

## **ORDINANCE No. 183924**

\*Authorize Intergovernmental Agreement with TriMet for design and construction management services for the Portland-Milwaukie Light Rail Transit Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On May 9, 2008, Metro, the Tri-County Metropolitan Transportation District of Oregon (TriMet), and the Federal Transit Administration (FTA) published the Supplemental Draft Environmental Impact Statement for the Portland-Milwaukie Light Rail Transit Project (Project).
2. City Council adopted Resolution No. 36625 on July 17, 2008 specifying a new Locally Preferred Alternative for the Project.
3. City Council accepted Resolution No. 36709 on June 17, 2009 which outlined the recommended conceptual funding plan for the \$30 million dollar City of Portland contribution to the Project.
4. City Council adopted Resolution No. 36786 on May 12, 2010 which accepted the Conceptual Design Report for the Project.
5. The Project is subject to both the budgetary limitations imposed by the FTA and the financing agreement executed between TriMet and the City, along with all the FTA terms and conditions. All parties have identified the following project objectives: build within budget and on-schedule; demonstrate that light rail can be constructed in a cost-effective manner; and develop the best qualified team to manage the Project.
6. The Portland Bureau of Transportation will serve as the City lead on the Project, with other City bureau's contributing professional expertise, including but not limited to the bureaus of Development Services, Environmental Services, Fire, Portland Parks and Recreation, Planning and Sustainability, and Water.
7. The Intergovernmental Agreement (Agreement) documents TriMet's and the City's understandings and agreements relating to design and construction services related to the Project.
8. Currently, the Agreement reflects services for Preliminary Engineering (PE) and Extended PE phases of the Project. It is understood that the Agreement will be modified in the future to include additional staffing services related to final engineering, construction, and closeout of the Project.

9. Other future agreements anticipated between the City and TriMet will include a continuing control agreement to satisfy FTA's requirements for a permanent right of TriMet to operate on City right-of-way or property, and an agreement detailing obligations with respect to long term maintenance of facilities.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are hereby authorized to enter into an Intergovernmental Agreement with TriMet, substantially in accordance with the amendment attached to the original of this Ordinance and, by reference, made a part hereof.

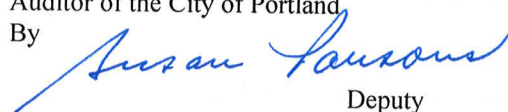
Section 2. The Council declares that an emergency exists because a delay in executing this agreement could delay provision of services, with possible impact to initiation of construction and increased project costs; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JUN 23 2010

Mayor Sam Adams  
Prepared by: Teresa Boyle: slg  
Date Prepared: 6-1-10

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By



Deputy

925

✓ 140

Agenda No.  
**ORDINANCE NO. 183924**  
 Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b> <i>on behalf of Mayor Adams</i> <b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard <b>BUREAU APPROVAL</b> Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: Jody Yates Prepared by: Teresa Boyle Date Prepared: 6-1-10 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date <b>6-23-10</b> <b>City Attorney Approval</b>	CLERK USE: DATE FILED <b>JUN 18 2010</b> LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy <b>ACTION TAKEN:</b>
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<b>AGENDA</b> <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) <b>CONSENT</b> <input checked="" type="checkbox"/> <b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)
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FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	