BEFORE THE CONTRACT REVIEW BOARD OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING AN)	RESOLUTION NO. 90 - 1231
EXEMPTION FROM REQUIREMENTS OF METRO)	
CODE SECTION 2.04.054(a)(3) FOR)	
AMENDMENT NO. 18 TO THE CONTRACT WITH)	• .
ZIMMER GUNSUL FRASCA PARTNERSHIP TO)	Introduced by Executive
PERFORM ADDITIONAL DESIGN SERVICES FOR)	Officer Rena Cusma
THE OREGON CONVENTION CENTER)	

WHEREAS, Zimmer Gunsul Frasca was selected in 1987 to lead the design team for the convention center project; and

WHEREAS, fees for the design services were negotiated at the time of contract; and

WHEREAS, the project has required greater services for construction administration than could have been anticipated at the time of contract award; and

WHEREAS, other additional services by the architect have been required to complete the Oregon Convention Center; now, therefore,

BE IT RESOLVED,

That the Council hereby exempts the attached Contract Amendment No. 18 to the contract with Zimmer Gunsul Frasca Partnership from the competitive procurement section of 2.04.054 (a)(3) of the Metro code for required additional design services for the Oregon Convention Center.

ADOPTED by the Council of the Metropolitan Service District this day of April, 1990.

Tanya Colligr, Presiding Officer

AMENDMENT NO. 18

This amends the Agreement between the Metropolitan Service District ("Owner") and Zimmer Gunsul Frasca Partnership ("Architect") executed February 27, 1987 ("original agreement") as amended.

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

The following changes are made to the original agreement as previously amended:

EXHIBIT C, COMPENSATION TO ARCHITECT.

B. Total Cost

The total cost of the services provided under this agreement during all phases shall not exceed [4,475,823] \$4,771,904.

- C. Architect's Basic Services Compensation
- 27. For additional construction administration services \$182,000
- for review of ODOT legal descriptions for right-of-way \$1,848;

for	redesign of NE Glisan storm sewer intercept	\$5,	374
for,.	tabletop ware selection	\$	500
for	revisions in furniture specifications	\$3,	777
for	interiors presentation boards	\$	700
for	schematic design of the skyview terraces	\$5,	500
for	furniture bidding and installation assistance	\$5	, 885
for	tower glazing review	\$23	3,720
for	design assistance with art projects	\$	4,880
for	food service modifications	\$	260
for	assistance with operational procedures	\$	650
for	design of outdoor propane storage area	\$	390

for revisions to communications	s room \$ 4,715
for modifications to show mana	ger's offices \$ 260
for modifications to controls	for entrance doors \$ 1,200
for addition of dutch door at	security office \$ 260
for modification of sign contro	ol for plaza signs \$ 1,340
for construction documents for (subject to receipt of separate Metro)	
for design of wind bell poles	\$ 1,500
for renderings of skyview terr	aces \$ 1,500
	\$ 1,500 18 \$296,081
	\$296,081
Total amendment 1	\$296,081 covenants remain in full force we caused this amendment to be
WHEREAS, all other conditions and and effect. IN WITNESS WHEREOF, the parties have	\$296,081 covenants remain in full force we caused this amendment to be
WHEREAS, all other conditions and and effect. IN WITNESS WHEREOF, the parties have executed by their duly authorized of ARCHITECT:	\$296,081 covenants remain in full force we caused this amendment to be officers. OWNER:

DATE:

DATE:_

CONVENTION AND VISITOR FACILITIES COMMITTEE REPORT

RESOLUTION NO. 90-1231, FOR THE PURPOSE OF AMENDING CONTRACT WITH ZIMMER GUNSEL FRASCA PARTNERSHIP FOR ADDITIONAL SERVICES FOR OREGON CONVENTION CENTER PROJECT.

Date: April 19, 1990 Presented by: Councilor David Knowles

Committee Recommendation:

The Convention and Visitor Facilities Committee voted 3 to 0 to recommend adoption of Resolution No. 90-1231 by the Contract Review Board of the Metropolitan Service District. Voting: Councilors Knowles, Hansen and McFarland. Absent: Councilors Buchanan and VanBergen. This action was taken April 10, 1990.

