

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 Beavercreek Road Oregon City, OR 97045

January 18, 2024	BCC Agenda Date/Item:
Board of County Commissioners Sitting/Acting as Development Agency Board Clackamas County	

Approval of Amendment #1 extending duration and increasing funding to the Contract with Harper Houf Peterson Righellis, Inc. for Construction Management Services for the Linwood Avenue Improvement Project. Amendment Value is \$235,074.95 and 10 months, Contract Value is increased to \$1,040,871.95 for 2 years and 4 months. Funding is through Development Agency funds. No County General Funds are involved.

Previous Board	HHPR Contract approved by BCC: August 18, 2022										
Action/Review	Request for Consent: J	Request for Consent: January 16, 2024									
Performance	This project will build ar	This project will build and provide strong infrastructure.									
Clackamas	This project also meets capital construction.	This project also meets the goal of 85% of the Agency budget going to capital construction.									
Counsel Review	Yes	Procurement	Yes								
	AN – 1-4-24	Review									
Contact Person	Ken Itel, Sr Project	Contact Phone	503.742.4324								
	Planner										

EXECUTIVE SUMMARY:

Harper Houf Peterson Righellis, Inc. (HHPR) is under contract to perform construction management services, including inspections, construction engineering, construction staking, contractor and utility coordination, preparation of record drawings and post construction surveying.

The Agency is requesting an amendment to the current contract to address the need for additional services and to extend the contract time. Substantial completion of construction was originally anticipated by November 15, 2023. The contractor has made significant progress but due to multiple unforeseen utility conflicts and recent unfavorable weather conditions.

construction will not be complete until April 2024. The remaining work largely involves concrete work or asphalt paving and is highly dependent on dry weather and acceptable temperatures. Favorable conditions are likely to be limited during the winter months, thereby pushing project completion into the spring. Multiple short-duration work periods will also increase the

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requirements for management and inspections. Due to an unforeseen loss of County staff, the Agency also requires additional services to assist with construction management.

In addition, it is necessary to extend the completion date of the contract until December 31, 2024. This will cover construction management through project completion, which is expected by the April 30, 2024, as well as cover post construction responsibilities such as as-built plans, post-construction survey work and punch list or warranty items.

PROCUREMENT PROCESS:

This amendment is in accordance with LCRB C-047-0800(b) for an unanticipated amendment. Amendment #1 is a 29.17% increase to the original contract.

RECOMMENDATION:

Staff respectfully recommends that the Board approve and sign Amendment #1 for the contract with Harper Houf Peterson Righellis, Inc. for construction management services for the Linwood Avenue Improvement Project.

Respectfully submitted,

Dan Johnson

Dan Johnson, Director

Department of Transportation & Development

AMENDMENT #1

TO THE CONTRACT DOCUMENTS WITH HARPER HOUF PETERSON RIGHELLIS, INC., FOR LINWOOD AVENUE IMPROVEMENTS

Contract #6826

This Amendment #1 is entered into between **Harper Houf Peterson Righellis**, Inc. ("Contractor") and Clackamas County Development Agency, a political subdivision of the State of Oregon ("Agency") and shall become part of the Contract documents entered into between both parties on **August 18**, 2022 ("Contract").

The Purpose of this Amendment #1 is to make the following changes to the Contract:

- 1. ARTICLE 1. Section 1. Effective Date and Duration is hereby amended as follows: The Contract termination date is hereby changed from February 28, 2024 to December 31, 2024.
- 2. ARTICLE 1. Section 2. Scope of Work is hereby amended as follows:

 Due to an unforeseen loss of County staff, County has authorized an amendment to add additional services necessary to assist with construction management for the Linwood Avenue Improvement project. The additional services are further described in Exhibit "A" to this Amendment #1, attached hereto and incorporated by reference herein.
- 3. ARTICLE 1. Section 3. Consideration is hereby amended as follows:
 In consideration for Contractor performing Work during the extended term of the Contract, and for performing the additional services described in Exhibit A to this Amendment #1, County will pay Contractor an amount not to exceed \$235,074.95. Compensation for the additional services will be in accordance with the rates set forth in Exhibit "B" to this Amendment #1, attached hereto and incorporated by this reference herein, and the terms and conditions of the Contract. The total Contract compensation authorized under this Contract shall not exceed \$1,040,871.95.

