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190818

Emergency Ordinance

***Authorize Utility Construction Agreement with Oregon Department of Transportation for the St. Johns to NW Kittridge Ave Project in the amount of \$84,338**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Oregon Department of Transportation will be commencing with the US30 St Johns to Kittridge Project (Project) to widen Highway 30 from Milepost 3.94 (NW Kittridge Avenue) to Milepost 6.46 (NW Bridge Avenue).
2. The Portland Water Bureau has potable water infrastructure services in the intended construction area that will be impacted by this Project.
3. Portland Water Bureau crews will make adjustments to these services to ensure the proper depth of coverage is maintained throughout the Oregon Department of Transportation Project.
4. Oregon Department of Transportation will reimburse the Portland Water Bureau for this work in an amount not to exceed \$84,338 as described in the Utility Construction Agreement, attached to this Ordinance as Exhibit A.

NOW, THEREFORE, the Council directs:

- A. That the Portland Water Bureau Director is authorized to execute on behalf of the City a Utility Construction Agreement with the Oregon Department of Transportation in a form substantially in accordance with the agreement attached as Exhibit A.
- B. No-cost amendments, or amendments increasing the total compensation of the Utility Construction Agreement may be agreed to and executed by the Portland Water Bureau Director for up to twenty-five percent of the total agreement amount and are subject to approval as to form by the City Attorney's Office.

Section 2. The Council declares that an emergency exists because a delay in approving the attached Utility Construction Agreement could result in a delay claim by Oregon Department of Transportation's contractor and would

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Water](#)

Contact

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Requested Agenda Type

Consent

jeopardize the ability to complete the project in an expedient manner; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Documents and Exhibits

 [Exhibit A](#) (2.66 Mb)

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
May 18, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

Purpose of Proposed Legislation and Background Information

The Oregon Department of Transportation has an upcoming project to widen Highway 30 from Milepost 3.94 (NW Kittridge Avenue) to Milepost 6.46 (NW Bridge Avenue). This Oregon Department of Transportation project will require some water infrastructure to be removed, relocated, or constructed. As a result of the St. Johns to NW Kittridge Avenue Project (Project) the Portland Water Bureau needs to make adjustment to the existing water valves services that are being impacted by Oregon Department of Transportation's construction work.

The water services adjustment work will be performed by Portland Water Bureau crews. This legislation authorizes the Portland Water Bureau to complete construction and seek reimbursement from the Oregon Department of Transportation for the completed work in accordance with the attached Utility Construction Agreement, Exhibit A.

Financial and Budgetary Impacts

The estimated cost to construct the Project improvements has been determined by the Portland Water Bureau based on standard rate book fees and engineering estimates provided by Portland Water Bureau Engineering and Maintenance & Construction personnel. Oregon Department of Transportation will reimburse the Portland Water Bureau in an amount not to exceed \$84,338 to perform the water service adjustment work.

The Portland Water Bureau currently maintains the water system within the Project limits. Adjustments of the water infrastructure, including valves and water services will not change the long-term financial obligations of the City. The proposed legislation will not create, eliminate, or re-classify any positions now or in the future.

Community Impacts and Community Involvement

The Oregon Department of Transportation is leading the public involvement effort and has performed outreach to affected residents and businesses. This Project helps to support the City equity goals by helping to provide facilitate access and opportunities for services in low-income and under-served residents and businesses within the St. Johns, Cathedral Park, and Portsmouth neighborhoods.

100% Renewable Goal

This legislation does not increase or decrease the City's total energy use and does not increase or decrease the City's renewable energy use.

The overall Project is widening Highway 30 which will help to reduce greenhouse gas and carbon dioxide emissions by reducing travel time and congestion during peak periods between the St. Johns Bridge and the NW Industrial district.

Budget Office Financial Impact Analysis

No material fiscal impact as ODOT will reimburse PWB for all associated costs with the adjustment of water infrastructure up to \$84,338, not inclusive of 25% cost-increase variance amendment[s] that can be executed by PWB and the City Attorney without further Council action. The \$84,338 figure is a high-confidence estimate based on standard rate book fees and engineering estimates provided by Portland Water Bureau Engineering and Maintenance & Construction personnel.

Agenda Items

406 Consent Agenda in [May 18-19, 2022 Council Agenda](#)

Passed

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea