

Calendar No. 1891-16

ORDINANCE NO. 134764

Title

An Ordinance creating 12 positions of Junior Groundsman for the Bureau of Nuisance Abatement retroactively to June 12, 1972, for weed cutting, fixing the rate of pay, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Anderson	<u> </u>	
Goldschmidt	<u> </u>	
Ivancie	<u> </u>	
McCready	<u> </u>	
Schrunk	<u> </u>	

FOUR-FIFTHS CALENDAR	
Anderson	
Goldschmidt	
Ivancie	
McCready	
Schrunk	

Filed JUN 21 1972

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND
George Yerovich
Deputy

INTRODUCED BY
Commissioner Goldschmidt

DRAWN BY
J. M. Setterberg
Date 6/19/72

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety <i>208/18.A.B.</i>
Utilities
Works

City Attorney

NOTED BY THE CITY AUDITOR
<i>ge</i>

APPROVED
Date
By
City Engineer
Date
By

EXHIBIT "A"

AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 1972 by and between the CITY OF PORTLAND, a municipal corporation of the State of Oregon (hereinafter called the "City"), and the PORTLAND DEVELOPMENT COMMISSION, a duly created and functioning commission under the Charter of the City of Portland, and the laws of the State of Oregon (hereinafter called the "Commission").

W I T N E S S E T H

WHEREAS, the Commission, in accordance with and pursuant to ORS Chapter 457 and Chapter XV of the Charter of the City of Portland, is undertaking an urban renewal project known as the "Emanuel Hospital Urban Renewal Project" in accordance with an urban renewal plan which has been approved by the City Council of the City; and,

WHEREAS, the proposed development of the Emanuel Hospital Project provides for the installation of a storm and sanitary sewer system for which the City Engineer has prepared plans and made estimates of costs of construction providing for the installation of sewers both within and outside the Project Area; and,

WHEREAS, the City and the Commission do desire to construct said storm and sanitary sewer system and provide for the division of costs as hereinafter set forth;

NOW, THEREFORE, the City and the Commission do agree as follows:

Section 1: The City and the Commission agree to construct Phase I of the storm and sanitary sewer system known as the "Emanuel Hospital Urban Renewal Storm and Sanitary Sewer System" in accordance with the plans and specifications prepared by the City Engineer of the City. A copy of the plans for such sewer system is attached hereto marked Exhibit "B," and is by this reference made a part hereof.

Section 2: The estimated cost of the sewer system and cost breakdown is contained in Exhibit "C" attached hereto and by this reference made a part hereof. Such cost estimate includes the cost of installation of the entire Phase I system both within and outside the Project Area. The costs of construction will be divided as follows:

(a) The costs of the following sewers shall be borne entirely by the Commission:

Storm SewersCost Estimates

N. Russell St.-- From the west line of the urban renewal boundary to N. Williams Ave.

\$ 108,963

N. Vancouver Ave.-- From N. Russell St. to N. Graham St.

30,345

N. Kerby Ave.-- From the west line of the urban renewal boundary at N. Russell St. to the north property line of N. Morris St.

72,900

Sanitary SewersCost Estimates

N. Kerby Ave.-- From the west line of the urban renewal boundary at N. Russell St. to N. Monroe St. \$ 74,674

- (b) The costs of all other sewers in the sewer system shall be borne entirely by the City.

The costs and quantities contained in the cost breakdown (excepting the \$72,900 for the N. Kerby Avenue storm sewer) are estimates only, and the division of costs will be made upon the actual costs of construction as finally installed, subject to the conditions stated in Section 4. The engineering fee and other costs, as enumerated in Section 4, shall be divided proportionally between the City and the Commission according to the division of construction costs. The \$72,900 cost, including engineering supervision, inspection, and overhead, for the N. Kerby Avenue storm sewer is a firm figure and is the exact amount to be paid by the Commission for the storm sewer installation in N. Kerby Avenue. All additional expense for the storm sewer on N. Kerby Avenue will be borne by the City of Portland.

In the event of additions, deletions or other changes in the sewer from the design reflected in Exhibit "B," the division of costs shall fall into the same classifications set forth above according to the location and subject to the conditions stated in Section 4. House branches and lateral stub outs constructed within the project area shall be paid for by the Commission. Those constructed outside the project area shall be paid for by the City.

Section 3: The City will proceed to contract for the construction of the sewer system in accordance with the plans and specifications prepared by the City Engineer as soon as possible after the execution of this Agreement. The City shall provide all necessary engineering and supervision and inspection services in connection with the construction work.

Section 4: The Commission shall deposit with the City its share of the costs of construction of the sewer system before the award of the contract. This will include a proportional share of the following:

1. The amount of the recommended low bid
2. Five hundred dollars for traffic pole relocation
3. Overhead, advertising, etc. -- $\frac{1}{2}\%$ of Item 1.
4. Engineering, supervision and inspection -- \$7,750 plus 6% of total in Item 1 in excess of \$100,000
5. Soils investigation and test lab costs (if any) -- 1% of Item 1.

