

ORDINANCE No. 186287

*Authorize a contract with BNSF Railway Company for access on BNSF Railway property at N Columbia Blvd at mile post 6.91 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds that:

1. The purpose of this Agreement is to allow access on BNSF Railway property to work on the City of Portland bridge at N. Columbia Blvd at mile post 6.91.
2. A structural upgrade to the bridge is required per the biannual bridge inspection to prevent bridge from being load restricted. Work will be completed by the Bureau of Transportation, Maintenance Operations.
3. Authorization to work over the BNSF Railway requires a permit from the railroad.
4. This Agreement will require a BNSF contract fee of \$1000.00 to access their property. The fee is budgeted within 9TR000000740 as part of the project work.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are authorized to enter into an agreement with BNSF Railway Company for access on BNSF Railway property, in a form similar to the contract attached as Exhibit A.
- b. City Council authorizes the Bureau of Transportation Director to sign time extensions to the agreement if necessary.

Section 2. The Council declares an emergency exists due to the need for structural upgrade to the bridge to eliminate future truck weight restrictions; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: OCT 16 2013

Commissioner Steve Novick
Prepared by: Jody Yates:KM
Date Prepared: 10-1-13

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

Agenda No. **186287**
ORDINANCE NO.
 Title

Contract

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INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK	CLERK USE: DATE FILED <u>OCT 11 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: <i>[Signature]</i> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Maintenance Operations Bureau Head: Suzanne Kahn <i>[Signature]</i> Prepared by: Jody Yates:KM <i>JY</i> Date Prepared: 10-1-13 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"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i> Council Meeting Date OCTOBER 16, 2013	

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	<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"/>	