

ORDINANCE No. 185852

*Amend Intergovernmental Agreement with TriMet and the Oregon Department of Transportation for stormwater retrofits at the Barbur Boulevard Transit Center (Ordinance; amend Contract No. 30001999)

The City of Portland ordains:

Section 1. The Council finds:

1. On March 3, 2011 the City entered into an Intergovernmental Agreement (IGA) with the TriMet and the Oregon Department of Transportation (ODOT) as authorized by Ordinance 184385 for implementation of stormwater retrofits at the Barbur Boulevard Transit Center.
2. The IGA provided for a construction budget of \$590,000 funded by ODOT. Subsequently, the IGA was amended (Ordinance 185160) to provide a construction cost contingency of \$85,000 to be split 50/50 between BES and ODOT. The estimated additional project construction costs required to address encountered site conditions have exceeded the \$85,000 cost contingency.
4. BES and ODOT agree to budget a total of \$240,000 split 50/50 (\$120,000 BES and \$120,000 ODOT) to provide for the increased construction costs. Any expenditures of this funding shall be only for costs in excess of the original ODOT funded construction budget of \$590,000. ODOT will budget an additional \$172,000 to cover any additional construction costs over \$830,000.
5. The established cost is \$77,500. Funds are available in the Sewer System Operating Fund, FY 2013 Budget, Bureau of Environmental Services, Cost Center ESWS000009, Project E09107.

NOW, THEREFORE, the council directs:

- a. The Director of the Bureau of Environmental Services is authorized to execute Amendment Number 02 to Intergovernmental Agreement (Contract 30001999) with ODOT and TriMet, substantiantially in conformance with Exhibit A for the purpose described in Section 1, in the amount of \$77,500.
- b. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

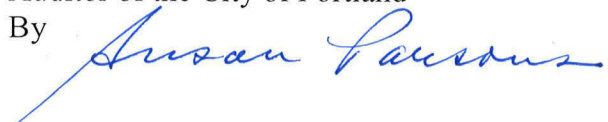
Section 2. The Council declares that an emergency exists because this Amendment is necessary to commit existing ODOT funding and assure timely completion of the project. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,
Dan Saltzman
Commissioner of Public Affairs

Amin Wahab
December 5, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

888281

Agenda No.
ORDINANCE NO.
Title

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| <p>INTRODUCED BY Commissioner/Auditor: <i>Saltzman</i></p> | <p>CLERK USE: DATE FILED <u>JAN 04 2013</u></p> |
| <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - /</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - <i>Saltzman</i></p> <p>Position 4/Safety -</p> | <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> |
| <p>BUREAU APPROVAL</p> <p>Bureau: Environmental Services Bureau Head: Dean Marmot</p> <p><i>NWHR</i> Prepared by: Amin Wahab Date Prepared: December 5, 2012</p> | <p>ACTION TAKEN:</p> |
| <p><i>EXL</i> Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Council Meeting Date <u>1/9/13</u></p> | |
| <p><input checked="" type="checkbox"/> City Attorney Approval <i>[Signature]</i></p> | |

AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
(for presentation, testimony and discussion)

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | |
|--------------------|---------------------------------|------|
| | YEAS | NAYS |
| 1. Fritz | 1. Fritz ✓ | |
| 2. Fish | 2. Fish ✓ | |
| 3. Saltzman | 3. Saltzman ✓ | |
| 4. I | 4. Novick ✓ | |
| | Hales ✓ | |