

ORDINANCE No. 184608

*Authorize Intergovernmental Agreement with TriMet for Construction Scope Transfers between SW Moody Ave Improvement Project, SW Harbor Dr/SW River Pkwy Project and Portland-Milwaukie Light Rail Project. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds

1. In September 2009, the City and TriMet submitted an application for federal funds under the Transportation Investment Generating Economic Recovery (TIGER) program, part of the American Recovery and Reinvestment Act (ARRA). The Federal Transit Administration (FTA) awarded \$23,203,988 in TIGER funding for the SW Moody Avenue portion of the application.
2. The resulting SW Moody Avenue Improvement Project (SW Moody Avenue: SW River Parkway – SW Gibbs Street), (Moody Project) includes the final design and construction of approximately 3,200 feet of roadway elevated on 14 feet of fill in the heart of the South Waterfront District to facilitate intense urban redevelopment of the area as planned by the City and nearby property owners. SW Moody will include three traffic lanes, dual streetcar tracks, and pedestrian and bike facilities. Fiber optic, sewer, storm water and water infrastructure will support future development.
3. In April 2010, the City accepted a grant in the amount of \$3,000,000 from the Oregon Department of Transportation for improvements to the SW Harbor Drive/SW River Parkway intersection.
4. The resulting SW Harbor Drive/SW River Parkway Project (Harbor Project) includes the final design and construction of an additional southbound left turn lane from Harbor Drive to SW River Parkway, a lengthened taper to the existing northbound right turn lane from SW Harbor Drive to SW River Parkway, and an additional eastbound lane along SW River Parkway to SW Moody. This intersection improvement will serve as the primary North Portal into the South Waterfront District.
5. Currently, TriMet is in the preliminary engineering phase of the Portland to Milwaukie Light Rail Project (PMLR Project), which will extend high capacity transit service from downtown Portland to unincorporated Clackamas County, ending just south of the City of Milwaukie. The PMLR Project will include the construction of a new bridge across the Willamette River in the South Waterfront District. The bridge will provide for a shared transitway that will serve light rail, buses, bicycles, pedestrians and, eventually, streetcars. This shared transitway will continue west after crossing the bridge in a transit only street called SW Porter Street. The shared transitway in SW Porter Street will cross SW Moody Street at the Moody/Porter intersection.

6. In August 2010, the parties entered into an Intergovernmental Agreement to disburse Federal Grant Funds for the SW Moody Street and Streetcar Reconstruction Project (Subrecipient Agreement) (TriMet Contract No. GH110219TL). Pursuant to the Subrecipient Agreement, the City became the subrecipient of federal TIGER grant funding in the amount of \$23,203,988. The parties are also partners in TriMet's PMLR Project.
7. The Moody Project, Harbor Project, and PMLR Project have overlapping scopes of work, primarily at the Moody/Porter intersection and the Harbor Drive/River Parkway intersection. These projects also have some schedule concurrency, but generally the Moody Project and Harbor Project will start construction earlier than PMLR Project, and be complete prior to PMLR Project completion.
8. In order to maximize efficiency and minimize situations in which one project would remove improvements built by the other in order to construct its subsequent scope of work, the Parties desire to work together to monitor and track a list of potential "construction scope transfers" that would move certain construction services scopes of work and funds from one project to the other.
9. Construction scope transfers to the PMLR Project from the Moody Project are estimated at \$550,000. The level of confidence is moderate. Detailed work orders and cost estimates will be generated for each project component. The City of Portland will fully reimburse TriMet for work associated with these construction scope transfers.
10. Construction scope transfers to the PMLR Project from the Harbor Project are estimated at \$50,000. The level of confidence is moderate. Detailed work orders and cost estimates will be generated for each project component. The City of Portland will fully reimburse TriMet for work associated with these construction scope transfers.
11. Construction scope transfers from the PMLR Project to the Moody Project are estimated at \$1,010,000. The level of confidence is moderate. Detailed work orders and cost estimates will be generated for each project component. TriMet will fully reimburse the City of Portland for work associated with these construction scope transfers.
12. TriMet and the City are authorized to enter into this Agreement by ORS Chapter 190.

NOW THEREFORE, The Council directs:

- a. The Mayor is hereby authorized to execute an intergovernmental agreement with TriMet, for Construction Scope Transfers between SW Moody Avenue Improvement Project, SW Harbor Drive/SW River Parkway Project and Portland-Milwaukie Light Rail Project, substantially in accordance with the Agreement attached to the original of this Ordinance, and by reference made a part hereof.

- b. FY 10-11 Budget is here by amended as follows:

Grant Fund

Fund: 217

Business Area: TR00

Bureau Program Expense – \$200,000

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform the activities authorized by the grant; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,

MAY 25 2011

Mayor Sam Adams

Prepared by: Chris Armes:GM:slg

Date Prepared: May 18, 2011

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

Agenda No. **184608**
ORDINANCE NO.
 Title

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<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS</p>	<p>CLERK USE: DATE FILED <u>MAY 20 2011</u></p>
<p>COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: Deputy</p> <p>ACTION TAKEN:</p>
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: Chris Armes:GM:slg Date Prepared: May 18, 2011	
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 May 25, 2011	
City Attorney Approval	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/> 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"/> 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		