

**PROSPER PORTLAND**

Portland, Oregon

**RESOLUTION NO. 7496**

**AUTHORIZING AN AMENDMENT TO THE GUARANTEED MAXIMUM PRICE AGREEMENT WITH NORTHWEST DEMOLITION AND DISMANTLING, INC. FOR ABATEMENT AND DEMOLITION OF THE FORMER UNITED STATES POSTAL SERVICE PROCESSING AND DISTRIBUTION CENTER AT 715 NW HOYT STREET**

**WHEREAS**, redevelopment of the United States Postal Service (“USPS”) property at 715 NW Hoyt Street (“Property”) in the River District Tax Increment Finance District has long been envisioned by the general public, elected officials, and adopted land use and development plans as one of the most significant redevelopment sites in Portland’s central city;

**WHEREAS**, to facilitate this redevelopment, site preparation activities such as demolition of the former Processing and Distribution Center building, soil remediation, and other site work must occur;

**WHEREAS**, the Prosper Portland Local Contract Review Board (“LCRB”) adopted LCRB Resolution No. 7413 on May 12, 2021 to exempt two separate scopes of work from low-bid solicitation requirements of ORS Chapter 279C and the LCRB Administrative Rules: (i) abatement and demolition of the former Processing and Distribution Center building (the “Demolition Scope”); and (ii) soil remediation and other site work (the “Remediation and Site Work Scope”);

**WHEREAS**, Northwest Demolition and Dismantling, Inc. (“NWDD”), teamed with Raimore Construction, LLC (“Raimore”), a local, Black-owned certified Minority Business Enterprise, was selected as the Construction Manager/General Contractor for the Demolition Scope pursuant to Request for Proposals No. 21-52 (“RFP”);

**WHEREAS**, on July 13, 2022, the Prosper Portland Board of Commissioners (“Board”) adopted Resolution 7461, authorizing the Executive Director to enter into a Guaranteed Maximum Price Agreement (“GMP Agreement”) with NWDD to perform the Remediation and Site Work Scope subject to a guaranteed maximum price of \$30,417,615 (the “GMP”) and further authorizing the use of an owner-controlled contingency in an amount not to exceed \$2,000,000 for any unanticipated costs and expenses for which Prosper Portland is or may be responsible, as the owner, in connection with the Demolition Scope, or for changes in scope deemed reasonably necessary or appropriate by the Executive Director as further described in the Summary of Terms attached to Resolution 7461 (the “Owner’s Contingency”);

**WHEREAS**, during the course of the work, further onsite soil investigation was performed, which revealed additional contaminated soils surrounding the tunnels located under the demolished Processing and Distribution Center building, which was not anticipated at the time the GMP was executed;

**WHEREAS**, the costs of remediating the subsequently discovered contaminated soils falls within the scope of the Owner’s Contingency, which is insufficient to cover the full amount of the additional costs to be incurred in performing such work; and

**WHEREAS**, Prosper Portland staff seeks authorization to increase the amount of Owner’s Contingency from \$2,000,000 to \$4,600,000 to pay for the unanticipated costs and expenses associated with the newly discovered contaminated soils.

**NOW, THEREFORE, BE IT RESOLVED**, the Prosper Portland Board hereby increases of the Owner’s Contingency described in Resolution 7461 from \$2,000,000 to \$4,600,000, to be used for unanticipated costs and expenses;

**BE IT FURTHER RESOLVED**, that the Prosper Portland Board specifically authorizes the use of the Owner’s Contingency for any unanticipated costs and expenses for which Prosper Portland is or may be responsible, as the owner, in connection with the Demolition Scope, or for changes in scope deemed reasonably necessary or appropriate by the Executive Director or their designee; and

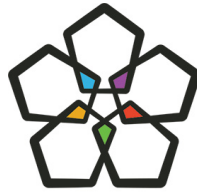
**BE IT FURTHER RESOLVED**, that with the affirmative vote of no less than four commissioners for this resolution, this resolution shall become effective immediately upon its adoption, and otherwise it will take effect thirty days after adoption.

Adopted by the Prosper Portland Commission on July 12, 2023



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Pam Feigenbutz, Recording Secretary



**PROSPER  
PORTLAND**  
Building an Equitable Economy

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**RESOLUTION TITLE:**

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Adopted by the Prosper Portland Commission on July 12, 2023

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Gustavo J. Cruz, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner William Myers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Peter Platt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Sam Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Serena Stoudamire Wesley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Regular Agenda		

**CERTIFICATION**

**The undersigned hereby certifies that:**

*The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Prosper Portland Commission and as duly recorded in the official minutes of the meeting.*

	<b>Date:</b>  July 13, 2023
<b>Pam Feigenbutz, Recording Secretary</b>	