

ORDINANCE No. 183562

*Amend an Intergovernmental Agreement with Oregon Department of Transportation and METRO for the SW Capitol Highway: Multnomah to SW Taylors Ferry Concept Plan Refinement project (Ordinance; amend Contract No. 30000688)

The City of Portland ordains:

Section 1. The Council finds

1. The S.W. Capitol Highway: Multnomah to S.W. Taylors Ferry Concept Plan Refinement project has been identified in the Metropolitan Transportation Improvement Program (MTIP) by Bureau of Transportation (PBOT) and METRO. The MTIP schedules spending of federal transportation funds in coordination with significant state and local funds in the Portland metro region.
2. The Capitol Highway Plan was adopted by City Council in January 1996. The plan identifies conceptual right-of-way improvements for multi-modal transportation uses along S.W. Capitol Highway between Barbur Blvd. and S.W. Stephenson Road, including the segment between Multnomah and SW Taylors Ferry Road – identified in the plan as the Garden Home segment.
3. In March of 2009, the Bureau of Environmental Services completed a Capitol Highway Drainage Analysis Technical Memorandum that analyzed the four drainage basins for the segment of Capitol Highway between Multnomah and SW Taylors Ferry Road. This memorandum will be used to refine the transportation plan adopted in 1996 to reflect the adopted 2007 Green Street policy and 2008 City of Portland Stormwater Manual.
4. PBOT applied to METRO for a grant in the amount of \$530,000 for S.W. Capitol Highway: Multnomah to S.W. Taylors Ferry Project with \$298,980 being awarded for the 2006 – 09 cycle.
5. On April 29, 2009, Council adopted Ordinance 182732, accepting the METRO awarded grant for the S.W. Capitol Highway: Multnomah to S.W. Taylors Ferry Concept Plan Refinement to PBOT in the amount of \$298,980 (IGA contract No. 30000688).
6. In the 2009, Project partners (PBOT / BES / METRO) collaborated on a refined project scope and budget for use in engineering contract negotiations.
7. The revised project IGA scope of work (Exhibit A of the IGA) was created to better allow the project to move forward with the use of federal funding.
8. The revised total project cost is estimated at \$382,000, an increase of \$49,000.

- 9. In November of 2009, METRO amended the MTIP award for the project, advancing federal funds for the amount of \$342,769, with a local match of \$39,231.
- 10. The Bureau's level of confidence in the cost estimates for this project is low, due to the projects need for engineering refinement in the areas of stormwater and traffic engineering.

NOW THEREFORE, The Council directs:

- a. The Mayor and the Auditor are authorized to enter into an amended Intergovernmental Agreement with Oregon Department of Transportation and METRO, substantially in accordance with the agreement attached to the original of this ordinance as Exhibit A., for the S.W. Capitol Highway: Multnomah to S.W. Taylors Ferry Concept Plan Refinement in the amount of \$342,769
- b. The FY 2009/2010 budget is hereby amended as follows:

GRANTS FUND

| | | |
|---------------------------|--|--------|
| Fund | | 217001 |
| Business | Area | TR0000 |
| Bureau Program Expenses – | T00003.D42 = \$88,000 wages 09/10 | |
| | T00003.D42 521000 = \$196,000 consultant | |

Section 2. The Council declares that an emergency exists because project is on hold pending the city's acceptance of this IGA amendment and PBOT is unable to negotiate contract until amendment is executed; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council, MAR 03 2010

Mayor Sam Adams
Prepared by: Ross Swanson, :slg
Date Prepared: 2.8.2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By  Deputy

Agenda No. **183562**
ORDINANCE NO.
 Title

*Amend an Intergovernmental Agreement with Oregon Department of Transportation and METRO for the S/W Capitol Highway: Multnomah to S/W Taylors Ferry Concept Plan Refinement, (Ordinance; amend Contract No. 30000688) *project*

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| <p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>Knott Motion on behalf of Mayor Adams</i> COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>BB BY Greg Jones</i></p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date March 3, 2010</p> <p>City Attorney Approval</p> | <p style="text-align: right; color: blue;">FEB 26 2010</p> <p>CLERK USE: DATE FILED _____</p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> _____ Deputy</p> <p>ACTION TAKEN:</p> |
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| AGENDA |
| <p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> |
| <p>CONSENT <input checked="" type="checkbox"/></p> |
| <p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> |

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | | |
|--------------------|---------------------------------|------|------|
| | | YEAS | NAYS |
| 1. Fritz | 1. Fritz | ✓ | |
| 2. Fish | 2. Fish | ✓ | |
| 3. Saltzman | 3. Saltzman | ✓ | |
| 4. Leonard | 4. Leonard | ✓ | |
| Adams | Adams | ✓ | |