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191360

Emergency Ordinance

*Authorize contract with the lowest responsible bidder for the Cully Public Works Improvement Project

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. On August 26, 2016, the Portland Bureau of Transportation applied to the Metro administered 2019-21 Regional Flexible Fund Allocation (RFFA) for a grant to design and construct the NE 72nd Avenue Killingsworth to Sandy project; and
2. City Council passed Ordinance No. 189748 on October 30, 2019 to accept the \$2,200,000 grant from Metro; and
3. The Portland Bureau of Transportation, Bureau of Environmental Services, Portland Water Bureau, and Portland Parks & Recreation Urban Forestry have collaborated on a second infrastructure upgrade project in Cully, named the Cully Neighborhood Street Improvement Project; and
4. Due to the geographic overlap, similar scopes of work, anticipated efficiencies gained, and greater ability to coordinate projects, the NE 72nd Ave project and Cully Neighborhood Street Improvement Project have been bundled into a single package for procurement and construction, called the Cully Public Works Improvement Project; and
5. The Bureau of Transportation has funds budgeted in FY 2024 and proposed FY 2025 for construction, inspection, and management of the combined public works project.
6. The Bureau's level of confidence in the cost estimate for this project is moderate; the project is well defined, and plans and specifications are nearing completion.

NOW, THEREFORE, the Council directs:

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

June 28, 2023

Time Requested

20 minutes

- A. The Chief Procurement Officer is authorized to facilitate the competitive solicitation process in accordance with City Code 5.34 to obtain the lowest most responsible bidder.
- B. Upon the Council's acceptance of the Chief Procurement Officer's report recommending the lowest responsible bidder, the Chief Procurement Officer is authorized to award, negotiate and execute a contract, provided the contract has been approved as to form by the City Attorney's Office.
- C. The Mayor and City Auditor to draw and deliver warrants chargeable to T00723 (Cully NSIP) or T00717 (72nd Ave) when demand is presented and approved by the proper authority. The grant number for T00717 is TR000297.

Section 2. The Council declares that an emergency exists because the project must be bid as soon as possible to begin construction in spring 2024; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
June 28, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

- Authorize low bid procurement process to move forward for the Cully Public Works Improvement Project, a joint PBOT + BES + PWB infrastructure project in the Cully neighborhood

Financial and Budgetary Impacts

- Total project cost is \$19.7M (low to moderate confidence estimate), with funding coming from the three infrastructure bureaus.
- PBOT's funding is coming primarily from the Local Transportation Infrastructure Charge (LTIC), a defederalized Metro fund-swap grant, Transportation System Development Charges (SDC), and General Fund "Out of the Mud" funding
- PBOT's projects include Cully Neighborhood Street Improvement Project: T00723 and NE 72nd Ave Sandy – Killingsworth: T00717

- T00717 is funded by grant TR000297.
- The contract will be for a single construction contractor to complete work for the bundled project, which combines the plansets from T00723 and T00717, plus two related PWB projects
- PWB will separately fund their two projects, coordinated via MOU with PBOT – estimates of PWB funding for these projects cover about \$4M of the overall project cost stated above
- This ordinance is coming to Council because the anticipated dollar amount of bid items exceeds the minimum required to not go to Council

Community Impacts and Community Involvement

- Projects have been presented at Cully Association of Neighbors and Roseway Neighborhood Association
- Team has emailed updates to list of 1,300 subscribers, posted an interactive map of the project with over 13,000 views, held individual and small-group meetings with over three dozen residents, sent postcards to individual addresses in the project area

100% Renewable Goal

Not applicable.

Budget Office Financial Impact Analysis

This action authorizes lowest bid procurement for a joint infrastructure project between PBTO, BES, and PWB in the Cully neighborhood. No additional appropriations are required as a result of this process.

Agenda Items

557 Regular Agenda in [June 28, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/6/28)
(<https://www.portland.gov/council/agenda/2023/6/28>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea