

## **ORDINANCE No. 187839**

\*Amend contract with TriMet for design and construction management services for the Portland-Milwaukie Light Rail Project (Ordinance; amend Contract No. 30001514)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Bureau of Transportation (PBOT) serves as the lead agency for the City of Portland (City) on the Portland-Milwaukie Light Rail Project (Project). Other City bureaus in concert with PBOT including but not limited to, the bureaus of Development Services, Environmental Services, Parks and Recreation, Planning and Sustainability, and Water provide professional expertise to the Tri-County Metropolitan Transportation District of Oregon (TriMet).
2. On June 23, 2010, by Ordinance No. 183924, City Council authorized execution of an Intergovernmental Agreement (IGA) for design and construction management services for the Project. The IGA documents understandings and agreements relating to services being provided between TriMet and the City.
3. The original IGA provided City services related to Preliminary Engineering (PE) and extended PE phases of the project.
4. On March 9, 2011, by Ordinance No. 184452, City Council authorized execution of the first amendment to the IGA to reflect additional services being provided by City staff for final engineering and construction phases.
5. On December 19, 2012, by Ordinance No. 185819, City Council authorized execution of the second amendment to the IGA to include added construction phase services being provided by City staff and betterments.
6. On June 18, 2014, by Ordinance No. 186652, City Council authorized execution of the third amendment to the IGA to include roles and responsibilities for each party and identify certain additional betterments TriMet will perform for the City.
7. Now, with the project in its closeout phase, it is appropriate to amend the IGA again to reflect as-built costs, new betterments that have been requested by the City and additional services requested by TriMet.
8. The Bureau's level of confidence in the cost estimates for this project is high. It is typical of light rail projects to require amendments to staff services agreements between the parties. This is because initial estimates of City services are developed prior to completion of project construction documents. As project specifics become clearer, additional services are negotiated and must be added.

Final cost information for betterments becomes available as construction activities are completed.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are hereby authorized to execute Amendment No. 4 to the Intergovernmental Agreement with TriMet for Design and Construction Management Services for the Portland-Milwaukie Light Rail Transit Project, in a form similar to the contract attached as Exhibit A.

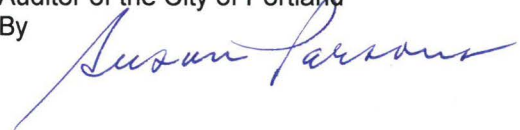
Section 2. The Council declares that an emergency exists because a delay in executing this amendment could delay provision of services and the timely incorporation of requested betterments into the project schedule, with possible impact to the overall project closeout and increased project costs; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JUN 22 2016

Mary Hull Caballero

Commissioner Steve Novick  
Prepared by: Teresa Boyle/tick  
Date Prepared: 5-23-16

Auditor of the City of Portland  
By



Deputy

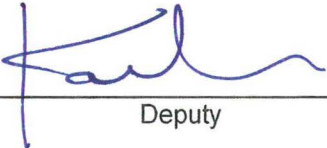
722

Agenda No.  
ORDINANCE NO.

187839

Title

\*Amend contract with TriMet for Design and Construction Management Services for the Portland-Milwaukie Light Rail Project (Ordinance; amend Contract No. 30001514)

INTRODUCED BY Commissioner/Auditor: <b>COMMISSIONER STEVE NOVICK</b>	CLERK USE: DATE FILED <u>JUN 14 2016</u>
COMMISSIONER APPROVAL	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p> <p>ACTION TAKEN:</p>
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick <u>NS</u>	
BUREAU APPROVAL	
Bureau: <b>Transportation</b> <u>AMP</u>	
Policy, Planning and Projects Manager: <b>Art Pearce</b>	
Director: <b>Leah Treat</b> <u>LEAH</u>	
Prepared by: <b>Teresa Boyle</b> <u>TB</u>	
Date Prepared: <b>5-18-16</b>	
Supervisor: <b>Art Pearce</b>	
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 <u>u</u>	
Council Meeting Date <b>6-22-16</b>	

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