

ORDINANCE No. 184768

* Amend Intergovernmental Agreement with The State of Oregon for placement of the New City Archives on Portland State University's campus. (Ordinance; amend Contract No. 37444)

The City of Portland ordains:

Section 1. The Council finds:

1. The State of Oregon, acting by and through the State Board of Higher Education on behalf of Portland State University ("PSU"), and the City of Portland ("City"), collectively referred to herein as the Parties and individually as the Party, entered into Intergovernmental Agreement No. 37444 on July 20, 2007 which provided for placement of the New City Archives within the new PSU Academic and Student Recreation Center (ASRC).
2. PSU executed a contract with Skanska USA Building, Inc. for the design and construction of the ASRC building on the campus of PSU.
3. The City housed its archival and historical records at the Stanley Parr Archives and Records Center (SPARC) located on North Columbia Boulevard in Portland, Oregon.
4. Ordinance No. 181962, passed by the Council on June 25, 2008, authorized Amendment No. 1 to allow changes to scope and payment responsibility as follows:
 - Section I, Subsection 10, provides that PSU shall use its best efforts to ensure that the New City Archives will be ready for occupancy no later than July 1, 2010. To be consistent with Amendment No. 3 to PSU's Design Build contract with Skanska USA Building, Inc. Section I, Subsection 10 was amended to state that the Design-Build Contract requires that the Contractor deliver possession to PSU by December 9, 2009.
 - Increased purchase price for the New City Archives by \$26,000 from \$9,871,436 to \$9,897,436 for additional excavation, drain rock and fully-sealed vapor barrier necessary for constructing the New City Archives.
5. Amendment 2, dated November 19, 2009 amended Section XI "Percent for Arts & Regional Arts & Culture Council (RACC) of Intergovernmental Agreement No. 37444 as follows:
 - Pursuant to PSU's agreement with PDC as to the redevelopment of the Property, PSU is obligated to comply with PDC's requirement for Acquisition of Public Arts (also known as percent for arts) under Portland City Code Chapter 5.47, as administered by the Regional Arts and Culture Council (RACC). PDC and the City share the same obligations for acquisition of public arts. The Parties agree that PSU shall comply with the City's Percent for Art Program requirements or the state's public arts funding requirement, whichever standard is greater.
 - PSU shall pay to the City \$200,000 to meet its obligation under this Section of the agreement within 30 days of the effective date of Amendment No. 2.

6. The Parties have prepared another amendment, Amendment No. 3, to Intergovernmental Agreement No. 37444, attached as Exhibit 1. The amendment will increase the purchase price for the new Archives Center in the amount of \$22,909.05 and extend the termination date until September 31, 2011, retroactively from December 9, 2009, to allow for completion of work at Portland Archives and Records Center. Additional work includes: add document controls to document display case; door hardware revisions; floor box/wall receptacle additions; add security system; security system modifications; substitute and install art glass. The amendment also finalizes credits as follows: plumbing lines in Archives space that allowed for less shelving space; occupancy delays due to PSU Tenant Improvements.
7. All other terms and conditions of the agreement shall remain in full force and effect.

NOW THEREFORE, the Council directs:

- a. The Mayor and Auditor are hereby authorized to execute Amendment No. 3 to Intergovernmental Agreement No. 37444 with The State of Oregon, attached to this ordinance as Exhibit 1.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to OMF Facilities Services when demand is presented and approved by the proper authorities.

SECTION 2. The Council declares that an emergency exists in order to avoid additional expenses and a delay in the completion of this project; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: JUL 27 2011

Commissioner: Mayor Sam Adams
Prepared by: Jim Coker:dseaton
Date Prepared: July 11, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 184768
 Title

*Amend Intergovernmental Agreement with The State of Oregon for placement of the New City Archives on Portland State University's campus. (Ordinance; amend Intergovernmental Agreement No. 37444)

INTRODUCED BY Commissioner/Auditor: Mayer Adams	CLERK USE: DATE FILED <u>JUL 22 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams <i>[Signature]</i>	LaVonne Griffin-Valade Auditor of the City of Portland
Position 1/Utilities - Fritz	By: <i>[Signature]</i> Deputy
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL Bureau: Internal Business Services Bureau Head: Jeff Baer, Director <i>[Signature]</i>	ACTION TAKEN:
Prepared by: Jim Coker;dseaton Date Prepared: July 11, 2011	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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 July 27, 2011 <i>[Signature]</i>	
City Attorney Approval	

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	_____	_____