



March 5, 2026

BCC Agenda Date/Item: _____

Board of County Commissioners
 Acting as the governing body of Water Environment Services
 Clackamas County

Approval of an Amendment to a Contract with Braun Construction & Design for landscape requests to meet property owner requests at the Upper Kellogg Creek restoration projects. Amendment Value is \$325,483.18 and no time increase. Total Contract Value is \$2,443,039.17 for 2 years. Funding is through WES Surface Water Construction Funds. No County General Funds are involved.

Previous Board Action/Review	<ul style="list-style-type: none"> • Original Contract #1050 approved December 12, 2024. • Amendment #1 approved December 4, 2025. 		
Performance Clackamas	<p>1. This project supports WES’ strategic plan to upgrade WES’ infrastructure to ensure the sustainable delivery of reliable, high-quality, and climate-resilient clean water services that support the growth and vitality of our communities, natural environment, and economy.</p> <p>2. This project supports the County’s Strategic Priorities of Strong Infrastructure, Vibrant Economy, and Safe, Secure and Livable Communities.</p>		
Counsel Review	Yes	Procurement Review	Yes
Contact Person	Jeff Stallard	Contact Phone	503-742-4694

EXECUTIVE SUMMARY: WES was allocated \$2,373,413 of American Rescue Plan Act (ARPA) funds for the construction of the Upper Kellogg Creek projects, including SE Clackamas Road Drainage Infrastructure and SE Aldercrest Culvert Replacement & Kellogg Creek Restoration. The construction phase of this project was awarded to Braun Construction, Inc.

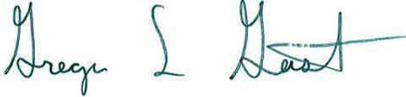
Per the ARPA requirements, the funds needed to be obligated by December 31, 2024. To meet that deadline, this project was bid with construction documents that were developed to approximately the 60% design level. The bid documents included items that only partially captured the scope and quantities of certain work elements, as these elements depended on property acquisitions, permitting, and utility coordination that had not yet been completed. The contract amendment includes increases associated with quantity adjustments, design revisions to landscape plans to meet property owner requests, field adjustments for the bridge installations, additional finish

For Filing Use Only

requirements to the new driveway culverts and additional asphalt.

RECOMMENDATION: Staff recommends that the Board of County Commissioners of Clackamas County, acting as the governing body of Water Environment Services, approve Amendment #2 to Contract #1050 with Braun Construction & Design LLC for Upper Kellogg Creek restoration and Aldercrest Culvert replacement.

Respectfully submitted,



Greg Geist
Director, WES

Attachment: Amendment #2 for Contract #1050 with Braun Construction & Design LLC

AMENDMENT #2
TO THE CONTRACT DOCUMENTS WITH BRAUN CONSTRUCTION & DESIGN LLC FOR
2024-94 UPPER KELLOGG CAPITAL IMPROVEMENTS ALDERCREST CULVERT
REPLACEMENT & KELLOGG CREEK RESTORATION
Contract #1050

This Amendment #2 is entered into between **Braun Construction & Design LLC** (“Contractor”) and Water Environment Services (“Owner”) and shall become part of the Contract documents entered into between both parties on **December 12, 2024** (“Contract”).

The Purpose of this Amendment #2 is to make the following changes to the Contract:

1. **Section 1. Contract Price, Contract Documents and Work** is hereby amended as follows:
 - a. Owner has authorized an increase to the Scope of Work to include landscaping modifications, field adjustments for the bridge installations, and additional asphalt and bridge finishes. The additional Work is included in Change Order #02, attached hereto as Exhibit “A” to this Amendment #2 and hereby incorporated by reference.
 - b. Owner authorizes additional compensation in the amount of \$325,483.18 for the additional Work described in Exhibit “A” to this Amendment #2. The maximum compensation authorized under this Contract shall not exceed Two Million Four Hundred Forty-Three Thousand Thirty-Nine Dollars and Seventeen Cents (\$2,443,039.17).

