



December 4, 2025

BCC Agenda Date/Item: _____

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

Approval of a Contract Amendment with Braun Construction & Design for the Upper Kellogg Improvements project. Amendment Value is \$439,225.99 and no time increase. Total Contract Value is \$2,117,555.99 for 1 year. Funding is through WES Surface Water Construction Funds. No County General Funds are involved.

Previous Board Action/Review	Original Contract #1050 approved December 12, 2024.		
Performance Clackamas	1. This project supports the WES Strategic Plan to this project supports the County's Strategic Priorities of Strong Infrastructure, Vibrant Economy, and Safe, Secure and Livable Communities. 2. This project supports the County's Strategic Priorities of Strong Infrastructure, Vibrant Economy, and Safe, Secure and Livable Communities.		
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 funds for the construction of the Upper Kellogg Creek Improvements Project, 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 avoid an existing water line, franchise utility adjustments, increased paving limits on SE Clackamas Rd to pave full width instead of half width, and the import of topsoil in areas where rock and old construction debris were found in the grading limits.

RECOMMENDATION: Staff recommend that the Board of County Commissioners of Clackamas County, acting as the

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governing body of Water Environment Services, approve Amendment #1 for Contract #1050 with Braun Construction & Design LLC for construction of the Upper Kellogg Improvements Project.

Respectfully submitted,



Ron Wierenga
Deputy Director, WES

Attachment: Amendment #1 for Contract #1050 with Braun Construction & Design LLC

AMENDMENT #1
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 #1 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 #1 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 due to unforeseen issues in the field that required additional Work. The additional Work is included in Change Order #01, attached hereto as Exhibit “A” to this Amendment #1 and hereby incorporated by reference.

b. Owner authorizes additional compensation in the amount of \$439,225.99 for the additional Work described in Exhibit “A” to this Amendment #1. The maximum compensation authorized under this Contract shall not exceed Two Million One Hundred Seventeen Thousand Five Hundred Fifty-Five Dollars and Ninety-Nine Cents (\$2,117,555.99).

Owner and Contractor acknowledge that Contractor performed the additional work described in Exhibit “A” to this Amendment #1, before execution of this Amendment #1. By execution of this Amendment #1, 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
<u>AMENDMENT #1</u>	<u>\$ 439,225.99</u>
TOTAL AMENDED CONTRACT	\$ 2,117,555.99

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 #1, effective upon the date of the last signature below.

Braun Construction & Design LLC

Jeanie Braun

Digitally signed by Jeanie Braun
Date: 2025.11.11 09:55:36 -08'00'

Authorized Signature

Date

Jeanie Braun

Printed Name

Water Environment Services

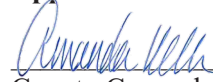
Signature

Date

Name: _____

Title: _____

Approved for Legal Sufficiency:



