

ORDINANCE No. 185802

Amend contract with Stacy and Witbeck Inc., and authorize agreement with Portland Streetcar Inc., for the construction of the Stephens Turnback element of the Streetcar Close the Loop Project. (Ordinance; amend Contract No. 30000609)

The City of Portland ordains:

Section 1. The Council finds:

1. The Close the Loop project will complete the remaining elements required to assure that the Portland Streetcar Loop is operational in 2015 concurrent with the Portland to Milwaukie LRT opening.
2. TriMet is constructing the Portland-Milwaukie Light Rail Transit Project, a 7.3-mile alignment extending from Portland State University, through the South Waterfront District, across the River, through Southeast Portland, City of Milwaukie, and ending in unincorporated Clackamas County. The Project includes a new bridge across the Willamette River for use by transit vehicles, buses, cyclists, and pedestrians.
3. The Eastside Streetcar Close the Loop Betterment Project will be completed by TriMet as a betterment to the City through the Portland-Milwaukie Light Rail Transit Project. The project will modify trackway, electrification, signals and other elements of the Portland Streetcar system to connect Streetcar to the LRT trackway on the Portland-Milwaukie Light Rail Bridge (LRT Bridge) across the Willamette River enabling the Portland Streetcar CL line to operate East and Westside service in a loop between the LRT Bridge on the south and the Broadway Bridge on the north.
4. The Eastside Streetcar Close the Loop Betterment Project is scheduled to commence in early 2013 in order to ensure coordination with construction of the Portland-Milwaukie Light Rail Project and the LRT Bridge scheduled for completion in 2015.
5. Construction of the Eastside Streetcar Close the Loop Betterment Project and other work on the LRT Bridge will require temporary closure of the CL Line OMSI terminus and turnback location in the summer of 2013 for six to eight weeks.
6. In order to continue to operate the Portland Streetcar CL line during the temporary closure of the OMSI terminus stop, the Streetcar must have new turn-back capability at its Eastside southern extremity of the Loop Project requiring the construction of a turn-back trackway on S.E. Stephens (Stephens Turn-Back Project) to allow outbound streetcar service on S.E. Martin Luther King Jr. Blvd. to return in the inbound direction on S.E. Grant Ave.

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7. Portland Streetcar Incorporated has a contract with Shiels Oblatz Johnsen, Inc. (SOJ) to provide project management services for the Close-the Loop Project (PSI/SOJ Contract) dated February 9, 2012 paid for from the PSI controlled Streetcar Support Fund.
 8. The City has Contract number 30000609 with Stacy and Witbeck, Inc. (SWI) to act as Construction Managers/General Contractors (CM/GC) on the Portland Streetcar Loop Project (City/SWI Contract) and intends to amend that contract for \$1,129,455.00 to add construction of the Stephens Turn-Back Project as a PBOT Betterment Project.
 9. The City has identified Transportation System Development Charge (TSDC) funds to construct the Stephens Turn-Back Project and wishes to contract with PSI to provide project management services, to oversee the engineering design and construction work and to pay for those services from otherwise undedicated PSI funds.
 10. The Bureau's level of confidence in the cost estimates for this project is high as this contract amendment is based on contractor bid prices with provisional sums for anticipated cost pressures.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are authorized to sign Amendment Number Six to Contract No. 30000609 for the Portland Streetcar Loop Project with Stacy and Witbeck Inc. substantially in accordance with the amendment attached as Exhibit A to the original of this ordinance and, by reference, made apart hereof.
- b. The Mayor and the City Auditor are hereby authorized to draw and deliver checks when demand is presented and approved by proper authorities.
- c. The Director of the Bureau of Transportation is authorized to enter into an Agreement with Portland Streetcar Inc. clarifying roles and responsibilities for the engineering and construction project management substantially in accordance with the Exhibit B attached to the original of this ordinance and, by reference, made apart hereof.

Passed by the Council,

DEC 12 2012

Mayor Sam Adams

Prepared by: Art Pearce:slg

Date Prepared: November 15, 2012

LaVonne Griffin-Valade

Auditor of the City of Portland

By

Susan Parsons
Deputy

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✓14b

Agenda No. **185802**
ORDINANCE NO.
 Title *authorize*

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 (Ordinance; amend Contract 30000609)

No.

INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS	CLERK USE: DATE FILED <u>NOV 30 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland <i>on behalf of Mayor Adams</i> By: _____ Deputy
BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: Prepared by: Art Pearce:slg Date Prepared: November 15, 2012	ACTION TAKEN: DEC 05 2012 PASSED TO SECOND READING DEC 12 2012 9:30 A.M.
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 December 5, 2012	
City Attorney Approval City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	

AGENDA TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>3:00</u> 2 of <u>34</u> Total amount of time needed: 30 min shared (for presentation, testimony and discussion) CONSENT <input type="checkbox"/> REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)
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FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman		
4. Leonard	✓	
Adams	✓	