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191879

Emergency Ordinance

*Approve Intergovernmental Agreement with the Oregon Department of Transportation for services related to the 122nd Ave Safety Upgrades: Sandy Blvd to Foster Rd Project

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The United States Department of Transportation (USDOT) has awarded a grant for the Safe Systems on 122nd Avenue project, otherwise known as the 122nd Ave Safety Upgrades: Sandy Blvd to Foster Rd Project, to the Portland Bureau of Transportation in the amount of \$20,000,000; and
2. Ordinance 191744 authorized acceptance of the grant award and execution of an agreement with FHWA, on behalf of the USDOT, which was signed and executed on June 7, 2024; and
3. The Oregon Department of Transportation (ODOT) has agreed to perform oversight and consultant services for the project during the following phases: Project Engineering (PE), Right of Way (ROW), Construction (CN), and Other (OTH); and,
4. The estimated cost of services is \$85,000.00.
5. The project number is T00998. The grant number is TR000344.

NOW, THEREFORE, the Council directs:

- A. That the Deputy City Administrator is hereby authorized to execute an Intergovernmental Agreement in a form similar to the contract attached as Exhibit A.
- B. The Deputy City Administrator 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 Agreement, provided the changes do not increase the total project cost by twenty percent (20%) or greater.
- C. The OMF Grants Office is authorized to perform all administrative matters in relation to requests for reimbursement from the grantor, and

Introduced by

[Mayor Ted Wheeler](#)

City department

[Transportation](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

September 4, 2024

to submit required online documents on the Deputy City Administrator's behalf.

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

Exhibits and Attachments

 [Exhibit A](#) 1.14 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
September 4, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

- This agreement with the Oregon Department of Transportation (ODOT) will allow ODOT to provide oversight, consultation, and review services for the 122nd Ave Safety Upgrades project.
- The federal grant funding for this project is coming directly to the City and not being otherwise administered by ODOT.
- This agreement allows the project to utilize ODOT's agreements with FHWA, enabling ODOT to review and approve necessary Environmental, Right of Way, and Utility Relocation documents in order to comply with federal requirements.
- Additionally, the agreement allows City staff to utilize ODOT's understanding and knowledge of federal compliance.

Financial and Budgetary Impacts

- The estimated total cost for ODOT services is \$85,000.
- This amount is an estimate and depends on the amount of time ODOT spends on the project.
- These services will be paid for as part of the project costs and will be submitted to FHWA for reimbursement at the agreed upon 80/20 split.

- No long-term financial impacts or changes to City policy or budget are required.
- The project number is T00998. The grant number is TR000344.
- The total estimated project cost is \$25,000,000.00, with \$20,000,000 coming from federal funds, and \$5,000,000 from local Fixing Our Streets funding.
- The costs for these services are assumed in the total project budget and do not require further adjustment.

Community Impacts and Community Involvement

- There are no anticipated impacts resulting from this agreement. There will be significant community involvement during the project development and design phases of this project, as well as during construction.

100% Renewable Goal

- This action does not have an anticipated impact on the City's total energy use.
- This action does not have an anticipated impact on the City's renewable energy use.

Document History

Item 767 Consent Agenda in [September 4-5, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/9/4) (<https://www.portland.gov/council/agenda/2024/9/4>)

City Council

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea