

RELOCATION SERVICES AGREEMENT
GREELEY AVENUE CONNECTION TO I-5
PACIFIC HIGHWAY

THIS AGREEMENT, made and entered into by and between the CITY OF PORTLAND, a municipal corporation of the State of Oregon by and through its City officials, hereinafter called "City" and the STATE OF OREGON, by and through the Department of Transportation, Highway Division, hereinafter called "State".

W I T N E S S E T H :

RECITALS

1. By authority granted in certain ORS provisions City entered into an Agreement concerning improvement of Greeley Avenue Connection to I-5 section of Pacific Highway herein referred to as "Project". City officials have acted in this matter pursuant to Ordinance No. _____, adopted by its City Council on the _____ day of _____, 19____.
2. City desires to assist the State with the relocation phase of the project by providing relocation assistance advisory services to all businesses displaced by this project.
3. City has the staff capable of performing relocation assistance advisory services to businesses being displaced.
4. City is willing and able to finance its pro rata share of relocation assistance advisory services to be provided to all businesses displaced by this project.
5. City and State propose to enter into this agreement for the purpose of employing City to perform relocation assistance advisory services to businesses displaced by this project. City and State hereby pledge complete cooperation with each other to accomplish these things set forth and agreed upon in this agreement.

NOW THEREFORE, the premises being in general as stated in the foregoing RECITALS, it is agreed by and between the parties hereto as follows:

I

State agrees to and hereby does employ City and City agrees to act for State in performing the services hereinafter called for in this agreement in connection with the project. The parties hereto mutually agree to the following:

II

CITY OBLIGATIONS

1. City shall as a participating expense be responsible for all relocation assistance advisory services to be provided to businesses displaced by the project. Advisory assistance shall be offered all businesses, regardless of their choice of replacement area.

2. City shall not undertake any part of the relocation assistance advisory services program to businesses being displaced prior to receiving written authorization from State. All work and records of such work shall be in conformance with Federal statutes and regulations, including Vol. 7, Ch. 5, Sec. 1, Pgh. 10c (1), (2), and (3), Federal Highway Program Manual.

3. City shall report every 30 days to the State on the progress being made in assisting the displaced businesses in obtaining and becoming established in a suitable replacement location.

4. Prior to undertaking any work under this agreement, City shall submit to the State a program acceptable to the State and the Federal Highway Administration that will describe the relocation assistance advisory services to be provided the businesses being displaced by the project. Such program shall contain FHWA requirements set forth in FHPM Vol. 7, Ch. 5, Sec. 1, Pgh. 10a and b. City shall also provide State an estimate of total cost of advisory services to be provided under said program.

STATE OBLIGATIONS

1. State shall inform City when any negotiations have been initiated to acquire any property on the project that will displace a business or businesses.

2. The State shall cooperate with the City by providing information, and advice as necessary to adequately and reasonably relocate the businesses being displaced by the project.

3. The State shall refer each displaced business owner to the proper City representative for relocation assistance advisory services.

III

GENERAL PROVISIONS

1. City shall keep records of its actual costs and expenses incurred in performing the agreed services for the project under the terms of this agreement and submit an itemized billing once each month. Only those costs directly chargeable to the highway project are eligible for reimbursement as set out in FHPM Vol. 1, Ch. 4, Sec. 5.

2. State shall collect Federal Aid funds from the Federal Highway Administration in the usual manner and reimburse the participating share of said funds to City.

3. It is expressly understood that City shall contribute to the actual total cost of the relocation assistance advisory services of the project as follows:

City shall contribute 100 percent of the difference between the actual cost of the relocation assistance advisory services to be provided by and programmed by the City for the project and the amount contributed by the Federal Government.

4. The relocation assistance advisory service to businesses will be in full accordance with the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" (Public Law 91-646).

