



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date: August 1, 2022</b>		<b>Subject: Resolution No. 2991</b> Authorizing the City Manager to Execute a Second Amendment to the Construction Contract with Moore Excavation Inc. for the 5 <sup>th</sup> Street / Kinsman Road Extension Project (Capital Improvement Project No. 1139, 2099, 4196, 4215, & 9155)  <b>Staff Member:</b> Zachary J. Weigel, P.E. City Engineer  <b>Department:</b> Community Development
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> N/A
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.		
<b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.		
<b>Project / Issue Relates To:</b>		
<input checked="" type="checkbox"/> Council Goals/Priorities: Goal 1.5 Implement existing transportation plans and advance planning efforts to improve our local transportation network.	<input checked="" type="checkbox"/> Adopted Master Plan(s): Transportation System Plan Project RE-04	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

A City of Wilsonville Resolution approving a Second Amendment to the Construction Contract with Moore Excavation, Inc. in the amount of \$215,030.63 for construction of the 5<sup>th</sup> Street / Kinsman Road Extension (CIP #1139, 2099, 4196, 4215, and 9155) project.

**EXECUTIVE SUMMARY:**

On March 1, 2021, Council approved Resolution No. 2881, entering into a construction contract in the amount of \$10,852,526.98 with Moore Excavation Inc. for the construction the 5<sup>th</sup> Street / Kinsman Road Extension project (Project). The Project, currently under construction, extends 1000 feet of Kinsman Road south of Wilsonville Road, 1800 feet of 5<sup>th</sup> Street west of Boones Ferry Road with a new intersection of Kinsman Road and 5<sup>th</sup> Street, and 2000 feet of Ice Age Tonquin Trail and includes installation of two bridge crossings of Coffee Lake Creek, an upgraded railroad crossing at 5<sup>th</sup> Street, and extension of sanitary and water mains.

During the course of the Project construction, a number of design changes and pay item quantity adjustments have been identified by the project team that necessitate amendment of the construction contract term and compensation. The most significant of the changes include an increase in the quantity of steel reinforcement in the 5<sup>th</sup> Street and Kinsman Road Bridges over Coffee Lake Creek.

During review of material submittals, the project team discovered that the amount of steel reinforcement called for in the Project Bid Schedule prepared by the design engineer, Otak, Inc. (Otak) did not reflect the amount of steel reinforcement that Otak included in the Project construction design documents. The Project Bid Schedule included 55,863 pounds of reinforcement for the two bridges, which is the basis for the construction contract award and determination of the contract price. The amount of steel reinforcement necessary to build the two bridges in accordance with the approved construction documents is 188,200 pounds, resulting in much more steel reinforcement than was included in the construction contract. On April 18, 2022, Council authorized a settlement agreement with the design engineer, Otak, to settle all claims relating to the discrepancy in steel reinforcement quantity in the amount of \$50,000.

While the steel reinforcement discrepancy has been settled with the design engineer, the increase in steel reinforcement needs to be added to the construction contract, which requires an amendment to the compensation amount. Due to the significant increase in the amount of steel reinforcement added to the contract, the Contractor is offering an 8% price reduction for the unit price of the reinforcement pay item. The resulting construction contract increase due to the steel reinforcement discrepancy is \$352,343.00.

Other notable changes as part of the construction contract amendment include a reduction of rock excavation quantity due to less boulder removal than anticipated, reduction in Portland General Electric (PGE) underground electrical infrastructure to remove expansion of PGE facilities from City responsibility, modification of PGE vault lids located in sidewalks, upsized railroad utility

crossing casings to deal with boulder conflicts, addition of synthetic fiber reinforcement to bridge deck and impact panels, addition of safety fencing to bridge wing walls, and other minor modifications as detailed in **Exhibit A**. The construction contract amendment with a compensation amount increasing more than \$100,000, requires authorization by Council.

