

## ORDINANCE No. 185247

\*Amend Intergovernmental Agreement with Oregon Department of Transportation for the N. Leadbetter Extension Overcrossing Project. (Ordinance; amend Contract No. 52833)

The City of Portland ordains:

Section 1. The Council finds:

1. The N. Leadbetter Overcrossing is an important addition to the regional freight rail and highway network, the project provides a grade separation of a busy rail line opened by the Burlington Northern/Santa Fe railroad. The Overcrossing allows for expansion of rail capacity in the Rivergate Industrial Area.
2. In April 2007, the City entered into the original agreement with the Oregon Department of Transportation (ODOT) to fund the project (ODOT contract No. 23,368).
3. In May 2008, by Ordinance No. 181843, the original agreement with ODOT was amended to allow the project to be bid by the City. With this action, ODOT replaced their contract No. 23,368 with No. 24,705.
4. The purpose of this Ordinance is to authorize an Amendment to adjust the overall total estimated cost of the project down and revise the funding amounts provided by SAFETEA-LU and OTIA sources. (City contract No. 52833, ODOT contract No. 24,705)
5. The construction of the project has been substantially completed. The Bureau's level of confidence in the cost estimates for this project is optimal.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are authorized to execute Amendment No. 1 on behalf of the City of Portland from the Oregon Department of Transportation for the N. Leadbetter Extension Overcrossing Project, substantially in accordance with the amendment attached to the original of this Ordinance and, by reference, made a part hereof.
- 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 that an emergency exists because a delay in adjusting the relative amount grant funds would delay final billings as the project moves to close-out; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, APR 11 2012

Mayor Sam Adams  
Prepared by: Dan Layden:slg  
Date Prepared: March 22, 2012

**LAVONNE GRIFFIN-VALADE**

Auditor of the City of Portland

By

  
Deputy

Agenda No. **185247**  
**ORDINANCE NO.**  
 Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b> <i>K. D. Adams on</i> <b>COMMISSIONER APPROVAL</b>	<b>CLERK USE: DATE FILED</b> <u>APR 06 2012</u> <i>LaVonne Griffin-Valade</i> LaVonne Griffin-Valade Auditor of the City of Portland
Mayor—Finance and Administration - Adams	By: <i>[Signature]</i> Deputy
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
<b>BUREAU APPROVAL</b> Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>[Signature]</i> Prepared by: Dan Layden:slg Date Prepared: April 11, 2012 <i>DL</i>	<b>ACTION TAKEN:</b>
Financial Impact & Public Involvement 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 <b>APRIL 11, 2012</b>	
<b>City Attorney Approval</b>	

<b>AGENDA</b> <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) <b>CONSENT</b> <input checked="" type="checkbox"/> <b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)
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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	✓	