County Counsel

11/12/2025

Date

Exhibit A
Change Order #01



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 1 Memorandum Dated 04/29/2025, 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							
<u>Additional Aldercrest Type E Mating</u>							
1	Matting Type E	8	Bid item quantity increased to from 2300SY to 3100SY per Memorandum #1 - Plan Change Revisions	800.00	\$6.50	SY	\$5,200.00
<u>Additional Aldercrest Type F Mating</u>							
2	Matting Type F	9	Bid item quantity increased to from 2300SY to 3100SY per Memorandum #1 - Plan Change Revisions	800.00	\$8.00	SY	\$6,400.00
<u>Additional Aldercrest General Excavation</u>							
3	General Excavation	19	Bid item quantity increased to from 1410CY to 1760CY per Memorandum #1 - Plan Change Revisions	350.00	\$52.00	CY	\$18,200.00
<u>Additional Aldercrest Potholes</u>							
4	Pothole Excavation	23	Bid item quantity increased to from 5EA to 8EA per Design Changes and Revised Stormwater Alignment	3.00	\$775.00	EA	\$2,325.00
<u>Add Aldercrest 4-inch Conduit</u>							
5	4-Inch Conduit	23a	Bid item quantity increased to from 0LF to 140LF per Memorandum #1 - Plan Change Revisions	140.00	\$35.00	LF	\$4,900.00
<u>Reduce Aldercrest Structure Excavation</u>							
6	Structure Excavation	27	Bid item quantity decreased to from 228CY to 161CY per Memorandum #1 - Plan Change Revisions	-67.00	\$125.00	CY	-\$8,375.00
<u>Increase Aldercrest Granular Wall Backfill</u>							
7	Granular Wall Backfill	28	Bid item quantity increased to from 12CY to 50CY per Memorandum #1 - Plan Change Revisions	37.00	\$215.00	CY	\$7,955.00
<u>Increase Aldercrest Granular Structural Backfill</u>							
8	Granular Structural Backfill	29	Bid item quantity increased to from 15CY to 24CY per Memorandum #1 - Plan Change Revisions	9.00	\$215.00	CY	\$1,935.00
<u>Decrease Aldercrest Precast Footing (Credit)</u>							
9	Precast Footing	30	Bid item quantity decreased to from 88LF to 80LF per Memorandum #1 - Plan Change Revisions	-8.00	\$800.00	LF	-\$6,400.00
<u>Add Aldercrest Sewer Protection</u>							

10	Sewer Protection	30a	Bid item quantity increased to from 0LC to 1LS per Memorandum #1 - Plan Change Revisions	1.00	\$12,000.00	LS	\$12,000.00
<u>Change Aldercrest 2 Tube Side Mount Rail Coating</u>							
11	2 Tube Side Mount Rail	31	Change coating of 2 Tube Side Mount Rail per RFI #15	1.00	\$5,750.00	LS	\$5,750.00
<u>Increase Aldercrest Precast Reinforced Concrete Box Culverts</u>							
12	Precast Concrete Box Culverts	32	Bid item quantity increased to from 40LF to 44LF per Memorandum #1 - Plan Change Revisions	4.00	\$4,600.00	LF	\$18,400.00
<u>Add Aldercrest Concrete Sidewalk</u>							
13	Concrete Walks	38a	Bid item quantity increased to from 0SQFT to 30SQFT per Memorandum #1 - Plan Change Revisions	30.00	\$1115.00	SQFT	\$3,450.00
<u>Additional Aldercrest 6 Inch Concrete Surfacing</u>							
14	6 Inch Concrete Surfacing	39	Bid item quantity increased to from 50SQFT to 70SQFT per Memorandum #1 - Plan Change Revisions	20.00	\$55.00	SQFT	\$1,100.00
<u>Additional Aldercrest Streambed Materials</u>							
15	Streambed Materials	51	Bid item quantity increased to from 570CY to 865CY per Memorandum #1 - Plan Change Revisions	295.00	\$330.00	CY	\$97,350.00
<u>Add Fish Salvage at Aldercrest</u>							
16	Fish Salvage	N/A	Add Fish Salvage by Point Environmental preformed by Michael Zenthoefer on 7/14/2025 at Kellogg Creek	1.00	\$7,000.00	LS	\$7,000.00
<u>Removal of Additional Trees not Shown on the Plans</u>							
17	Clearing and Grubbing	18	Removal additional trees not shown on the plans.	1.00	\$1,200.00	LS	\$1,200.00
<u>Add Resloping West Bank Increasing Grading Extents</u>							
18	Grading Extents	N/A	Additional excavation and regrading as a result of extension of grading extents on west bank of Kellogg Creek from STA 10+15 to 6+60. Includes increase for additional required Jute Matting and seeding extents.	1.00	\$22,400.00	LS	\$22,400.00
<u>Add Topsoil to Aldercrest Bank</u>							
19	Top Soil	N/A	Add topsoil beneath matting extents at Kellogg Creek.	550.00	\$105.00	CY	\$57,750.00
<u>CIP 1091 - Tidwells & SE Clackamas Rd.</u>							
<u>Add Fish Salvage at Tidwells</u>							
20	Fish Salvage	N/A	Add Fish Salvage by Point Environmental preformed by Michael Zenthoefer on 7/07/2025 at Tidwells	1.00	\$3,000.00	LS	\$3,000.00

