

ORDINANCE No. 187265

*Authorize an Intergovernmental Agreement with Multnomah County to pay the City up to \$3.6 million for design and construction services on the Sellwood Bridge Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Pursuant to ORS Chapter 190, the Parties have the authority to enter into this Agreement.
2. In August 2010, Multnomah County (County), the Oregon Department of Transportation (ODOT) and the Federal Highway Administration (FHWA) published the Final Environmental Impact Statement (FEIS) for the Sellwood Bridge Project (Project).
3. In September 2010, FHWA issued a Record of Decision (ROD) approving the FEIS.
4. City of Portland (City) and County entered into an Intergovernmental Agreement for Funding of the Sellwood Bridge Project, pursuant to City Ordinance No. 184402 of February 2, 2011 and County Resolution No. 2011-012 of February 3, 2011. The Parties executed an amended and restated intergovernmental agreement for funding of the Project on or about January 15, 2013. Subsequently, the Parties entered into the first amendment to that amended and restated intergovernmental agreement on or about February 11, 2015. The original and the amended and restated intergovernmental agreement for funding of the Project, and any amendments thereto, will be collectively referenced as the "Funding IGA".
5. On July 19, 2012, the Board of County Commissioners adopted the Final Design Elements and Funding Plan. The Project is that collection of elements identified in the ROD, further refined in the Final Design Elements and Funding Plan, and represented in mutually accepted Project construction documents. Final design was substantially completed in June 2014. Construction is expected to be complete in November 2016.
6. The Project is funded from multiple sources. This Agreement is not intended to supersede any terms of the Funding IGA or other funding agreements.
7. Prior to substantial completion of the Project, the Parties plan to enter into one or more maintenance and ownership agreements (as described in Article II, Section I of this Agreement) that will detail each Party's obligations with respect to maintenance of the various improvements, assets or elements of the Project.
8. The purpose of this Agreement is to authorize County to reimburse and pay for City services and expenditures associated with the Project, as those are identified in this Agreement. The Parties acknowledge that the County's reimbursement obligation would include those Project services performed and expenditures incurred by City to date as well as Project work still to be performed.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge is hereby authorized to enter into an Intergovernmental Agreement with Multnomah County for design and construction services for the Sellwood Bridge Project, in a form similar to the contract attached as Exhibit A.

Section 2. The Council declares that an emergency exists because authorizing this agreement allows the City to immediately invoice the County for the costs incurred with design and construction services previously performed; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,

JUL 22 2015

Commissioner Steve Novick
Prepared by: Michael Magee:slg
Date Prepared: June 9, 2015

Mary Hull Caballero

Auditor of the City of Portland

By


Deputy

791
Agenda No.
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Title

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<p>INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick <i>CW</i></p> <p>BUREAU APPROVAL</p> <p>Bureau: Transportation Engineering Services Group Manager: Steve Townsen Director: <i>SOT/Tag</i></p> <p>Prepared by: Michael Magee <i>SW</i> Date Prepared: 6/9/15 Supervisor: Lola Gailey <i>lg</i></p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date July 22, 2015</p>	<p>CLERK USE: DATE FILED <u>JUL 17 2015</u></p> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input checked="" type="checkbox"/></p> <p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	—	