

ORDINANCE No. 184852

* Amend Intergovernmental Agreement with State of Oregon, Department of Transportation to increase contract by \$1,340,583 to provide additional improvements to Union Station (Ordinance; amend Contract No. 30002272)

The City of Portland ordains:

Section 1. The Council finds

1. The Bureau of Internal Business Services, Facilities Services applied to State of Oregon, Department of Transportation for a grant in the amount of \$5,900,000 for the Union Station Facility Improvements Phase IIb project.
2. The State of Oregon, Department of Transportation notified the City of Portland that it would award a grant for the Union Station Facility Improvements Phase IIb project to Bureau of Internal Business Services, Facilities Services in the amount of \$5,900,000.
3. The City of Portland is dedicated to the improvement of Union Station, a railroad passenger terminal located at NW 6th Street and Irving Street. Union Station is part of the regional transportation system owned by the Portland Development Commission (PDC), and operated and maintained by the City of Portland, Office of Management and Finance, Facilities Services (City).
4. In mid-2009, the Oregon Department of Transportation (ODOT) identified Union Station as being eligible for American Recovery and Reinvestment Act (ARRA) funding through the High Speed Intercity Rail Program (HSIRP) administered by the Federal Rail Administration (FRA).
5. Ordinance No. 183131 passed by Council on August 19, 2009 authorized the City to enter an Intergovernmental Framework Agreement with ODOT's Rail Division to apply to the HSIRP on the City's behalf.
6. On August 24, 2009, ODOT's Rail Division submitted an application to the HSIRP with the Union Station Phase IIb project included as one of several projects statewide. The Phase IIb project includes the historic replacement of the red metal tile roofs and associated seismic upgrades as well as other repairs to the exterior envelope of the building.
7. On January 28, 2010, the Union Station Phase IIb project was selected by FRA for "award contingent upon more detailed review of the application." The project was estimated at \$5,900,000 and was selected as the only "hammer-ready" or "fast track" project in ODOT's application to the HSIRP. The City and ODOT's Rail Division worked together to provide detailed application information to FRA throughout the Spring of 2010 and began negotiating the Intergovernmental Agreement for the City's acceptance and administration of the ARRA funds.
8. Ordinance No. 184049, passed by Council August 11, 2010 authorized the City to accept a grant in the amount of \$5,900,000 and enter into Intergovernmental Agreement No. 30002272 with ODOT. The ARRA funds identified in the Intergovernmental Agreement are limited to a maximum of \$5,900,000. City is not required to provide a match for the ARRA funds but is responsible for any non-participating costs; which are defined as project costs not eligible for federal reimbursement, including all cost in excess of the ARRA funds.

City is also responsible for any costs for work City chooses to add that is outside the scope of work determined for the Project. The City does not currently anticipate the need to expend any non-participating costs.

9. The term of the Agreement began upon execution and will terminate upon completion of the Project and final payment or September 30, 2030.

10. The Bureau of Internal Business Services, Facilities Services and ODOT's Rail Division have prepared an amendment, Amendment No. 1, to Intergovernmental Agreement No 30002272. The amendment will increase the federal funds in the amount of \$1,340,583 for additional work at Union Station. The additional work, as shown in Exhibit A, includes the following: asbestos abatement, insulation of wood floors above crawlspace, insulation of steam pipes and repairs of utility pipes in the crawlspace of the Main Building; repair work on exterior walls, windows and doors of the Annex building; and repair of the window awnings at the Main Building.

NOW THEREFORE, The Council directs:

- a. The Mayor is hereby authorized to accept on behalf of the City of Portland a grant from the State of Oregon, Department of Transportation for Union Station Facility Improvements Phase IIb project in the amount of \$1,340,583 and to execute an amendment to Intergovernmental Agreement No. 30002272, substantially in conformance with the attached Exhibit A, for this purpose.
- b. The OMF Grants Office is authorized to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit required online grant documents on the Mayor's behalf.

Section 2. The Council declares an emergency exists in order to avoid a delay in meeting the grant encumbrance and expenditure timelines and expediting the Union Station Phase IIb work; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: SEP 07 2011

Commissioner: Mayor Sam Adams
Prepared by: Marina Cresswell:dseaton
Date Prepared: August 23, 2011

LaVonne Griffin-Valade

Auditor of the City of Portland

By


Deputy

Agenda No. 184852
ORDINANCE NO.
 Title

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 (Ordinance; amend Agreement No. 30002272)

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| INTRODUCED BY Commissioner/Auditor: Mayor Adams | CLERK USE: DATE FILED <u>SEP 01 2011</u> |
| COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard | LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy |
| BUREAU APPROVAL Bureau: Internal Business Services Bureau Head: Jeff Baer, Director Prepared by: Marina Cresswell:ds Date Prepared: August 23, 2011 | ACTION TAKEN: |
| 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 September 7, 2011 | |
| City Attorney Approval <u>[Signature]</u> | |

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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 | ✓ | |