<u>Additional Tidwells & SE Clackamas Rd. Flagging</u>							
21	Flagging	N/A	Additional flagging needed as paving extended expanded and utility trench alignment shifted to the middle of the street. Also required additional Flagging for full width Grinding and Paving.	200.00	\$90.00	HR	\$18,000.00
<u>Additional Tidwells Type E Mating</u>							
22	Matting Type E	61	Bid item quantity increased to from 1100SY to 1200SY per Memorandum #1 - Plan Change Revisions	100.00	\$6.50	SY	\$650.00
<u>Delete Tidwells Type F Mating (Credit)</u>							
23	Matting Type F	62	Bid item quantity decreased to from 1000SY to 0SY per Memorandum #1 - Plan Change Revisions	-1000.00	\$8.00	SY	-\$8,000.00
<u>Additional Tidwells General Excavation</u>							
24	General Excavation	73	Bid item quantity increased to from 560CY to 770CY per Memorandum #1 - Plan Change Revisions	210.00	\$60.00	CY	\$12,600.00
<u>Delete Tree Removal of Large Fir Tree Near Tidwells Stormwater Pond</u>							
25	Clearing and Grubbing	72	No longer removing large diameter fir tree that had been planned to be used for "Habitat Tree" for Bid Item #52 Large Woody Material. Had to procure additional tree for that bid item as a result of this deletion, additional cost is billed here.	1.00	\$2,400.00	LS	\$2,400.00
<u>Additional Tidwells Subgrade Geotextile</u>							
26	Subgrade Geotextile	75	Bid item quantity increased to from 490SY to 650SY per Memorandum #1 - Plan Change Revisions	160.00	\$2.00	SY	\$320.00
<u>Additional Tidwells & SE Clackamas Rd. Potholes</u>							
27	Pothole Excavation	78	Bid item quantity increased to from 14EA to 22EA per Design Changes and Revised Stormwater Alignment	8.00	\$775.00	EA	\$6,200.00
<u>Additional Tidwells & SE Clackamas Rd. Video Inspection</u>							
28	Mainline Video Inspection	79	Bid item quantity increased to from 573LF to 825LF per provided CCTV video. Additional Quantity in part due to RFI#010 response.	252.00	\$2.50	LF	\$630.00
<u>Additional Pipe Cleaning at Tidwells & SE Clackamas Rd.</u>							
29	Mainline Pipe Cleaning	N/A	Cleaned existing storm line with Jetter that ran between Tidwells stormwater pond and Clackamas Rd Stormwater system prior to video per RFI#010 response. Need to access condition and see if line was able to remain or needed to be replaced.	1.00	\$1,000.00	LS	\$1,000.00
<u>Additional SE Clackamas Rd. 12 Inch Pipe, 5ft Depth</u>							
30	12 Inch Storm Sewer Pipe, 5 Ft Depth	80	Bid item quantity increased to from 14LF to 105LF per Memorandum #1 - Plan Change Revisions	91.00	\$250.00	LF	\$22,750.00
<u>Additional SE Clackamas Rd. 12 Inch Pipe, 10ft Depth</u>							