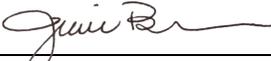
Owner and Contractor acknowledge that Contractor performed the additional work described in Exhibit “A” to this Amendment #2, before execution of this Amendment #2. By execution of this Amendment #2, the Owner hereby approves and ratifies the additional work performed in accordance with the terms of the Contract. All previously performed Work is and remains subject to the terms and conditions of the Contract. The Owner reserves all rights, remedies, claims, and causes of action it may have with respect to previously performed Work.

ORIGINAL CONTRACT	\$1,678,330.00
AMENDMENT #1	\$ 439,225.99
<u>AMENDMENT #2</u>	<u>\$ 325,483.18</u>
TOTAL AMENDED CONTRACT	\$2,443,039.17

Except as expressly amended above, all other terms and conditions of the Contract shall remain in full force and effect. By signature below, the parties agree to this Amendment #2, effective upon the date of the last signature below.

Braun Construction & Design LLC

Water Environment Services

 2/13/2026
 Authorized Signature Date

 Signature Date

Jeanie Braun
 Printed Name

Name: _____
 Title: _____

Approved for Legal Sufficiency:

 2/17/2026
 County Counsel Date

Exhibit A
Change Order #02



Project Name: Upper Kellogg Capital Improvements
 Contract # 2413
 Location: Clackamas County
 Owner: Clackamas County - Water Environment Services (WES)

Braun Construction Design LLC.
 503-638-6406
 CCB# 167432
 www.BraunC.com

Description and Background: Scope Changes based on Otak's Provided Revision 2 Memorandum Dated 08/07/2025, RFI's, and changes made to the original 60% design plans.

Mod Line Item #	Line Item Name	Bid Item #	Change Description	Quantity	Unit Cost	Unit	Total
CIP 1079 - Aldercrest Stream Restoration							
Add 6 Foot Privacy Fence (White Vinyl) Along 6680 SE Aldercrest Ct							
1	Vinyl Fencing	49A	Add 6 foot white vinyl privacy fence along 6680 SE Aldercrest Ct (David Martinot Property) per Memorandum #1 - Plan Change Revisions and note on Sheet EC2.10	80.00	\$129.25	LF	\$10,340.00
<u>Aldercrest Landscaping Changes</u>							
2	Weed Control	41	Reduce weed control area	-0.03	\$10,000.00	ACRE	-\$300.00
3	Permanent Seeding	42	Increase seeding extents	0.05	\$14,000.00	ACRE	\$700.00
4	Lawn Seeding	43	Increase seeding extents	0.08	\$13,000.00	ACRE	\$1,040.00
5	Conifer Trees, 2ft Height	45	Increase conifer tree quantity	2.00	\$115.00	EACH	\$230.00
6	Conifer Trees, 6ft Height	45A	Added bid item. Includes watering bag.	14.00	\$686.20	EACH	\$9,606.80
7	Deciduous Trees, #1 Container	46	Increase deciduous tree quantity	1.00	\$115.00	EACH	\$115.00
8	Deciduous Trees, 1.5 Caliper	46A	Added bid item. Includes watering bag.	30.00	\$719.60	EACH	\$21,588.00
9	Shrubs, Bare Root	47	Reduce bare root shrub quantity	-98.00	\$22.50	EACH	-\$2,205.00
10	Shrubs, #1 Container	47A	Increase shrub #1 container quantity	245.00	\$41.20	EACH	\$10,094.00
11	Shrubs, #3 Container	47B	Increase shrub #3 container quantity	307.00	\$123.60	EACH	\$37,945.20
12	Shrubs, #5 Container	47C	Increase shrub #5 container quantity	24.00	\$158.40	EACH	\$3,801.60
13	Invasive Species Removal	47E	Prior to planting riparian buffer zone, removed invasive species from the area by mechanical, manual and/or use of herbicide. Includes haul off and disposal	1.00	\$18,684.00	LS	\$18,684.00



Project Name: Upper Kellogg Capital Improvements
 Contract # 2413
 Location: Clackamas County
 Owner: Clackamas County - Water Environment Services (WES)

Braun Construction Design LLC.
 503-638-6406
 CCB# 167432
 www.BraunC.com

14	Wetland Plants, Plugs	48	Increase wetland plug quantity	3522.00	\$4.00	EACH	\$14,088.00
<u>Prepare Seeding Areas</u>							
15	Top Soil	N/A	Strip existing grass and place top soil at 6532 SE Aldercrest Ct, Aldercrest Court Open Area (WES acquired property) and Tidwells Public Utility Easement	182.00	\$116.80	CY	\$21,257.60
<u>Driveway #3 Changes</u>							
16	Class 200 Rip-Rap	77	Install class 200 rip-rap rockery wall at outfall	17.20	\$550.00	CY	\$9,460.00
17	Outfall Excavation	N/A	Additional excavation at outfall	17.20	\$61.00	CY	\$1,049.20
18	Class 50 Rip-Rap	76	Additional class 50 rip-rap for slope	14.00	\$450.00	CY	\$6,300.00
19	Install Wing-Wall	N/A	Additional eco-block wing walls to retain soil, rock, concrete asphalt, and existing water meter at top of culvert.	1.00	\$6,753.80	LS	\$6,753.80
20	6 Inch Concrete Surfacing	N/A	Addition of 8'X12' Concrete Approach Slab on west side of D/W 3	96.00	\$55.00	SF	\$5,280.00
<u>Water Service Relocations</u>							
21	Water Service	54	Existing 1.5-inch Private Water Service Requiring Relocation	120.00	\$25.00	LF	\$3,000.00
<u>Driveway 1 & 2 Changes and Additional Work At Exist 36-Inch Concrete SD Outfall (SD-8)</u>							
22	Temp Overhead Utility Relocation	N/A	Temporary Relocation of overhead communications and power lines to facilitate installation of D/W 1 & 2 culvert. Overhead lines not shown on plans.	1.00	\$4,300.00	LS	\$4,300.00
23	Class 50 Rip-Rap	76	Additional class 50 rip-rap for slope armorment adjacent to culvert ends and wingwalls	19.70	\$450.00	CY	\$8,865.00
24	Install Wing-Wall	N/A	Additional eco-block wing walls to retain soil, rock, asphalt, at top of culvert.	1.00	\$6,254.30	LS	\$6,254.30
25	Road Base	N/A	Install additional 3/4"-0 Aggregate (Road Base, shoulder rock & Parking Area to south of D/W 1 & 2)	114.30	\$72.30	TN	\$8,263.89
26	Class 50 Rip-Rap	77	Install class 50 rip-rap rockery wall to retain 3/4"-0 for parking area	9.50	\$550.00	CY	\$5,225.00
27	Concrete Sidewalk	N/A	Additional Concrete Sidewalk (Majo's Sidewalk)	125.00	\$114.23	SF	\$14,278.75
28	Asphalt Paving	N/A	Additional Asphalt Paving (Majo's Driveway)	267.00	\$62.90	SY	\$16,794.30
<u>Bridge Deck Coating</u>							
29	Bridge Deck Coating	N/A	Install Epoxy Bridge Deck Coating - Driveway # 1&2 and # 3	880.00	\$19.75	SF	\$17,380.00
<u>Remove Top of Dead Trees Near Aldercrest Maintenance Access Path</u>							



Project Name: Upper Kellogg Capital Improvements
 Contract # 2413
 Location: Clackamas County
 Owner: Clackamas County - Water Environment Services (WES)

