

ORDINANCE NO. 187068

*Supersede and replace Intergovernmental Agreement with the Oregon Department of Transportation to allow the NE/SE 20s Bikeway Project to bid and construct through the Oregon Department of Transportation Local Agency Certification Program (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. An Intergovernmental Agreement No. 30003238 was entered into with the Oregon Department of Transportation to accept a \$2,097,888 grant to design and construct the 20s Bikeway Project via Ordinance No. 185903 on February 27, 2013.
2. The Oregon Department of Transportation has since informed the Portland Bureau of Transportation that the original Intergovernmental Agreement did not include the correct language to allow the project to be constructed under the Oregon Department of Transportation's Local Agency Certification Program which allows the Portland Bureau of Transportation to bid and award the project's construction contract.
3. The intent of this council action is to supersede and replace the existing Intergovernmental Agreement with a new Intergovernmental Agreement to include the language to that allows for the project to utilize the Oregon Department of Transportation's Local Agency Certification Program for construction contract bid and award.
4. The Bureau's level of confidence in the estimated total cost for this project is low. The cost estimate for design and construction will be refined during the pending design engineering phase.

NOW, THEREFORE, the Council directs:

- a. The Commissioner-in-Charge is hereby authorized to accept on behalf of the City of Portland a grant from the Oregon Department of Transportation for the NE/SE 20s Bikeway Project in the amount of \$2,097,888, terminate existing Contract No. 30003238 and execute a new Intergovernmental Agreement in a form similar to the contract attached as Exhibit A.
- b. The Commissioner-in-Charge 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 Commissioner-in-Charge'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,

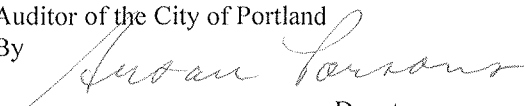
APR 01 2015

Commissioner Steve Novick
Prepared by: Rich Newlands:slg
Date Prepared: March 11, 2015

Mary Hull Caballero

Auditor of the City of Portland

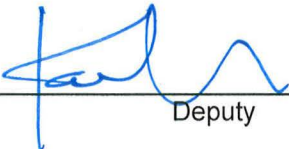
By



Deputy

Agenda No. **187068**
ORDINANCE NO.
 Title

*Supersede and replace Intergovernmental Agreement with the Oregon Department of Transportation to allow the NE/SE 20s Bikeway Project to bid and construct through the Oregon Department of Transportation Local Agency Certification Program (Ordinance; ~~Repeal Contract No. 30003238~~)

INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK	CLERK USE: DATE FILED MAR 27 2015
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety – Novick <i>CS</i>	Mary Hull Caballero Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: Transportation Policy, Planning and Projects Manager: Art Pearce Assistant Director: <i>AP</i> Prepared by: Rich Newlands:slg Date Prepared: <i>RP DL</i>	ACTION TAKEN:
Impact 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	
Council Meeting Date April 1, 2015	

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"/>	