5. Department of Transportation Title 49 CFR Part 21 through Appendix 14, 23 CFR 710.405(b) and Title VI of the Civil Rights Act of 1964, as they may be amended from time to time are hereby incorporated by reference and made a part of this agreement. It is agreed that every City employee and representative engaged in work under this agreement shall perform all official actions in full accord with the spirit and letter of the Constitution and applicable laws, regulations, and policies to assure equality of opportunity for all persons, and to avoid even the appearance of discrimination because of race, creed, color, sex or national origin.

6. It is mutually agreed that any change in this agreement must have the approval of the Chief Executive Officer of the City and the Right of Way Manager and Chief Counsel of the Oregon State Highway Division.

7. Notwithstanding anything else in this agreement, the intent is that State has employed City as an independent contractor for its services with regard to the provisions set forth herein.

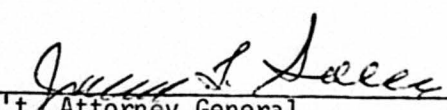
IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed on the day and year hereafter written.

The State Highway Engineer, acting under delegated authority from the Oregon Transportation Commission, authorized the Right of Way Manager to approve and execute this contract on behalf of the Commission.

Dated this _____ day of _____, 1980.

APPROVED AS TO FORM:

STATE OF OREGON, by and through
its DEPARTMENT OF TRANSPORTATION,
Highway Division



Ass't Attorney General
and Counsel

J. B. Boyd, Right of Way Manager

CITY OF PORTLAND, by and through
its City Officials

By _____
Commissioner of Public Works

City Attorney

By _____
City Auditor

THE CITY OF
PORTLAND



OREGON

CONNIE McCREADY
MAYOR

OFFICE OF
PLANNING AND
DEVELOPMENT

BUREAU OF
ECONOMIC
DEVELOPMENT

JOHN M. WIGHT
DIRECTOR

820 S.W. FIFTH AVE.
PORTLAND, OREGON 97204
(503) 248-4293

May 1, 1980

MEMORANDUM

TO: GENE ST. CLAIR, ODOT

FROM: MAGGIE SPERLING *MS*

SUBJECT: WORK PROGRAM, GREELEY I-5 ACCESS PROJECT

This is a proposal for the City's Bureau of Economic Development staff to work with the businesses in Lower Albina who must relocate because of the Greeley I-5 Access Project. It may be necessary to hire specialized temporary part time help to supplement staff work. Proposed federal funding source for relocation advisory assistance is FHWA, and HCD. Subsequent to review and approval by R. N. Bothman, Metropolitan Administrator for the State Department of Transportation, we will proceed to secure funding.

I. BACKGROUND

The City Council has adopted the Comprehensive Economic Development Strategy (CEDS) which supports assisting in-City businesses affected by public projects to relocate within the City. To carry out the CEDS policy, it is necessary to develop a strategy for this relocation assistance that abides by the federal requirements for such assistance.

Five businesses have been identified as being displaced by the Greeley I-5 Access Project. All but one of the businesses are lease tenants. As such, the relocation funds available from the State DOT are limited. Four of the five businesses need to expand their operations, and want to own any site on which they relocate. Two of the firms are in sales and services, one in remanufacturing, one is a machine shop, and another is a commercial artist. All of the firms have different location needs as far as visibility, truck and rail access, and utility needs.

Such diverse requirements together with limited federal relocation funds necessitates a concerted effort on the part of the City to adequately assist these firms in their relocation.

RECEIVED

MAY 5 1980

Metro R/W Dept.

II. PROPOSED WORK PROGRAM FOR BED STAFF (AND TEMPORARY SPECIALISTS)

This proposal is mindful of the lead role the State Department of Transportation plays in providing financial relocation assistance to businesses affected by its projects. Further, we understand that our participation in this project is not contingent upon the businesses relocating within the City. The City of Portland's role will be to enhance the assistance provided by the State by pointing out and making available opportunities for relocating within the City; assisting in information gathering and cutting down bureaucratic red tape. Choice of location is entirely a decision of the individual businesses.

