DAN JOHNSON

DIRECTOR



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING 150 BEAVERCREEK ROAD OREGON CITY, OR 97045

April 17, 2025

BCC Agenda Date/Item:

Board of County Commissioners Clackamas County

Approval of a Contract Amendment with Consor North America for construction inspection services for the Stafford Road Improvements Project. Amendment Value is \$286,750. Total Contract Value is \$2,314,510. Funding is through Community Road Funds, Countywide System Development Charges and HB2017 Safety Funds. No County General Funds are involved.

	General i unus a	ie involveu.					
Previous Board	03/20/2025: Approval of a	a Public Improvement Cor	ntract with Westech				
Action/Review	Construction for the Stafford Road Pattulo Way to Rosemont Road						
	construction project.						
	03/20/2025: Approval of Permanent and Temporary Easements with						
	Metro for the Stafford Road Improvements Project.						
	06/20/2024: Approval of Contract Amendment #5 with Consor North						
	America, Inc. for the Stafford Road (Pattulo Wy to Rosemont Rd)						
	Improvements Project.						
	08/10/2023: Approval of Contract Amendment #4 with Consor North						
	America, Inc. for the Stafford Road (Pattulo Wy to Rosemont Rd)						
	Improvements Project.						
	03/30/23: Approval of a Resolution of Necessity and purpose for						
	Acquisition of Right of Way, Easements, and Fee Property and						
	Authorizing Good Faith Negotiations and Condemnation actions for the						
	Stafford Road (Pattulo Wy to Rosemont Rd) Improvements Project.						
	11/12/20: Approval of Contract with Murraysmith, Inc. (now known as						
	Consor North America, Inc.) for the Stafford Road (Pattulo Wy to						
	Rosemont Rd) Improvements Project.						
Performance	The project will build a strong infrastructure, and ensure safe, healthy						
Clackamas	and secure communities.						
Counsel Review	Yes	Procurement Review	Yes				
Contact Person	Jonathan Hangartner	Contact Phone	503-742-4649				

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**EXECUTIVE SUMMARY**: SW Stafford Road was identified as a priority improvement project in the Clackamas County's Transportation System Plan. This project will improve Stafford Rd between Pattulo Way and Rosemont Rd by realigning intersections at Johnson Road and Childs Road and widening Stafford Road to add bike lanes. The project will also add a southbound leftturn lane at Johnson Road and a roundabout at Childs Road.

Murraysmith, Inc., now known as Consor North America, Inc., was contracted to perform the design of the project for an original contract value of \$1,482,588. Contract amendments #1 through #5, which had a combined total value of \$545,172, were previously implemented to provide additional services required to support the project. Amendment #5 included construction support services including engineer of record services for site visits, meetings, and submittal reviews; request for Information responses; record drawings; environmental compliance including fish salvage and reporting, site restoration and reporting, and post construction reporting; and a post construction record of survey.

Amendment #6 has a value of \$286,750 and is related to construction inspection services. These services include providing a lead construction inspector to perform construction inspection so the project is constructed as intended per the Contract Documents.

This amendment will be paid through Community Road Fund, Countywide System Development Charges and HB2017 Safety Funds. Notice to Proceed was issued to the construction contractor and on-site work is expected to begin by May 1.

**PROCUREMENT PROCESS:** This Amendment is in accordance with LCRB C-047-0800(b) for an unanticipated amendment.

**RECOMMENDATION:** Staff respectfully recommends that the Board of County Commissioners approve and sign Contract Amendment #6 with Consor North America, Inc. for the Stafford Rd (Pattulo Wy to Rosemont Rd) Improvements Project.

Respectfully submitted,

Dan Johnson

Dan Johnson-Director Transportation & Development

#### AMENDMENT #6 TO THE CONTRACT DOCUMENTS WITH CONSOR NORTH AMERICA, INC. FOR STAFFORD ROAD IMPROVEMENT PROJECT (RFP# 2020-34) Contract #3047

This Amendment #6 is entered into between **CONSOR North America, Inc.** ("Contractor" or "Consultant") and Clackamas County ("County") and shall become part of the Contract documents entered into between both parties on **November 12, 2020** ("Contract").

The Purpose of this Amendment #6 is to make the following changes to the Contract:

- ARTICLE I, Section 2. Scope of Work is hereby amended as follows: County has requested an increase to Scope of Work for Contractor to provide additional Construction Inspection Services for the Stafford Road Improvement Project. The additional Construction Inspection Services are further described in Exhibit I, attached and hereby incorporated by reference.
- 2. ARTICLE I, Section 3. Consideration is hereby amended as follows: In consideration for Contractor performing the additional Construction Inspection Services, County will pay Contractor an amount not to exceed \$286,750.00. Consideration for the Additional Services are on a time and material basis in accordance with the rates set forth in Exhibit J. The total Contract compensation shall not exceed \$2,314,510.00

ORIGINAL CONTRACT	\$ 1,482,588.00
AMENDMENT #1	\$ 14,996.00
AMENDMENT #2	\$ 51,068.00 and Time Extension
AMENDMENT #3	Name Change
AMENDMENT #4	\$ 99,765.00
AMENDMENT #5	\$ 379,343.00
AMENDMENT #6	\$ <b>286,750.00</b>
TOTAL AMENDED CONTRACT	\$ 2,314,510.00

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

**CONSOR** North America, Inc.

Jay Hedberg Digitally signed by Jay Hedberg Date: 2025.04.02 13:30:40 -07'00'

Date

Authorized Signature

Jay Hedberg, District Manager CM

Printed Name

**Clackamas County** 

Chair

**Recording Secretary** 

Date

Approved as to Form:

4/3/2025 Date

County Counsel

D

#### Exhibit I Additional Services



20-2965 March 6, 2025

Mr. Jon Hangartner, P.E. Project Manager Clackamas County Department of Transportation and Development 150 Beavercreek Road Oregon City, OR 97045

Re: Stafford Rd (Pattulo Wy to Childs Rd) Amendment No. 6 - Scope and Fee for Construction Inspection Phase Services

Dear Jon,

This letter serves as a Contract Amendment request (No. 6) associated with the above referenced project. This request follows up our recent conversations regarding additional inspection during construction. For this Amendment, Consor is to provide a full-time lead inspector for 7 months (May through November 2025) during the first year of construction for this 2-year construction project. The following items are addressed under this amendment request.

## Task 1 – Project Management (Additional Services):

- Task 1.1 Jay to check-in with Mark Duvall for 7 months at 30 minutes per meeting.
- Task 1.2 Include Jay Hedberg at 7 monthly check-in meetings at 1 hour per each.

# Task 13.0 – Construction Phase Services (Additional Services):

Clackamas County will lead the construction management and be responsible for providing construction contract administration. The Consultant will provide a lead construction inspector per the following subtasks:

### 13.2 Preconstruction Meeting:

• Mark Duvall to attend a 3-hour meeting, including travel time. Meeting to be held at County offices.

# 13.10 Construction Inspection (Added Task):

#### **County Responsibilities:**

• Provide a Project Construction Manager responsible for project oversight and coordination between the County, Consultant, and Construction Contractors.

- Coordinate communication among County staff, organize comments on deliverables, and provide unified guidance/direction to the Consultant.
- Provide all construction management and administration duties, including but not limited to coordination with Construction Contractor, lead preconstruction and progress meetings, assemble monthly progress estimates and payments, manage and file project quality and quantity documentation, provide quality assurance testing, and lead project close-out activities.
- Issue Notice to Proceed to the Contractor.
- Lead construction coordination meetings.
- Approve all work change directives, change order requests, pay estimates, and generate payments.
- Lead all Contractor negotiations.
- Attend walkthroughs as needed, specifically prior to Substantial Completion and Final Acceptance.
- Perform any required quality assurance testing and documentation.
- County will provide additional inspection staff as needed to confirm there is adequate inspection coverage during contractor peak construction work.

### **Consultant Responsibilities:**

- Provide lead construction inspector to perform construction inspection services so the project is constructed as intended per the Contract Documents.
- When onsite, the lead construction inspector will provide construction inspection and documentation services as follows:
  - Observe progress of construction, including providing daily contact with construction Contractor, and with the County, utilities, and other stakeholders as needed, and monitor for adherence to the Contract Documents.
  - Observe material, workmanship, and construction areas for compliance with the Contract Documents and applicable codes and notify construction Contractor of noncompliance. Advise the County of non-conforming work observed during daily site visits.
  - Prepare daily reports, recording the construction Contractor's operations as observed by the lead inspector using Head Light; include quantities of work placed that day, quality of materials delivered to the site, Contractor's equipment and crews, deviations from the Contract Documents, and other pertinent information.
  - o Perform inspections of ADA Curb Ramps, utilizing County-provided inspection forms.
  - Track work completed and material quantities as needed for verifying pay estimates (.xlsx or similar).
  - o On-site collection and tracking of quality and quantity documentation.
  - Documenting approved field changes to the Contract Plans (to assist with as-built drawings).

