

BEFORE THE CONTRACT REVIEW BOARD OF THE
METROPOLITAN SERVICE DISTRICT

| | | |
|---------------------------------|---|---------------------------|
| FOR THE PURPOSE OF AUTHORIZING |) | RESOLUTION NO. 91-1510 |
| AN EXEMPTION TO THE COMPETITIVE |) | |
| PROCUREMENT PROCEDURES OF METRO |) | Introduced by Rena Cusma, |
| CODE CHAPTER 2.04.053, AND |) | Executive Officer |
| AUTHORIZING A CHANGE ORDER TO |) | |
| THE DESIGN SERVICES AGREEMENT |) | |
| WITH PARAMETRIX, INC. |) | |

WHEREAS, It is in the public interest that the St. Johns Landfill closure process move forward in an expeditious manner; and

WHEREAS, The closure process can be expedited through the use of the existing engineering contractor to perform tasks described in Change Order No. 6; and

WHEREAS, The project requires additional design services that could not have been anticipated at the time of Contract award; and

WHEREAS, It is impractical to solicit proposals for the work described in Change Order No. 6; and

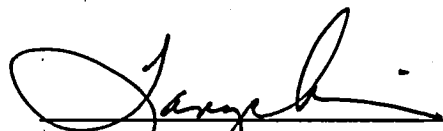
WHEREAS, Change Order No. 6 cannot be approved unless an exemption to the Competitive Procurement Process pursuant to Metro Code 2.04.054 is granted by the Metro Contract Review Board; and

WHEREAS, The resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now, therefore,

BE IT RESOLVED,

That the Metropolitan Service District Contract Review Board exempts Change Order No. 6 to the Design Services Agreement with Parametrix, Inc. from the Competitive Procurement Procedures of Metro Code 2.04.053 and authorizes execution of Change Order No. 6.

ADOPTED by the Contract Review Board of the Metropolitan Service District this 10th day of October, 1991.



Tanya Collier, Presiding Officer

6130 N.E. 78th Court, Suite C-7 Portland, OR 97218
503-256-5444 • 206-694-5020 • Fax: 503-256-4221



RATE SCHEDULE

1992 CLOSURE DOCUMENTS [SA-1 & Nly. PLC]

BIDDING TASKS

LABOR

| <u>Staff</u> | <u>Hourly Rate</u> |
|---------------------------|--------------------|
| Project Manager | \$106 |
| Sr. Project Engineer | \$ 87 |
| Project Engineer | \$ 66 |
| Design Engineer | \$ 59 |
| Gas Task Manager | \$ 70 |
| Gas Technician | \$ 58 |
| CAD Technician | \$ 47 |
| Quality Assurance Manager | \$ 87 |
| Clerical | \$ 37 |

EXPENSES

| | |
|------------------|---------------|
| Outside Services | Cost + 10% |
| Travel | \$0.28 / mile |

Rates shown are estimates of 1992 labor and expense. Parametrix will amend schedule to reflect labor and expense rates effective January 1, 1992.

September 20, 1991



CHANGE ORDER SUMMARY

PROJECT: ST. JOHNS LANDFILL CLOSURE

CONTRACTOR: PARAMETRIX, INC.

CONTRACT NO.: 901-270

BUDGET NO. 531-319320-526900-75960

DEPARTMENT: Solid Waste

FUND NAME ST. JOHNS CLOSURE

THIS REQUEST IS FOR APPROVAL OF CHANGE NUMBER: 6

| | | |
|--|-----------------------|-------|
| 1. The original contract sum was | <u>\$2,301,692.00</u> | |
| 2. Net change by previously authorized change order | <u>\$ 155,435.00</u> | 6.75% |
| 3. The contract sum prior to this request was | <u>\$2,457,127.00</u> | |
| 4. Total amount of this change order request | <u>\$ 47,200.00</u> | 8.8% |
| 5. The new contract sum, including this change order | <u>\$2,504,327.00</u> | |
| 6. The contract sum paid in FY 91-92 | <u>\$ 0.00</u> | |
| 7. Fiscal Year appropriation for FY 91-92 | <u>\$ 643,000.00</u> | |

Line item name: OTHER PURCHASED SERVICES

Estimated appropriation remaining
as of September 20, 1991 \$643,000.00

8. Start Date: October, 1991 Expire Date: April 30, 1996

REVIEW AND APPROVAL:

Jimi Watkins
Division Manager, Solid Waste Department

9/20/91
Date

Donald B. Cook 9/23/91
Fiscal Review Date

Director, Solid Waste Department

Date

James Germain 9/23/91
Budget Review Date

Director, Regional Facilities

Date

Bob Solto 9/23/91
Legal Review Date

Comments:

**CHANGE ORDER NO. 6
TO THE CONTRACT BETWEEN PARAMETRIX, INC. AND
THE METROPOLITAN SERVICE DISTRICT ENTITLED,
"DESIGN SERVICES AGREEMENT" (Contract No. 901-270)**

Provide Technical Assistance to Produce the RFB and
Provide Assistance During the Bidding Process
Associated with the Closure of Subarea 1 on the
St. Johns Landfill During 1991-92

The Scope of Work and Schedule of the "Design Services Agreement" entered into June, 1990, is hereby modified to incorporate the changes described below:

1. The following addition is made to the Scope of Work "2.3 Component Design Tasks" as "2.3.2.(e) Additional Design Tasks for Final Cover on SA-1":
 - a. Develop construction specifications and Quality Assurance/Quality Control (QA/QC) procedures for reapplying the low-permeability cover that is currently part of the intermediate cover.
2. The following addition is made to the Scope of Work "3. CONSTRUCTION DOCUMENTS SERVICES (TASK 9)" as "3.9 ADDITIONAL CONSTRUCTION DOCUMENTS SERVICES FOR SUBAREA 1":
 - a. Prepare final (100% completion) drawings, technical specifications and QA/QC plan to include all elements necessary for closure of Sub-area 1.
 - i. Three sets of draft project specifications, drawings and QA/QC plan shall be submitted at 90% completion by Contractor.
 - ii. One digital copy of the final project specifications and one set of final vellum reproducible drawings shall be submitted at 100% completion. The digital copy of the specifications shall be in an MS DOS compatible format, WordPerfect 5.1, on a 5 1/4" high density disk.
 - b. Submit a construction cost estimate and draft work schedule for Sub-area 1.
 - c. Submit a bid schedule after meeting once with Metro staff to discuss its structure.
 - d. Review final draft of entire RFB project document.
 - e. Attend up to three, 2-hour meetings with Metro staff to discuss the performance of the above tasks.
3. On page 27-28 of the Scope of Work, delete all of the language in Section 4 following "Bidding (TASK 10)", and replace it with the following:
 - a. Summarize the RFB technical documents and otherwise prepare for one pre-bid conference for Subarea 1.

- b. Prepare responses to questions and contract language change requests for addenda when requested by Metro staff. Respond in writing within three days of a written request.

4. SCHEDULE

- a. Contractor shall submit 90% project completion documents for Metro review within 14 calendar days from authorization to proceed.
- b. Metro shall review 90% project completion documents and return comments to Contractor within 8 full working days from Contractor's submittal of review documents.
- c. Contractor shall submit 100% project completion documents for Metro review 33 calendar days from authorization to proceed. The project bid schedule shall be included with the submittal.
- d. Review of the entire RFB project documents shall be completed and comments submitted by Contractor to Metro by 2 p.m., November 18, 1991.
- e. Bidding assistance tasks shall be completed by May 1, 1992.

4. COST

- a. Contractor shall receive compensation on a time and material basis for performance of the Bidding Tasks. Currently, the \$33,775 provided in the original contract for Bidding (TASK 10) is unexpended and available to fund bidding assistance for Subarea 1, as specified in this change order, and for future Bidding Tasks associated with other subareas on a time and material basis. Rates for time and materials are shown on the attached Exhibit A.
- b. Contractor shall receive an amount not to exceed \$47,200 for performance of the Design Tasks specified in this Change Order.
- c. The net additional amount authorized by Change Order No. 6 shall not exceed \$47,200.

All other terms and conditions of the original agreement and previous agreements shall remain in full force and effect.

PARAMETRIX, INC.

METROPOLITAN SERVICE DISTRICT

BY: _____
(Print Name and Title)

BY: _____
(Print Name and Title)

DATE: _____

DATE: _____

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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 91-1510 FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE PROCUREMENT PROCEDURES OF METRO CODE CHAPTER 2.04.053 AND AUTHORIZING A CHANGE ORDER TO THE DESIGN SERVICES AGREEMENT WITH PARAMETRIX, INC.

Date: September 16, 1991

Presented by: Jim Watkins
Dennis O'Neil

PROPOSED ACTION

Adopt Resolution No. 91-1510, which grants exemption from the competitive procurement process and authorizes execution of Change Order No. 6 to the Design Services Agreement with Parametrix, Inc. for engineering services related to the St. Johns Landfill Closure.

FACTUAL BACKGROUND AND ANALYSIS

In June 1990, Metro entered into a Design Services Agreement with Parametrix, Inc. for engineering services related to the St. Johns Landfill Closure. Under this Agreement Parametrix has ongoing responsibility for designing closure improvements, developing construction documents, rendering bidding assistance and performing construction management services for the closure of the landfill.

Metro is planning to install final cover and other closure improvements on one portion of the landfill, Subarea 1, during the construction season of 1992. Metro staff plans to develop a Request for Bids document (RFB) for this work during the fall of 1991, request Metro Council approval, and solicit bids in early 1992. Parametrix, Inc. would provide technical assistance to Metro staff to produce the RFB and during the bidding process. Change Order No. 6 would delete Section 4, Bidding (Task 10) of the Design Services Agreement, and would provide for bidding assistance and preparation of construction documents specific to the Subarea 1 RFB. The cost of these services is \$57,000. \$33,775 has already been authorized in the original agreement for bidding assistance and would be used to offset the Bidding tasks specifically for Subarea 1 RFB on a time and materials basis. Preparation of Construction Documents shall not exceed \$47,200.

Metro Code Chapter 2.04.054 states that a contract amendment exceeding \$10,000 shall not be approved unless the Contract Review Board exempts the amendment from the competitive procurement process of Section 2.04.053.

An exemption is clearly justified in this instance. As detailed above, the work contemplated is most logically viewed as part of the ongoing work of Parametrix, Inc. Parametrix, Inc. has an up to date and intimate knowledge of St. Johns Landfill and its closure and will continue to perform engineering services related to landfill closure until 1996. Metros' planning for landfill closure was never intended to be piece meal and fragmented between consultants. It would be inefficient to now hire an additional engineering consultant to carry out this relatively small component of landfill closure engineering.

BUDGET IMPACT

The current fiscal year budget for St. Johns Landfill closure is \$643,000 for work under the design services agreement with Parametrix, Inc. Change Order No. 6 is not expected to exceed this budget.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 91-1510.

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 91-1510, FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE PROCUREMENT PROCEDURES OF METRO CODE CHAPTER 2.04.053 AND AUTHORIZING A CHANGE ORDER TO THE DESIGN SERVICES AGREEMENT WITH PARAMETRIX, INC.

Date: October 3, 1991

Presented by: Councilor Gardner

Committee Recommendation: At the October 1 meeting, the committee voted unanimously to recommend Council adoption of Resolution 91-1510. Voting in favor: Councilors Gardner, McFarland, and Wyers.

Committee Issues/Discussion: Metro originally determined that all construction related to closing the St. Johns Landfill would be handled by a single construction contractor over a period of several years. In May 1990, Metro signed a \$2.3 million contract with Parametrix, Inc. to provide engineering, design, and bidding and construction document assistance related to the closure.

Parametrix, in conjunction with Metro and DEQ staff, prepared a single set of plans, designs, and specifications relating to closing St. Johns. Metro then determined that it would divide up the closure project into annual increments with an open competitive bidding process for each year's work. Such a division of the work would allow Metro to learn from prior year's work and allow for smaller contracts which would encourage more potential bidders.

Metro staff will shortly be preparing Request for Bid documents for closure improvements in Sub Area 1 of the landfill. This work is scheduled to bid and awarded by early 1992 and performed during the 1992 construction season. Because closure work is now being performed in annual increments, Parametrix will be required to revise its original plans, designs, and specifications each year to address the specific work to be accomplished and issues resulting from the completion of prior year's work.

Resolution No. 91-1510 would make a change in the original design services agreement to allow an additional payment to Parametrix for necessary redesign of the original closure plan and document preparation assistance related to the proposed 1992 closure work. The total cost of these services will be \$57,000. A total of \$9,800 of this amount was previously authorized in the original agreement for bidding services. Thus, the resolution would change the agreement to permit an additional payment of \$47,200. The Solid Waste Department anticipated the need for an additional payment and this amount is included in the \$643,000 appropriated for closure work during the current fiscal year.

The resolution also would provide for an exemption from the Metro Code requirement that requires that a contract amendment over

\$10,000 not be approved unless the Contract Review Board exempts the amendment from the competitive procurement process. Staff contends that an exemption is warranted because the proposed work is part of the ongoing closure program for which Parametrix will provide engineering services until 1996. Hiring a new consultant for a small portion of this work would not be effective.

It would appear that annual changes in the Parametrix agreement will be needed to address design changes and contract document development for each year's closure work at St. Johns.