Committee Discussion/Issues

Neil Saling presented the staff report. The proposed amendment to the contract with Zimmer Gunsel Frasca (ZGF) totals \$296,081. The major portion of the amendment is \$182,000 for construction administration. Also included in the amendment is \$55,322 for Skyview Terraces (design and documents); \$23,120 for Glazing and Tower testing; \$17,177 for Furniture, fixtures and equipment; and \$20,127 for other costs.

The committee asked staff why we should pay \$182,000 more for contract administration. Staff indicated that during contract negotiations, ZGF estimated that for construction administration a total of four people might be required over the course of two years. At the conclusion of the negotiations, because the scope and nature of the project were not yet defined, the funds allowed for construction administration were reduced to reflect 2.5 people (1.25 for each of two years). During the first year of construction administration, three people have been necessary and an additional two people are estimated to be required through the end of construction. The total number of staff required will be five. Thus, the additional cost of \$182,000.

The committee asked staff how we would cover the additional costs. Staff stated that we should be able to cover the changes with savings in other areas such as insurance and the Turner Contract.

There were no further questions or issues and the Committee voted unanimously to recommend adoption of Resolution No. 90-1231.

901231.CR

CONSIDERATION RESOLUTION # 90-1231 FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION FROM REQUIREMENTS OF METRO CODE SECTION 2.04.054 (a) (3) FOR AMENDMENT NO. 18 TO THE CONTRACT WITH ZIMMER GUNSUL FRASCA PARTNERSHIP TO PERFORM ADDITIONAL DESIGN SERVICES FOR THE OREGON CONVENTION CENTER

Date: April 3, 1990 Presented by: Saling

Bradley

BACKGROUND AND FACTUAL ANALYSIS:

A Request for Qualifications for the design team for the convention center project was released in the fall of 1986. Eleven teams responded. Responses included estimates of the costs for comprehensive design services, and ranged from \$2.8 million to \$4.3 million. The selected team's response, led by Zimmer Gunsul Frasca Partnership (ZGF), included an estimate of \$3,763,500.

During contract negotiations, the project staff and ZGF deliberated on what should be included under basic design services, and what special or additional services would be required for this project. ZGF prepared further cost estimates, ranging as high as \$4.3 million. Contract negotiations concluded with a lump sum contract, divided into seven parts with allotments as follows:

Programming	\$214,000
Concepts	648,000
Design Development	815,000
Construction Documents	1,278,000
Bidding	84,000
Construction Administration	714,000
Post Construction	10,000
\$	3,763,000

To date, the contract has been amended 17 times, adding \$712,823. The amount of the contract now totals \$4,475,823. Amendments for design work total \$200,205; the remaining \$512,618 was authorized for the following services:

printing	\$200,000
streets and offsite work	110,800
inspections and testing .	129,818
Holladay St/Tri-Met	72,000

A complete list of amendments is attached as Exhibit 1.

A Mark Mark Comment	tim jes i se treta ndije _{je} go		ction administration se from 2.5 FTE to 5		\$182,000
		Skyview	terraces design concept documents	5,500 49,822	55,322
			and tower testing re, fixtures, equipmen	nt	23,120 17,177 20,127
•		Total a	mount of amendment		\$296,081

The Advisory Committee on Design and Construction considered this amendment at its meetings on March 2 and March 30 and recommended approval. ACDC also recommended delaying a notice to proceed on construction documents for the skyview terraces until either outside funding was secured or sufficient progress had been made on claims negotiation.

These items are defined in detail in Exhibit 2, letter of February 12, 1990 from Zimmer Gunsul Frasca, and are explained below:

Construction Administration: During contract negotiations, ZGF estimated that in construction administration a total of four people might be required over the course of two years. At the conclusion of the negotiations, because the scope and nature of the project were not yet defined, the funds allowed for construction administration were reduced to reflect 2.5 people (1.25 for each of two years).

