

ORDINANCE No. 184710

*Accept the Oregon Department of Transportation acknowledgement of the City certification to manage certain federal aid capital improvement projects and adopt the City Quality Control Plan for certification projects (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Oregon Department of Transportation and Federal Highway Administration (FHWA) 2010 Stewardship Plan defines requirements and authorities for the review and approval of Plans, Specifications, and Estimates (PS&E) for FHWA funded (federal-aid) non-National Highway System (NHS) transportation capital improvement projects regardless of size.
2. Based on the authority granted in the ODOT-FHWA 2010 Stewardship Plan and Oversight Agreement, the Oregon Department of Transportation (ODOT) may delegate certain federal-aid project authorities to the City of Portland (City).
3. ODOT's Local Agency Certification (LAC) Program provides the means for ODOT to delegate authority to the City to administer City federal aid transportation projects and under that program to become a certified local agency.
4. On September 7th, 2005, by Ordinance No. 179568, City Council authorized an intergovernmental agreement with ODOT that authorized the City to participate in the Local Agency Certification Program for federal-aid projects.
5. The City was the first agency in the State of Oregon to be considered for certification by ODOT.
6. The agreement required the City to successfully complete two to four Federal Highway Administration (FHWA) funded test projects with ODOT review and oversight.
7. Since 2005, the City has successfully completed thirteen transportation capital improvement projects under the Local Agency Certification Program, with three more projects in construction and one more moving to bid.
8. The ARRA-funded federal stimulus projects are among the most recent projects and include SE Hawthorne, Madison, and Cesar Chavez Repaving, Portland Bicycle Boulevard Improvements, SW and E Portland Sidewalk Infill, Springwater Trail Repaving, and Union Station Phase II Improvements.
9. The improvements built by conditionally certified projects are multi-modal and encompass street and trail projects, building improvements, and signal and street light system improvements.

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10. While most projects are managed directly by the Portland Bureau of Transportation (PBOT), some of these projects have been managed by Portland Parks and Recreation and the Office of Management and Finance.
 11. As the Certification Agreement with ODOT states that only the Portland Bureau of Transportation (PBOT) has met all certification criteria, the City's Quality Control Plan addresses how PBOT will provide oversight acceptable to ODOT on all transportation FHWA federal-aid projects.
 12. The Oregon Department of Transportation, Local Government Section, has provided a letter acknowledging the City's full certification to manage FHWA federal-aid projects during the Design, Ad, Bid and Award, and Contract Administration phases.
 13. The City should now accept the letter acknowledging its full certification as a Local Agency and adopt the required Quality Control Plan.

NOW, THEREFORE, the Council directs:

- a. That the Mayor and City Council accept the Oregon Department of Transportation's acknowledgement of the City's certification to manage certain FHWA federal-aid capital improvement projects.
- b. That the Mayor and City Council adopt the City's Quality Control Plan for managing FHWA federal-aid certification projects, Exhibit A.
- c. That the City's Quality Control Plan is binding City policy and will become Administrative Rule TRN 9.07 Quality Control Plan for FHWA Funded Transportation Projects. The Director of the Bureau of Transportation is authorized to amend this Administrative Rule as necessary.

Section 2. The Council declares that an emergency exists because a delay in implementing full certification would impede the City's ability to move forward with City advertisement and contract award and management of a number of current FHWA funded federal-aid projects; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

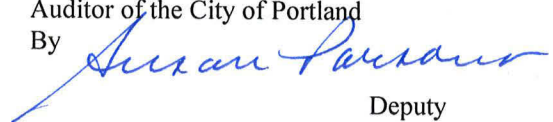
Passed by the Council, JUN 29 2011

Mayor Sam Adams
Prepared by: Kathryn Levine:SG
Date Prepared: June 10, 2011

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 184710
 Title

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<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>K. Saltzman on behalf of Mayor Adams</i> COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>Greg Jones</i></p> <p>Prepared by: Kathryn Levine:slg Date Prepared: June 10, 2011 <i>AV</i></p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date JUNE 29, 2011</p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>JUN 24 2011</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>Paul</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 11 MIN (for presentation, testimony and discussion)</p>

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	✓	