

RESOLUTION NO. 51-2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH TRIMET FOR CITY INFRASTRUCTURE IMPROVEMENTS TO BE CONSIDERED AS FUTURE ADDITIONS TO THE LIGHT RAIL PROJECT CONTRACT, INCLUDING THE KELLOGG MULTI-USE BRIDGE AND TRAIL.

WHEREAS, the City of Milwaukie and TriMet are collaborating on the Portland-Milwaukie Light Rail Project; and

WHEREAS, the City has identified certain construction work that is not a part of the light rail project but which may be cost-effective to construct at the same time as the light rail project by the light rail project contractor; and

WHEREAS, infrastructure improvements desired by the City and added to the light rail construction contract are referred to as Betterments; and

WHEREAS, the City and TriMet each have responsibilities for designing, pricing, permitting, constructing, inspecting and accepting Betterments; and

WHEREAS, the City has anticipated several wastewater, stormwater and transportation infrastructure projects that could be Betterment projects, and has budgeted funds to complete most of these projects in 2013; and

WHEREAS, one Betterment, the Kellogg Lake Multi-Use Bridge and Trail, is a grant-funded project which requires that TriMet and the City complete the design and construction of the project within a budget of \$1,400,000; and

WHEREAS, the Kellogg Lake Multi-Use Bridge and Trail, also requires the City obligate \$200,000 for reimbursement to TriMet as part of TriMet's administration of the Transportation Enhancement grant awarded by ODOT to the City for the Kellogg Multi-Use Bridge and Trail project in July 2012; and

WHEREAS, the City is not required to utilize TriMet's light rail contractor for any other Betterment but will make the determination to do so on each Betterment once that particular Betterment is scoped and priced by TriMet's contractor; and

WHEREAS, the City and TriMet benefit from having an Intergovernmental Agreement in place to describe the terms and conditions under which all Betterments will be considered and administered.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to execute an Intergovernmental Agreement with TriMet for City Betterments to be considered as part of the Portland-Milwaukie light rail construction contract, including the Kellogg Multi-Use Bridge and Trail.

Introduced and adopted by the City Council on September 4, 2012.

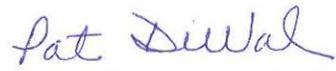
This resolution is effective on September 4, 2012.



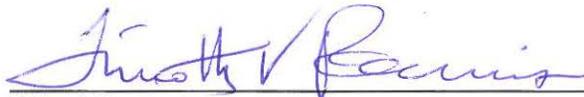
Jeremy Ferguson, Mayor
Council President

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC



Pat DuVal, City Recorder



City Attorney