Under the supervision of the Director of the Bureau of Economic Development, staff and part-time specialists will accomplish the following tasks:

1. Develop complete and detailed business assistance packages with each firm, including site identification and financial assistance needs;
2. Encourage businesses to relocate, if possible, within the City while ensuring that firms do not lose State highway relocation benefits;
3. Identify clear public priorities for each firm, on a firm-by-firm basis, as to the assistance effort appropriate by the City and the kind of local action or support which is possible and consistent with the City's economic development policies and business assistance programs;
4. Following completion of the above points 1, 2, and 3, specific assistance action for each business will be made to the OPD Administrator.

III. BED QUALIFICATIONS FOR CARRYING OUT WORK

Name

1. Bureau of Economic Development, 620 S.W. 5th Avenue, City of Portland, Oregon.

2. Qualifications:

The Bureau of Economic Development in working closely with the businesses and members of the Lower Albina Council to provide technical and business assistance to that particular industrial district of 170 firms and approximately 6,000 employees. Completion of technical assistance and planning studies is scheduled for December 1980. One full-time Business Assistance Representative is assigned to this district with several support staff.

At the same time the Bureau is offering a comprehensive program of business financing and industrial site development funding as part of a City-wide economic development initiative.

The Bureau's resources include program management for business and technical assistance for commercial and industrial area relocation activities. This particular relocation project is one of three anticipated to be undertaken during 1980. The economic development staff is familiar with the particular site identification and assembly problems associated with small to medium size industrial firms.

3. Personnel:

Business Assistance Specialist (1)
Business Assistance Representatives (2)
Economic Development Planning Manager (1)
Economic Development Staff Assistant (1)
Total Business and Technical Assistance Staff (5)

MS:dg

GREELEY I-5 ACCESS RELOCATION
WORK PROGRAM

1. Work With Bureaucracy:

- a. Coordinate staff activities with the State Department of Transportation and the BED.
- b. Coordinate flow of information among City bureaus and the State Department of Transportation as necessary to facilitate the objectives of the program.
- c. Develop business assistance plan for displaced businesses based on priorities established by the City's economic development policies.
- d. Report monthly to the OPD Administrator on status of the program.

2. Work With Businesses

- a. Contact each affected firm and interview and analyze need for business assistance beyond that provided by the State Department of Transportation. Each firm will be made aware of the opportunities available for relocating within the City. This analysis will be relative to the firm's internal capability for financial self support and the City's business assistance priorities established by the City's economic development policies.
- b. Carry out all activities consistent with the premise that the State Department of Transportation responsibilities as explained in FHWA Program Manual Volume 7, Chapter 5, Section 1, 2, and 3, will take precedence even after the State has concluded its direct assistance and services.
- c. Assist firm in locating suitable sites within the City or relocating such that 25-50% expansion space over present space is provided.
- d. Assess and recommend possible industrial sites within the City and recommend the appropriate level and source of public participation.
- e. Follow up on each business affected by the project in order to meet all stated objectives.
- F. Make progress reports to the director of the Bureau of Economic Development as requested but not less than weekly.

2. Program Funding and Term and Cost of Contract

A temporary part time specialist will be reimbursed at the rate of \$15.00 an hour up to a maximum amount of \$6,000 for the accomplishment of the work program.

Funding will be sought from FHWA and HCD as follows:

FHWA	5,520
HCD	480
TOTAL	\$6,000

ADDENDUM TO RELOCATION
PLAN OF 8-14-79

The City of Portland's proposed assistance in the relocation of the businesses has undergone some changes since the concept was included in the relocation plan by a 12/28/79 addendum. In order to prevent unnecessary expense and duplication of functions and to promote uniform and effective administration of the relocation program:

- 1) The City will provide relocation advisory assistance to all businesses displaced. This will involve help in finding replacement sites, contacting realtors, exploring financing and other appropriate assistance. The City will report regularly to the Right of Way Office on progress and any problems. The City will assign a trained staff member or members from its business Planning and Development Office to work with the five businesses.*
- 2) The State is responsible for administering the relocation program for this project, but will refer each business to the proper City staff person for relocation advisory assistance. The State will present and handle all relocation payments.

