

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2016-015

Approving an Amendment to Increase the Contract Amount with HDR Engineering, Inc. to Allow Needed Right of Way Services for the Arata Road Project.

The Multnomah County Board of Commissioners Finds:

- a. The Board, acting as the Multnomah County Public Contract Review Board (PCRB) and pursuant to PCRB Rule 48-0320(5), must approve contract price increases beyond 33 percent of the original contract price.
- b. The County awarded the contract to HDR Engineering, Inc. for \$150,000. On March 27, 2015, the contract was amended to \$199,500 with Purchasing Manager Approval. An additional \$50,500 would bring the contract total to \$250,000, allowing project completion.
- c. This increase supports additional work needed from the Contractor due to design changes and unforeseen complex parcel ownership issues.
- d. The Amendment will allow this vendor to finish the work they have begun. The current vendor has already contacted properties' owners, inspected parcels, prepared appraisals, and will be sending offer packets soon to start negotiation with property owners. If they are not allowed to complete these tasks, the project will incur additional charges and the bid for construction work will be delayed from its schedule date this summer.
- e. This amendment is in accordance with the requirements of Public Contract Review Board Rule 48-0320(5).

The Multnomah County Board of Commissioners Resolves:

The amendment to increase the amount of Contract Number 4400001410 with HDR Engineering, Inc. by an additional amount of \$50,500 for a total contract price of \$250,000 for the Arata Road Project is approved.

ADOPTED this 10th day of March, 2016.




BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:

JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Bernadette D. Nunley, Assistant County Attorney

SUBMITTED BY: Kim Peoples, Director, Department of Community Services.

1620 SE 190th Avenue, Portland Oregon 97233-5910 • PH. (503) 988-5050 • Fax (503) 988-3321

TO: Brian Smith **DATE:** February 16, 2016
FROM: Kim Peoples **CC:** Riad Alharithi
 Ian Cannon
SUBJECT: PCRB 48-0320.5, Exemption Request
 Contract #4400001410 - HDR Engineering, Inc.

This request is to amend Contract #4400001410 to add additional scope of work and budget for the Arata Road Right of Way (ROW) Services for a total contract of \$250,000. ROW services include providing the legally required property acquisition services, notice and assistance to impacted property owners and interest holders on a public improvement project. The original contract awarded to HDR Engineering, Inc. (HDR) was \$150,000 which was amended on March 27, 2015 to \$199,500.

Background of the project:

This project involves widening Arata Road from 223rd to 238th St. to accommodate bike and pedestrian traffic, construct a new storm water system, and upgrade the existing traffic signal at the 238th intersection.

The need for this ROW services contract amendment to increase the contract amount is based on the following factors:

1. Project design changes: The Project has gone through several design revisions since originally proposed including:
 - a. Initial design was to provide for bike lanes and sidewalks on both sides of Arata. However, during the public outreach opposition was noted to this idea and in order to reduce the impact to adjacent properties, design was changed to eliminate the bike lanes and replace them with shared path on the north side of the road. This development required revising acquisition areas from various properties along the approximate $\frac{3}{4}$ of a mile project length.
 - b. During ROW phase the original proposed route for the installation of a major 36" pipe for drainage purposes, was found upon further research to not be as cost effective for construction purposes as originally contemplated. Consequently, we altered the project design to realign the route to avoid the additional cost and delay to the project. This design change impacted different properties and impacted our ROW phase.

2. Engineering staff turn-over: at 60% level of design the in-house design staff left the county and we needed to hire a consultant to finish the design. As a consequence, the proposed roadway footprints were changed and a few of the parcel appraisals that were completed by HDR needed amendments.
3. Varied kinds of owners and interest holders with respect to impacted properties. As County staff and legal counsel investigated ownership and interest holder status on these parcels, they came across complicated cases that needed additional effort from HDR. In addition, the sheer number of properties is significant, with close to 30 separate properties being impacted by the Arata Road Project.

Project schedule:

The design consultant is expected to finish design by May 2016 and send this project to bid in early June 2016. The ROW acquisition phase needs to be completed before we advertise for bid.

HDR vs. different consultant?

The current consultant has already contacted properties' owners, inspected parcels, prepared appraisals, and will be sending offer packets next week to start negotiation with property owners thereafter. Almost 80% of the appraisals are completed. Consequently, HDR needs to finish the files that they worked on. Having a different consultant team start working on this phase will complicate the project, add significant cost to this phase, and will delay the project to summer 2017.

How can we prevent this from happening on future projects?

County staff has been trained to develop much better design, ROW and construction estimates. County has changed the organization structure so ROW and engineering are in one section and communication between engineers and county ROW agents are more timely and coordination has significantly improved since then.

Quality control plans are in place to review design changes and anticipate impact to our contracts whether they are design, ROW or construction ahead of time.

Communication with purchasing staff is happening at early stages on our current projects to select the proper procurement method.

This request is approved.



Kim Peoples, Director
Department of Community Services