

RESOLUTION NO. 5943-26

A RESOLUTION INCREASING NYBERG CREEK TRAIL CONSTRUCTION PROJECT CHANGE ORDER AUTHORIZATION AMOUNT WITH NUTTER CORPORATION

WHEREAS, on August 11, 2025 Council Resolution 5898-25 authorized the City Manager to execute a contract with Nutter Corporation after a competitive bid process in the amount of \$1,643,531 for the renovation of Nyberg Creek Trail;

WHEREAS, Section 3 of Resolution 5898-25 authorized the City Manager to execute additional change orders totaling up to \$246,529.65

WHEREAS, the City and Nutter Corporation executed an agreement to construct the renovation of Nyberg Creek Trail on August 11, 2025;

WHEREAS, both the City with design consultants and Nutter Corporation reasonably assumed upon execution of agreement the subsurface conditions were suitable for park construction; however, upon further investigation design consultants determined additional work was required due to unexpected soil conditions;

WHEREAS, additional rock, soil removal, and grading is required to ensure stability and sustainability for safe and accessible community use;

WHEREAS, Nutter Corporation determined that it will cost an additional amount for added subgrade rock and soil to resolve subsurface and underground utility conditions, and submitted Change Order Request information reflecting this;

WHEREAS, there are funds budgeted for this work in the current budget; and

WHEREAS, Nutter Corporation is scheduled to begin this work immediately to comply with code requirements, and provide safe and accessible community facilities.

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 Change Orders an additional \$110,000 totaling up to \$356,529.65 of the original contract amount authorized August 11, 2025. This is funded by the parks & trails bond.

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 9 day of March, 2026

CITY OF TUALATIN, OREGON

APPROVED AS TO FORM

BY _____
City Attorney

BY _____
Mayor

ATTEST:

BY _____
City Recorder