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191693

Emergency Ordinance

***Authorize agreement with Union Pacific Railroad Company for signal improvements at the rail crossing of NW Naito Parkway adjacent to the Steel Bridge for an estimated \$927,222**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Union Pacific Railroad Company (Railroad) owns right of way and operates tracks that cross NW Naito Parkway at an existing at-grade public road crossing.
2. The Portland Bureau of Transportation (PBOT) wishes to both improve safety at this busy urban rail crossing and implement a rail quiet zone, long advocated for by nearby residents. The project is also referred to as the NW Flanders Connector at Naito and Glisan, as it serves to connect the Flanders Greenway and the Old Town neighborhood to Waterfront Park.
3. The Oregon Department of Transportation (ODOT) has granted PBOT \$2,153,520 to design and construct these improvements (Contract #30008748).
4. The Bureau of Transportation has funds budgeted in FY 2024 and proposed FY 2025/26 for construction, inspection and management of the project.
5. The Bureau's level of confidence in the cost estimate for this project is moderate; as design is not yet complete.

NOW, THEREFORE, the Council directs:

- A. That the Commissioner-in-Charge is hereby authorized to enter into an Agreement with Union Pacific Railroad Company, in a form similar to the agreement as attached as Exhibit A.

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information


Requested Council Date

April 24, 2024

- B. That the Commissioner-in-Charge is further authorized to execute amendments to this Agreement, increasing the total cost up to an additional 20%.

Section 2. The Council declares that an emergency exists because these improvements are a priority for both PBOT and adjacent residents; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-public-crossing-agreement-portland-bureau-of-transportation-dot-810142c.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-public-crossing-agreement-portland-bureau-of-transportation-dot-810142c.pdf) 7.74 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
April 24, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

- Authorizes an agreement with Union Pacific Railroad Company, allowing PBOT to reimburse them for signal upgrades at the rail crossing of NW Naito Parkway at the Steel Bridge.

Financial and Budgetary Impacts

- The estimated cost of the agreement is \$927,222
- The cost estimate is provided by Union Pacific and is a standard cost estimate. The railroad will invoice the project only for costs incurred.
- This cost will in turn be fully covered by a no-match ODOT grant to PBOT (Contract #30008748)
- Costs for this project will be posted to T01379.C42, which is included in PBOT's five-year CIP.
- There is no additional funding requested.

- Due to federal and railroad requirements, the bureau is only allowed to use railroad personnel for this work, so a competitive contract was not an option.

Community Impacts and Community Involvement

- This agreement facilitates a rail quiet zone, long advocated for by nearby residents and the Old Town Community Association. There is no known opposition to this project.

100% Renewable Goal

N/A

Agenda Items

330 Consent Agenda in [April 24-25, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/4/24)
(<https://www.portland.gov/council/agenda/2024/4/24>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea