

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 01-20

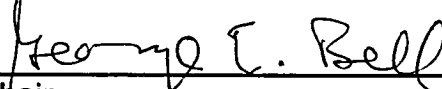
Approving an Amendment to the PreConstruction Services Agreement with Hoffman Construction Company of Oregon, and authorizing the Chairman and the Secretary Treasurer to execute the Amendment.

The Metropolitan Exposition-Recreation Commission finds:

1. The Commission and Hoffman Construction Company of Oregon are parties to Contract No. 922092 for preconstruction services, including the preparation of bid packages, for the Oregon Convention Center Expansion.
2. Work under the agreement was delayed by uncertainty over funding for the expansion project in the fall of 2000, and not all bid packages required for the expansion project have been issued.
3. Expansion project staff have reviewed the project and recommend the Agreement be extended through September 1, 2001, and further that an additional \$41,850 be authorized to complete the remaining bid packages.
4. The OCC Expansion Project Advisory Committee has reviewed the proposed amendment and recommends approval.
5. It is in the best interests of the public and the expansion project extend the agreement and authorize additional expenditures to complete the work under the agreement.

BE IT THEREFORE RESOLVED that the Metropolitan Exposition-Recreation Commission approves the amendment to Contract No. 922092 with Hoffman Construction Company of Oregon, attached as Exhibit A, and authorizes the Chair and Secretary/Treasurer to execute the amendment.

Passed by the Commission on May 18, 2001.



Chair



Secretary-Treasurer

Approved as to Form:
Daniel B. Cooper, General Counsel



By: Lisa M. Umscheid
Senior Assistant Counsel

Staff Report

April 24, 2001

Prepared by Karl Schulz
Senior Project Manager

EXTENSION OF PRE-CONSTRUCTION SERVICES FOR OREGON CONVENTION CENTER EXPANSION

BACKGROUND

On January 31, 2000, MERC and Metro requested proposals from Construction Manager/General Services Contractors, RFP #00R-5-MERC, for pre-construction services for the Oregon Convention Center Expansion. After a selection process, Hoffman Construction Company was selected to provide pre-construction services in the amount of \$158,000, as contracted by Personal Services Agreement Contract 922092, and per MERC Commission's approval of Resolution 2000-12 for Pre-Construction Services, dated April 5, 2000. This contract was for services from April 5, 2000 to April 5, 2001. It was developed and executed before delays caused by Measure 93 were anticipated, and the project schedule was revised due to the requirement to not proceed until after the November 2000 election.

ISSUE

Because of delays in completing bid packages beyond April due to Measure 93, the development of bid packages will continue until later this year. Pre-construction services by Hoffman Construction, which provides review and coordination of bid documents prepared by the Design Team, needs to be extended for the completion of the Expansion Project. Hoffman Construction has requested funds to continue to provide this service for the completion of Bid Packages 5/6 through 8 later this summer. This Staff Report documents the requested extension of time and additional fees for services.

FISCAL ISSUES

Hoffman Construction has requested an additional fee for services provided for the months of April, May, June, July, and August 2001. The proposed increased fee of \$41,850 is based on hourly rates as agreed upon in the original contract for extended time. The Project Team has reviewed the proposed hourly rates and has negotiated the fee presented here. The additional cost would be funded by Owner's Contingency.

FISCAL COMPARISONS

The Project Team has reviewed the proposals presented at the original selection process from three other CM/GC contractors for pre-construction services. They had proposed to provide services in the amounts of \$225,000; \$238,164; and \$288,859. The total Hoffman proposed pre-construction service with the extension will equal \$199,850. This amount is still less than that proposed by the three other CM/GC contractors for pre-construction services.

SCHEDULE

The original contract's term of service extended to April 5, 2001. It is clear that continued pre-construction services are needed for bid packages that have yet to be distributed, and Hoffman Construction is providing that service beyond the original contract. These pre-construction services are part of the requirements to complete this project and to verify that the coordination of contract documents is completed to the full advantage of the Owner.

RECOMMENDATION

Staff recommends that the Metropolitan Exposition-Recreation Committee agree to Hoffman Construction Company's request for extension of services for pre-construction services. Secondly, the recommendation is that the pre-construction services be extended to September 1, 2001. Staff further requests that the Commission authorize the Chairman, Secretary and Treasurer of MERC to execute a Change Order as in the form attached, and according to the conditions of the pre-construction services with Hoffman Construction.

Attachment: Proposed Hours for Additional Pre-Construction Services, 4/25/01

PROPOSED HOURS FOR ADDITIONAL PRE-CONSTRUCTION SERVICES

NAME	POSITION	APR	MAY	JUN	JUL	AUG	SEP	HRS	RATE	TOTAL
Stein	Director	5	5	5	5	0	0	20	\$60	\$1,200.00
Garske	Operations Mgr	80	80	80	60	40	0	340	\$50	\$17,000.00
Klein	Estimating	40	40	40	10	10	0	140	\$40	\$5,600.00
A. Hoy	Mechanical Est.	40	40	40	10	10	0	140	\$50	\$7,000.00
J. Loen	Electrical Est.	40	40	40	10	10	0	140	\$50	\$7,000.00
Konkel	Purchasing	30	30	30	0	0	0	90	\$45	\$4,050.00

TOTAL	\$41,850.00
CURRENT	\$158,000.00
REVISED	\$199,850.00

OTHER PRECONSTRUCTION FEE PROPOSALS

BAUGH	\$288,859.00
TURNER	\$225,000.00
GILBANE	\$238,164.00

AMENDMENT TO PERSONAL SERVICES AGREEMENT

WHEREAS, the Metropolitan Exposition-Recreation Commission ("Commission," "Metro ERC" or "MERC") and Hoffman Construction ("Hoffman" or "Contractor") collectively known as "the Parties," entered into a Personal Services Agreement, Contract No. 922092, dated April 5, 2000 for preconstruction services; and

WHEREAS, Section 16 of the Agreement provides that it can only be amended by a written document executed by the Parties; and

WHEREAS, the Parties mutually desire to amend the Agreement;

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Effective April 5, 2001, the term of the Agreement is extended to and including September 1, 2001.

2. Section 3 Payment is amended to read as follows:

"3. Payment. MERC shall pay Contractor for services performed and materials delivered in the amount(s), manner and at the time(s) specified in the RFP and Proposal for a maximum sum not to exceed ONE HUNDRED NINETY-NINE THOUSAND EIGHT HUNDRED AND FIFTY DOLLARS (\$199,850)."

3. All other terms and conditions of the Agreement shall continue in full force and effect.

4. No modification or amendment of this document or the Personal Services Agreement Contract No. 922092, shall be in force or effect unless in writing executed by all Parties hereto.

HOFFMAN CONSTRUCTION

By: _____

Its: _____

METROPOLITAN EXPOSITION-
RECREATION COMMISSION

By: _____
Chair, MERC

By: _____
Secretary-Treasurer, MERC

APPROVED AS TO FORM:
Daniel B. Cooper, General Counsel

By: _____
Lisa M. Umscheid, Sr. Asst. Counsel