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# 190879

Emergency Ordinance

## **\*Authorize contract with KPFF, Inc. for engineering and design for critical safety and maintenance improvements and planning for future improvements to 82nd Ave in the amount of \$12,692,590**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. 82<sup>nd</sup> Avenue serves as an important street in the city of Portland for people walking, biking, taking transit and driving. It provides access to businesses, homes and institutions.
2. Through HB 5006, the State of Oregon committed to \$150M in funding for state of good repair and safety improvements to 82<sup>nd</sup> Avenue. The City of Portland has committed \$35M in funding for improvements to the corridor.
3. The state's initial contribution of \$80,000,000 is American Rescue Plan Act (ARPA) funding and will be used to fund critical safety and maintenance projects, as well as planning for future phases. This funding must be obligated by December 31, 2024 and expended by December 31, 2026.
4. On April 28, 2022, the Council approved Ordinance 190795 approving an Intergovernmental Agreement with the Oregon Department of transportation for the Jurisdictional Transfer of Portions of 82nd Avenue, acceptance of \$80,000,000 in ARPA funding for improvements to 82nd Avenue with the Oregon Department of Transportation, and to appropriate \$615,000 in the FY 21-22 budget.
5. On October 20, 2021, the City issued a request for proposals for A&E and related services for 82<sup>nd</sup> Avenue. Proposals were received on December 20, 2021. After proposals were evaluated, a Notice of Intent to Negotiate and Award a contract to KPFF, Inc. was posted on

### Introduced by

[Commissioner Jo Ann Hardesty](#)

### Bureau

[Transportation](#)

### Contact

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### Requested Agenda Type

Regular

### Date and Time Information

#### Requested Council Date

June 15, 2022

#### Time Requested

10 minutes

January 19, 2022. After negotiation, the City and KPFF, Inc. has determined that the contract value will be \$12,692,590.51.

NOW, THEREFORE, the Council directs:

- A. The Commissioner-in-Charge is hereby authorized to execute a contract with KPFF, Inc. in the amount of \$12,692,590.51 for planning and design for improvements to 82<sup>nd</sup> Avenue in a form substantially similar to the contract attached as Exhibit A, and by reference made a part hereof, upon approval to form by the City Attorney's Office.
- B. The Director is authorized to execute amendments, approved as to form by the City Attorney, to the scope of the services or the terms and conditions of this contract, provided the changes do not increase the City's financial risk by 20% or greater.

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

## Documents and Exhibits

 [Exhibit A](#) (3.14 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  
June 15, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## Impact Statement

### Purpose of Proposed Legislation and Background Information

This ordinance will establish City Council support and authorization for the Commission-in-Charge to authorize a contract with KPFF, Inc. in the amount of \$12,692,590.51 for planning and design for improvements to 82nd Avenue.

## Financial and Budgetary Impacts

This contract will be funded from the \$80,000,000 of American Recovery Plan Act funds that PBOT has accepted from ODOT to make safety, asset, and mobility improvements to 82<sup>nd</sup> Avenue (authorized by Council on April 28, 2022).

The capital project numbers are T01183, T01216, and T01218. T01183 is included in PBOT's FY 2022-23 Requested Budget and five-year CIP forecast. T01216 and T01218 will be added later. The grant number is TR000338.

## Community Impacts and Community Involvement

Projects on 82<sup>nd</sup> Avenue will have a positive impact on community members and address long-standing community requests for improvement to 82<sup>nd</sup> Avenue.

This work will support a broader effort to engage community members in decision making about 82<sup>nd</sup> Avenue.

## 100% Renewable Goal

Not applicable.

## Budget Office Financial Impact Analysis

The contract amount of \$12,692,591 will be funded from the \$80,000,000 of American Recovery Plan Act funds that PBOT has accepted from ODOT to make safety, asset, and mobility improvements to 82nd Avenue (authorized by Council on April 28, 2022).

## Agenda Items

### 534 Regular Agenda in [June 15-16, 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