

RESOLUTION NO. 5789-24

A RESOLUTION INCREASING CHANGE ORDER AUTHORIZATION AMOUNT FOR TUALATIN RIVER GREENWAY TRAIL EXTENSION CONSTRUCTION PROJECT WITH BROWN CONTRACTING, INC.

WHEREAS, on October 23, 2023 Council Resolution 5731-23 authorized the City Manager to execute a contract with Brown Contracting, Inc. after a competitive bid process in the amount of \$738,423 for the construction of the Tualatin Greenway Trail Extension;

WHEREAS, Section 3 of Resolution 5753-24 authorized the City Manager to execute additional change orders totaling up to 50% of the original contract amount on February 26, 2024;

WHEREAS, the City and Brown Contracting executed an agreement to construct the extension of the Tualatin River Greenway Trail on October 27, 2023;

WHEREAS, both the City with design consultants and Brown Contracting, Inc. reasonably assumed upon execution of agreement the slopes, elevations and subsurface conditions were suitable for trail construction; however, upon further investigation design consultants determined additional work was required due to saturated soil conditions and underground utilities;

WHEREAS, additional rock, soil, drainage, tree removal, grading, and concrete work is required to ensure accessible community use;

WHEREAS, Brown Contracting, Inc. determined that it will cost an additional \$30,000 for added subgrade rock and drainage system, and submitted Change Order Request information reflecting this amount;

WHEREAS, there are funds budgeted for this work in park project funds; and

WHEREAS, Brown Contracting is scheduled to begin this work immediately due to grant schedule requirements, and open to the public as required by the State of Oregon Community Paths Program Grant Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager or designee is authorized to execute additional Change Orders totaling up to 5% of the change order authorization amount adopted on February 26, 2024.

Section 2. The City Manager or designee is authorized to execute any and all documents necessary to effectuate change orders.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 24 day of June, 2024.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

APPROVED AS TO FORM

BY _____
City Attorney