



[Home](#) / [Council Documents](#)

# 191212

Emergency Ordinance

## \*Amend Intergovernmental Agreement between the State of Washington Department of Transportation and the City for the Interstate Bridge Replacement Program for a total amount of \$2,974,750 (amend Contract No. 30007863)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. On November 18, 2019, the governors of both Oregon and Washington states signed a Memorandum of Intent, acknowledging that the existing Interstate Bridge poses a major seismic risk and is a traffic bottleneck for the region and the entire nation, and that replacing the Interstate Bridge with a facility that includes high-capacity transit therefore remains a high priority for both states.
2. Washington State Department of Transportation (WSDOT) and the Oregon Department of Transportation (ODOT) have entered a partnership for the I-5 Bridge Replacement Program (Program).
3. On September 23, 2021, Portland City Council adopted an ordinance authorizing an Intergovernmental Agreement (IGA) between the City and WSDOT for staffing services for Program alternatives analysis, transportation planning, transit planning/engineering, financial structures, Program community outreach and involvement, and National Environmental Policy Act (NEPA) environmental documentation. Ordinance No. 190513, City Contract 30007863.
4. On July 13, 2022, Portland City Council adopted a resolution to endorse the Modified Locally Preferred Alternative for the Program with conditions. Resolution No. 37581.
5. On December 1, 2022, Commissioner Jo Ann Hardesty and WSDOT authorized in writing IGA Amendment No 1 extending the terms to March 31, 2023. City Contract 30007863.

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

Patrick Sweeney

Project Manager, PBOT

✉ [Patrick.Sweeney@portlandoregon.g](mailto:Patrick.Sweeney@portlandoregon.g)

📞 [503-823-4829](tel:503-823-4829)

Requested Agenda Type

Time Certain

Date and Time Information

Requested Council Date

March 22, 2023

Requested Start Time

9:45 am

Time Requested

20 minutes

6. City and WSDOT wish to amend the existing IGA Amendment No 1 contract with Amendment No 2 for continuation of staffing services for Program alternatives analysis, transportation planning/design/engineering, transit planning/design/engineering, financial structures, Program community outreach and involvement, and NEPA environmental documentation from April 1, 2023, to June 30, 2025.
7. Specific City tasks and obligations are laid out in an Intergovernmental Agreement Amendment No 2, attached as Exhibit A. The city Attorney has reviewed this agreement and approved as to form.
8. This is a continuation of an extremely large and important transportation and transit project, which includes two state departments of transportation, two regions, two transit agencies and two cities. The City of Portland's participation is crucial to ensure a successful project and that the interests of the City of Portland are represented.
9. The Bureau's level of confidence in the cost estimates for the planning phase of this project is high. It is typical of major transportation and transit projects to require amendments to staff services agreements between the parties. As project phases advance, specifics become clearer or change, additional services will be negotiated and added through future IGA amendments to the Agreement to incorporate other understandings, services, or betterments to be provided.

NOW, THEREFORE, the Council directs:

- A. That the Commissioner-in-Charge is hereby authorized to enter into an Intergovernmental Agreement Amendment with WSDOT for a new total amount of \$2,974,750 (Two Million Nine Hundred Seventy-Four Thousand Seven Hundred Fifty Dollars) to reimburse the City for its costs in performing tasks as outlined in a form substantially similar to that attached as Exhibit A and, by reference, made a part hereof.
- B. The Commissioner-in-Charge is authorized to execute amendments to this agreement approved as to form by the City Attorney, provided the changes do not increase the City's financial risk.
- C. The Office of Management and Finance Grants Office is authorized to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit required online grant documents on the Commissioner-in-Charge's behalf.

Section 2. The Council declares that an emergency exists because the Intergovernmental Agreement needs to be executed in order for the City to receive reimbursement from WSDOT in a timely manner; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

## Documents and Exhibits

 [Exhibit A](#) 63.36 KB

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  
March 22, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

- This ordinance will authorize Amendment No 2 of the Intergovernmental Agreement (IGA) between the City of Portland (City) and Washington Department of Transportation (WSDOT) for Environmental Planning and Preliminary Design/Engineering Services for the Interstate Bridge Replacement Project (Project). As laid out in the IGA, except as otherwise provided therein, WSDOT shall design, construct, operate, and pay all costs for the Project, in accordance with the Project's funding arrangements. PBOT shall provide staffing oversight and staffing services as laid out in the IGA.
- As is customary for major infrastructure projects constructed in the City of Portland, WSDOT contracts with the City for staff services related to Environmental Planning, design and preliminary engineering, construction, and close-out phases of the project. The Intergovernmental Agreement (IGA) details provisions of services by the City, compensation, betterments, relocations, project management, and WSDOT obligations.
- The IBRP Environmental Planning and Preliminary Design/Engineering Services IGA is being amended for the second time to reflect work required in the right-of-way for this next phase of the program and additional services required to be provided by City staff.
- This is a routine business request to execute an amendment to an existing IGA. There are no known parties who would be interested in or object to this action. It makes no changes to City policies.

### Financial and Budgetary Impacts

- As allowed for in Article IV of the IGA, to account for development and refinements in services provided by the City, when the original IGA was adopted in September 2021, the Parties intended to amend the agreement at the start of the Environmental Planning and Preliminary Design/Engineering Services phase and as required as the project

advances to the Final Design, Construction and Close-Out phases of the project.

- This IGA amendment No 2 authorizes the staffing plan cost estimates as provided by the City to not exceed two million nine hundred seventy-four thousand seven hundred fifty dollars (\$2,974,750).
- This project is included in PBOT's FY 2023-24 and 24-25 Capital Budget under project number T00957 Interstate Bridge Replacement Project. The total budget of the project is \$7.5B (low confidence estimate) with funding sources from the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), Project tolling revenue (to be administered by the Oregon Department of Transportation (ODOT)), special appropriation from the State of Oregon, and special appropriation from the State of Washington.
- City staff participation in IBRP will be reimbursed by WSDOT (WSDOT provides financial administration for IBRP).
- No adjustments to appropriation are requested as a part of this ordinance.

## Community Impacts and Community Involvement

- The IBR program aims to center equity throughout its process and outcomes. This aim is manifested by elevating voices of equity priority communities throughout processes and ensuring these communities will realize the program's economic and transportation benefits. It also means not furthering continued harm to these communities. A key piece of this effort is the establishment of an [Equity Advisory Group](#) in tandem with a [Community Advisory Group](#) and [Executive Steering Group](#). The Equity Advisory Group makes recommendations directly to the Program Administrator. Beyond the Equity Advisory Group, the program team and leadership are committed to applying an equity lens in all community engagement activities. This helps the program better understand the potential distribution of benefits and burdens, identify ways to address inequities and elevate the voices of those who have historically been excluded from major public projects.
- Work with Project Advisory Groups and outreach to City Modal Committees, neighborhood associations, property owners, community organizations and project stakeholders culminated in a Modified Locally Preferred Alternative (MLPA) being adopted by City Council in July 2022 (Resolution 190513). As part of that resolution, City Council included Conditions of Approval with the recommendations for the Project. Public outreach and community involvement for this project has continued and will continue through the Environmental Planning and Preliminary Design/Engineering phase, overseen by IBRP staff as laid out in Article II of the IGA.

## Agenda Items

### 230 Time Certain in [March 22, 2023 Council Agenda](#)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea