

AGREEMENT

THIS AGREEMENT entered into this ____ day of _____, 19____, 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 "South Auditorium Redevelopment Project" in accordance with an urban renewal plan which has been approved by the City Council of the City, and which plan has been amended from time to time; and,

WHEREAS, the City and the Commission have entered into an Amendment to the Local Grant-in-Aid and Cooperation Agreement for the South Auditorium Project, which Agreement is dated September 19, 1966, and provides for mutual cooperation in carrying out the project and fixing responsibilities with respect thereto; and,

WHEREAS, said Agreement provides for the construction of certain site improvements and provides further for additional site improvements as mutually agreed upon by the City and the Commission; and,

WHEREAS, the proposed development of Area II of the South Auditorium Project provides for the installation of a storm sewer system for which the City Engineer has prepared plans and made estimates of costs of construction; and,

WHEREAS, the City and the Commission do desire to construct said storm 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 a storm sewer system known as the "South Auditorium Urban Renewal Unit No. 2 Storm Sewer System" in accordance with the plans and specifications prepared by the City Engineer of the City.

Section 2: The estimated cost of the sewer system and cost breakdown are contained in Exhibit A attached hereto and by this reference made a part hereof. The costs of construction will be divided as follows:

(a) The costs of sewers designated Category 1 in the cost breakdown shall be shared equally by the City and the Commission;

(b) The cost of sewers designated in Category 2 in the cost breakdown will be borne entirely by the Commission; and

(c) The sewers designated as Category 3 in the cost breakdown, will be shared 85% by the City and 15% by the Commission.

The costs and quantities contained in the cost breakdown 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.

In the event of additions, deletions or other changes in the sewer, from the design reflected in Exhibit A, the division of costs, except the cost of adding diversion manholes, shall fall into the same three categories according to the location and intended use subject to the conditions stated in Section 4. House branches intended to serve areas within the Urban Renewal District shall be paid for by the Commission. Those intended to serve areas outside the Urban Renewal District 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 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. Overhead, advertising, etc. - 1/2% of Item 1.
3. Engineering, supervision and inspection -
6% of Item 1.
4. Soils investigation and test lab costs -
1% of Item 1.

Any surplus of Items 1, 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, the Commission shall assume their proportionate share of the additional costs, provided that all change orders increasing the cost of any work for which the Commission bears all or any portion thereof, shall first be approved in writing by the Executive Director of the Commission. The Commission shall not be obligated to pay for any work which has not been so approved in advance.

Section 5: In the event that adjacent areas are developed as urban renewal projects by the Commission, the Commission agrees that, to the extent provided by law or regulation and agreed upon between the parties, the City shall be reimbursed for sewers constructed under this Agreement proportionately as determined under Section 2 of this Agreement.

Section 6: Commission agrees to use its best efforts to require owners of all buildings allowed to remain in the project

WILLIAM A. BOWES
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS



WM. S. LIND
CHIEF OF OPERATIONS
NORMAN R. DRULARD, P. E.
CITY ENGINEER

**CITY OF PORTLAND
OREGON**

97204

1220 S.W. 5TH AVENUE • PHONE (503) 228-6141

July 26, 1967

RECEIVED

JUL 27 1967

PORTLAND DEVELOPMENT COMMISSION

Portland Development Commission
2000 S.W. First Avenue
Portland, Oregon 97201

Attention: James J. Robertson, P.E.

Gentlemen:

As discussed with Mr. Robertson in our office on July 19, 1967, we are submitting a set of preliminary plans and a cost breakdown for the South Auditorium Urban Renewal Unit No. 2 Storm Sewer System. The costs, as presented on an accompanying chart, are broken down on a block-to-block basis with the break at certain intersections coinciding with the boundaries of the three categories described in our letter dated April 27, 1967. The category of each section is listed and the costs further separated into the amounts to be paid by the City of Portland and those to be paid by the Portland Development Commission.

The costs of category 1 will be shared equally by the City of Portland and the Portland Development Commission, the costs of category 2 will be borne entirely by the Portland Development Commission, and the costs of category 3 will be shared 85 per cent by the City of Portland and 15 per cent by the Portland Development Commission. The breakdown of category 3 reflects the area the outfall is designed to serve. Of and ultimate area of 179 acres, 26 acres, or 15 per cent, are in the Urban Renewal area.

We indicated in our letter dated July 5, 1967, that there might be diversion manholes added to the job at our cost. These are also shown on the chart. A cost for house branches has been added. This is for bidding purposes so that they may be constructed as needed.

The totals are listed on the next page as follows:

