

**INTERGOVERNMENTAL AGREEMENT
BETWEEN TRIMET AND CITY OF PORTLAND
FOR CONSTRUCTION PHASE SCOPE TRANSFERS BETWEEN SW MOODY
IMPROVEMENT PROJECT, SW HARBOR DRIVE/SW RIVER PARKWAY
PROJECT, AND PORTLAND MILWAUKIE LIGHT RAIL PROJECT**

FIRST AMENDMENT

TriMet Contract No. GH120253LE

THIS First Amendment to this Intergovernmental 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"). This First 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 All provisions of the Agreement shall remain in effect unless modified or superseded by this First Amendment.

1. Paragraph 6.1 of the Agreement is hereby changed, as follows:

The not-to-exceed amount set out in paragraph 6.1 for work to be performed by City and paid by TriMet is hereby decreased from \$1,010,000 to \$700,000.

2. Paragraph 6.3 of the Agreement is hereby changed, as follows:

The not-to-exceed amount set out in paragraph 6.3 for work to be performed by TriMet and paid by the City is hereby increased from \$1,010,000 to \$1,800,000.

3. Exhibit A of the Agreement is hereby replaced by the version of Exhibit A attached to this First Amendment:

The version of Exhibit A attached to the original Agreement is hereby deleted in its entirety and superseded by the attached version of Exhibit A, which is titled Exhibit A, Modification No. 1, Potential Construction Phase Scope Transfers, and which deletes the ODOT Sheridan Driveway from the list of potential construction scope transfers.

There are no other changes to the Agreement.

City of Portland

Tri-County Metropolitan
Transportation District of Oregon

Name: _____
Title: _____
Date: _____

Daniel W. Blocher, P.E.
Executive Director
Date: _____

By: City Auditor

Approved as to Form:

APPROVED AS TO FORM

James H. Van Dyke

City Attorney
CITY ATTORNEY 8/9/12

Approved as to Form:

TriMet Deputy General Counsel

EXHIBIT A

MODIFICATION NO. 1

POTENTIAL CONSTRUCTION PHASE SCOPE TRANSFERS

For construction scope transfers from the Portland-Milwaukie Light Rail (PMLR) Project to the Moody Project –Work To Be Performed By City

1. ODOT Sheridan Driveway
Actual Cost - \$4,837.50
Remove and reinstall 16' gate.
2. Storm Drain

Actual Cost - \$168,705.14
Install storm drain pipe and appurtenances where it crosses and connects Moody Ave.
Also includes upsizing of Moody storm system to accommodate additional load from PMLR.
3. Waterline Casing & Service Connections

Actual Cost - \$53,694.00

Provide casing under future PMLR trackway on 16" waterline, and connections for water services at Porter.
4. Private Utilities
Estimated Budget - \$50,000
Install and stub conduit for anticipated PGE connection to the Willamette River Transit Bridge crossing
5. Train Signals and Systems Components and Conduit Runs

Actual Cost - \$329,908.90
Install Signals and electrification components required for the full build out condition of the Moody-Porter intersection. Also, move two existing streetcar OCS poles on Harrison Street and lower contact wire to avoid future Harbor Structure girders
6. Signal Communication Maintenance Access

Actual Cost - \$10,416.75

Install curb cut for driveway that will provide access to the Sig-Comm building in the southwest corner of the Moody/Porter intersection.

7. 12" storm lateral for storm water quality facility at the NW corner of Moody Ave and Sheridan St
Estimated Budget - \$30,000
Install a storm lateral and appurtenances to connect a 12" storm line to the existing 36" RCP storm main in Moody Ave, which will provide a drainage path for a storm water quality facility at the NW corner of Moody Avenue and Sheridan Street that will be built by PMLR.
8. Provide 115 RE Rail from Streetcar Single Track
Actual Cost - \$62,000
Provide 6,480 track feet of 115 RE rail salvaged from the Streetcar single track. Rail is in good condition and has been determined to meet PMLR West track specifications.

For construction scope transfers from Moody Project to the Portland-Milwaukie Light Rail (PMLR) Project –Work To Be Performed By TriMet

1. Special Track
Actual Cost - \$1,733,272
Furnish track and turnouts for streetcar operations on SW Moody at SW Porter; to facilitate westbound to northbound and southbound to eastbound streetcar access.
2. Install New Loops in existing streetcar track slab
Estimated Budget - \$12,500
Add two new loops to streetcar track slab at SW Gibbs to activate traffic signal when streetcar approaches intersection.
3. Modifications at New Meade Street
Estimated Budget - \$20,000
Modify existing planter, track drain and construct two new ADA ramps at the future SW Meade Street.
4. Add Bike Loops
Estimated Budget \$20,000
Add up to four bike count loops and required junction box(s) in cycle track near Gibbs streetcar stop.

For construction scope transfers from Harbor Project to the Portland-Milwaukie Light Rail (PMLR) Project –Work To Be Performed By TriMet

1. Harbor/River Parkway Intersection Improvements
Estimated Budget - \$50,000
Construct curb and gutter, asphalt path, concrete pedestrian bus stop, stormwater facilities.
2. Multi-use Path Underneath PMLR Structure
Estimated Budget - \$75,000
Construct finished grading and sub-grade preparation, install path aggregate sub base and HMAC surfacing.
3. Multi-use Path Illumination
Estimated Budget - \$127,000
Install illumination and conduit.