ORIGINAL CONTRACT \$ 805,797.00

AMENDMENT #1 \$ 235,074.95 and Time Extension

TOTAL AMENDED CONTRACT \$ 1,040,871.95

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 #1, effective upon the date of the last signature below.

	Harper Houf Peterson Rig	ghellis, Inc.	Clackamas County Deve	lopment Agency
<	TOSAL	1-4-2024		
	Authorized Signature	Date	Chair	Date
	Printed Name	- President	Recording Secretary	
			APPROVED AS TO FOR	M
			Ly	01/04/2024
			County Counsel	Date

Exhibit A Scope of Work Additional Services

Linwood Avenue Construction Services

Contract Amendment No. 1 for Additional Contract Time and Construction Services Harper Houf Peterson Righellis Inc.

The following services will be extended to account for the additional construction contract time:

Task 9: Construction Services

The HHPR team will continue to provide construction services as requested by Clackamas County per the original contract tasks. It is assumed that construction will extend and additional four (4) months with construction completed by April 30, 2024. The contract length will extend through December 31, 2024 to assist with project closeout, as needed.

The HHPR team will also provide additional services for the following tasks:

- Lead and document the weekly project team meeting.
- Review progress payment requests, forward for approval/processing and assist with tracking and documentation of progress payments.
- Assist with reviewing and processing change orders.
- Assist with responses to requests from residents and property owners on Linwood and provide information on project questions to the general public.
- Assist with general correspondence and coordination with the contractor and project team.

Exhibit B Fee Schedule

Harper Houf Peterson Righellis Inc.																				I	
Linwood Ave - Construction Services Amendment #1	rincipal/Project Manager	roject Engineer/Construction Manager	ssistant PM/Public Involvement	bivil Engineer/Structural Engineer	senior Civil Designer	2C Engineer	čivil Designer/Inspector	ad Technician	environmental Scientist	sraphics	andscape Architect	roject Surveyor	survey Technician	survey Crew Chief	nstrument Person	senior Clerical	Slerical	Expenses	DKS ASSOCIATES		TOTAL BY TASK
TASK 9: Construction Services					U,	Ū			_			_	,		_						
9.A. Pre-Construction Conference																				\$	-
9.B. Construction Assistance																				\$	-
9.B.1 Project Management	16	312																\$ 400.00		\$	69,520.00
9.B.2 Submittal/Shop Drawing Review																				\$	-
9.B.3 Project Meetings	8	156																		\$	34,560.00
9.B.4 Construction Inspection							1300											\$ 2,000.00		\$	197,000.00
9.B.5 Engineering Support / Design Questions/Modifications	8	104		40																\$	30,640.00
9.B.6 Utility Coordination Assistance		16																		\$	3,360.00
9.B.7 Public Involvement		104																		\$	21,840.00
9.C. Construction Surveying and Checks												16	40	80	80					\$	28,080.00
9.D. Project Closeout	2	4			24			40										\$ 200.00	\$ 2,630.00	\$	13,200.00
9.E. Post-Construction Monument Survey	1	2										14	40	40	40			\$ 1,000.00		\$	19,565.00
I	35 \$ 225	\$ 210	0 \$ 160	\$ 175	\$ 170	0 \$ 225	1300 \$ 150	\$ 125	0 \$ 130	\$ 150	9 \$ 150	30 \$ 180	\$ 140	120 \$ 150	120 \$ 95	\$ 150	0 \$ 110		Remaining Work	\$	417.765.00

Remaining Budget through October 2023 \$ 182,690.05

Difference (Amendment #1 Total) \$ 235,074.95