COST BREAKDOWN

From (Manhole No.)	To (Manhole No.)	Street	Pipe Size	Length (MH to MH)	Estimated Cost	Estimated C.O.P.	Cost to P.D.C.	Category
Outfall	Urban Renewal Boundary	Easterly Extension of Jefferson-U.R. Boundary to River	72" or Equiv.	208'±	\$ 63,144	\$ 53,672	\$ 9,472	3
Urban Renewal Boundary	West Line of Front	Jefferson - U.R. Boundary to Front	72" or Equiv.	250'±	68,569	58,284	10,285	3
West Line of Front	East Line of First	Jefferson Front to First	72" or Equiv.	200'	54,856	27,428	27,428	1
East Line of First	West Line of Second	Jefferson First to Second	36"	320'	34,950	--	34,950	2
West Line of Second	(3)	Jefferson Second to Third	36"	240'	15,826	7,913	7,913	1
(3)	(4)	Jefferson Third to Fourth	36"	282'	17,380	8,690	8,690	1
(4)	(Dmh SW 80 B Incl. Dmh SW 80 A)	Fourth Jefferson to Columbia	24"	266' 13' 279'	Total 14,673 Div. Cost 8,543 Diff. 6,130	11,608	3,065	1
DMH (SW 80 B)	DMH (SW 80 C)	Fourth Columbia to Clay	15"	246'	Total 7,957 -Div. C. 2,159 Diff. 5,798	5,058	2,899	1
Sewer in Jefferson	(6)	Front Jefferson to Columbia	15"	229' 25' 254'	8,728	--	8,728	2
(6)	(7)	Front Columbia to Clay	10"	281'	6,807	--	6,807	2
(1)	(8)	First Jefferson to Columbia	15"	254'	6,865	--	6,865	2
(8)	(9)	First Columbia to Clay	10"	266'	5,319	--	5,319	2
(2)	(10)	Second Jefferson to Columbia	18"	276'	9,278	--	9,278	2
(10)	(11)	Second Columbia to Clay	15"	244'	6,721	--	6,721	2
(11)	(12)	Clay Second to Third	12"	270'	6,286	--	6,286	2
(3)	(13)	Third Jefferson to Columbia	12"	240'	5,424	--	5,424	2
TOTALS				Sub-Total 322,081 +Div. Cost 10,702 Total \$332,783	\$172,653	\$160,130		

NOTE: House Branches as shown on the plans will add \$4,400± to the total,
or approximately \$440 per branch.

Portland Development Commission

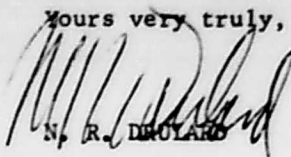
- 2 -

July 26, 1967

	Estimated Cost	Estimated Cost to City of Portland	Estimated Cost to Portland Development Commission
Sub-Total	\$322,081.00	\$161,951.00	\$160,130.00
Diversion Cost	<u>10,702.00</u>	<u>10,702.00</u>	<u>--</u>
Sub-Total	\$332,783.00	\$172,653.00	\$160,130.00
House Branch Cost (10)	<u>4,400.00</u>	<u>--</u>	<u>\$ 4,400.00</u>
TOTAL	\$337,183.00	\$172,653.00	\$164,530.00

If you wish to discuss this matter further, please contact Mr. Joe Niehuser of our Bureau of Design to arrange a meeting with this office.

Yours very truly,


N. R. DUROIARD
City Engineer

MES:bc

Encl.

ORDINANCE No. 126797

An Ordinance authorizing execution of an agreement between the City of Portland and the Portland Development Commission amending the Local Grant-in-Aid Cooperation Agreement for the South Auditorium Urban Renewal Unit No. 2 Project to provide division of costs, and declaring an emergency.

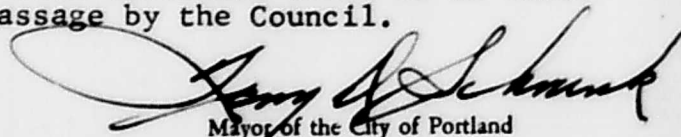
The City of Portland ordains:

Section 1. The Council finds that the City of Portland entered into an agreement with the Portland Development Commission, dated September 19, 1966, for a Local Grant-in-Aid and Cooperation agreement for the South Auditorium Urban Renewal Unit No. 2 Project; said agreement provides for the mutual cooperation in carrying out the project and fixing responsibilities with respect thereto, and the breakdown of costs to be agreed upon at a future date; that the breakdown has now been prepared for the cost responsibility of each agency, and the original local grant-in-aid agreement should be amended to include this breakdown; now, therefore, the Mayor and Commissioner of Public Works hereby are authorized to enter into an amendatory agreement with the Portland Development Commission to amend the Local Grant-in-Aid agreement, dated September 19, 1966, for the construction of the South Auditorium Urban Renewal Unit No. 2 Project to reflect the breakdown of costs to be borne by each agency, said amendatory agreement shall be substantially in accordance with the form of agreement attached to the original only hereof, marked Exhibit "A", and by this reference made a part hereof, and the Mayor and Auditor hereby are authorized and directed to draw and deliver a warrant or warrants in payment of the costs as set forth in said amendatory agreement, when demand is presented, approved by the Commissioner of Public Works or his duly authorized representative, said warrants to be charged to the appropriation Sewage Disposal Construction (6350.765).

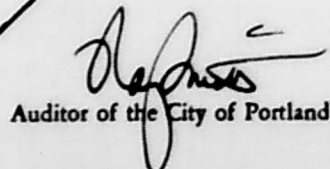
Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the financial obligations of this City may be promptly discharged; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, MAY 15 1968

Commissioner Bowes
5-9-68
DCJ:gm


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 2149

ORDINANCE NO. 126707

Title

An Ordinance authorizing execution of an agreement between the City of Portland and the Portland Development Commission amending the Local Grant-in-Aid Cooperation Agreement for the South Auditorium Urban Renewal Unit No. 2 Project to provide division of costs, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yea	Nay
Bowes	1	
Earl	1	
Grayson	1	
Ivancic	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR

Bowes	
Earl	
Grayson	
Ivancic	
Schrunk	

INTRODUCED BY

Commissioner Bowes

DRAWN BY

DCJ:gm

Date 5-9-68

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works

City Attorney

NOTED FOR CITY AUDITOR

APPROVED

Date

By

City Engineer

Date

By

RAY SMITH

Auditor of the CITY OF PORTLAND

Filed MAY 10 1968

By

Deputy