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# 191544

Ordinance

## Amend contract with David Evans & Associates, Inc. for design and construction management services for the NE 42nd Ave Bridge Replacement project (amend Contract 30006826)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The NE 42<sup>nd</sup> Ave Bridge is weight restricted, restricting daily freight movement and it is considered seismically vulnerable. The bridge poses a significant barrier to active transportation users as an under-capacity link between 24,000 jobs in the Airport District to the North and the majority of the Portland residents to the south.
2. On May 29th, 2019, by Ordinance No. 189520, City Council authorized a contract with DEA for design services for the Project.
3. The original contract provided DEA services related to Preliminary Engineering (PE) but not for construction services.
4. This amendment is made to continue DEA services for the construction phase of the project or Construction Management. DEA has completed 100% design and is very familiar with the constructability of this complex project it is in the best public interest to have DEA continue with the Construction Management of the project.
5. This amendment will increase the DEA Contract No. 30006826 by an additional \$153,762.20.

NOW, THEREFORE, the Council directs:

- A. The Commissioner-in-Charge is hereby authorized to execute an amendment to a contract with DEA Inc. for the design and construction of the NE 42nd Ave Bridge Replacement project in a form substantially similar to Exhibit A.
- B. The Commissioner-in-Charge is authorized to execute amendments, approved as to form by the City Attorney, to the scope of the services or

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

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Requested Agenda Type

Consent


Date and Time Information

Requested Council Date

December 13, 2023

the terms and conditions of this Agreement, provided the changes do not increase the total project cost by twenty percent (20%) or greater.

## Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/42ndbridge\\_sow\\_amend\\_4\\_08\\_10\\_23-002.docx\)](https://www.portland.gov/sites/default/files/council-documents/2023/42ndbridge_sow_amend_4_08_10_23-002.docx) 35.74 KB

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  
December 13, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

- The Portland Bureau of Transportation (PBOT) is replacing the NE 42nd Avenue bridge over NE Lombard Street. The project will also improve the flow and safety of bicycle and pedestrian traffic.
- The bridge currently has a long list of maintenance action items. Replacing the bridge will eliminate the need to expend resources on continued maintenance of the bridge.
- This legislation is to allow the NE 42nd Avenue Bridge Replacement: Bike Improvements at NE Lombard (US30BY) project to proceed to bidding for a construction contract.

### Financial and Budgetary Impacts

- No change to Portland Bureau of Transportation (PBOT) budget is requested with this ordinance. The project is in the Adopted CIP for FY 2023-24 as project T00713.
- PBOT has committed funding for design and construction of the project with several funding sources. GF: \$6,024,084; SDC: \$2,000,000; HVUT1: \$2,000,000; HUVT2: \$2,000,000; HB2017: \$3,000,000; Developer: \$60,000; and Build Portland: \$3,000,000; for a total of \$18,084,084.
- Level of project estimate confidence is low to moderate.
- No changes in staffing levels or appropriation are requested with this ordinance.

## Community Impacts and Community Involvement

PBOT presented the project to neighborhood associations in the vicinity of the project as well as several communications and meetings with business owners in the area. Business owners are very supportive of the project and are looking forward to the project.

We will continue to engage the neighborhood and businesses during the construction phase.

## 100% Renewable Goal

N/A

## Budget Office Financial Impact Analysis

This action amends the contract with DEA, Inc. in the amount of \$153,762.20 for design and construction services on the 42nd Avenue Bridge Replacement project. PBOT's Adopted CIP for FY 2023-24 includes funding for the project and no additional appropriation is required because of this ordinance.

## Agenda Items

996 Consent Agenda in [December 6, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/12/6)  
(<https://www.portland.gov/council/agenda/2023/12/6>)

Passed to second reading

Passed to second reading December 13, 2023 at 9:30 a.m.

1037 Consent Agenda in [December 13, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/12/13)  
(<https://www.portland.gov/council/agenda/2023/12/13>)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea