

ORDINANCE No. 185191

*Amend agreement with Portland Streetcar, Inc. for vehicle engineering services related to streetcar vehicles being procured from Oregon Iron Works for the Portland Streetcar Loop Project (Ordinance; amend Contract No. 30001193)

The City of Portland ordains:

Section 1. The Council finds:

1. On July 8, 2009, the City Council passed Ordinance No. 182999 authorizing a contract with Oregon Iron Works, Inc. (OIW) for the production and delivery of streetcar vehicles for the Portland Streetcar Loop Project (Project).
2. On February 3, 2010, the Council passed Ordinance No. 183519, as amended, authorizing an agreement with Portland Streetcar, Inc. (PSI) for vehicle engineering services (Contract) related to the Project.
3. The Contract provides for PSI to retain LTK Engineering Services (LTK), as a subcontractor, to carry out vehicle engineering services related to the design and manufacture of streetcar vehicles by OIW.
4. Skoda in the Czech Republic, supplier of the electrical propulsion system for the Prototype Streetcar vehicle and named as the supplier of that system for the Loop Project vehicles, was unable or unwilling to deliver a satisfactory electrical propulsion system on the Prototype Streetcar vehicle. This led to OIW requesting approval of other suppliers, which led to the involvement of project participants in protracted analysis and negotiations and ended with approval of Change Order No. 1 to City/OIW Contract No. 30000696 by the Portland Bureau of Transportation (PBOT) on July 20, 2010. Change Order No. 1, among other things, provided for the substitution of an alternative electrical propulsion system supplier and a delay in delivery from February to July 2012 for the first vehicle.
5. The Contract recognized that the propulsion system supplier substitution would likely require additional services and that modification to the Contract would be negotiated to include the additional costs of these services.
6. The City Project Manager and the Portland Bureau of Transportation have reviewed and approved the basis for and the cost of the additional services that will be performed by LTK as a subcontractor to PSI. The additional cost totals \$348,522, increasing the total maximum compensation to \$1,348,522.
7. There are adequate uncommitted Project contingency funds to cover the cost of the required additional vehicle engineering services.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are hereby authorized to enter into Amendment No. 1 to Agreement No. 30001193, 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 payable to Portland Streetcar, Inc., chargeable to the Transportation Operating Fund, Fund 200000, Business Area TR00.

Section 2. The Council declares an emergency exists because of the need not to interrupt the processes to complete and deliver the streetcar vehicles for the Portland Streetcar Loop Project; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,

MAR 07 2012

Mayor Sam Adams

Prepared by: Vicky Diede:slg

Date Prepared: February 20, 2012

LaVonne Griffin-Valade

AUDITOR OF THE CITY OF PORTLAND

By



Deputy

101281

Agenda No.
ORDINANCE NO. 185191
 Title

*Amend agreement with Portland Streetcar, Inc. for vehicle engineering services related to streetcar vehicles being procured from Oregon Iron Works for the Portland Streetcar Loop Project (Ordinance; amend Agreement No. 30001193)
~~Contract~~

INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>K. Saltzman on behalf of Mayor Adams</i> COMMISSIONER APPROVAL	CLERK USE: DATE FILED <u>MAR 02 2012</u> LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN:
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL	
Bureau: Bureau of Transportation	
Group Manager: Greg Jones	
Development & Capital Program	
Other: <i>[Signature]</i>	
Prepared by: Vicky Diede:slg <i>[Signature]</i>	
Date Prepared: February 20, 2012	
Financial Impact & Public Involvement 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	
March 7, 2012	
City Attorney Approval	

AGENDA
TIME CERTAIN <input type="checkbox"/>
Start time: _____
Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/> <i>Pulled</i>
REGULAR <input type="checkbox"/>
Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	<input checked="" type="checkbox"/>	
Adams	<input checked="" type="checkbox"/>	