
 COUNCILOR

LEGAL COUNSEL REVIEW AS NEEDED:

A. DEVIATION TO CONTRACT FORM _____

B. CONTRACTS OVER \$10,000 _____

C. CONTRACTS BETWEEN GOVERNMENT AGENCIES _____

ATTACHMENT A

CHANGE ORDER

PROJECT: Oregon Convention Center PROJECT NO. 88-4-609 CC
Bid Package No. 2
Site Preparation

OWNER: Metropolitan Service District CHANGE ORDER NO: SIX (6)

CONTRACTOR: DeWitt Construction Inc. INITIATION DATE: 9/12/88
P.O. Box 20938
Portland, Oregon 97720

THE CONTRACT IS HEREBY CHANGED AS FOLLOWS:

Modify the work in accordance with adjusted Unit Price work for removal of non-hazardous waste (classified as oil) and Unit Price work for removal of unforeseen buried concrete as detailed in DeWitt's letter of September 8, 1988 and as adjusted in Turner's letter of September 12, 1988 (attached).

Except as provided herein all terms and conditions of the contract as heretofore modified remain unchanged. The terms and conditions of this Change Order constitute a full accord and satisfaction for all costs, overhead, time and profit related to the actions described or referenced herein. Not valid until signed by both the Owner and C.M. Signature of Contractor indicates agreement herewith including any adjustments in the Contract Sum or Contract Time.

Table with 2 columns: Description and Amount. Rows include: The original Contract Sum (\$971,984.00), Net change by previously authorized Change Orders (\$135,531.20), The Contract Sum prior to this Change Order (\$1,107,515.20), The Contract Sum will be (increased) (decreased) (unchanged) by (\$27,422.50), The new Contract Sum, including this Change Order will be (\$1,134,937.70), Percent (Increase) (Decrease) of Original Contract Sum (16.5%), The Contract Time will be (increased) (decreased) (unchanged) by (0 days), The Date of Substantial Completion, as of this date, is (September 9, 1988).

PREPARED/RECOMMENDED:

Turner Construction Company

Signature: David A. Wachob Date: 9/12/88

APPROVED FOR PROCESSING:

Turner Construction Company

Signature: David A. Wachob Date: 9/12/88

ACCEPTED:

DeWitt Construction, Inc. Contractor

Signature: Brian R. Langdon Date: 9/14/88

AUTHORIZED:

Owner

Signature Date