

ORDINANCE No. 185985

*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 and increase compensation by \$270,384 (Ordinance; amend Contract No. 30001193)

The City of Portland ordains:

Section 1. The Council finds:

1. On February 3, 2010, after completion of a competitive procurement process carried out in accordance with federal requirements and the selection of LTK Engineering Services (LTK) to perform the vehicle engineering services for the Loop Project, the Council passed Ordinance No. 183519, as amended, authorizing Agreement No. 30001193 with Portland Streetcar, Inc. (PSI), which assigned to PSI the responsibility for oversight of and subcontracting with LTK for vehicle engineering services related to the design and manufacture of streetcar vehicles by Oregon Iron Works, Inc. (OIW) for the Loop Project.
2. The Agreement subsequently has been amended to add services, increase compensation and extend the term to a current maximum compensation of \$1,734,751 and an expiration date of March 30, 2013.
3. The revised schedule from OIW calls for delivery of the final (5th) vehicle by August 31, 2013.
4. A continuation of vehicle engineering services is required for the remaining manufacturing processes and vehicle testing necessary for completion, acceptance and certification of the vehicles for revenue service.
5. The City has reviewed and approved the cost of the additional services that will be performed by LTK as a subcontractor to PSI. The additional cost totals \$270,384 increasing the total maximum compensation to \$2,005,135. Additionally, the termination date is extended to August 31, 2013.
6. There are adequate uncommitted Project contingency funds to cover the cost of the required additional vehicle engineering services.
7. On April 3, 2013, the PSI Board of Directors is expected to adopt a resolution recommending this action to the City Council and authorizing its Chair to execute Amendment No. 3.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are hereby authorized to enter into Amendment No. 3 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.

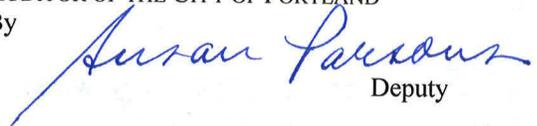
Section 2. The Council declares an emergency exists because of the need not to interrupt the processes to complete, deliver, test and certify the streetcar vehicles for the Portland Streetcar Loop Project; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council, APR 17 2013

Mayor Charlie Hales
Prepared by: Vicky Diede:slg
Date Prepared: April 3, 2013

LaVonne Griffin-Valade
AUDITOR OF THE CITY OF PORTLAND

By


Deputy

288281

Agenda No. **ORDINANCE NO. 185985**

Title

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Contract

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| <p>INTRODUCED BY Commissioner/Auditor: MAYOR CHARLIE HALES</p> | <p>CLERK USE: DATE FILED <u>APR 12 2013</u></p> |
| <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - <i>HALES</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> | <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> |
| <p>BUREAU APPROVAL</p> <p>Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>[Signature]</i></p> <p>Prepared by: Vicky Diède:slg Date Prepared: March 26, 2013 <i>[Signature]</i></p> | |
| <p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> | <p>ACTION TAKEN:</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 April 17, 2013</p> | |
| <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> | |

AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: 15 min
(for presentation, testimony and discussion)

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | | |
|--------------------|---------------------------------|------|------|
| | | YEAS | NAYS |
| 1. Fritz | 1. Fritz | ✓ | |
| 2. Fish | 2. Fish | ✓ | |
| 3. Saltzman | 3. Saltzman | ✓ | |
| 4. Novick | 4. Novick | ✓ | |
| Hales | Hales | ✓ | |