

ORDINANCE No. 183647

* Authorize the Director of the Bureau of Environmental Services to enter into an Intergovernmental Agreement between the Dunthorpe-Riverdale Service District No. 1, the Riverdale School District No. 51J, and the City, for construction of the Elk Rock Bypass sewer line on School District property. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the Dunthorpe-Riverdale Service District No. 1 (“the Service District”) entered into an Intergovernmental Agreement in 2006 (County Contract No 4600006391, approved by City Ordinance 180597, hereinafter the “District/City IGA”) that provides for the City to undertake sewage transportation, treatment, maintenance and engineering services on behalf of the Service District. Section II, Sub-section B, of the District/City IGA addresses engineering services the City is to provide the Service District.
2. According to the District/City IGA, the City and the Service District share in the cost of capital improvements to facilities shared between the two parties, including pump stations and major sewer lines. As such, the City prepared a 20-year Sanitary System Facilities Plan for the Service District, which identified the Elk Rock Bypass project that would redirect sanitary flow from the basin leading to the Elk Rock Pump Station, operating at capacity, into the basin served by the Tryon Creek Pump Station, which has excess capacity. This project would be built on or immediately adjacent to the site of the Riverdale Elementary School.
3. The Elk Rock Bypass Project was designed by BES, with the intent of BES to bid the contract for construction. But since the Riverdale School District (“the School”) is currently undertaking a remodel of the Riverdale Elementary School, the parties find that it is in the best public interest in this instance to authorize the School District to manage the Sewer Project using the School’s contracted resources (Bremik Construction) that are currently undertaking the school project. The Elk Rock Bypass project is within the general scope of the School’s original procurement for the School Project, and because of schedule constraints and related coordination issues, it is necessary for the School to incorporate, by change order, the Sewer Project into its contract with Bremik. The Parties agree that Bremik is qualified to perform the Sewer Project work. The City will permit the project as a Public Works permit, and inspect the work as usual.
4. Under the District/City IGA, the District would be responsible for 67% of the costs of the project, with the City responsible for 33% of the costs. If the City would have constructed the project, it would have paid all costs up front, and been reimbursed by the District’s share of 67%. Under the agreement attached, the District will pay the School District for all costs incurred for the project, and the City will reimburse the District for 33%. The net impact to the City is the same.
5. The estimated cost for the construction project is \$205,000. Funds are available in the Sewer System Operating Fund, FY 2009-10 budget, Bureau of Environmental Services, WBS Element E08378.

NOW, THEREFORE, the council directs:

- a. The Council hereby delegates to the Director of the Bureau of Environmental Services the authority to execute an agreement between the Dunthorpe-Riverdale Service District No. 1, the Riverdale School District No. 51J, and the City for the purpose described in Section 1, similar in form to the agreement attached to the original of this Ordinance, and by reference made a part hereof, with approval of the City Auditor and City Attorney.
- b. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

Section 2. The Council declares that an emergency exists because the School's project is underway, with the sewer work needed to be completed within the next 4-6 weeks so that the School Project can be completed in time for occupancy of the school in September. To expedite this agreement, all three parties have agreed to execute the agreements in multiple counterparts, meaning they will be approved nearly simultaneously, as opposed to sequentially approved. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

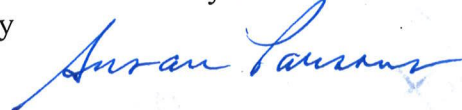
Passed by the Council,
Dan Saltzman
Commissioner of Public Affairs

MAR 31 2010

Duane C. Peterson
March 15, 2010

Elk Rock Bypass WBS #E08378 - ord

LaVonne Griffin-Valade
Auditor of the City of Portland
By



Deputy

Agenda No. **183647**
ORDINANCE NO.
 Title

* Authorize the Director of the Bureau of Environmental Services to enter into an Intergovernmental Agreement between the Dunthorpe-Riverdale Service District No. 1, the Riverdale School District No. 51J, and the City, for construction of the Elk Rock Bypass sewer line on School District property. (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: <i>Saltzman</i></p>	CLERK USE: DATE FILED <u>MAR 26 2010</u>
<p>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 - <i>Saltzman</i></p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: BES Bureau Head: <i>[Signature]</i></p> <p>Prepared by: Duane Peterson Date Prepared: 3/15/10</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 3/31/10</p>	<p>ACTION TAKEN:</p>
<p>City Attorney Approval <i>AC</i></p>	

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</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	✓	