0862-ORD
04/12/06

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5669

AN ORDINANCE authorizing the City Manager or his designee to execute a change order to Part II of the GC/CM Contract with Lease Crutcher Lewis in an amount not to exceed $2,721,622; amending the 2005-2011 CIP Program Plan to increase the CIP project budget entitled NCH-1 by $2,721,622; and amending the 2005-2006 Budget for the General Capital Investment Program (CIP) Fund by increasing the appropriation by $2,721,622.

WHEREAS, in June, 2004 the City entered into a GC/CM contract with Lease Crutcher Lewis to construct the New City Building Project, which contract established a Maximum Allowable Contract Cost (MACC) and a Guaranteed Contract Cost (GCC); and

WHEREAS, the GCC was established in the contract in an amount of $66,876,920; and

WHEREAS, the Project has experienced cost overruns as the result of a variety of factors; and

WHEREAS, the City has agreed to continue to fund the Project to allow its timely completion; and

WHEREAS, the City and Lease Crutcher Lewis do not waive their claims against each other or any other party by authorizing an increase in the GCC; and

WHEREAS, the GCC was administratively amended in December, 2005; and

WHEREAS, the GCC was further amended by Ordinance 5656 in February, 2006; and

WHEREAS, the GCC was further amended by Ordinance 5665 on March 27, 2006; and

WHEREAS, a further amendment to the GCC is required to allow payment of current Project costs; now therefore:

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute a change order to Part II of the GC/CM Contract with Lease Crutcher Lewis in an

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amount not to exceed $2,721,622 for additional buyout costs and construction revisions.

Section 2. The City's 2005-2011 Capital Investment Program Plan adopted by Ordinance No. 5580 on December 6, 2004 as previously amended, is hereby further amended to appropriate to project CIP-NCH-1 an additional $2,721,622.

Section 3. The City's 2005-2006 Budget for the General CIP Fund appropriation adopted by Ordinance No. 5580 on December 6, 2004 as previously amended, is hereby further amended to appropriate an additional $2,721,622 to said General CIP Fund.

Section 4. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 17th day of April, 2006 and signed in authentication of its passage this 17th day of April, 2006.

(SEAL)

Grant Degginger, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Mary Kate Berens, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk

Published April 21, 2006