



**DAN JOHNSON**  
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

September 5, 2024

BCC Agenda Date/Item: \_\_\_\_\_

Board of County Commissioners  
Clackamas County

**Approval of Amendment #9 with P&C Construction for added solar panels for the Gladstone Public Library project. Amendment value is \$188,673.21. Funding through County Sustainability funds. No County General Funds are involved.**

<b>Previous Board Action/Review</b>	6/23/22: Business Meeting, Board approved P&C Amendment #2 approving demolition of the former Gladstone City Hall. 6/15/23: Business Meeting, Board approved Amendment #4 approving GMP for construction of the Gladstone Library. 7/25/24: Business Meeting, Board approved Amendment #8 approving funding for various scope adds and project delays		
<b>Performance Clackamas</b>	This project aligns with the Vibrant Economy Goal: It provides economic development, public spaces, and community enrichment services to residents, businesses, visitors, and partners so they can thrive and prosper in healthy and vibrant communities.		
<b>Counsel Review</b>	Yes, AN	<b>Procurement Review</b>	Yes, RR
<b>Contact Person</b>	Jason Varga	<b>Contact Phone</b>	(503) 351-4012

**EXECUTIVE SUMMARY:** At the June 15, 2023 Business Meeting the Board approved P&C Amendment #4 to construct the Gladstone Library.

This contract amendment is for added costs to provide solar panels to the Gladstone Library. These panels would provide enough solar power for the building to have net zero energy usage.

We are required by Oregon State Law to spend 1.5% of public building construction costs on green energy technology. For this project, we have designed the building to include the installation of rooftop solar panel arrays to meet this requirement.

For Filing Use Only

The energy provided by these solar arrays will completely offset the electrical utility costs to operate the library and any excess energy produced will be fed back into the electrical grid. This investment will more than pay for itself over time.

These costs will be covered by the County's Sustainability Fund. This fund includes reimbursements from PGE for the DSB solar array. The agreement with PGE requires that we reinvest these funds into other solar projects.

County Sustainability Fund	\$ 188,673.21
Total	\$ 188,673.21

**RECOMMENDATION:** Staff recommends approval of this contract amendment.

Respectfully Submitted,

*Dan Johnson*

Dan Johnson, Director  
Department of Transportation and Development

**AMENDMENT #9**  
**TO THE CONTRACT DOCUMENTS WITH P. & C. CONSTRUCTION CO. FOR OAK LODGE**  
**AND GLADSTONE LIBRARY CMGC**  
**Contract #4357**

This Amendment #9 is entered into between **P. & C. Construction Co.** (“Contractor”) and Clackamas County (“Owner”) and shall become part of the Contract documents entered into between both parties on **September 30, 2021** (“Contract”). The Project contemplated by the Contract involves four distinct portions. This Amendment #9 is solely with respect to the Gladstone Library portion of the Project, authorized by Amendment #4 to the Contract (the “Gladstone Library GMP Amendment”).

The Purpose of this Amendment #9 is to make the following changes to the Gladstone Library GMP Amendment:

1. **Section 2. Authorized Construction Phase Services**, of the Gladstone Library GMP Amendment, is hereby amended as follows:

Owner has approved an increase to the Construction Phase Services authorized under the Gladstone Library GMP Amendment for solar panels to provide net zero energy use. The additional Construction Phase Services are further described in Exhibit A to this Amendment #9, attached hereto and incorporated by reference herein.

2. **Section 3. Guaranteed Maximum Price**, of the Gladstone Library GMP Amendment, is hereby amended as follows

In consideration for Contractor performing the additional Construction Phase Services authorized by this Amendment #9, Owner will pay Contractor an amount not to exceed \$188,673.21. Consideration is in accordance with the terms and conditions of the Contract, including the Gladstone Library GMP Amendment. The guaranteed maximum price for the Gladstone Library portion of the Project shall not exceed \$7,654,139.60. The total project value for all four portions of the Project shall not exceed \$34,003,497.90.

