

## **ORDINANCE No. 190438**

\*Amend contract with TriMet for Design and Construction Management Services for the Portland-Milwaukie Light Rail Project (Ordinance; amend Contract No. 30001514)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Bureau of Transportation (PBOT) serves as the lead agency for the City of Portland (City) on the Portland-Milwaukie Light Rail Project (Project). Other City bureaus in concert with PBOT including but not limited to, the bureaus of Development Services, Environmental Services, Parks and Recreation, Planning and Sustainability, and Water provide professional expertise to the Tri-County Metropolitan Transportation District of Oregon (TriMet).
2. On June 23, 2010, by Ordinance No. 183294, City Council authorized execution of an Intergovernmental Agreement (IGA) for design and construction management services for the Project. The IGA documents understandings and agreements relating to services being provided between TriMet and the City.
3. The original IGA provided City services related to Preliminary Engineering (PE) and extended PE phases of the project.
4. On March 9, 2011, by Ordinance No. 184452, City Council authorized execution of the first amendment to the IGA to reflect additional services being provided by City staff for final engineering and construction phases.
5. On December 9, 2012, by Ordinance No. 185819, City Council authorized execution of the second amendment to the IGA to include added construction phase services being provided by City staff and betterments.
6. On June 18, 2014, by Ordinance No. 186652, City Council authorized execution of the third amendment to the IGA to include roles and responsibilities for each party and identify certain additional betterments TriMet will perform for the City.
7. On June 22, 2016, by Ordinance No. 187839, City Council authorized execution of the fourth amendment to the IGA to reflect as-built costs, new betterments that had been requested by the City and additional services requested by TriMet with the project in closeout phase.
8. On August 15, 2018, by Ordinance No. 189109, City Council authorized execution of the fifth amendment to the IGA to incorporate funding for the addition of The Gideon Overcrossing utilizing remaining Portland-Milwaukie Light Rail Transit

Project Funds. This amendment increased the total grant award to the City by \$648,903.00.

9. On August 5, 2020, by Ordinance No. 190084, City Council authorized execution of the sixth amendment to the IGA to extend the term of City Contract No. 3001514 through February 26, 2021 to complete the Gideon Overcrossing, as well as contract closeout and asset transfer.
10. This seventh amendment is made to extend the term of City Contract No. 30001514 through June 30, 2022 to ensure the full completion of contract closeout and asset transfer. TriMet and the City of Portland will execute a maintenance agreement of Portland-Milwaukie Light Rail Project Facilities prior to the closeout of City Contract No. 30001514. There are no other changes to the contract.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are hereby authorized to execute Amendment No. 7 to the Intergovernmental Agreement with TriMet for Design and Construction Management Services for the Portland-Milwaukie Light Rail Transit Project, in a form similar to the contract attached as Exhibit A.

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, June 9, 2021

Commissioner Jo Ann Hardesty  
Prepared by: Teresa Boyle; MPP  
Date Prepared: April 26, 2021

**MARY HULL CABALLERO**  
Auditor of the City of Portland  
By *Megan Lehman*

Deputy

**433**  
 Agenda No.  
**ORDINANCE NO. 190438**  
 Title

\*Amend contract with TriMet for Design and Construction Management Services for the Portland-Milwaukie Light Rail Project (Ordinance; amend Contract No. 30001514)

<p style="text-align: center;"><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>Jo Ann Hardesty</b></p>	CLERK USE: DATE FILED <u>June 1, 2021</u>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p>	<p>Mary Hull Caballero          Auditor of the City of Portland</p> <p>By: <u><i>Keelan McClymont</i></u>          Deputy</p> <p><b>ACTION TAKEN:</b></p>
Mayor—Finance & Administration - Wheeler	
Position 1/Utilities - Rubio	
Position 2/Works - Ryan	
Position 3/Affairs - Hardesty <i>J. Hardesty</i>	
Position 4/Safety - Mapps	
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p>	
Bureau: PBOT Bureau Head: Christopher Warner <small>Digitally signed by Christopher Warner          Date: 2021.05.25 13:01:33 -0700</small>	
Prepared by: <b>Teresa Boyle</b> Date Prepared: <b>4/26/2021</b>	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document 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> Ken McGair <small>Digitally signed by Ken McGair          Date: 2021.04.27 16:38:39 -0700</small> required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date June 9, 2021	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> <b>Start time:</b> _____ <b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Rubio	✓	
2. Ryan	✓	
3. Hardesty	✓	
4. Mapps	✓	
Wheeler	✓	