

BEFORE THE METRO COUNCIL
CONTRACT REVIEW BOARD

RESOLUTION OF METRO COUNCIL, ACTING)	RESOLUTION NO. 13-4418
AS THE METRO CONTRACT REVIEW BOARD,)	
FOR THE PURPOSE OF APPROVING A)	Introduced by Chief Operating Officer Martha
CONTRACT AMENDMENT FOR THE MJ)	Bennett, with the concurrence of Council
GLEASON BOAT RAMP PARKING LOT AND)	President Tom Hughes
RESTROOM IMPROVEMENT PROJECT	

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, the MJ Gleason Boat Ramp Parking Lot and Restroom Improvement Project was competitively bid and Colf Construction, LLC was the lowest responsible, responsive bidder; and

WHEREAS, bid alternates for landscape improvements and construction of the car parking lot were included in the bid in the event that additional funding became available to complete the entire improvement project; and

WHEREAS, under the direction of Metro's Construction Manager, Colf Construction LLC is completing the reconstruction of the main parking lot work in accordance with the Project specifications and schedule; and

WHEREAS, Parks and Environmental Services has determined that additional work to construct a planned car parking lot to the east of the main lot is proposed to be funded through additional grant funding from the Oregon State Marine Board and the Oregon Department of Fish and Wildlife; and

WHEREAS, the original Colf Construction LLC contract was \$1,082,673 and amendments are now proposed to increase the total contract amount by a projected \$325,000, to \$1,419,185. The additional work has been reviewed by the Metro's Construction Manager and the project engineer, and has been approved as appropriately priced; and

WHEREAS, Metro Code 2.04.058 requires Contract Review Board approval for amendments to public improvement contracts that exceed 10% of the initial contract value for contracts over 1 million dollars; and

WHEREAS, the Metro Procurement Officer believes that amending the existing contract with Colf Construction Inc. is appropriate, that such action is in the best interests of Metro, and that competitively procuring the additional work would be impractical; now therefore

BE IT RESOLVED that the Metro Council acting as the Public Contract Review Board authorizes the Procurement Officer to execute contract amendments up to the amount of \$1,419,185 with Colf Construction LLC. for the MJ Gleason Parking Lot and Restroom Improvement Project.

ADOPTED by the Metro Council Contract Review Board this ____ day of _____, 2013.

WITHDRAWN

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4418, FOR THE PURPOSE OF APPROVING A CONTRACT AMENDMENT FOR THE MJ GLEASON BOAT RAMP PARKING LOT AND RESTROOM IMPROVEMENT PROJECT

Date: April 11, 2013

Prepared by: Lydia Neill, x1830

BACKGROUND

An open, competitive Request for Bid (RFB) was issued for the MJ Gleason Boat Ramp Parking Lot and Restroom Improvement project in 2012. This project is the last phase of the improvements to the MJ Gleason Boat Ramp facility permitted under a Master Plan approved by the City of Portland; the Plan approval expired in December 2012. The improvements in this project include a complete rebuild of the failing parking lot surface and base material, adding stormwater treatment for run-off, creating 100 car parking spaces, planning for a future boat wash area (to address invasive species concerns), and adding a pre-engineered four stall restroom that is constructed with SIP panels and small solar installation.

In accordance with Metro Code, Colf Construction LLC was selected, as it was the lowest responsive, responsible bidder. The original budget for this project was funded from the renewal and replacement fund and grants from the Oregon State Marine Board (OSMB) and the Department of Fish and Wildlife (ODFW) for a total of \$1,364,400. An additional \$414,500 will be provided from OSMB, ODFW and Metro for the project, bringing the total to \$1,778,900.

The contract was awarded on December 19, 2012 in the amount of \$1,082,673; work began in December 2012. The Construction Manager, Lydia Neill reports that the project has progressed as planned and that Colf Construction LLC. has provided construction services in accordance with the contract, performing additional work as directed by the owner. Overall the quality of work and the partnership with the prime contractor has been very good.

The original bid was divided between a base bid to reconstruct the main parking lot, installation of the restroom, and alternates for a car parking lot, landscaping and other miscellaneous project components, because of staff concerns that it was likely the low bid would exceed the project funds. The parking lot and landscaping were not included within the original bid award because they were in excess. This work has been priced through the original bid process as Add Alternates for the parking lot and landscaping at a total of \$299,727. It is anticipated that the additional work required to complete the car parking lot improvements and other minor site work can be completed for approximately \$325,000 (Change orders 1,2 and 3).

During the course of construction, the following additional services have been approved:

Change Order #1- Irrigation sleeving required by MCDD	\$3,619
Change Order #2- Electrical, sewer pump modification	\$7,893
Change Order #3- PENDING, award of alternates for car parking lot, landscaping, etc.	<u>\$325,000</u>
	Total \$1,419,185

Metro Code 2.04.058, Public Contract Amendments, requires Metro Council approval of contract amendment or change orders that exceed 10% of the total value of the contract for contracts over 1 million dollars. 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 Construction Manager will continue to manage and administer this contract to ensure construction is in accordance with the contract, including all plans and specifications. Staff continues to look for value engineering opportunities to bring this project in under the budgeted amount. The MJ Gleason Boat Ramp is scheduled to re-open to the public in June 2013.

ANALYSIS/INFORMATION

1. **Known Opposition** None Known.
2. **Legal Antecedents** Metro Code 2.04.058, ORS Chapter 279C.
3. **Anticipated Effects** Construction of the parking lot and site improvements will continue at the MJ Gleason Boat Ramp Facility in accordance with the contract document and project schedule.
4. **Budget Impacts** This change order request falls within funds budgeted.

RECOMMENDED ACTION

Metro Council, acting as Public Contract Review Board, approves the attached contract amendment with Colf Construction LLC.