

ENGINEERING AND CONSTRUCTION - FINANCE AGREEMENT

S. W. RIVERWOOD ROAD WATER MAIN

THIS AGREEMENT is made and entered into by and between the COUNTY OF MULTNOMAH, a political subdivision of the State of Oregon, acting by and through its designated Executive Officer, hereinafter referred to as "County"; and the CITY OF PORTLAND, a municipal corporation within the State of Oregon, acting by and through its designated City Officials, hereinafter referred to as "City".

W I T N E S S E T H

RECITALS

1. Southwest Riverwood Road runs in the north-south direction between S.W. Riverside Drive and the Willamette River, and is located outside the City boundary, but is within the County.
2. The present water system as acquired by the City from the now dissolved Abernathy Heights Water Company is substandard.
3. The system is operated and maintained by the City's Bureau of Water Works, but any enlargement of a main outside the City is not allowed, as per City Municipal Code Section 21.08.040.
4. The City suggested to the County and the affected residents the possibility of a Multnomah County project for the purpose of enlarging the existing 4-inch water main in Riverwood Road, which would improve the area's fire protection and domestic water supply.
5. County Petition No. 1046 for Water Line Reconstruction in S.W. Riverwood Road was initiated by the residents and circulated throughout the area. The petition has been checked by the County as provided in ORS Chapter 371.615 and contains the required number of signatures.
6. County has directed the City to proceed with engineering for the necessary improvements, hereinafter referred to as "project".

7. Project shall consist of installation of approximately 3491 feet of 8-inch and 210 feet of 4-inch ductile iron water main in S.W. Riverwood Road including excavation; installation of meters, valves, and fire hydrants; testing and disinfection of main; connections of new main to public system; replacement of street surface as needed; acquisition of easements and permits; and any other work necessary and incidental to this project.

THE PARTIES AGREE

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

- a. City shall prepare plans, specifications, and contract documents, and advertise for and receive bid proposals from contractors pre-qualified per ORS Chapter 279 and City Municipal Code Chapter 17.20.
- b. City shall analyze all bids, and provide to the County a tabulation of bids indicating the lowest responsive bid that meets the specifications.
- c. County, after receiving tabulation of bids from the City, shall notify the petitioners as to the results, and provide for a remonstrance period as required in ORS Section 371.630.
- d. County, after provisions for remonstrance have been satisfied, shall issue "Notice to Proceed" to City to award all contracts, and proceed with construction of project.
- e. City shall connect new main to the public water system and, at that time, assume perpetual ownership, maintenance, and operating responsibilities.
- f. All services presently connected to the existing 4-inch main will be transferred to the new main by the City at City expense.
- g. Whereas this project must be completed prior to resurfacing of Riverwood Road by another City contractor (Bureau of Sanitary Engineering), any costs incurred due to delays in this resurfacing schedule shall be included as an additional project cost.
- h. City shall make progress payments to contractor as called for in the project specifications.
- i. County shall reimburse the City for all costs of work performed on said project, including but not limited to the contract amount, interest on all funds advanced, administration, engineering, inspections, and connections to the public system.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in quadruplicate, Multnomah County, acting by and through its Executive Officer, pursuant to authority of an order of its Executive Officer entered into its Journal, and the City of Portland, acting by and through its City Officials, pursuant to Ordinance No. _____.

Executed this _____ day of _____, 1981.

MULTNOMAH COUNTY, OREGON
EXECUTIVE OFFICER

Approved as to form:

JOHN B. LEAHY
County Counsel for
Multnomah County, Oregon

By _____
Executive Officer

ASSENTED TO:

BOARD OF COUNTY COMMISSIONERS

By _____
Deputy

By _____
Presiding Officer

CITY OF PORTLAND

Approved as to form:

By _____
City Attorney

By _____
Auditor

By _____
Commissioner-in-Charge

ORDINANCE No. 151408

An Ordinance authorizing the City to enter into an agreement with Multnomah County for the construction of a 8-inch and 4-inch water main in S.W. Riverwood Road, which agreement defines the responsibilities of the parties and provides for reimbursement of costs, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That the existing water main as acquired by the City from the now dissolved Abernathy Heights Water Company is inadequate.
2. That the Bureau of Water Works requires an agreement with Multnomah County to install a new water main in S.W. Riverwood Road which is located outside the City boundary, but is within the County.
3. That payment for this water main can be made by the City from its Water Fund, which will be reimbursed by the County at the completion of the project.

NOW, THEREFORE, The Council directs:

- a. That the Auditor and Commissioner-in-Charge are authorized to execute on behalf of the City an agreement, substantially in the form of the agreement and marked as Exhibit "A", attached to the original of this Ordinance and by this reference made a part hereof.
- b. The City Auditor is directed to forward four copies of the signed agreement and a copy of this Ordinance to Multnomah County, Engineering Services, 2115 S.E. Morrison Street, Portland, Oregon 97214, attention R.T. Howard.

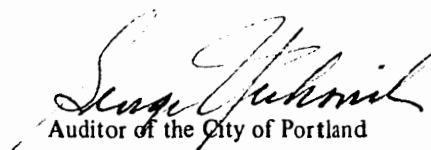
Section 2. The Council further directs that an emergency exists because this agreement is necessary to perform construction of this project prior to resurfacing of Riverwood Road by another City contractor (Bureau of Sanitary Engineering); therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

APR 15 1981

Mayor Ivancie
 April 7, 1981
 S.K.Hanna:ct(L)
 BUC No. 18600374
 Project No. 3400

Attest:


 Auditor of the City of Portland

Calendar No. 1181

ORDINANCE No. 151408

Title

An Ordinance authorizing the City to enter into an agreement with Multnomah County for the construction of a 8-inch and 4-inch water main in S.W. Riverwood Road, which agreement defines the responsibilities of the parties and provides for reimbursement of costs, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Strachan	
Ivancie	

Filed APR 10 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *George Yerovich*
Deputy

INTRODUCED BY
MAYOR IVANCIE

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>F. J. Ivancie</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: WATER WORKS
Prepared By: S.K. Hanna:ct Date: 4-7-81
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>Carl Goebel</i>
Carl Goebel, Administrator

CALENDAR	
Consent	Regular <input checked="" type="checkbox"/>

NOTED BY
City Attorney
City Auditor
City Engineer