

ORDINANCE NO. ~~151643~~

An Ordinance amending various sections of Title 17, Public Improvements, of the Code of the City of Portland to provide for engineering and superintendence fee increases, establishing an effective date, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. In order to recover a higher proportion of the costs associated with public improvements, certain sections of Title 17 of the City Code relating to engineering and superintendence fees for local and public improvements should be amended.
2. The City Engineer has recommended that the Code be amended as specified below.
3. The Commissioner of Public Works has approved these amendments.

NOW, THEREFORE, the Council directs:

- A. Chapter 17.04, Definitions, Title 17, Code of the City of Portland, is amended to read as follows:

17.04.080 Engineer's estimate. The term "engineer's estimate" as used in this title refers to the calculation of anticipated total dollar cost of the construction of an improvement project as determined by the City Engineer. The estimate is used in determining the face value of performance bonds where applicable.

- B. Chapter 17.12, Assessments, Title 17, Code of the City of Portland, is amended to read as follows:

17.12.020 Allowance for engineering and superintendence.

- (a) Engineering and superintendence services performed by the City in connection with local improvements shall be charged at the rate of 100 percent of the direct cost of services performed computed in accordance with the provisions of Chapter 5.48.030. A statement of the actual engineering costs shall be prepared by the engineer. The statement shall include only the usual and ordinary engineering costs incurred in the construction of public improvements and extra-ordinary costs shall be deleted prior to filing the statement of costs with the city auditor.
- (b) (No change)
- (c) The fees set forth above for city engineering and superintendence services shall be charged to all local improvement projects for which a petition is filed on or after July 1, 1981.

- (d) The fee to be charged for city engineering and superintendence services for local improvement projects for which a petition was filed prior to July 1, 1981 shall be charged at the rate that was in effect prior to July 1, 1981.
 - (e) The fee to be charged for city engineering and superintendence services for local improvement projects for which a petition was filed prior to October 1, 1978 shall be charged at the rate that was in effect prior to October 1, 1978.
 - (f) The fee to be charged for city engineering and superintendence services for local improvement projects for which a petition was filed prior to July 11, 1977 shall be charged at the rate that was in effect prior to July 11, 1977.
- C. Chapter 17.24, Permits, Title 17, Code of the City of Portland, is amended to read as follows:
- 17.24.025 Fees for public improvement permits.
- (a) Engineering and superintendence services in connection with public improvement projects shall be charged in accordance with the schedule below, when either the City does design and survey or a consultant does design and survey. Direct cost shall be computed in accordance with the provisions of Chapter 5.48.030. The City Engineer shall review actual costs of engineering to insure that only usual and ordinary costs are included.
- | <u>Final Engineer's Estimate</u> | <u>Engineering and Superintendence Fee</u> |
|----------------------------------|--|
| Under \$10,000 | 75% of direct cost |
| \$10,001 to 25,000 | 85% of direct cost |
| Over \$25,000 | 100% of direct cost |
- (b) For public improvement projects for which the City does design and survey, application for a permit requires a deposit of one-half of the estimated total permit fee; the balance of the fee is due prior to issuance of the permit. For projects for which a consultant does design and survey, application for a permit requires a deposit of 20 percent of the estimated total permit fee; the balance of the fee is due prior to issuance of the permit.
 - (c) Prior to the issuance of the certificate of completion by the city engineer the fees charged to the permittee will be adjusted to agree with the actual costs of services as recorded by the city engineer. The remaining balance, if any, after payment of all costs shall be returned to the permittee. If additional funds are required of the permittee, they shall be paid prior to the issuance of the certificate of completion.
 - (d) The fees set forth above for engineering and superintendence services shall be charged to all public improvement projects for which application for a permit is made on or after July 1, 1981. The fee to be charged for public improvement projects for which application for a permit was made prior to July 1, 1981 shall be charged at the rate that was in effect prior to July 1, 1981.

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17.24.070 Engineering and superintendence for public improvements.

- (c) If a permittee, person or agency seeks a public improvement to be constructed under private contract between the permittee and a contractor, or if the permittee desires to do the work himself or have it done under his direction, then the permittee shall be charged for engineering and superintendence services in an amount computed as follows below. This fee shall be paid prior to the issuance of permittee's permit for public improvements.

Engineering and superintendence fees:

1. City does design and survey - see 17.24.025(a)
2. Consultant does design and survey - see 17.24.025(a)
3. Consultant does design, city does survey - see 17.24.025(a)
plus survey actual costs by authority of 5.48.030.

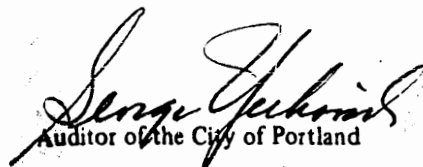
Section 2. The provisions of this ordinance shall be in full force and effect July 1, 1981 as specified herein.

Section 3. The Council declares that an emergency exists in order to implement the above Code amendments by July 1, 1981 as established in Section 2; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **MAY 27 1981**

Commissioner Mike Lindberg
Mary Liberator:bd
May 8, 1981

Attest:


Auditor of the City of Portland

Calendar No. **1686**

ORDINANCE No. 151643

Title

An Ordinance amending various sections of Title 17, Public Improvements, of the Code of the City of Portland to provide for engineering and superintendence fee increases, establishing an effective date, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	<u> </u>	
LINDBERG	<u> 1 </u>	
SCHWAB	<u> 1 </u>	
STRACHAN	<u> 1 </u>	
IVANCIE	<u> 1 </u>	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed **MAY 20 1981**

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By: *James J. Shaulson*
Deputy

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <u> <i>ML/ms</i> </u>

BUREAU APPROVAL
Bureau:
Office of Public Works Admin.
Prepared By: _____ Date: _____
Mary Liberator 5/8/81
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head <u> <i>John M. Lang</i> </u>
John M. Lang, P.E.

CALENDAR
Consent _____ Regular <u> <i>✓</i> </u>

NOTED BY
City Attorney
City Auditor
City Engineer <u> <i>John M. Lang</i> </u>
John M. Lang, P.E.