ORIGINAL CONTRACT	\$ 88,780.00 (Preconstruction Fee)
AMENDMENT #1	\$ 270,054.00 (Early Work Amendment)
AMENDMENT #2	\$ 21,686.00 (Early Work Amendment)
AMENDMENT #3	\$ 136,681.00 (Early Work Amendment)
AMENDMENT #4	\$ 6,978,163.00 (GMP Gladstone Library)
AMENDMENT #5	\$15,314,232.00 (GMP Oaklodge Library)
AMENDMENT #6	\$ 4,633,620.00 (GMP Concord Park)
AMENDMENT #7	\$ 6,160,262.00 (GMP Concord Community)
AMENDMENT #8	\$ 211,346.69 (Change order for GS Library GMP)
<b><u>AMENDMENT #9</u></b>	<b><u>\$ 188,673.21 (Change Order for GS Library GMP)</u></b>
<b>TOTAL AMENDED CONTRACT</b>	<b>\$ 34,003,497.90</b>

**\*Signature Page to Follow\***

Except as expressly amended above, all other terms and conditions of the Contract shall remain in full force and effect. By signature below, the parties agree to this Amendment #9, effective upon the date of the last signature below.

**P. & C. Construction Co.**

 8/6/2024  
Authorized Signature Date


Brian S. Szymanski  
Printed Name

**Clackamas County**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

Approved as to Form:

 08/07/2024  
County Counsel Date

**Exhibit A**  
**Change Order PCCO#004**



# CHANGE ORDER

Job Title: Gladstone Library

Change Order #: PCCO #004

Address: 525 Portland Avenue  
Gladstone, OR 97027

To: Clackamas County  
150 Beaver Creek Road  
Oregon City, OR 97045

From: P&C Construction  
2133 NW York St.  
Portland, OR 97210

**Description:**

This GMP change order funds the cost of the net zero solar scope and excess cost of the fall protection scope beyond the allowance.

This change order covers direct costs only. Any schedule impact resulting from delayed approval of this change order scope will be assessed in a future change order.

Total Amount: \$188,673.21

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Original Contract Sum:	\$270,054.00
Net Change by Previously Authorized Change Orders:	\$7,195,412.39
Contract Sum Prior to this Change Order:	\$7,465,466.39
Contract Sum will be Increased by this Change Order in the Amount of:	\$188,673.21
New Contract Sum Including this Change Order:	\$7,654,139.60
Contract Time will be Increased by this Change Order by:	0 days*
Revised Substantial Completion Date will be:	08/09/2024

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Architect Signature

Owner Signature

Contractor Signature



P&C Construction  
 2133 NW York St  
 Portland, Oregon 97210-2108  
 Phone: 503.665.0165

**Project:** 21011 - Gladstone Library  
 525 Portland Avenue  
 Gladstone, Oregon 97027

**Prime Contract Change Order #004: June GMP Change Order**

<b>TO:</b>	<b>Clackamas County</b> 150 Beaver Creek Road Oregon City, Oregon 97045	<b>FROM:</b>	<b>P&amp;C Construction</b> 2133 NW York Street Portland, Oregon 97210
<b>DATE CREATED:</b>	9/07/2023	<b>CREATED BY:</b>	Ken Fehringer (P&C Construction)
<b>CONTRACT STATUS:</b>	Pending - In Review	<b>REVISION:</b>	0
<b>DESIGNATED REVIEWER:</b>		<b>REVIEWED BY:</b>	
<b>DUE DATE:</b>		<b>REVIEW DATE:</b>	
<b>INVOICED DATE:</b>		<b>PAID DATE:</b>	
<b>SCHEDULE IMPACT:</b>		<b>EXECUTED:</b>	No
<b>REVISED SUBSTANTIAL COMPLETION DATE:</b>		<b>SIGNED CHANGE ORDER RECEIVED DATE:</b>	
<b>CONTRACT FOR:</b>	21011-:Gladstone Library	<b>TOTAL AMOUNT:</b>	\$188,673.21

**DESCRIPTION:**

Change orders to the GMP or reallocation of funds within the GMP due to various changes to the project scope.

See attached PCO #056 for note regarding potential schedule impact related to this PCCO.