During the first year of construction administration (October, 1988 - September, 1989), three people have been necessary, and an additional two people are estimated to be required through the end of construction. The total number of staff required will be five. The additional cost is \$182,000.

Skyview Terraces: Items #7 and #19 on the February 12 letter from ZGF reflect the costs for preparation of design concept and construction drawings. ACDC recommended that the design concept work proceed, but that the authorization to proceed on construction drawings await better information on claims resolution. The design concept drawings have been completed.

Glazing and Tower Testing: Item #9 on the February 12 letter from ZGF. incorporates work performed by glazing subconsultant, Heitmann and Associates, regarding the constructibility and testing on the glazing system on the towers. This work was requested, in part, to verify that the system could be built as designed and to avoid further claims from the general contractor.

Furniture, Fixtures and Equipment: (Items 4, 5, 6, and 8 on ZGF letter). The FY 89-90 budget included contract authorization for FF&E advisors. The already-involved ZGF staff proved to be the most efficient contractors for these purposes (item 5).

Other: Other (Items 2,3, 10, 11, 12, 13, 14, 15, 16, 17, 18). These services are related to requests for changes in the building to respond to building management, changed conditions, or emerging details of the project design which could not be anticipated at the time of the original contract. For example, details of the telecommunications room could not be determined until the telecommunications equipment and computer vendors were selected in late 1989 and early 1990.

Additional items (included in Other): The contract amendment reflects two additional items requested by Metro since the preparation of the letter of February 12. The first is \$1,500 for preparation of renderings of the skyview terraces. Members of the Metro ERC are using these drawings in presentations to private businesses for funding for completing the terraces. The second is \$1,500 for design of poles for the wind bells created by artist Robert Coburn for the plaza.

The contract for design services is carried in the overall project budget under project management. The contract with Turner Construction Company for construction management is also carried under project management, and is for time-and-materials. Some savings in the construction management contract are expected, and will be applied to the increase in design fees.

If the construction is completed on schedule as currently expected and Turner is able to reduce staff as planned, the contract expenditures for Turner will be approximately \$2,432,000, a savings of \$230,000 from the budgeted amount of \$2,662,430. The project has also realized savings of approximately \$60,000 in the purchase of insurance, Insurance savings, together with the savings in the Turner contract are therefore available to be applied to fund the amendment for ZGF. At this point, all known savings within project budget categories will have been exhausted, and any other unforeseen costs will be draws against the project contingency.

EXECUTIVE OFFICER RECOMMENDATION:

The Executive Officer recommends approval of the amendment to the contract with Zimmer Gunsul Frasca Partnership for additional services for the convention center project.

والرسم المجارية و	DATE	DOCUMENT PURPOSE AMOUNT TOTAL AMNDS. TO	TAL CONTRACT
	3/1/87	Original Design 3,763,000	3,763,000
		Amend #1 1% Art 18,500 18,500 participation in Public Art Program	3,781,500
	6/30/87 Chang	Amend #2 Mckay Conant Brooks 18,500 ges consultant for acoustics; no cost	3,781,500
		Amend #3 Printing 200,000 218,500 printing for construction documents	3,981,500
		Amend #4 Streets 85,800 304,300 street design work; to be done by David Evans	
, * * 1 *.	12/4/87 Chang	Amend #5 Mayer/Reed 304,300 ges consultant for signage and graphics; no cos	4,067,300 t
A		Amend #6 Wind Tunnel 12,000 316,300 initial wind tunnel testing	4,079,300
	1/21/88 Adds	Amend #7 Traffic 6,265 322,565 traffic analysis work by Carl Buttke	4,085,565
	Adds	Amend #8 Bldg reduce 14,974 redrawing to reduce building to within budget amendment incorporated into #15	er er Litter
4 1 - 14 - 14 - 14 - 14 - 14 - 14 - 14		Amend #9 Wind Tunnel2 15,000 337,565 second wind tunnel testing work	4,100,565
		Amend #10 Bid doc-streets 8,547 346,112 preparing bid documents for street detour, rel	
		Amend #11 Parking 9,194 355,306 truck maneuvering, parking manual and parking	
		Amend #12 Inspections 53,900 409,206 special inspection responsibility for kpff	4,172,206
	Adds	Amend #13 Potpourri 59,168 468,374 extra streets and lighting work, design enhance design for art program	
		Amend #14 Sky Terraces 33,890 502,264 design, etc. for sky terraces	4,265,264

3/31/89 Amend #15 85,359 587,623 4,350,623
Adds reducing building size, electrical redesign for street lighting, additional special inspections, fabrication of moclosic of insurance inspections, and testing of tower dampering

8/24/89 Amend #16 97,000 684,623 4,447,623 Adds Holladay Street and light rail design

8/24/89 Amend #17 28,200 712,830 4,475,823
Adds redesign of storm sewer, rough-out utilities, reexamination of design of tower glazing and window
washing, add carpet, selection of glass and flatware,
revision of piping in exhibit halls, revisions to signage,
plaza bricks, pre-bid conference for food and beverage

ZIMMER-GUNSUL-FRASCA PARTNERSHIP

1505 Western Avenue Suite 600 Seattle, WA 98101 206/623-9414 Fax: 206/623-7868 FEB 1 3 1990

February 12, 1990

Mr. Neil Saling METRO 2000 S. W. First Avenue Portland, Oregon 97201

Reference:

Job No. 6060-07, Oregon Convention Center - Construction

Subject:

Additional Services

Dear Neil:

Per the request of Sandy Bradley, I am summarizing all outstanding fee requests for additional services. As part of this summary, Sandy has also asked me to include any items we anticipate in the future. Ernie, Sandy and I have reviewed our mutual lists of additional services and this summary should cover all items known as of this date. If there are future requests, we, of course, reserve the right to submit further requests for services.

1. Additional construction administration services. See enclosed October 19, 1989 letter.

\$ 182,000

Review of ODOT legal descriptions for rights-of-way.
 This work was verbally authorized and our letter of July 20 1989,
 Item 1.b. gave a status to date. This work is complete.
 \$1,680 x 1.1 =

\$1,848

3. Redesign of N. E. Glisan Street storm sewer and intercept.

This was Item 1.d. in our July 20, 1989 letter. METRO questioned this and Neil McFarland was going to discuss directly with DEA. Has he done so and, if so, where does METRO stand on this issue.

DEA

 $$3,940 \times 1.1 =$

\$4,334

ZGF

<u>1,040</u>

\$5,374

4. Table top ware selection.

Out letter of May 5, 1989 requested a fee of \$4,000. Your letter of May 30, 1989 authorized a fee of \$2,500. Amendment No. 17 contained a fee of \$2,000. The \$2,000 was an error in my letter of July 20, 1989.

\$500

· Members American Institute of Architects

Partners Norman C. Zimmer FAIA Brooks R.W. Gunsul FAIA Robert J. Frasca FAIA Gregory S. Baldwin FAIA Raymond A. Boucher AIA Daniel J. Huberty AIA Robert G. Packard III Larry S. Bruton AIA

Associate Partners | Jack Cornwall AIA | Janice E. Finney | Brainard Joy Gannett AIA | Ernest L. Grigsby | Ronald P. Gronowski AIA | Lee F. Kilbourn AIA FCSI | R. Doss Mabe | Don C. Miles AIA | Kenneth J. Mouchka AIA CCS | Wallace W. Roeder AIA | Evert J. Ruffcorn AIA | Patrick C. Tillett RIBA MRTPI AICP AIA | James N. Van Duyn AIA | Stanley G. Zintel AIA

Associales John P. Blumthal AIA Sharon L. Bonney Richard E. Brown AIA Debra Joan Barbour Kelly D. Davis AIA Dennis W. Destefano AIA Nancy M. Fishman David A. Fisk AIA Carl E. Freeze AIA Jack Golden AIA David B. Gonrowski AIA Dennis M. Harper AIA Duane R. Hunting William R. Hutchinson AIA Renee D. Kajimoto AIA Harold (Lee) Kerns Susan E. Kerns IBD Brian McCarter ASLA Todd Ira Miller AIA David J. Morey AIA Ronald W. Ramberg Thomas E. See Karl R. Sonnenberg AIA John H. Thompson AIA

Portland

Seattle

Newport Beach

LETTER TO MR. NEIL SALING FEBRUARY 12, 1990 PAGE TWO

	*			
5.	Specifications for This work is comp		e rewritten twice at METRO's direction.	
	ZGF	63 hours =		\$3 <i>,777</i>
6.			l for METRO. de to Rena Cusman. This work is	· · · · · · · · · · · · · · · · · · ·
	complete. ZGF	13 hours =		\$700
7.	Schematic Design METRO. Work is		ounges. Previously authorized by	\$5,500
8.	METRO has reque furniture bidding		nsive involvement of ZGF in the process.	. ·
-	ZGF	102 hours =		\$5,885
9.	Tower glazing rev	iew.		
,			eitman & Associates retained to and observation of installation	•
	Initial Autho Heitman ZGF	rization: • \$12,500 x 1.1.=	\$13,750 4,800	
	Additional Tir Heitman	ne For Testing D $$4,700 \times 1.1 =$	Due to Required Retesting: <u>5,170</u>	\$23,720
10.	Artwork.			
•	Dragon Boat - complete).	Design supports	for hanging dragon (work is	
	kpff	$$800 \times 1.1$	\$880	
	ZGF	12 hours	<u>780</u>	\$1,660
			tion (work is complete).	
	kpff ZGF	\$500 x 1.1 10 hours	\$550 <u>650</u>	\$1,200
				\$1,200
	Sconces - Assis ZGF	st in coordinatio 3 hours	n of installation.	\$200 <u>}</u>
	Bell Structure	- Assist in coord	ination of building trades	
	donations.		mation of bananing trades	
	ZGF	20 hours		\$1,300
e de la companya de	Pendulum - As ZGF	ssist in coordina 8 hours	tion and review of installation.	\$520 /
11.	Food service modi	fication for contr 4 hours	racted vendor (work is complete).	¢ 2/0
	۷۵۲۰	± 110ms		\$260

· LETTER TO MR. NEIL SALING FEBRUARY 12, 1990 PAGE THREE

12.	Assist Building Operational proceed		ngs with City to	o establish	
	ZGF .	10 hours			\$650
13.	Design an outdoor	propane storage at	ea (work is com	plete).	
201	ZGF	6 hours	·		\$390
14.	Revise Communica	ations Room per req	uest of vendor.		
	DMJM	$$3,400 \times 1.1 =$	\$3,740		•
	ZGF	15 hours	<u>975</u>		\$4,715
15.	Modify Show Man	ager's offices to acc	ommodate com	puter	
. 200	stations.			•	
	ZGF	4 hours			\$260
10	Modify controls for	r ontranco doore no	r request of build	ling	et at i a
16.	management.	entrance doors per	request of built	,B	,
	DMJM	\$500 × 1.1 =	\$550		
	ZGF	10 hours	<u>650</u>	•	\$1,200
17.	Add dutch door at	security office			• ,•
17.	ZGF	4 hours	•		\$260
	20.	Thomas	•		
18.	Modify sign contro Mayer/	ol for two AA signs.		and the second second	March Control
	Reed	$$500 \times 1.1 =$	\$550	•	
	DMJM	$$600 \times 1.1 =$. 660		
	ZGF	2 hours	<u>130</u>		\$1,340
19.	Complete construc	tion documents for	sky terrace	• • • • • • • • • • • • • • • • • • •	
17.	Construction D		sky terrace.		•
•	DMIM/	ocanicito		· ·	•
	PAE	\$17,620 x 1.1 =	\$19,382		
	kpff	$$1,200 \times 1.1 =$	1,320		
	Fred	4-,		•	
	Schmidt	$$7,600 \times 1.1 =$	8,360		
	ZGF .	252 hours	<u>15,120</u>	•	
	 ,		\$44,182	,	
	Construction A	Administration	•		
	ZGF		<u>\$5,640</u>		\$49,822
				•	

LETTER TO MR. NEIL SALING FEBRUARY 12, 1990 PAGE FOUR

We request a Contract Modification for the above items. Many of the items have been completed per METRO's direction and authorization, but we are unable to bill for this work.

