

RESOLUTION NO. 3022

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT NO. 3 TO THE PROGRESSIVE DESIGN-BUILD AGREEMENT FOR THE BOECKMAN ROAD CORRIDOR PROJECT WITH TAPANI SUNDT|A JOINT VENTURE.

WHEREAS, the City has planned and budgeted for the completion of Capital Improvement Projects #2102, 4205, 4206, 4212, and 7067, known as the Boeckman Road Corridor project (the Project); and

WHEREAS, the City Council approved Resolution No. 2916 on August 2, 2021 authorizing use of a Progressive Design Build (PDB) contracting method for design and construction of the BRCP; and

WHEREAS, the City Council approved Resolution No. 2976 on June 6, 2022 authorizing the Progressive Design Build Agreement (“Agreement”) for design-build services with Tapani|Sundt A Joint Venture; and

WHEREAS, the City Council approved Resolution No. 3020 on February 23, 2023 authorizing Guaranteed Maximum Price Amendment No. 1 (GMP 1) to the Agreement with Tapani|Sundt A Joint Venture; and

WHEREAS, the City Council approved Resolution No. 3021 on July 17, 2023 authorizing Guaranteed Maximum Price Agreement No. 2 (GMP 2) to the Agreement with Tapani|Sundt A Joint Venture; and

WHEREAS, the City’s processes for approving progressive design build contracting and selecting Tapani|Sundt A Joint Venture are compliant with ORS 279C.335 and OAR 137-049-0670 and related Oregon public contracting laws and regulations; and

WHEREAS, the Agreement includes provisions to negotiate a Guaranteed Maximum Price (GMP) Amendment for individual construction packages; and

WHEREAS, each GMP requires authorization by City Council and Urban Renewal Agency through an amendment to the PDB agreement prior to proceeding with construction activities; and

WHEREAS, Amendment 3 – GMP 3 has been prepared and negotiated in accordance with the Agreement in the amount of \$36,836,661.92.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. The Wilsonville City Council finds that Amendment 3 – GMP 3 has been prepared and negotiated in accordance with the Progressive Design Build Agreement for the BRCP.

Section 2. The City Council, acting as the Local Contract Review Board, authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, Guaranteed Maximum Price Amendment No. 3 to the Progressive Design Build Agreement with Tapani|Sundt A Joint Venture for a not-to-exceed amount of \$36,836,661.92, which is substantially similar to Exhibit A attached hereto.

Section 3. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4th day of December, 2023, and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

- A. Guaranteed Maximum Price Amendment No. 3 to the Progressive Design-Build Contract for Canyon Creek Round-A-Bout, Boeckman Road Bridge, Sanitary Sewer, and East Boeckman Road Improvements of the Boeckman Road Corridor Project