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Contract # 2413

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31	12 Inch Storm Sewer Pipe, 10 Ft Depth	81	Bid item quantity increased to from 29LF to 33LF per Memorandum #1 - Plan Change Revisions	4.00	\$225.00	LF	\$900.00
<u>Reduce SE Clackamas Rd. 18 Inch Pipe, 5ft Depth (Credit)</u>							
32	18 Inch Storm Sewer Pipe, 5 Ft Depth	82	Bid item quantity decreased to from 299LF to 275LF per Memorandum #1 - Plan Change Revisions	-24.00	\$245.00	LF	-\$5,880.00
<u>Reduce SE Clackamas Rd. 18 Inch Pipe, 10ft Depth (Credit)</u>							
33	18 Inch Storm Sewer Pipe, 10 Ft Depth	83	Bid item quantity decreased to from 231LF to 227LF per Memorandum #1 - Plan Change Revisions	-4.00	\$280.00	LF	-\$1,120.00
<u>Additional SE Clackamas Rd. Concrete Manholes, Shallow (Flat Top)</u>							
34	Concrete Manholes, Shallow (Flat Top)	85	Bid item quantity increased to from 2EA to 4EA per Memorandum #1 - Plan Change Revisions	2.00	\$5,200.00	EA	\$10,400.00
<u>Additional SE Clackamas Rd. Concrete Storm Sewer Manholes</u>							
35	Concrete Storm Sewer Manholes	85a	Bid item quantity increased to from 0EA to 1EA per Memorandum #1 - Plan Change Revisions	1.00	\$6,200.00	EA	\$6,200.00
<u>Reduce SE Clackamas Rd. Concrete Inlets, Type G-2 (Credit)</u>							
36	Concrete Inlets, Type G-2	86	Bid item quantity decreased to from 13EA to 7EA per Memorandum #1 - Plan Change Revisions	-6.00	\$4,250.00	EA	-\$25,500.00
<u>Add SE Clackamas Rd. Concrete Inlets, Type CG-30</u>							
37	Concrete Inlets, Type CG-30	86a	Bid item quantity increased to from 0EA to 7EA per Memorandum #1 - Plan Change Revisions	7.00	\$5,500.00	EA	\$38,500.00
<u>Delete Original Grinding to SE Clackamas Rd. (Credit)</u>							
38	Cold Plane Removal	93	Bid item quantity decreased to from 490SY to 0SY per change to full street width paving of Clackamas rd.	-490.00	\$25.00	SY	-\$12,250.00
<u>Add Full Width Grinding to SE Clackamas Rd.</u>							
39	Cold Plane Removal	N/A	Bid item quantity increased to from 0SY to 1383SY per change to full street width paving of Clackamas rd.	1462.22	\$11.50	SY	\$16,815.56
<u>Additional SE Clackamas Rd. 3/4 Inch - 0 Aggregate Base</u>							
40	3/4 Inch - 0 Aggregate Base	95	Bid item quantity increased to from 40TN to 70TN per Memorandum #1 - Plan Change Revisions	30.00	\$110.00	TN	\$3,300.00
<u>Additional SE Clackamas Rd. 1 Inch - 0 Aggregate Base</u>							
41	1 Inch - 0 Aggregate Base	96	Bid item quantity increased to from 200TN to 250TN per Memorandum #1 - Plan Change Revisions	50.00	\$100.00	TN	\$5,000.00

Delete Original SE Clackamas Rd. Paving (Credit)						
42	Level 2 ACP Paving	98	Bid item quantity decreased to from 124TN to 0TN per change to full street width paving of Clackamas rd.	-124.00	\$240.00	TN -\$29,760.00
Reduce SE Clackamas Rd. Concrete, Standard Curb (Credit & Change in Unit Price)						
43	Concrete, Standard Curb	99	Bid item quantity decreased to from 220LF to 70LF per Memorandum #1 - 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.	-220.00	\$45.00	LF -\$9,900.00
44	Concrete, Standard Curb	99	Bid item quantity decreased to from 220LF to 70LF per Memorandum #1 - Plan Change Revisions. Bid item unit price adjusted as quantity significantly changed and subcontractor updated unit pricing.	70.00	\$85.00	LF \$5,950.00
Add Curb and Gutter to SE Clackamas Rd.						
45	Concrete, Curb & Gutter	99a	Add curb and gutter at CG-30 catch basin locations per added Detail #330 on sheet C6.00.	31.00	\$110.00	LF \$3,410.00
Additional SE Clackamas Rd. Paving						
46	Level 2 ACP Paving	N/A	Bid item quantity increased to from 0SQFT to 12443SQFT per change to full street width paving of Clackamas rd.	13160.00	\$3.39	SQFT \$44,612.40
Delete Tidwells & SE Clackamas Rd. 6 Inch Waterline						
47	6-Inch Waterline	116	Bid item quantity decreased to from 56LF to 0LF per Memorandum #1 - Plan Change Revisions	-56.00	\$155.00	LF -\$8,680.00
Delete Tidwells & SE Clackamas Rd. 8 Inch Waterline						
48	8-Inch Waterline	117	Bid item quantity decreased to from 40LF to 0LF per Memorandum #1 - Plan Change Revisions	-40.00	\$180.00	LF -\$7,200.00
Add 12-inch Storm Sewer Pipe (PVC) at Tidwells						
49	12-inch Storm Sewer Pipe PVC	N/A	Add 12-inch PVC Pipe at Tidwells Per RFI#004. Aded to make connection between existing pipe and 60-inch water quality manhole.	14.00	\$240.00	EA \$3,360.00
Changes to Vegetated Wall Design at Tidwells						
50	Vegetated Wall	92	Changes to Vegetated Wall Design Per RFI# 005 and Submittal 022. Additional wall length and configuration.	1.00	\$36,000.00	LS \$36,000.00
Add Top Soil at Tidwells						
51	Top Soil	N/A	Add topsoil to stormwater pond per RFI# 006.	1.00	\$5,000.00	LS \$5,000.00
Add NWN Relocations Tidwells						

52	NWN Relocation	N/A	Add NW Natural relocation work, per RFI# 007. Payment was made by Braun to NWN totaling \$5566.92 for NWN relocation efforts and \$4,000.00 is requested for Braun Constructions in preforming relocation work (Trenching, Excavation, and Backfill).	1.00	\$9,566.92	LS	\$9,566.92
Add Comcast and Lumen Utility Relocation Work							
53	Communications Relocation Work	N/A	Additional existing utility relocation work in tidwells property, which included additional coordination and trenching for Comcast and Lumen conduit installation to avoid utility conflict with stream profile.	1.00	\$3,000.00	LS	\$3,000.00
Add PGE Utility Relocation Work							
54	Power Relocation Work	N/A	Additional existing utility relocation work in tidwells property, which included additional coordination and trenching for PGE conduit installation to avoid utility conflict with stream profile.	1.00	\$3,000.00	LS	\$3,000.00
Add Ditch Inlet at Tidwells							
55	Ditch Inlet	N/A	Add Ditch Inlet and connection to existing Stormwater System at northwest corner of tidwells stormwater pond per RFI# 011. Includes removal of existing structure and ditching to the catch basin.	1.00	\$7,000.00	LS	\$7,000.00
Additional Tidwells Streambed Materials							
56	Streambed Materials	114	Bid item quantity increased to from 30CY to 71CY based on actual quantity installed. Includes additional quantity to be used as vegetated wall backfill as well.	41.00	\$300.00	CY	\$12,300.00
Add Connection to Existing Pipe on Clackamas Rd.							
57	Connection to Existing Pipes	N/A	Add Connections to Existing Pipe on Clackamas Rd. These were private raindrains into SDCB 7 (CG-30) the property owners at the North side of Clackamas Rd Addresses are 6553 and 6583 SE Clackamas Rd.	2.00	\$900.00	EA	\$1,800.00
CIP 1079 - Aldercrest Stream Restoration Subtotal \$258,540.00 CIP 1079 - Aldercrest Stream Restoration Additional Bond \$3,164.53 CIP 1079 - Aldercrest Stream Restoration Total \$261,704.53 CIP 1091 - Tidwells & SE Clackamas Rd. Subtotal \$175,374.88 CIP 1091 - Tidwells & SE Clackamas Rd. Additional Bond \$2,146.59 CIP 1091 - Tidwells & SE Clackamas Rd. Total \$177,521.46 Grand Total \$439,225.99							