Sincerely,

ZIMMER GUNSUL FRASCA RARTNERSHIP

Daniel J. Huberty, AIA

Partner

DJH/slt

cc: Ernest Grigsby
Accounting



GRANT/CONTRACT SUMMARY METROPOLITAN SERVICE DISTRICT

GRANTI	CONTRACT NO.	87-2-20	61 CC	BUDGET CODE	NO. 559	-231109	_5741ZC	5030
FUND:	559	DEPARTMENT	: CCP	(IF MORE THAT	10NE) 559	_23 1109	574190	50100
SOURCE	CODE (IF REVE	NUE)				<u> </u>		·
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	•		·			· · · · · · · · · · · · · · · · · · ·		
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					 		<u> </u>	
2. TYP	E OF EXPENSE	PERSONALS PASS THROU AGREEMENT	JGH 🔲	LABOR AND MATERI INTER-GOVERNMEN		ENT	☐ PROCUREM☐ CONSTRUCT☐ OTHER	
	OR	: 	<u>.</u>					
TYP	E OF REVENUE			OTHER .				
3. TYP	E OF ACTION	☐ CHANGEIN C		CHANGE IN WORK S	COPE	•	•	
4. PAR	TIES METY	eo AND	70F (Z	IMMER GUNS	UL FRA	CA PAR	TNERSHIF	>)
5. EFF	ECTIVE DATE	NO CHANG	=	TERMINATION (THIS IS A CHAI	DATEA	30 CHAI	·	
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			PREV. AMEND			3	<u>3,763,00</u> 712,82	
•			THIS AMEND			•		
			THIS AMEND				296,0	SLOC
		•	TAT.		•	-	/1-71	
7 8110	GET INFORMATI	1011	TOTAL			\$	4,771,90	4.00
						•		
•			•	LYEAR 1989 390		\$	_100,00	0,00
				AMOUNT APPROPRIA	TED FOR CON	STRACT \$	400,000	0,00
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8. SUM	MARY OF BIDS C	OR QUOTES (PLEAS	E INDICATE IF A MII	ORITY BUSINESS EN	TERPRISE)			
SUE	MITTED BY	·			THUOMA		·	□ мвє
SUE	BMITTED BY				5			□ мве
	, , 		•	•	THUOMA			_
SUB	MITTED BY			3	TNUOMA		 .	☐ MBT
9. , NUM	BER AND LOCAT	TION OF ORIGINAL	s(DZGF;	(2) Motho FER	Contract	sFile (3) Project	drice

*	D BY STATE/FEDER DOT/UMTA/FHWA A	RAL AGENCIES? CASSISTED CONTRACT		NOT APP	LICABLE		
		CT WITH A MINORITY B		YES 1 NO	· · · · · · · · · · · · · · · · · · ·		·
12. WILLINSUR	NCE CERTIFICATE	BE REQUIRED?	YES NO		-		
13. WERE BID A	ID PERFORMANCE	BONDS SUBMITTED?	☐ YES ☐	NOT APPLICA	BLE		
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TYPE OF BO	1D		· · · · · · · · · · · · · · · · · · ·	AMC	DUNTS	·	
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16. COMMENTS			•				
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BUDGET REVIEW		COUNCILO	R	· · · · · · · · · · · · · · · · · · ·			
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LEGAL COUNSEL	REVIEW AS NEEDE						
	TO CONTRACT FOR			•	•		
A. DEVIATION	S OVER \$10,000						
		INMENT AGENCIES	•				
B. CONTRACT	S BETWEEN GOVER						
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