

## **ORDINANCE No. 184 755**

\*Amend contract with Portland Streetcar, Inc. to provide additional professional services for design and civil engineering during the construction phase of the Portland Streetcar Loop Project (Ordinance; amend Contract No. 37279)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Streetcar, Inc. (PSI), a public service non-profit corporation registered in the State of Oregon since 1996, has had oversight responsibility under agreements with the City for design, financial planning, management, civil and vehicle engineering, construction, community relations and construction mitigation and operation of Portland Streetcar.
2. After a competitive procurement process carried out by the City in accordance with federal requirements, and the selection of URS Corporation (URS) to perform design and civil engineering services for the Portland Streetcar Loop Project (Loop Project), the City Council passed Ordinance No. 180866 on April 4, 2007, authorizing Contract No. 37279 (Contract) with Portland Streetcar, Inc. (PSI), which assigned to PSI the responsibility for oversight and subcontracting with URS for design and civil engineering services.
3. The solicitation documents and the Contract provided that future amendment(s) would be negotiated for additional services through final design and construction of the Project, subject to successful negotiations of terms and to additional funding being secured.
4. The Contract was amended most recently by Amendment No. 3 authorized by Ordinance No. 183284 passed by Council on October 28, 2009 providing for PSI to amend its contract with URS for additional design and civil engineering services performed during the final design and construction phases of the Loop Project and extending the term of the Contract to March 1, 2012.
5. Extended and additional design and civil engineering services are required of URS and its subconsultants for the successful completion of the Loop Project. Extending services by one additional month is needed to complete project close-out and the additional services are the result, among other things, of requests from the City and added requirements from the Federal Transit Administration.
6. The City and PSI have agreed to the terms of an amendment to Contract No. 37279, including the scope of work and an increase in compensation of \$270,756. On June 1, 2011, the PSI Board adopted Resolution No. 11-08 recommending this action.
7. The Loop Project contingency funds are adequate to cover the costs of the additional services required by this Amendment.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are hereby authorized to execute an Amendment to Contract No. 37279 with Portland Streetcar, Inc., substantially in accordance with the amendment attached to the original of this Ordinance and, by reference, made a part hereof.
- b. The Mayor and the City Auditor are hereby authorized to draw and deliver checks to Portland Streetcar, Inc., chargeable to the Transportation Operating Fund, Fund 200000, Business Area TR00.
- c. The City's Project Manager is hereby authorized to agree to and execute, on behalf of the City, any amendment that does not increase the maximum compensation.

Section 2. The Council declares an emergency exists because the construction of the Portland Streetcar Loop Project is well underway and any interruption will cause an adverse impact on schedule and budget; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council, JUL 20 2011

Mayor Sam Adams  
Prepared by: Vicky Diede:slg  
Date Prepared: July 6, 2011

**LaVonne Griffin-Valade**  
AUDITOR OF THE CITY OF PORTLAND  
By 

Deputy

Agenda No.  
**ORDINANCE NO.**  
 Title

184755

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b> <i>K. Billman on behalf of Mayor Adams</i> <b>COMMISSIONER APPROVAL</b>	CLERK USE: DATE FILED <u>JUL 15 2011</u>  LaVonne Griffin-Valade Auditor of the City of Portland  By: <i>[Signature]</i> Deputy  <b>ACTION TAKEN:</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: <i>[Signature]</i> Prepared by: Vicky Diede:slg Date Prepared: July 6, 2011 <i>[Signature]</i>	
<b>Financial Impact &amp; Public Involvement Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
<b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date <b>JULY 20, 2011</b>	
<b>City Attorney Approval</b>	

<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 type="checkbox"/> <b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <u>30 min</u> (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	✓	