**ATTACHMENTS:**

**POTENTIAL CHANGE ORDERS IN THIS CHANGE ORDER:**

PCO #	Title	Schedule Impact	Amount
056	21011 Solar, Net Zero, and Fall Protection		\$188,673.21
<b>Total:</b>			\$188,673.21

**CHANGE ORDER LINE ITEMS:**

**PCO # 056: 21011 Solar, Net Zero, and Fall Protection**

#	Budget Code	Description	Amount
1	26-050-___.SUBS Electrical	Added PV scope for net zero alternate	\$57,636.43
2	26-050-___.MAT'L Electrical	PV alternate funds	\$17,363.57
3	26-050-___.MAT'L Electrical	Original solar scope	\$83,873.00
4	50-001-___.SUBS Fall Protection System	Fall protection allowance overage	\$19,590.00
<b>Subtotal:</b>			<b>\$178,463.00</b>
Builder's Risk Insurance (0.60% Applies to all line item types.):			\$1,070.78
Liability Insurance (1.15% Applies to all line item types.):			\$2,052.32
Payment and Performance Bonds (0.95% Applies to all line item types.):			\$1,695.40
Fee (2.45% Applies to all line item types.):			\$4,490.40
Corporate Activity Tax (0.48% Applies to all line item types.):			\$901.31
<b>Grand Total:</b>			<b>\$188,673.21</b>




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The original (Contract Sum)	\$270,054.00
Net change by previously authorized Change Orders	\$7,195,412.39
The contract sum prior to this Change Order was	\$7,465,466.39
The contract sum would be changed by this Change Order in the amount of	\$188,673.21
The new contract sum including this Change Order will be	\$7,654,139.60
The contract time will not be changed by this Change Order.	


**Sina Meier (Opsis Architecture)**  
 920 NW 17th Avenue  
 Portland, Oregon 97209

**Clackamas County**  
 150 Beavercreek Road  
 Oregon City, Oregon 97045

**P&C Construction**  
 2133 NW York Street  
 Portland, Oregon 97210

\_\_\_\_\_  
 SIGNATURE                                  DATE

\_\_\_\_\_  
 SIGNATURE                                  DATE

          8/6/2024  
 \_\_\_\_\_  
 SIGNATURE                                  DATE





P&C Construction  
 2133 NW York St  
 Portland, Oregon 97210-2108  
 Phone: 503.665.0165

**Project:** 21011 - Gladstone Library  
 525 Portland Avenue  
 Gladstone, Oregon 97027

## Prime Contract Potential Change Order #056: 21011 Solar, Net Zero, and Fall Protection

<b>TO:</b>	Clackamas County 150 Beavercreek Road Oregon City, Oregon 97045	<b>FROM:</b>	P&C Construction 2133 NW York Street Portland, Oregon 97210
<b>PCO NUMBER/REVISION:</b>	056 / 0	<b>CONTRACT:</b>	21011- - Gladstone Library
<b>REQUEST RECEIVED FROM:</b>	Jason Varga (Clackamas County)	<b>CREATED BY:</b>	Ken Fehringer (P&C Construction)
<b>STATUS:</b>	Pending - In Review	<b>CREATED DATE:</b>	1/17/2024
<b>REFERENCE:</b>		<b>PRIME CONTRACT CHANGE ORDER:</b>	#004 - May GMP Change Order
<b>FIELD CHANGE:</b>	No		
<b>LOCATION:</b>		<b>ACCOUNTING METHOD:</b>	Amount Based
<b>SCHEDULE IMPACT:</b>		<b>PAID IN FULL:</b>	No
<b>EXECUTED:</b>	No	<b>SIGNED CHANGE ORDER RECEIVED DATE:</b>	
		<b>TOTAL AMOUNT:</b>	\$188,673.21

**POTENTIAL CHANGE ORDER TITLE:** 21011 Solar, Net Zero, and Fall Protection

**CHANGE REASON:** Added Scope

**POTENTIAL CHANGE ORDER DESCRIPTION:** *(The Contract Is Changed As Follows)*

CE #088 - PV Net Zero Alternate

Cost to add more PV panels to achieve net zero energy usage for the project.

\*This change order covers direct costs only. Any schedule impact resulting from delayed approval of this change order scope will be assessed in a future change order.

