

183779

ORDINANCE No.

*Amend contract with Oregon Iron Works, Inc. for the production of prototype streetcar vehicle (Ordinance; amend Contract No. 37218)

The City of Portland ordains:

Section 1. The Council finds:

1. The Tri-County Metropolitan Transportation District of Oregon (TriMet) was the recipient of federal funds through a National Research Program grant (Grant) related to the purchase and deployment of a domestically manufactured streetcar (Prototype Streetcar).
2. On March 22, 2006, City Council passed Ordinance No. 180018, as amended, authorizing Intergovernmental Agreement No. 52626 between TriMet and the City for the City to become a subrecipient of the Grant funds.
3. After a competitive process, City Council passed Ordinance No. 180788 on February 28, 2007, authorizing Agreement No. 37218 with Oregon Iron Works, Inc. (OIW) for the production of the Prototype Streetcar.
4. OIW has requested that the City agree to replace the existing propulsion system on the Prototype Streetcar, which was not domestically produced, built under Agreement No. 37218 with a system to be developed by Rockwell Automation, a US manufacturer of electrical and electronic equipment located in Milwaukee, Wisconsin.
5. TriMet and the City sought a federal grant to assist in funding the replacement of the propulsion system and on April 16, 2010, US Secretary of Transportation Ray LaHood and Federal Transit Administrator (FTA) Peter Rogoff announced that TriMet would receive \$2.4 million in federal research funds to support the development of streetcar components that would be made in the USA.
6. The federal grant is to be used to support the development of a domestically produced streetcar propulsion system, as well as initial work to develop a streetcar that can operate for short distances without power from overhead wires, allowing the potential for streetcar service to be introduced where historic, environmental or other concerns limit the installation of overhead wires.
7. The City and OIW have agreed to the terms, conditions and compensation for the replacement of the propulsion system and anticipate negotiating an additional change order related to the wireless technology.

8. In a subsequent action, TriMet and the City will amend Intergovernmental Agreement No. 52626 (IGA) in order to name the City as the responsible party to oversee and carry out the work called for in the new federal grant and to allow TriMet to disburse the grant funds to the City for accomplishment of the work.
9. It is anticipated that the cost for replacing the Prototype Streetcar propulsion system will be \$1.8 million. The City will participate in this cost by providing an amount not to exceed \$1.2 million, but not more than 2/3rds of actual documented costs. The City shall not provide any funds from this new grant until Congressional appropriation of the funds, successful completion of a federal grant agreement between TriMet and the FTA and execution of an amendment to the IGA between TriMet and the City for disbursement of the funds.

NOW, THEREFORE, the Council directs:


- a. The Chief Procurement Officer is hereby authorized to approve Amendment #3 to Agreement No. 37218 implementing Change Order No. 2, substantially in accordance with the Amendment as attached to this Ordinance, and, by reference, made a part hereof.
- b. The Chief Procurement Officer is hereby authorized to approve future Amendments to Agreement No. 37218.
- c. The Mayor and the City Auditor are hereby authorized to draw and deliver checks payable to Oregon Iron Works, Inc., chargeable to the Transportation Operating Fund, Fund 200000, Business Area TR00.
- d. The Director of the Bureau of Transportation is hereby authorized to agree to and execute, on behalf of the City, any amendments to Intergovernmental Agreement No. 52626 between TriMet and the City necessary to implement the work to be funded by the new federal grant.

Section 2. The Council declares an emergency exists because the federal government desires that the propulsion system replacement be accomplished as soon as feasible in order to create a new domestic technology base; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, MAY 19 2010

Mayor Sam Adams
Prepared by: Vicky Diederich
Date Prepared: April 27, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland
By


Deputy

694

140

Agenda No.
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>Valade</i> Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date May 12, 2010 City Attorney Approval	CLERK USE: DATE FILED MAY 14 2010 <i>on behalf of Mayor Adams</i> LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN:
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AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 5 min. (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	<input checked="" type="checkbox"/>	
Adams	<input checked="" type="checkbox"/>	