*This office of the City works regularly with businesses in finding and obtaining replacement sites.

ORDINANCE NO. **149695**

An Ordinance authorizing the City to enter into an agreement with the Highway Division of the Oregon Department of Transportation providing for payment of City costs to perform relocation assistance for businesses displaced by the Greeley/I-5 Ramp Connections, setting forth City responsibilities and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Resolution No. 32237, adopted by the Council on September 14, 1978, recommended construction of the Greeley/I-5 Ramp Connections project with overcrossings of Interstate Avenue, Alternate 3.
2. Ordinance No. 149305, passed by Council March 19, 1979, authorized a City/State agreement No. 18600, providing for construction of the project.
3. Ordinance No. 148672, passed by Council October 24, 1979, as amended by Ordinance No. 149419, passed April 9, 1980, authorized execution of agreement 18301, providing for acquisition of right-of-way for the project.
4. The Bureau of Economic Development has staff capable of performing relocation assistance advisory services to businesses being displaced by the project.
5. The Highway Division of the Oregon Department of Transportation has submitted an agreement for City approval setting forth City and State responsibilities for relocation assistance.

NOW, THEREFORE, the Council directs:

- a. That by this Ordinance the Commissioner of Public Works and Auditor are authorized to sign on behalf of the City an agreement in the form of the agreement attached to the original of this Ordinance, marked exhibit 1, and by this reference made a part thereof.

ORDINANCE No.

Section 2. The Council declares that an emergency exists in order to avoid undue delay in providing relocation advisory services and ultimate relocation of businesses which must move before construction may begin, and therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

APPROVED BY THE CITY OF PORTLAND
GEORGE YERKOVICH

MAY 31 1980

COMPLETED TO JUN 4 1980

MAY 28 1980

ORDINANCE No. 149695

Title

Calendar No. 149695

1980

BY:

John M. Lange, Acting Mayor

CIV. ENGINEER APPROVED:

CIV. ENGINEER

CIV. ENGINEER

CIV. ENGINEER

CIV. ENGINEER

X Completed

Steve Riddell:mnc

2-20-90

Street & Structural Engineering

Bureau

BUREAU APPROVAL

Works

MAY 24

Zoning

Administration

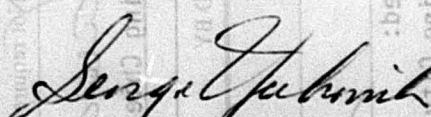
Finance and

Voters

NOTED BY THE CLERK

Passed by the Council, **JUN 4 1980**
 Commissioner Mike Lindberg
 Steve Riddell:mnc
 May 20, 1980

Mayor of the City of Portland



Auditor of the City of Portland

1867

Calendar No. ~~1808~~

ORDINANCE NO. 149695

Title

THE COMMISSIONERS VOTED
AS FOLLOWS:

	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready	1	

An Ordinance authorizing the City to enter into an agreement with the Highway Division of the Oregon Department of Transportation providing for payment of City costs to perform relocation assistance for businesses displaced by the Greeley/I-5 Ramp Connections, setting forth City responsibilities and declaring an emergency.

MAY 28 1980

CONTINUED TO JUN 4 1980

FOUR-FIFTHS CALENDAR

Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed MAY 21 1980

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

Deputy

INTRODUCED BY

Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER

Affairs
Finance and Administration
Safety
Utilities
Works

ML/SA

BUREAU APPROVAL

Bureau:

Street & Structural Engineering

Prepared By:

Date:

Steve Riddell:mmc 5-20-80

Budget Impact Review:

☒ Completed ☐ Not required

Bureau Head:

David Vargas, Acting Chief

NOTED BY

City Attorney

City Auditor

City Engineer Approved:

John M. Lang Acting City Engr.

By:

D Vargas