

ORDINANCE No. 185160

*Amend Intergovernmental Agreement with TriMet and the Oregon Department of Transportation for stormwater retrofits at the Barbur Boulevard Transit Center (Ordinance; Amend Contract No. 30001999)

The City of Portland ordains:

Section 1. The Council finds:

1. On March 3, 2011 the City entered into an Intergovernmental Agreement (IGA) with the TriMet and the Oregon Department of Transportation (ODOT) as authorized by Ordinance 184385 for implementation of stormwater retrofits at the Barbur Boulevard Transit Center.
2. The IGA provided for a project budget of \$770,000 with construction by ODOT (\$600,000), project management by TriMet (\$50,000), and in consideration of design services provided by BES (\$120,000). Subsequently, TriMet received bids for construction of the project with an apparent low bid of \$587,528. The current project construction budget of \$600,000 does not provide an adequate construction cost contingency to assure timely completion of the project.
3. BES and ODOT agree to budget a total of \$85,000 split 50/50 (\$42,500 BES and \$42,500 ODOT) to provide a construction cost contingency. Any expenditures of this construction cost contingency funding shall require prior approval of all parties to the IGA.
4. The established cost is \$42,500. Funds are available in the Sewer System Operating Fund, FY 2012 Budget, Bureau of Environmental Services, Cost Center ESWS000009, Project E09107.

NOW, THEREFORE, the council directs:

- a. The Director of the Bureau of Environmental Services is authorized to execute Amendment Number 01 to Intergovernmental Agreement (Contract 30001999) with ODOT and TriMet for the purpose described in Section 1, in the amount of \$42,500.
- 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 this Amendment is necessary to commit existing ODOT funding and assure timely completion of the project. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, FEB 22 2012
Dan Saltzman
Commissioner of Public Affairs

Amin Wahab
January 30, 2011

ESWS000009, 529000-ord

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 185160.
 Title

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<p>INTRODUCED BY Commissioner/Auditor: <u>Saltzman</u></p> <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 - Saltzman <i>Don Saltzman</i></p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL</p> <p>Bureau: <i>AN</i></p> <p>Bureau Head: <i>Deman</i></p> <p>Prepared by:</p> <p>Date Prepared:</p> <p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date</p> <p><u>2/22/12</u></p> <p>City Attorney Approval <i>lps</i></p>	<p>CLERK USE: DATE FILED <u>FEB 16 2012</u></p> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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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 type="checkbox"/></p> <p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <u>0</u> (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	_____	_____