

ORDINANCE No. 186201

*Amend Intergovernmental Agreement with Oregon Department of Transportation to provide for technical adjustments to the name of the project and completion timeline for Right-of-Way phase for the SE 122nd Ave Complete and Green Main St project (Ordinance; amend Contract No. 30002116)

The City of Portland ordains:

Section 1. The Council finds:

1. In April 2011, the Portland Bureau of Transportation (PBOT) received a grant from the Oregon Department of Transportation (ODOT) in the amount of \$870,000 for procurement of Right of Way (ROW) for the SE 122nd Avenue Complete and Green Main Street project.
2. City Council authorized the acceptance of this funding through Ordinance No. 184570 in May 11, 2011.
3. During the design phase of this project, ODOT requested a clear and simple title for the project of SE 122nd Avenue: SE Holgate Boulevard to SE Ramona Street to avoid confusion and to geographically locate the project through the name of the project.
4. Project design is completed and when the ROW phase is completed the project will be advertised for construction.
5. The ROW phase funding was obligated in December 2011 and work commenced purchasing ROW from property owners for a continuous sidewalk corridor in 2012.
6. Due to foreclosures on properties and time involved in reaching settlements with large banking institutions on these properties, additional time has been required to finalize payments and executing purchase agreements.
7. The amendment to the Intergovernmental Agreement attached as an exhibit to this ordinance will technically adjust the title of the project and extend the ROW phase to September 30, 2013 at which time the ROW phase will be completed.

NOW, THEREFORE, the Council directs:

- a. The Mayor is hereby authorized to amend the attached Intergovernmental Agreement on behalf of the City of Portland with the Oregon Department of Transportation for the SE 122nd Avenue: SE Holgate Boulevard to SE Ramona Street project and /or to execute the amended Intergovernmental Agreement in a form similar to the contract attached as Exhibit A.

- b. The Mayor is authorized to execute amendments, approved as to form by the City Attorney, to the scope of the services or the terms and conditions of this Agreement, provided the changes do not increase the City's financial risk. Increases to the grant amount must be approved by the City Council.
- c. 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 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, **AUG 14 2013**

Commissioner Steve Novick
Prepared by: Kyle Chisek:slg
Date Prepared: July 30, 2013

LAVONNE GRIFFIN-VALADE

Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 186201
 Title

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INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK	CLERK USE: DATE FILED <u>AUG 09 2013</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick <i>[Signature]</i>	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program <i>[Signature]</i> Prepared by: Kyle Chisek:slg <i>[Signature]</i> Date Prepared: July 29, 2013	
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 August 14, 2013	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 5 minutes (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	