Any surplus of Items 1, 2 and 4 over the actual costs allocable to the Commission for these items will be refunded to the Commission after final acceptance of the project.

If unforeseen difficulties or changes in the work cause the final construction cost to rise for any work for which the Commission bears all or any portion of the cost, the City shall obtain verbal approval from the Commission's engineer prior to issuing change orders to proceed with the work, and the

Executive Director of the Commission shall confirm said approval in writing within five days therefrom, and the Commission shall assume its proportionate share of the additional costs.

Section 5: The Commission agrees to use its best efforts to require owners of all buildings allowed to remain in the project area to separate to the satisfaction of the City Engineer all sanitary and storm flows internally in the buildings and extend necessary lines to the curb for separate connection to the storm and sanitary sewers.

Section 6: The City agrees that in all matters relating to the performance of said work, including the advertising and receiving of bids, the award of the contract, the construction of the improvements and the supervision thereof and any other matter, it will comply with the requirements of the Department of Housing and Urban Development with respect to such work so that such work qualifies as an eligible project expenditure or credit under Federal laws and regulations. The Commission will provide the necessary information to the City to insure compliance with all such regulations.

IN WITNESS WHEREOF, the City and the Commission have executed this Agreement by their duly authorized representatives as of the date first above written.

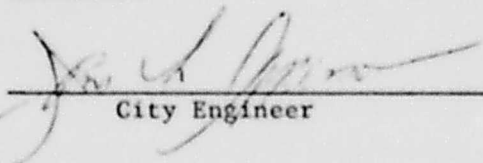
CITY OF PORTLAND

By _____
Mayor

By _____
Commissioner of Public Works

APPROVED:

PORTLAND DEVELOPMENT COMMISSION



City Engineer

By _____
Chairman

APPROVED AS TO FORM:

City Attorney

ORDINANCE No. 134765

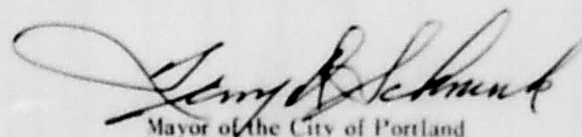
An Ordinance authorizing an agreement with the Portland Development Commission relating to construction of a storm and sanitary sewer system in the "Emanuel Hospital Urban Renewal Project - Phase I," providing for an allocation of costs between the parties, and declaring an emergency.

The City of Portland ordains:

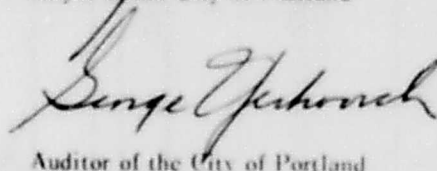
Section 1. The Council finds that the Portland Development Commission is undertaking an urban renewal project known as the "Emanuel Hospital Urban Renewal Project - Phase I," all in accordance with an urban renewal plan which has heretofore been approved by the City Council; that such project will require construction of a storm and sanitary sewer system in the area; that the Portland Development Commission has agreed to assume a portion of the cost of such sewer system in general accordance with the form of agreement attached to the original only of this ordinance, marked Exhibit "A" and by this reference made a part of this ordinance; that funds for said construction are available in the current 1971-72 budget and the sum of \$975,000 should be encumbered from the Sewage Disposal Fund (6351.765) before the end of the present fiscal year; that such agreement should be authorized; now, therefore, the Mayor and Commissioner of Public Works are hereby authorized to execute on behalf of the City, an agreement with the Portland Development Commission, which agreement shall be in accordance with the form of agreement attached to the original only of this ordinance, marked Exhibit "A," such agreement to be approved in form by the City Attorney and as to substance by the City Engineer.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the agreement herein mentioned may be authorized in order that certain construction may commence immediately in the interests of development of the Emanuel Hospital Urban Renewal Project; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUN 22 1972


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Com'r Anderson

6-16-72

RGS:bc

Calendar No. 1891-17

ORDINANCE No. 134765

Title

An Ordinance authorizing an agreement with the Portland Development Commission relating to construction of a storm and sanitary sewer system in the "Emanuel Hospital Urban Renewal Project - Phase I," providing for an allocation of costs between the parties, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Anderson	✓	
Goldschmidt	1	
Ivancie	1	
McCreedy	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR

Anderson	KSCW
Goldschmidt	
Ivancie	
McCreedy	
Schrunk	

INTRODUCED BY
Commissioner Lloyd E. Anderson

DRAWN BY
RGS:bc
Date 6-16-72

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Acting Works

City Attorney

NOTED BY THE CITY AUDITOR

APPROVED
Date 6/16/72
By <i>[Signature]</i> City Engineer
Date
By

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By *[Signature]*

Deputy

Filed JUN 22 1972