

ORDINANCE No. 184035

*Amend contract with Oregon Iron Works, Inc. for the production of prototype streetcar vehicle (Ordinance; amend Contract No. 37218)

The City of Portland ordains:

Section 1. The Council finds:

1. The Tri-County Metropolitan Transportation District of Oregon (TriMet) was the recipient of federal funds through a National Research Program grant (Grant) related to the purchase and deployment of a domestically manufactured streetcar (Prototype Streetcar).
2. On March 22, 2006, City Council passed Ordinance No. 180018, as amended, authorizing Intergovernmental Agreement No. 52626 between TriMet and the City for the City to become a subrecipient of the Grant funds.
3. After a competitive process, City Council passed Ordinance No. 180788 on February 28, 2007, authorizing Agreement No. 37218 with Oregon Iron Works, Inc. (OIW) for the production of the Prototype Streetcar.
4. On April 16, 2010, US Secretary of Transportation Ray LaHood and Federal Transit Administrator (FTA) Peter Rogoff announced that TriMet would receive \$2.4 million in federal research funds to support the development of streetcar components that would be made in the USA.
5. The federal grant is to be used, in part, to produce the initial work to develop a streetcar that can operate for short distances without power from overhead wires, allowing the potential for streetcar service to be introduced where historic, environmental or other concerns limit the installation of overhead wires.
6. The City and OIW have agreed to the terms, conditions and compensation for the change order related to the wireless technology. \$400,000 of the grant funds have been allocated for this work.
7. In a subsequent action, TriMet and the City will amend Intergovernmental Agreement No. 52626 (IGA) in order to name the City as the responsible party to oversee and carry out the work called for in the new federal grant and to allow TriMet to disburse the grant funds to the City for accomplishment of the work.
8. Payment by the City under this Amendment shall be subject to the successful completion of the federal grant agreement between TriMet and FTA and an amendment to the IGA to disburse federal funds to the City.

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is hereby authorized to approve Amendment #4 to Agreement No. 37218 implementing Change Order No. 3, substantially in accordance with the Amendment attached to this Ordinance, and, by reference, made a part hereof.
- b. The Mayor and the City Auditor are hereby authorized to draw and deliver checks payable to Oregon Iron Works, Inc., chargeable to the Transportation Operating Fund, Fund 200000, Business Area TR00.
- c. The Director of the Bureau of Transportation is hereby authorized to agree to and execute, on behalf of the City, any amendments to Intergovernmental Agreement No. 52626 between TriMet and the City necessary to implement the work to be funded by the new federal grant.

Section 2. The Council declares an emergency exists because the federal government desires the work be accomplished as soon as feasible in order to create a new domestic technology base; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, AUG 04 2010

Mayor Sam Adams
Prepared by: Vicky Diede:slg
Date Prepared: July 12, 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By


Deputy

1115

✓140

Agenda No.
ORDINANCE NO. 184035
 Title

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INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: Prepared by: Vicky Diede:slg Date Prepared: July 12, 2010 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date August 4, 2010 City Attorney Approval	CLERK USE: DATE FILED <u>JUL 30 2010</u> <i>on behalf of Mayor Adams</i> LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy ACTION TAKEN:
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AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

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	✓	