

ORDINANCE No. 188864

*Amend Intergovernmental Agreement with the Oregon Department of Transportation for NW Naito/ Flanders Crossing Project to update the completion date (Ordinance; amend Contract No. 30002457)

The City of Portland ordains:

Section 1. The Council finds:

1. In 2008 the Portland Bureau of Transportation (PBOT) applied to the Oregon Department of Transportation's Bicycle and Pedestrian Program for a grant to fund design and construction of a pedestrian and bicycle crossing safety improvement on NW Naito Parkway at approximately NW Flanders St. The grant was awarded in 2009 in the amount of \$389,000, with a \$21,000 match (Ordinance # 18192);
2. The original design concept for the crossing was found to be no longer feasible due to changes in the regulation of a nearby railroad crossing by the Oregon Department of Transportation's Rail Division. This led to the first and second amendments of the IGA (2011 and 2013) to extend the completion date so a new acceptable design could be developed and necessary additional funding could be identified;
3. The project now has identified a design that is acceptable to the Oregon Department of Transportation's Rail Division and Union Pacific Railroad, and PBOT has identified additional funding sources necessary to complete the project;
4. Therefore, PBOT the purpose of this ordinance is amendment the IGA a third to adjust the completion date to Oct 31, 2019.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge is hereby authorized to accept and execute an Intergovernmental Agreement amendment in a form similar to the contract attached as Exhibit A.
- b. The Commissioner in Charge is authorized to execute amendments, approved as to form by the City Attorney, to the scope of services or the terms and conditions of this Agreement, provided the changes do not increase the City's financial risk. Increases to the grant amount must be approved by City Council.
- c. The OMF Grants Office is authorized to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit online grant documents on the Commissioner-in-Charge's behalf.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform the activities authorized by the grant, therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, MAR 21 2018

Commissioner Dan Saltzman
Prepared by: Rich Newlands: SP
Date Prepared: 11/3/2017

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

Agenda No.
ORDINANCE NO. 188864
 Title

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 Flanders Crossing Project to update the completion date (Ordinance; amend Contract No.
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<p>INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>DS</i></p> <p>Position 4/Safety – Eudaly</p> <p>BUREAU APPROVAL</p> <p>Bureau: Transportation <i>AMP</i> Policy, Planning & Projects Group Manager: Art Pearce Director: Leah Treat <i>LT</i></p> <p>Prepared by: Rich Newlands <i>RN</i> Date Prepared: 2/15/18 Supervisor: Millicent Williams <i>MLW</i></p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>KAM</i></p> <p>Council Meeting Date March 21, 2018</p>	<p>CLERK USE: DATE FILED <u>MAR 13 2018</u></p> <p style="text-align: center;">Mary Hull Caballero 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 checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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