

## ORDINANCE No. 188723

\*Amend contract with Radler, White, Parks & Alexander, LLP to extend expiration date and increase contract amount by \$150,000 to provide additional on-call legal assistance to the Spectator Venues Program (Ordinance; amend Contract No. 30005644)

The City of Portland ordains:

### Section 1. The Council Finds:

1. The City's Spectator Venues Program within the Office of Management and Finance (OMF) oversees the Veteran Memorial Coliseum (VMC), Rose Quarter Parking Facilities, Rose Quarter Plaza, Providence Park, and the Portland's Centers for the Performing Arts.
2. As the property owner, the City has responsibilities to protect the public's investments in these facilities and monitor all changes and enhancements to the properties and manage their operating agreements.
3. In November 2016, Contract No. 30005644 was entered into between the City of Portland (City) and Radler, White, Parks & Alexander, LLP for on-call legal services to support the Spectator Venues Program. Radler, White, Parks & Alexander has an extensive history with the legal documents associated with the facilities in the portfolio.
4. Resolution No. 37299, adopted by the City Council on June 21, 2017, directed City staff to work with Peregrine Sports, LLC to develop the formal agreements and amendments necessary to allow the design and construction of the expansion at Providence Park. The Resolution acknowledged and approved City costs for legal counsel to support the negotiations and agreements.
5. Due to the added time and complexity of negotiations and associated preparation of legal documents required by the stadium expansion, additional consulting services are necessary. Increasing the amount of this contract and extending the expiration date will allow the program to continue to utilize Radler, White, Parks & Alexander LLP as needed until negotiations are complete and into the stadium construction period.
6. Additional time is required to complete negotiations, prepare and execute legal agreements and to ensure that legal counsel is available if needed during construction of the expansion. The new contract expiration authorized by this Ordinance is June 30, 2019.
7. The additional compensation authorized by this Ordinance is \$150,000.00 which is 150% of the original contract amount of \$100,000.00. The new not-to-exceed amount of the Contract is \$250,000.00.



8. This amendment requires Council approval because it exceeds 25% of the original contract amount.
9. Sufficient funding for this contract amendment resides in the Spectator Venues and Visitor Activities Fund 607000 in FY 2017-18 and is projected to be sufficient in subsequent years.

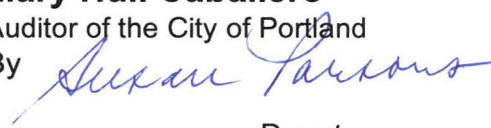
NOW THEREFORE, the Council directs:

- a. The Chief Procurement Officer is hereby authorized to amend Contract No. 30005644 between the City and Radler, White, Parks & Alexander, LLP. for services in accordance with Amendment No. 1 attached hereto as Exhibit A.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks payable to Radler, White, Parks & Alexander, LLP chargeable to OMF when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists as the additional work required to bring the expansion agreement documents to Council before the end of the year is currently ongoing. Therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: DEC 13 2017

Mayor Ted Wheeler  
Prepared by: Ken McGair  
Date Prepared: November 28, 2017

**Mary Hull Caballero**  
Auditor of the City of Portland  
By 

Deputy

Agenda No.  
**ORDINANCE NO. 188723**  
 Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Ted Wheeler</b>	CLERK USE: DATE FILED <b>DEC 05 2017</b>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance & Administration - Wheeler <i>ted</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <i>[Signature]</i> Deputy  <b>ACTION TAKEN:</b>
<b>BUREAU APPROVAL</b> Bureau: City Attorney Bureau Head: Tracy Reeve <i>[Signature]</i>	
Prepared by: Ken McGair Date Prepared: November 28, 2017	
<b>Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <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"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>Ken</i>	
Council Meeting Date <b>Dec. 13, 2017</b>	

<b>AGENDA</b>  <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)	<b>FOUR-FIFTHS AGENDA</b>	<b>COMMISSIONERS VOTED AS FOLLOWS:</b>																		
<b>CONSENT</b> <input type="checkbox"/>  <b>REGULAR</b> <input checked="" type="checkbox"/>																				
Total amount of time needed: <b>15 min</b> (for presentation, testimony and discussion)																				
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