**ATTACHMENTS:**

[Excalibur Quote for Fall Protection - Gladstone Library.pdf](#) , [\\_CO #12 - PV System Updated to Alternate Net Zero.pdf](#)

#	Budget Code	Description	Amount
1	26-050-___-.SUBS Electrical	Added PV scope for net zero alternate	\$57,636.43
2	26-050-___-.MAT'L Electrical	PV alternate funds	\$17,363.57
3	26-050-___-.MAT'L Electrical	Original solar scope	\$83,873.00
4	50-001-___-.SUBS Fall Protection System	Fall protection allowance overage	\$19,590.00
<b>Subtotal:</b>			<b>\$178,463.00</b>
Builder's Risk Insurance (0.60% Applies to all line item types.):			\$1,070.78
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Fee (2.45% Applies to all line item types.):			\$4,490.40
Corporate Activity Tax (0.48% Applies to all line item types.):			\$901.31
<b>Grand Total:</b>			<b>\$188,673.21</b>



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920 NW 17th Avenue  
Portland, Oregon 97209

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150 Beavercreek Road  
Oregon City, Oregon 97045

**P&C Construction**  
2133 NW York Street  
Portland, Oregon 97210

\_\_\_\_\_  
SIGNATURE DATE

\_\_\_\_\_  
SIGNATURE DATE

\_\_\_\_\_  
SIGNATURE DATE



# PROJECT CHANGE ORDER

PECI : Gladstone Library

11/28/23

**CO #1 - 11/28/23**

(ADD)

**\$54,379**

Upgrade to Alternate 1 - 45.59 kw, 97 modules

## Project Scope History

**Original Contract - 08/04/23**

**\$83,873**

**TOTAL COST FOR THIS CHANGE ORDER**

**\$54,379**

**TOTAL PROJECT COST TO DATE**

**\$138,252**

Signature below assumes agreement of all conditions and terms

\_\_\_\_\_  
For Elemental Energy

\_\_\_\_\_  
Date

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date



December 21, 2023

Ken Fehringer  
P&C Construction

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**RE: Gladstone Library – Fall Protection**

Ken,

Thank you for considering Excalibur & Associates for fall protection at the Gladstone Library.

This is a quote for engineering, supply, installation and certification of (1) 3M DBI-SALA RoofSafe horizontal lifeline, (13) RoofSafe single-point anchors, (1) CMU mounted anchor and (4) anchors mounted to vertical steel. The purpose is to allow up to two users per lifeline, and one user per anchor, safe access at height for mechanical and maintenance purposes. As Certified Installers for 3M Fall Protection we will ensure the parts and installation will be ANSI and OSHA compliant.

*Our fee for engineering, supply, installation and certification of the above fall protection.*

**\$51,600.00**

Fall Protection Cost: \$51,600  
Fall Protection Allowance in GMP: ~~-\$32,010~~  
Fall Protection Allowance Overage: **\$19,590**

Includes:

- 1 Year Warranty
- Engineering/Certification/Submittal
- User Training same day as installation
- (2) Detachable Cable Travelers

Exclusions:

- Roof Access provided by others (lift, scaffold)
- Waterproofing and roofing

Prices exclude special inspections, permits, licenses, union work agreements, local and state taxes. Pricing is valid for 30 calendar days. Payment due upon completion. Service charge assessed at 1.5% per month on unpaid balance (18% per annum) with \$1.50 minimum charge. Customers paying by credit card will be assessed a 3% fee of amount charged per transaction.

**Acceptance:** I hereby accept and authorize you to perform the Scope of Work designated above in its entirety and agree to pay the amount specified for said work according to the terms thereof.

CERTIFIED INSTALLERS OF 3M™ DBI SALA® ENGINEERED SYSTEMS

P.O. Box 80364  
Portland, OR 97280-1364  
[phil@lifelineinstallation.com](mailto:phil@lifelineinstallation.com)  
WA C.L. EXCALAI008PD  
Cage Code: 5FA17

Phone (503) 891-6404  
Fax (503) 244-7515  
Cell (503) 891-6404  
OR CCB #171847



Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Please Print Name/Title: \_\_\_\_\_

Please call or email with any questions.

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Sincerely,

A handwritten signature in black ink, appearing to read "Phil Erickson".

Phil Erickson

CERTIFIED INSTALLERS OF 3M™ DBI SALA® ENGINEERED SYSTEMS

P.O. Box 80364  
Portland, OR 97280-1364  
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