

BEFORE THE METRO COUNCIL

RESOLUTION OF THE METRO COUNCIL)	RESOLUTION NO. 14-4512
ACTING AS THE METRO CONTRACT REVIEW)	
BOARD, FOR THE PURPOSE OF APPROVING)	Introduced by Chief Operating Officer Martha
A CONTRACT AMENDMENT FOR THE)	Bennett in concurrence with Council
SCOUTERS MOUNTAIN NATURE PARK)	President Tom Hughes

WHEREAS, pursuant to ORS 279A.060 and Metro Code 2.04.010, the Metro Council is designated as the Public Contract Review Board for Metro;

WHEREAS, Metro Code 2.04.058 requires approval by the Metro Contract Review Board for public improvement contract amendments that exceed twenty percent of the initial contract value;

WHEREAS, Metro awarded the contract to construct the Scouters Mountain Nature Park to Colf Construction, LLC, after an open competitive bid process in which Colf Construction, LLC, was determined to be the lowest responsive and responsible bidder;

WHEREAS, the original contract amount was \$538,000 and the proposed contract amendments are projected to increase the total contract amount to \$869,252.50;

WHEREAS, the additional work was unforeseen and not part of the originally contract, caused in part by requests for larger parking from the community and local partners and the receipt of grant funding that will allow the project to be fully built out at this time (rather than proceeding in phases);

WHEREAS, the additional work has been reviewed by Metro staff and the project manager and has been approved as appropriately priced;

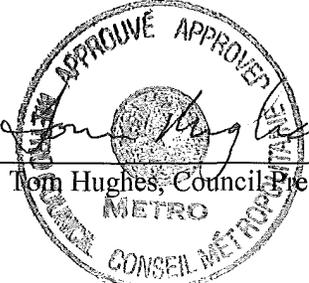
WHEREAS, the Metro Procurement Officer believes that the amending the existing contract with Colf Construction, LLC, is appropriate, that such action is in the best interests of Metro and that competing the additional work would be impractical; now therefore

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 \$869,252.50 with Colf Construction, LLC, for the Scouters Mountain Nature Park project.

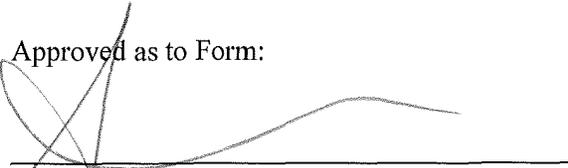
ADOPTED by the Metro Council Contract Review Board this 3rd day of April 2014.



Tom Hughes, Council President



Approved as to Form:



Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 14-4512, RESOLUTION OF METRO COUNCIL, ACTING AS THE METRO CONTRACT REVIEW BOARD, FOR THE PURPOSE OF APPROVING A CONTRACT AMENDMENT FOR THE SCOUTERS MOUNTAIN NATURE PARK.

Date: April 3, 2014

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BACKGROUND

Rising above Happy Valley, Scouters Mountain Nature Park offers an excellent vantage point to admire Mount Hood – and an urban retreat to slip into a shady forest. When the park opens in August 2014, visitors can walk a loop trail and enjoy lunch under the picnic shelter that uses salvaged pieces from the former Boy Scouts lodge. The park can also serve local community events with bus drop-off parking and a plaza adjacent to the shelter that has Hood as a backdrop. Scouters Mountain is already a healthier place for wildlife and people. Metro removed invasive weeds from the mountain's northern slopes and thinned a stand of Douglas-fir to keep the biggest trees healthy and create additional wildlife habitat. Adding thousands of native plants will continue the park's restoration. Voters are at the heart of the partnership that created Scouters Mountain Nature Park. Metro bought the 100-acre site in 2011 with funds from a natural areas bond measure. Construction is supported by the City of Happy Valley's share of the regional bond measure, along with an Oregon State Parks grant and Metro's 2013 parks and natural areas levy.

The project was initially estimated to cost \$1,044,000, assuming a phased approach for development of facilities to support community use of the park. Current funding for the project includes Happy Valley Local Share, an Oregon State Parks local government grant, the \$100,000 bond held back at the time of purchase through the Cascade Pacific Council and \$295,000 from the 2013 parks and natural areas local option levy.

An open, competitive Request for Bids was issued for the Scouters Mountain Nature Park project in 2013. Permitting and bidding proceeded with the understanding that the parking area and picnic shelter, as well as emergency service needs, including a turnout, complete the initial phase of facility development at the park. In accordance with Metro Code, the lowest responsive, responsible bidder, Colf Construction, LLC, was selected. The contract was awarded in August 2013 for the amount of \$538,000, and the work began in October 2013. After the contract was awarded State Parks local government grant funding allowing for a full build out of the facilities at the site covering all phases.

To better support community events, local partners requested that the parking lot be expanded. It was discovered, however, the parking lot could not be built over the underground water tank as originally planned. In light of this development, a new parking lot was designed that would accommodate more cars adjacent to the water tank and include a bus drop off area. The need to better support community events also led to the development of additional space for people to gather at the top of the hill, focused around the picnic shelter. The additional plaza area will provide a direct view of Mt. Hood and will enable major community events to be held at the park, as well as create a universal outdoor gathering space that meets ADA needs for the park. Other improvements have also been added to address unforeseen site conditions and improve the visitor experience including upgrades to utilities, landscaping and site circulation. The project has progressed as planned and the contractor has provided construction services in accordance with the contract and additional work as directed by Metro. Overall the quality of work and the partnership with the contractor has been excellent.

During the course of construction, the following change orders have been approved:

Change Order #01 – Required permit compliance activities	\$46,783.30
Change Order #02 – Bike lane improvements, additional public facility improvements	\$18,933.44

The following changes are proposed for this contract amendment:

Proposed Change Order #03	
Shelter Improvements	\$5,918.00
Revised Paving / Terrace	\$92,887.95
Revised Parking Plan	\$158,545.81
Pump House Upgrades	\$8,184.00
Additional project contingency (15%)	
Total CO #03	\$305,365.80

The Construction Manager and the Parks and Natural Areas Planning Manager reviewed the additional services and agree the work is necessary and can be paid within the existing budget.

Metro Code 2.04.058 requires that the Metro Council, acting as the Contract Review Board, approve contract amendments or change orders that exceed 20% of the original contract obligation. This additional work has been determined to be necessary to address unforeseen site conditions and add new tasks to the scope of work. The Metro Procurement Officer has reviewed this amendment and deemed it to be appropriate and reasonably related to the original scope of work and that it is in Metro’s best interest to approve.

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 Scouters Mountain Nature Park in accordance with the contract documents and project schedule.

4. Budget Impacts

The original bid of \$538,000.00 for the construction of Scouters Mountain Nature Park will be amended for a total project budget of \$869,252.50. This total project cost is still within the established project funding estimate created prior to award of the contract. The initial estimate for full development of the site was for \$1,044,000.00.

RECOMMENDED ACTION

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