

## **ORDINANCE No. 188662**

\*Authorize an Intergovernmental Agreement with the Oregon Department of Transportation for the relocation of a seismic free field sensor and associated cost reimbursement for an estimated \$28,000 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On September 28, 2016, City Council adopted Ordinance 188010 authorizing an Intergovernmental Agreement ("IGA") between the Bureau of Transportation ("PBOT") and the Portland Development Commission (now known as "Prosper Portland") for funding of construction of the SW Bond Avenue Extension project in the South Waterfront District of the Central City;
2. The SW Bond Avenue Extension is identified on the City-wide Transportation System Development Charge ("TSDC") Capital Improvement Project list, adopted by City Council by Ordinance 181322, as amended, and the North Macadam TSDC Overlay Capital Improvement Project list, adopted by City Council by Ordinance 182652, as amended;
3. Construction of the SW Bond Avenue Extension requires the relocation of a seismic free field sensor that is owned by the Oregon Department of Transportation ("ODOT") and is currently situated in the future right-of-way of SW Bond Avenue underneath the Interstate 5 Marquam Bridge;
4. PBOT has worked with ODOT, Prosper Portland, and Portland Parks and Recreation ("Parks") to identify and agree upon a new, suitable location for the seismic free field sensor and associated conduits within the South Waterfront Park owned by Prosper Portland and operated and maintained by Parks, illustrated in Exhibit A to the attached IGA;
5. ODOT has developed a cost estimate of Twenty-Eight Thousand Dollars (\$28,000) for the relocation of the seismic free field sensor which includes the labor and materials to move the sensor and associated underground conduits as a result of the City's SW Bond Avenue Extension project, and which does not include the proposed betterment of the sensor by installing it in an underground vault; and
6. The Bureau's level of confidence in the cost estimate is high because plans, specifications and estimates for the relocation have been completed by ODOT and reviewed by PBOT.

NOW, THEREFORE, the Council directs:

- a. That the City, through the Directors of PBOT, Parks, and Prosper Portland, are authorized to enter into an IGA substantially in the form attached hereto as Exhibit A, under which PBOT will provide reimbursement to ODOT for the documented costs of relocation of the seismic free field sensor in an amount estimated to be Twenty-Eight Thousand Dollars (\$28,000) and not to exceed Thirty-Six Thousand Four Hundred Dollars (\$36,400);
- b. Parks and Prosper Portland agree to host the new location of the ODOT seismic free field sensor within South Waterfront Park as illustrated in Exhibit A;
- c. The Directors of PBOT, Parks, and Prosper Portland may, upon mutual consent, approve changes to the IGA if such changes, in the shared opinion of said Directors in consultation with General Counsel, do not materially change the City's obligations or risks; and
- d. The Office of Management & Finance Grants Management Division is authorized to perform all administrative matters in relation to the IGA on the behalf of the Directors of PBOT, Parks, and Prosper Portland.

Section 2. The Council declares that an emergency exists because delay in funding would interrupt construction of the SW Bond Avenue Extension, including the area from which the seismic free field sensor must be moved, must begin as soon as possible in order to meet the agreed upon deadline of opening the roadway at the same time as the opening of the OHSU Knight Cancer Research Building in fall of 2018; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

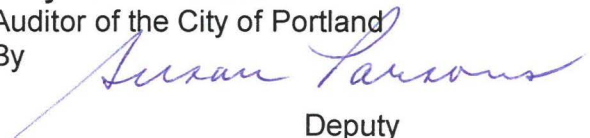
Passed by the Council, NOV 01 2017

Commissioner Dan Saltzman  
Prepared by: Steve Szigethy: SP  
Date Prepared: 9/29/17

**Mary Hull Caballero**

Auditor of the City of Portland

By

  
Deputy

Agenda No.  
**ORDINANCE NO.**  
Title with

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>COMMISSIONER DAN SALTZMAN</b></p> <hr/> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>DS</i></p> <p>Position 4/Safety – Eudaly</p> <hr/> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: <b>Transportation</b> <i>AMP</i> Policy, Planning &amp; Projects Group Manager: <b>Art Pearce</b> <i>AP</i> Director: <b>Leah Treat</b> <i>LT</i></p> <p>Prepared by: Steve Szigethy <i>SS</i> Date Prepared: 9/29/17 Supervisor: Millicent Williams <i>MW</i></p> <hr/> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <hr/> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <hr/> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <hr/> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>GA</i></p> <hr/> <p><b>Council Meeting Date</b> November 1, 2017</p>	<p align="center"><b>CLERK USE: DATE FILED</b> <u>OCT 24 2017</u></p> <hr/> <p align="center">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <hr/> <p><b>ACTION TAKEN:</b></p>
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<p align="center"><b>AGENDA</b></p> <hr/> <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <hr/> <p><b>CONSENT</b> <input checked="" type="checkbox"/></p> <hr/> <p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
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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. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	