- Resolve questions which may arise as to the quality and acceptability of material furnished, work performed, and rate of progress of work performed by the construction Contractor.
- Deliverables
  - o Daily Progress reports using Head Light
  - o Project Photos
  - o Completed ADA Curb Ramp Inspection Forms
- Assumptions
  - Leading inspector for 7 months of active construction at 50 hours per week. Travel time for the inspector from the Portland office is included in the 50 hours per week.

# **Budget**

Payment will be made at the billing rates for personnel working directly on the project plus Direct Expenses incurred. The consultant proposes to perform this work on a time and expenses basis with a total not to exceed amount of \$286,750 in accordance with the attached Fee Estimate and Schedule of Charges.

Expenses incurred in-house that are directly attributable to the project will be invoiced at actual cost. These expenses include the following:

Inspector \$1,000/full time inspector's vehicle/month (Rate will be pro-rated based on full time weeks per month work)

# **Project Schedule**

The Stafford Rd (Pattulo Wy to Childs Rd)Project is a 2-year (2025-2026) construction project. Services for this Amendment are to provide 7 months of construction inspection (May through November 2025) during the first year of construction.

Sincerely,

CONSOR North America, Inc Jay Hedberg, CCM District Manager, Construction Management

Attached: Amendment No. 6 - Fee Estimate and Schedule of Charges

Exhibit J Fee Schedule

#### STAFFORD RD (PATTULO WY TO CHILDS RD) CLACKAMAS COUNTY PROPOSED FEE ESTIMATE - AMENDMENT #6

	LABOR CLASSIFICATION (HOURS)												
Average Billing Rate Estimated per Classification/Staff Staff Name	Principal Engineer III \$308 \$308 Crop	Construction Manager X \$320 \$320 Hedberg	Professional Engineer VIII \$252 \$252 AdamsWil	Professional Engineer VIII \$252 \$252 Owens	Professional Engineer IV \$202 \$202 Ebbighausen	Principal Engineer I \$277 \$277 McMurtrey	Professional Engineer IV \$202 \$202 Wiggins	Inspector IV \$182 \$182 Duvall	Hours	Labor	Expenses	т	Total
Task 1 - Project Management													
Task 1.1 - Coordinate internal and subconsultant tasks (7 months)		4							4	\$ 1,120	ş -	\$	1,120
Task 1.2 - Monthly check-in meetings (7 months)		7							7	\$ 2,240	ş -	\$	2,240
Task 1	ubtotal 0	11	0	0	0	0	0	0	11	\$ 3,360	\$-	\$	3,360
Task 13 - Construction Phase Services													
Task 13.1 - Handoff Package and Meeting									0	\$ -	\$ -	\$	-
Task 13.2 - Preconstruction Meeting								3	3	\$ 546	\$ 23	\$	569
Task 13.3 - Weekly Construction Meetings									0	\$ -	ş -	\$	-
Task 13.4 - Site Visits									0	\$ -	ş -	\$	
Task 13.5 - Submittal Review									0	\$ -	ş -	\$	-
Task 13.6 - RFI and Change Order Review									0	\$ -	ş -	\$	-
Task 13.7 - Design Clarifications									0	\$ -	ş -	\$	-
Task 13.8 - Design Revisions									0	\$ -	ş -	\$	
Task 13.9 - Record Drawings									0	\$ -	ş -	\$	
Task 13.10 - Construction Inspection								1516	1516	\$ 275,821	\$ 7,000	\$	282,821
Task 13	Subtotal 0	0	0	0	0	0	0	1519	1519	\$ 276,367	\$ 7,023	\$	283,390
TOTAL - ALL TASKS	0	11	0	0	0	0	0	1519	1529	\$ 279,727	\$ 7,023	\$	286,750