

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN TRIMET AND CITY OF PORTLAND  
FOR PORTLAND MALL REVITALIZATION PROJECT DESIGN AND  
CONSTRUCTION MANAGEMENT SERVICES**

**THIRD AMENDMENT**

**TriMet Contract No. GH070428TL  
City Contract No. C52972**

THIS Third Amendment to the Portland Mall Revitalization Project Design And Construction Management Services Agreement ("Agreement") is entered into as of the effective date identified below the signatures to this Agreement and is between the Tri-County Metropolitan Transportation District of Oregon ("TriMet") and the City of Portland ("City") (TriMet and City collectively are hereinafter referred to as "the Parties"). This Third Amendment is written to make the following changes to the Agreement. All provisions of the Agreement shall remain in effect unless modified or superseded by this Third Amendment.

**Changes to Article I – TERM**

The expiration date of the Agreement is hereby changed from June 30, 2010 to June 30, 2011.

**Changes to Article II – TRIMET OBLIGATIONS**

1. Article II is amended by adding paragraphs V, W, and X as follows:

- V. **Brick Intersection Maintenance.** Provide services related to the maintenance and repair of brick intersections. The cost for this work is \$31,425 which will be paid by City.
- W. **Repair to Thermoplastic Striping/Marking.** Provide services related to the repair of storm damage to the thermoplastic striping and marking. The cost for such work is \$32,200 which will be split equally by the Parties.
- X. **Installation of Additional Bike Racks.** TriMet, the City, and Portland Mall Management, Inc. (PMMI) will cooperatively procure and install additional bike racks on the Mall. The purchase cost for the racks of \$19,800 will be split evenly between TriMet and the City. PMMI will arrange and pay for installation of the racks at no cost to TriMet or the City

**Changes to Article IV – CITY SERVICES TO BE PROVIDED**

1. Article IV (E) 1. is amended to add the following paragraph:

- (j) The City's Right-of-Way Acquisition group will perform the work necessary to vacate NW Irving Street between 4<sup>th</sup> and 5<sup>th</sup> Avenues. The cost of such work is estimated at \$6,000 and will be paid by TriMet.

2. Article IV (E) 4. is replaced in its entirety by the following:

- 4. Bureau of Maintenance. Under the coordination of the City's Project Manager, the Bureau of Maintenance shall provide services as described below:
  - (a) The Bureau of Maintenance will install permanent parking/truck loading signs upon project completion. The scope of services during construction (signal turn on/off, temporary striping and/or signage) will be determined based on 100% construction plans and this agreement will be amended as necessary.
  - (b) The Bureau of Maintenance has installed additional traffic signage on the Transit Mall and will install supplemental signage related to the settlement of the Erickson Realty claim. The cost of installing such signage is estimated at \$5,000 which is within the budget set forth in this Agreement, and will be paid by TriMet.
  - (c) The Bureau of Maintenance will install preferential lane signage on the Transit Mall. The cost of installing such signage is estimated at \$8,000 which is within the budget set forth in this Agreement, and will be paid by TriMet.

#### **Changes to Exhibit F – Summary of Costs**

Replace Exhibit F with an amended Exhibit F "Summary of Costs" (attached) to reflect changes in compensation between TriMet and the City for the above work, along with adjustments to reflect actual costs for PWB system alterations, relocations and betterments.

There are no other changes to the Agreement and all other terms of the Agreement shall remain the same.

PORTLAND MALL REVITALIZATION PROJECT - IGA WITH ADDED AMEND 3  
Summary of Costs  
6/1/2010

		Original IGA	IGA Amend #1	IGA Amend #2	IGA Amend #3	Revised Expense	
TRIMET	PDOT	\$ 2,592,594				\$ 2,592,594	to PDOT
	BES	\$ 448,308				\$ 448,308	to BES
	Parks	\$ 41,000				\$ 41,000	to Parks
	PWB MOU - TriMet Share	\$ 578,400	\$ 3,962,000		\$ 901,612	\$ 4,863,612	to PWB
	Steel Bridge repair work - TriMet share			\$ 1,000,000		\$ 1,000,000	Tmet to CMGC
	Traffic Signal Controllers - reimburse PDOT			\$ 74,490		\$ 74,490	to PDOT
	Bus relocation services - PDOT			\$ 92,000		\$ 92,000	to PDOT
	Adjustments to BES scope (no net \$ change)			\$ -		\$ -	to BES
	Street tree pruning - Parks			\$ 175,000		\$ 175,000	to Parks
	Planter pots - soil and initial plantings - Parks			\$ 72,000		\$ 72,000	to Parks
City	Bike Racks - TriMet share				\$ 9,900	\$ 9,900	to PBOT
	Transit Mall preferential lane signage				\$ 8,000	\$ 8,000	to PBOT
	Repair damage to striping - TriMet share				\$ 16,100	\$ 16,100	to PBOT
	Costs for street vacation process NW Irving				\$ 6,000	\$ 6,000	to PBOT
	Supplemental Directional Signage				\$ 5,000	\$ 5,000	to PBOT
	<b>TriMet Obligation</b>	<b>\$ 3,660,302</b>	<b>\$ 3,962,000</b>	<b>\$ 1,413,490</b>	<b>\$ 946,612</b>	<b>\$ 9,404,004</b>	
	<b>Total</b>						
	PWB MOU - PWB share		\$ 1,441,000		\$ 371,809	\$ 1,812,809	by PWB to Tmet
	Steel Bridge repair work - PDOT share			\$ 1,000,000		\$ 1,000,000	by PDOT to Tmet
	Traffic Signal Controllers - PDOT share			\$ 38,376		\$ 38,376	by PDOT to Tmet
City	Bicycle Oasis - PDOT Betterment			\$ 48,480		\$ 48,480	by PDOT to Tmet
	Side street Mast Arms - PDOT betterment			\$ 400,000		\$ 400,000	by PDOT to Tmet
	Bike Racks - City share				\$ 9,900	\$ 9,900	by PBOT to Tmet
	Repair damage to striping - City share				\$ 16,100	\$ 16,100	by PBOT to Tmet
	Mall brick maintenance				\$ 31,425	\$ 31,425	by PBOT to Tmet
	<b>City Obligation</b>	<b>\$ -</b>	<b>\$ 1,441,000</b>	<b>\$ 1,486,856</b>	<b>\$ 429,234</b>	<b>\$ 3,357,090</b>	
	<b>Total</b>						

**City of Portland**

**Tri-County Metropolitan  
Transportation District of Oregon**

By: Sam Adams, Mayor

By: Neil McFarlane, Executive  
Director

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

By: City Auditor

**Approved as to Form:**



City Attorney

**Approved as to Form:**

TriMet Assistant General Counsel