

EXHIBIT A



Intergovernmental Agreement

600 NE Grand Ave.
Portland, OR 97232-2736
(503) 797-1700

Metro Contract No. 933508
City of Portland Contract No. 30004674

THIS AGREEMENT, entered into and under the provisions of ORS Chapter 190, is between Metro, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 NE Grand Avenue, Portland, OR 97232-2736, and The City of Portland, Bureau of Planning and Sustainability (BPS) hereinafter referred to as "City" whose address is 1900 SW 4th Ave., Suite 7100, Portland, OR 97201.

In exchange for the promises and other valuable consideration set forth below, the parties agree as follows:

1. Purpose. The purpose of this Agreement is to establish the responsibilities of the parties in implementing the Deconstruction Assessment Pilot Project. The project promotes sustainable reuse of building materials and increases the awareness of deconstruction and reuse options within the region's construction industry.

2. Term. This Agreement shall be effective on the date of the last signature and shall remain in effect through June 30, 2016 unless earlier terminated in conformance with this Agreement. Costs for this project may be incurred from date of last contract signature.

3. Services Provided and Deliverables. The City and Metro shall perform the services described in the attached Scope of Work, which is made part of this Agreement by reference, and otherwise fully comply with the provisions in the Scope of Work attached as Attachment A.

4. Payment for Services. Metro shall pay City for services performed and materials delivered in the maximum sum of TWENTY THOUSAND AND NO/100THS DOLLARS (\$20,000.00) in the manner and at the time designated in the Scope of Work, "Project Budget/Terms of Payment."

5. Insurance. City agrees to maintain insurance levels, or self-insurance in accordance with ORS 30.282, for the duration of this Agreement to levels necessary to protect against public body liability as specified in ORS 30.272. City also agrees to maintain for the duration of this Agreement, Workers' Compensation Insurance coverage for all its employees as a self-insured employer, as provided by ORS chapter 656, or disability coverage under its Disability, Retirement and Death Benefits Plan.



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6. Indemnification. Subject to the limits of the Oregon Constitution and Oregon Tort Claims Act, City shall indemnify, defend, and hold Metro and Metro's agents, employees, and elected officials harmless from any and all claims, demands, damages, actions, losses, and expenses, including attorney fees, arising out of or in any way connected with, City performance under this Agreement.

7. Termination. This Agreement may be terminated by either party without cause upon giving 90 days written notice of intent to terminate. This Agreement may be terminated with less than 90 days notice if a party is in default of the terms of this Agreement. In the case of a default, the party alleging the default shall give the other party at least 30 days written notice of the alleged default, with opportunity to cure within the 30-day period. Termination shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

8. State Law Constraints. Both parties shall comply with the public contracting provisions of ORS chapter 279A, B & C and to the extent those provisions apply, they are incorporated into this Agreement by reference. Specifically, it is a condition of this Contract that all employers working under this Agreement are subject employers that will comply with ORS 656.017.

9. Notices. Legal notice provided under this Agreement shall be delivered personally or by certified mail to the following individuals:

For City:

Michael Armstrong, Sustainability Director
City of Portland
Bureau of Planning and Sustainability
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

For Metro:

Office of General Counsel
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

Informal coordination of this Agreement will be conducted by the following designated Project Managers:

For City:

Alisa Kane
Green Building Program
City of Portland
Bureau of Planning and Sustainability
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201
(503) 823-7082
FAX (503) 823-7800

For Metro:

Bryce Jacobson, Senior Planner
Metro
600 NE Grand Avenue
Portland, OR 97232-2736
(503) 797-1663
FAX (503) 797-1795



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The City may change the above-designated Project Manager by written notice to Metro. Metro may change the above-designated Project Manager by written notice to the City.

10. Assignment. This Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any condition, be assigned or transferred by either party without prior written approval by the other party.

11. Integration. This writing contains the entire Agreement between the parties, and may only be amended by written instrument, signed by both parties.

12. Severability. If any portion of this Agreement is found to be illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken.

This Agreement is dated as of the last signature date below.

CITY OF PORTLAND

METRO

By: _____

By: _____

Charlie Hales
Mayor

Chief Operating Office, Metro

Date: _____

Date: _____

Approved as to Form:

Date



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ATTACHMENT A

Scope of Work

Background:

In 2014, Metro partnered with Portland Bureau of Planning and Sustainability (BPS) to build and field test an on-line pre-demolition deconstruction and salvage calculator tool that provides the user with an estimate of the environmental costs and benefits associated with deconstructing a building compared with mechanical demolition. The Calculator development process is currently near the end of the beta testing phase. This second phase of project funding will be used to enhance the existing calculator to provide new functions for assessing commercial projects and partial demolitions like remodels and renovations. The project is co-funded and co-staffed by Metro and BPS and is part of a larger regional strategy for incentivizing deconstruction and salvage of building materials throughout the Metro region.

