

MCH:pf
7/10/80

Misc. Contracts & Agreements
No. 7331

PRELIMINARY ENGINEERING AGREEMENT
INTERSTATE TRANSFER PROJECT

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, Highway Division, hereinafter referred to as "State"; and the CITY OF PORTLAND, a municipal corporation within the State of Oregon, acting by and through its City Officials, hereinafter referred to as "City".

W I T N E S S E T H

RECITALS

1. State is engaged in the development of a project known as the McLoughlin Boulevard Corridor of the Pacific Highway East, State Primary Highway No. 1E, lying partially within the corporate limits of the City of Portland. Said project will have an impact on the transportation system of City.
2. City is adequately staffed and suitably equipped to conduct certain investigative work, provide transportation data, advise on street design, and assist in citizen participation efforts.
3. By the authority granted in ORS 366.775, State and City may enter into agreements for the improvement of any street, highway or road upon such terms and conditions as are mutually agreeable. Under said authority, State and City plan and propose to cooperate in development of the project.
4. Attached hereto, marked Exhibit A, and by this reference made a part hereof, is an outline of City's proposed work program and budget.

NOW, THEREFORE, the premises being in general as stated in the foregoing RECITALS, it is agreed by and between the parties hereto as follows:

STATE OBLIGATIONS

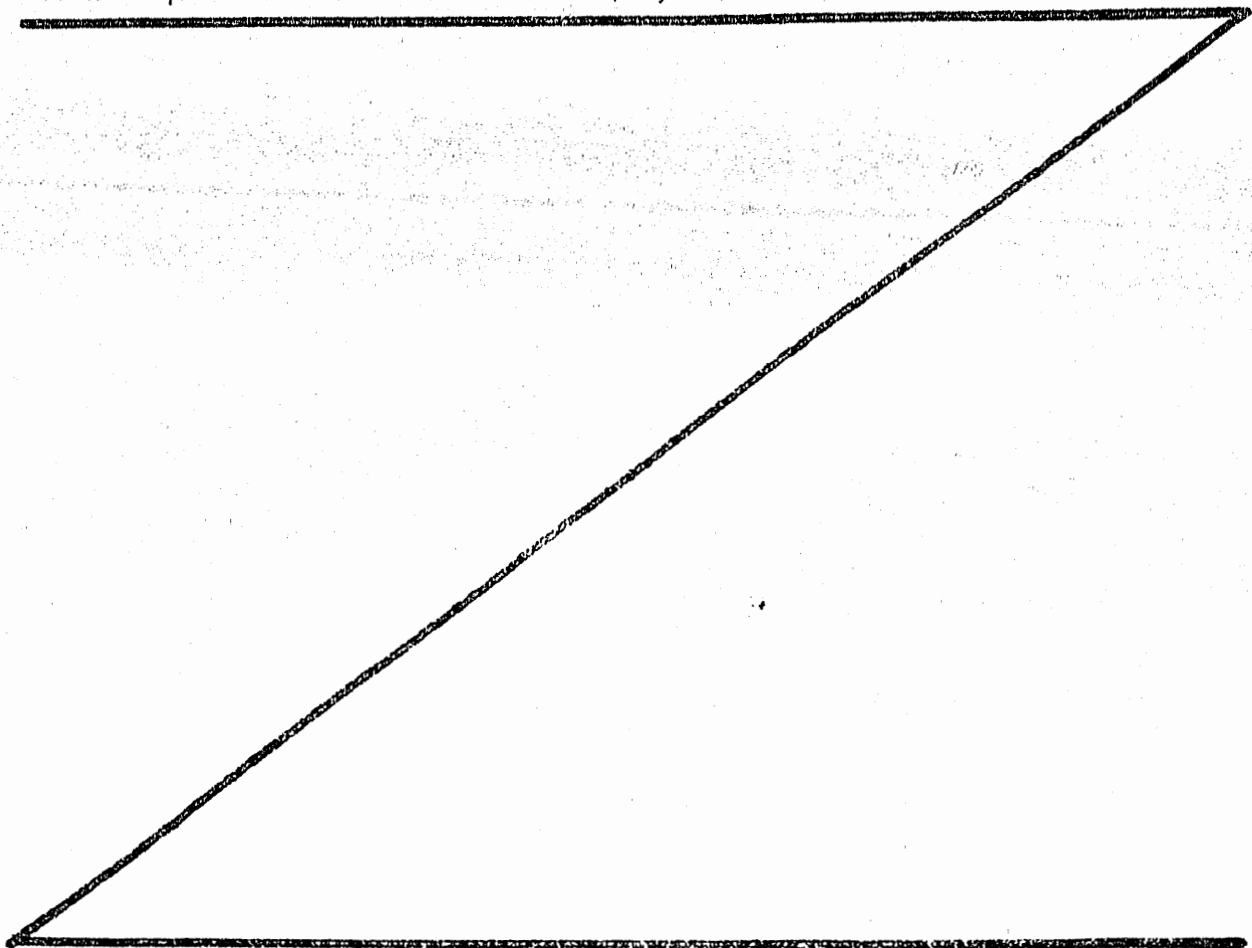
1. State shall assume responsibility for overall development of the project, and shall assign a project coordinator to act as liaison between the State Design Team and City personnel. The project coordinator must review and approve all billings received from City prior to presentation to the Highway Division Accounting Office for payment.
2. All approved billings received from City shall be promptly paid by State; however, the total amount of all payments to City shall not exceed the total sum of \$25,000.

CITY OBLIGATIONS

1. City shall not undertake any phase of the work prior to receiving written authorization to proceed from State. All work and records of such work shall be in conformance with Federal statutes and regulations and the Oregon Action Plan for Transportation Planning.

2. City shall assist the State Design Team in design work required to adapt city streets for the safe and efficient use of public transit vehicles, and aid in development of traffic patterns suitable for service of desired land use patterns, as outlined in the attached Exhibit A.

3. City shall, on a monthly basis, present properly certified bills for services rendered on behalf of the project directly to the project coordinator for review and approval. Said bills shall be in a form acceptable to State and documented in such a manner as to be easily verified. Billings shall be presented for periods of not less than one month duration, based on actual expenses to date. City's actual costs, direct and indirect, shall be those allowable under the provisions of Federal Management Circular 74-4 and OMB Circular A-102, Attachments G and P. In no event shall the total amount for all work performed exceed the sum of \$25,000.



4. City shall adopt an ordinance authorizing the appropriate City Officials to enter into and execute this agreement and the same shall be attached hereto and become a part hereof.

GENERAL PROVISIONS

1. The parties hereto agree and understand that they will comply with all applicable federal and state statutes and regulations, including but not limited to: Title 6, U.S.C., Civil Rights Act; Title 18, U.S.C., Anti-Kickback Act; and Title 23, U.S.C., Federal Aid Highway Act.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written. City has acted in this matter pursuant to Ordinance No. _____, adopted by its City Council on the _____ day of _____, 1980.

This project was approved by the Oregon Transportation Commission on May 20, 1980 as a part of the Six Year Highway Improvement Program.

The Oregon Transportation Commission, by a duly adopted delegation order, authorized the State Highway Engineer to sign this agreement for and on behalf of the Commission. Said authority is set forth in the Minutes of the Oregon Transportation Commission.

APPROVAL RECOMMENDED

Metropolitan Administrator

STATE OF OREGON, by and through
its Department of Transportation,
Highway Division

State Highway Engineer

Date _____

APPROVED AS TO FORM

City Attorney

CITY OF PORTLAND, by and through
its designated City Officials

By _____
Auditor

By _____
Commissioner of Public Works

EXHIBIT A

CITY WORK PROGRAM

1. Examination, in terms of consistency, of the McLoughlin Boulevard Alternatives with current City Transportation planning and policies.
2. Examination of detailed problems which develop as a result of specific design alternatives, and accomplishment of meetings with affected parties, pursuant to resolution of such problems.
3. Examination and analysis of specific transportation and land use impacts of the alternative designs, including but not limited to, traffic signals, left-turn refuges, displacement, and arterial traffic volumes.
4. Development of projects in City neighborhoods (e.g. Sellwood, Brooklyn) necessary to complement and support the McLoughlin Corridor Project.
5. Provision of information and guidance to the ODOT Design Team regarding citizen participation, related City citizen participation efforts and monitoring of the ODOT citizen participation process.
6. Assembly of required land use, transportation, zoning, parking and other base information for the portion of the McLoughlin Corridor and vicinity within the City of Portland and provision of such information to the ODOT Design Team.

The total cost of the above outlined work shall not exceed the amount of \$25,000.

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CITY WORK PROGRAM

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3. Examination and analysis of specific transportation and land use impacts of the alternative designs, including but not limited to, traffic signals, left-turn refuges, displacement, and arterial traffic volumes.
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5. Provision of information and guidance to the ODOT Design Team regarding citizen participation, related City citizen participation efforts and monitoring of the ODOT citizen participation process.
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The total cost of the above outlined work shall not exceed the amount of \$25,000.

ORDINANCE NO. 150181

An Ordinance authorizing the City to enter into an agreement with the Oregon Department of Transportation providing for cooperative preliminary engineering work for the McLoughlin Boulevard Corridor Project and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Oregon Department of Transportation (ODOT), the Tri County Metropolitan Transportation District (Tri Met), Clackamas County and the City of Portland have proposed a Federal Aid Highway funded project within the McLoughlin Boulevard Corridor between the Hawthorne Bridge to the north and the I-205 Freeway to the south.
2. The Council, the Metropolitan Service District, the Oregon Transportation Commission and the Federal Highway Administration have approved utilization of Interstate Withdrawl funds preliminary engineering, design and construction of the McLoughlin Boulevard Corridor.
3. In order to accomplish the project the City will need to do preliminary engineering consisting of investigative work, traffic engineering, to advise on street design requirements and assist in Citizen participation efforts.
4. ODOT has prepared an agreement for City approval providing for City preliminary engineering and reimbursement of City costs in an amount not to exceed \$25,000.

NOW THEREFORE, the Council directs:

- a. The Commissioner of Public Works and the Auditor are authorized to execute, on behalf of the City, an agreement similar in form to the agreement attached to the original of this ordinance and by this reference made part hereof.

ORDINANCE No.

Section 2. The Council declares an emergency exists because this agreement is needed in order for the City to begin preliminary engineering work which must be completed prior to final design and construction of this needed project; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 120000

Chapter No. 3.000

File

declaring an emergency.
 Boulevard Corridor Project and
 engineering work for the McDonald
 providing for cooperative preliminary
 Oregon Department of Transportation
 enter into an agreement with the
 an Ordinance authorizing the City to

FILED
 JUL 31 1980

APPROVED BY THE CITY OF PORTLAND
 GEORGE F. HENKOWSKI

George F. Henkowski

Passed by the Council, AUG 6 1980

Commissioner Lindberg
 Steve Riddell:bp
 July 28, 1980

Attest:

Serge Tchoumil
 Auditor of the City of Portland

Calendar No. 2838

ORDINANCE No. 150181

Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	/	
Jordan	/	
Lindberg	/	
Schwab	/	
McCready	/	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY

Commissioner Lindberg

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

ML/mg7

BUREAU APPROVAL

Bureau:

Street & Structural Engineering

Prepared By:

Date:

Steve Riddell:bp

7-28-80

Budget Impact Review:

☒ Completed ☐ Not required

Bureau Head: *David Vargas* PB
David J. Vargas, Acting Chief

CALENDAR

Consent

Regular ☒

NOTED BY

City Attorney

City Auditor

City Engineer

John M. Lang PB

Filed JUL 31 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By

Gordon Powell

Deputy