

ORDINANCE No. 183519 As Amended

*Authorize an 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)

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 six streetcar vehicles for the Portland Streetcar Loop Project (Project).
2. On October 29, 2009, the City issued a Qualifications Based Selection procurement (QBS) for vehicle engineering services for Project streetcars; said services to include conducting design review, performing technical oversight and inspection services, monitoring testing and commissioning and assisting contract administration.
3. On November 19, 2009, a response was submitted to the City by LTK Engineering Services (LTK). After the evaluation by a 3-member committee, the City issued on December 9, 2009, a Notice of Intent to Award the contract because they were deemed a qualified respondent.
4. The QBS indicated that the successful proposer would either contract directly with the City of Portland or with Portland Streetcar, Inc. (PSI). In either case, the agreement will include all of the terms and requirements listed in the solicitation documents, including the need to meet all the federal requirements.
5. The City desires that the vehicle engineering services work be structured in a manner consistent with past practice with the selected consultant contracting with PSI as a subconsultant under a new agreement between the City and PSI.
6. On March 13, 2007, the PSI Board of Directors approved Resolution 10-01 authorizing the Chair to enter into a contract with the City to carry out vehicle engineering services and a subconsultant agreement with LTK to carry out the required services, subject to the terms and conditions of the City's solicitation process.
7. The City and PSI have successfully negotiated an agreement with maximum compensation of \$1,000,000 with 3.9% of the compensation committed for Disadvantaged Business Enterprise participation.
8. The level of confidence on compensation to accomplish the work is low. In addition the parties recognize that additional vehicle engineering services will likely be required if the City approves the request of OIW, manufacturer of the Portland Streetcar Loop Vehicles, to substitute the supplier of the streetcar vehicle electrical/propulsion system.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are hereby authorized to enter into an Agreement, substantially in accordance with the Agreement 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.

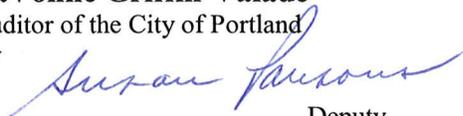
Section 2. The Council declares an emergency exists because a delay in executing this Agreement would have an adverse impact on delivery of the Portland Streetcar Loop vehicles; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council, FEB 03 2010

Mayor Sam Adams
Prepared by: Vicky Diede:slg
Date Prepared: January 20, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Susan Hanson
Deputy

Agenda No. **183519** As Amended
ORDINANCE NO.
 Title

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<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>[Signature]</i> COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>[Signature]</i> <i>[Signature]</i></p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></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 February 3, 2010</p> <p><input checked="" type="checkbox"/> City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>JAN 29 2010</u></p> <p><i>[Signature]</i> LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 10 min. (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	←	
4. Leonard	✓	
Adams	✓	