Project goals:

- Promote the calculator to potential users throughout the region
- Enhance the existing features of the on-line calculator to reduce the user time spent measuring and entering data while still providing compelling, relevant, and easy-to-understand calculator outputs that assists applicant in making a decision about how to manage the removal of used building materials from their project deconstruction and building material reuse.
- Build and launch a module with the capability and structure to use the calculator on partial residential projects including remodels, additions and major renovations.
- Build and launch a module with the capability and structure to use the calculator on partial and complete projects in commercial structures.
- Track the number of calculator users over time that choose to carry out their project using deconstruction or partial deconstruction

a) Term: Effective as of last signature date through June 30, 2016.

b) City of Portland BPS responsibilities:

1. Coordinate with the Portland Bureau of Technology Services (BTS) and Bureau of Development Service (BDS) staff to carry out the following tasks:

Develop new features:

- Minimize the time needed for users to hand enter data into the tool by developing an auto populate function for property/building data, building material type and quantity information that pulls from the county tax assessor databases for Portland/Multnomah, Washington and Clackamas Counties.
- Add the structure and features needed for users to enter commercial projects (complete, renovation and TI) and all the descriptions and drop down menus specific to commercial building materials. Allow use of tax assessor databases to auto-populate as many fields as is feasible.
- Add the structure and features needed for partial residential projects (remodels, major renovations and additions). Allow auto-population of these fields as feasible.
- Add a feature to let users locate the closest used building material donation or resale location to their job site.
- Allow users to download and save pictures of materials into the materials list section for each project.



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- Enhance usability by adding mouse-over features with photographs and/or line drawings to selected text or fields to define materials and other components of the calculator.
- Enhance the tool to support the calculation and display of the salvage quantity measurement and verification functions called for in the Portland Deconstruction Advisory Group's deconstruction program development process currently underway.

Testing:

- To maximize the experience that the user has with the completed calculator, ensure that BTS staff with UI (user interface) or UE (user experience) background are involved in the design, layout and testing of the phase two features and upgrades.
- Develop a plan for user testing and carry out the plan on the phase two new functions and outputs to include:
 - Accuracy of auto-population features
 - Identify areas for improvement related to navigation and speed of data entry
 - Ease of operation and intuitiveness
 - Identify users unfamiliar with calculator for purposes of testing
- Conduct a minimum of four tests and make adjustments to calculator based on feedback and results of testing.

Maintenance and troubleshooting:

- Maintain the calculator web site and provide trouble shooting and repair as needed
2. Develop and carry out an outreach/promotion plan to introduce the completed phase two tool upgrades to target users throughout the region. The outreach plan will be targeted toward two primary audiences which will be reached with different media channels and strategies:
 - a) Commercial and residential demolition/renovation permit buying construction industry professionals will be targeted with on line and earned media articles in local construction focused publications and newsletters like the DJC, Business Journal as well as the construction industry association newsletters and limited print flyers/cards at several selected locations like permit and plan centers. Possible presence at a few selected construction industry trade shows. The message/focus will be on use of the tool to maximize value on all their projects, use of the tool as a first step to taking part in the Portland deconstruction incentive program and making the use of the tool one of the important check-list items for all projects before they scope out the demolition phase.
 - b) Residential demolition/renovation permit buying property owners that are doing the work themselves or contracting some of the work out to contractors will be targeted with on-line advertising in consumer DIY media channels and limited print flyers/cards at several selected locations like permit centers. The focus will be on learning which materials are reusable and what value they have before they begin demolition and then getting a walk-through/bid from a deconstruction contractor.
 3. Draft and carry out a short five minute on-line survey of at least 100 calculator users that created a user account with at least one saved project with a goal of surveying an even mix of commercial and residential projects and a similar mix of user types: professional vs. residential property owner respondents. If the on-line response rate does not meet the n=100 goal, Portland staff shall follow up with a phone-survey. The survey will be used to gather several types of data which will be tabulated and summarized in the final project report:
 - Basic demographic data (for property owners and DIY respondents)



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- Business size and type, specialty/role in the construction industry (for the Industry respondents)
 - The type and size of the project and the projects current status
 - What actions the respondent took as a result of using the calculator on their project? What was the outcome of the project? Did they deconstruct some, all or none of the structure? Did they hire a deconstruction contractor or perform the deconstruction themselves?
 - Rate the value, accuracy and ease of use of the calculator
 - Did they take part in the Portland Deconstruction Incentive Pilot program?
 - How did they learn about the calculator?
 - Any other comments about their use of the calculator
4. Compile a final project report that summarizes the project, the survey results, measures of project outcomes and progress toward meeting overall project goals. Identify possible future program and policy options and makes recommendations for next steps. Create and deliver a PowerPoint presentation of the project results for other local governments, Metro and city staff.

c) Metro's responsibilities:

- Develop and maintain a detailed project schedule with tasks and milestones that tie Metro payments to the successful completion of each task in the table below.
- Conduct monthly check-in meetings with City staff to update the project schedule and discuss progress towards deliverables.
- Review and approve project deliverables.

d) Budget and Terms of Payment:

Task	Metro funding allocated for this task
1. A Develop new features	\$8,000
B. Testing	\$4,000
C. Maintenance and troubleshooting	\$1,500
2. Carry out the promotion plan	\$4,000
3. Conduct survey of users	\$2,000
4. Create final report	\$500
Total	\$20,000

Metro shall pay City TWENTY THOUSAND AND NO/100THS DOLLARS (\$20,000.00) in one lump sum upon contract execution and receipt of City's invoice. City shall complete the tasks in section (b) of this Scope of Work on or before June 30, 2016.