**EXPECTED RESULTS:**

Authorization of the contact amendment will allow continuation of the 5<sup>th</sup> Street / Kinsman Road Extension project as originally envisioned, while addressing identified constructability, safety, and durability concerns as construction work progresses. Upon completion, the Project will extend 1000 feet of Kinsman Road south of Wilsonville Road, 1800 feet of 5th Street west of Boones Ferry Road with a new intersection of Kinsman Road and 5th Street, and 2000 feet of Ice Age Tonquin Trail and includes installation of two bridge crossings of Coffee Lake Creek and a new railroad crossing, and extension of sanitary and water mains.

**TIMELINE:**

The construction contract amendment includes extension of the final completion date to February 22, 2023.

**CURRENT YEAR BUDGET IMPACTS:**

The approved Fiscal Year (FY) 22/23 budget includes funding for construction and contract administration, and overhead for the 5<sup>th</sup> Street / Kinsman Road Extension project. The source of project funds for this work include System Development Charges (SDC) and Year 2000 Urban Renewal Agency (URA) as summarized below:

CIP No.	Project Component	Funding Source	FY 22/23 Budget	Contract Amendment	Amended Contract Total
1139	Water System	Water SDC	\$5,000.00	\$63,733.00	\$1,323,331.78
2099	Sewer System	Sewer SDC	\$5,000.00	-\$52,874.30	\$1,817,381.82
4196	Roadway System	Year 2000 URA	\$3,417,633.00	\$204,171.93	\$7,453,681.99
4215	Road Maintenance	Road Mnt. Fee	\$5,000.00	\$0.00	\$152,000.00
9155	Trail System	Parks SDC	\$207,000.00	\$0.00	\$327,458.00
Total			\$3,639,633.00	\$215,030.63	\$11,073,853.59

Note that Project construction is budgeted across FY 21/22 and FY 22/23. Unspent funds from FY 21/22 will be transferred to FY 22/23 as part of the first budget supplement. The total budget includes a 5% construction contract contingency to allow for change order and contract amendments during construction. The contract amendment amounts for each Capital Improvement Project (CIP) as part of the Project are within the contingency amount and are

included in the overall construction budget.

**COMMUNITY INVOLVEMENT PROCESS:**

The Boones Ferry Road to Brown Road Connector Corridor Plan included an extensive community involvement process with multiple stakeholder meetings, two public meetings, an online survey, and hearings before both City Council and the Planning Commission.

During the 2017 design phase of the 5th Street / Kinsman Road Extension project, engagement of the community has included three public open houses, meetings with several landowners, two City Council meetings, and regular informational updates on the project website and social media.

Coordination and outreach to the surrounding community and adjacent property owners will continue throughout construction, providing regular updates and notifications through the use of flyers, door hangers, social media posts, press releases, and Boones Ferry Messenger articles.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Construction of the 5th Street / Kinsman Road Extension project will provide additional connectivity in south Wilsonville with a new route between Old Town and Kinsman Road that parallels Wilsonville Road and provides an alternate to using the Wilsonville Road / Boones Ferry Road intersection, which experiences frequent congestion when I-5 approaches capacity. This project will also provide infrastructure and access to serve future industrial and residential development in the Arrowhead Creek Planning Area.

Along with constructing the roadway, both water and sanitary sewer will be extended within the road right-of-way. The project will construct a significant segment of Ice Age Tonquin Trail providing bicycle and pedestrian connectivity between the residential neighborhoods in southwest Wilsonville to commercial businesses along Boones Ferry Road, to Boones Ferry Park and Memorial Park, and to the neighborhoods east of I-5 and south of Wilsonville Road.

**ALTERNATIVES:**

The project design is based on coordination between City Staff, the design consultant team, neighboring property owners, the Old Town neighborhood, and City Council direction over the course of the Project design since 2016.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 2991
  - A. Second Amendment to 5<sup>th</sup> Street / Kinsman Road Extension Construction Contract