Braun Construction Design LLC.
 503-638-6406
 CCB# 167432
 www.BraunC.com

30	Remove Trees	N/A	Bring in Manlift to remove tops of dead trees along Kellogg Creek at Aldercrest Court Open Area (WES acquired property)	1.00	\$3,000.00	LS	\$3,000.00
<u>Revised Pricing for 2-Tube Side Mount Rail</u>							
31	Powdercoat 2 Tube Side Mount Bridge Rail	31	2-Tube Side Mount Rail was Hot Dip Galvanized followed by Black Powder Coating per Clackamas WES direction	1.00	\$5,750.00	LS	\$5,750.00
<u>Changes to Aluminum Fence, 3 - Foot</u>							
32	Aluminum Fence, 3 Foot	49	Change to Black Painted Steel Fence to match Jeff Couttouw's fence northwest of D/W 1&2; SE Tidwells	335.00	\$10.00	LF	\$3,350.00
<u>Additional General Excavation</u>							
33	General Excavation	19	Additional General Excavation to remove unsuitable material within existing stream	581.00	\$52.00	CY	\$30,212.00
CIP 1091 - Tidwells & SE Clackamas Rd.							
<u>Add Fence Along Maintenance Access Path</u>							
34	Chain Link Fencing	111A	Add 4 foot chain link fence along maintenance access path per Memorandum #1 - Plan Change Revisions.	50.00	\$320.00	LF	\$16,000.00
<u>Tidwells Landscaping Changes</u>							
35	Permanent Seeding	104	Decrease seeding extents	-0.08	\$13,000.00	ACRE	-\$1,040.00
36	Native Plant Seeding	105	Decrease seeding extents	-0.24	\$14,600.00	ACRE	-\$3,504.00
37	Conifer Trees, 2ft Height	108	Reduce conifer tree quantity	-9.00	\$115.00	EACH	-\$1,035.00
38	Shrubs, Bare Root	110	Reduce bare root shrub quantity	-468.00	\$22.50	EACH	-\$10,530.00
39	Shrubs, #5 Container	110A	Increase shrub #5 container quantity	79.00	\$120.00	EACH	\$9,480.00
<u>Reduce Wetland Plants, Plug (Credit & Change in Unit Price)</u>							
40	Wetland Plants, Plugs	111	Bid item quantity decreased to from 13068 to 4,868 per Memorandum #2 - Plan Change Revisions. This line removes the entire original quantity at the original bid item price. Below line adds it back at a changed unit price.	-13068.00	\$4.00	EACH	-\$52,272.00



Project Name: Upper Kellogg Capital Improvements
 Contract # 2413
 Location: Clackamas County
 Owner: Clackamas County - Water Environment Services (WES)

Braun Construction Design LLC.
 503-638-6406
 CCB# 167432
 www.BraunC.com

41	Wetland Plants, Plugs	111	Bid item quantity decreased from 13,068 to 4,868 per Memorandum #2 - Plan Change Revisions. Bid item unit price adjusted as quantity significantly changed and updated unit pricing.	4868.00	\$5.00	EACH	\$24,340.00
42	Wetland Plants, Plugs	111	Added wetland plant plugs to face of vegetated wall	1200.00	\$5.00	EACH	\$6,000.00
<u>Install Watertight Manhole Lid</u>							
43	Watertight Manhole Lid	N/A	Install Watertight Manhole Lid (WES Standard Detail SAN-013)	1.00	\$2,800.00	EACH	\$2,800.00
<u>Changes to Aluminum Fence, 3 - Foot</u>							
44	Aluminum Fence, 3 Foot	112	Change to Black Painted Steel Fence to match Jeff Couttouw's fence northwest of D/W 1&2; SE Tidwells	345.00	\$10.00	LF	\$3,450.00
<u>Additional Length of Aluminum Fence</u>							
45	Aluminum Fence, 3 Foot	N/A	Additional Black Painted Steel Fence to match Jeff Couttouw's fence along SE Tidwells Way, West of D/W 1 & 2, and along north end of SE Clackamas Rd near culvert outfall	222.00	\$110.00	LF	\$24,420.00
<u>Add Fence Slats at 6600 SE Clackamas Rd</u>							
46	Fence Slats	N/A	Add Privacy Fence Slats to fence that borders recently aquired WES property/easement and 6600 SE Clackamas Rd (Mr. Joy)	1.00	\$110.00	LS	\$937.00

CIP 1079 - Aldercrest Stream Restoration Subtotal	\$302,501.44
CIP 1079 - Aldercrest Stream Restoration Additional Bond	\$3,702.62
CIP 1079 - Aldercrest Stream Restoration Total	\$306,204.06
CIP 1091 - Tidwells & SE Clackamas Rd. Subtotal	\$19,046.00
CIP 1091 - Tidwells & SE Clackamas Rd. Additional Bond	\$233.12
CIP 1091 - Tidwells & SE Clackamas Rd. Total	\$19,279.12
<u>Grand Total</u>	<u>\$325,483.18</u>

Signature: *Carla Atwood*

Email: CarlaAtw@clackamas.us