

RESOLUTION NO. 1243

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH MULTNOMAH COUNTY FOR UTILITY UNDERGROUNDING ON CHERRY PARK ROAD

WHEREAS, Multnomah County intends to make improvements to Cherry Park Road between 242nd Avenue and 257th Avenue during the summer of 1996; and

WHEREAS, Section 12.11.030 of the Troutdale Municipal Code requires existing overhead utilities within or adjacent to public right-of-way to be converted to underground whenever there is a major reconstruction of a public street; and

WHEREAS, the City has asked Multnomah County to include the undergrounding in its road improvement project for efficiency and economy purposes; and

WHEREAS, Multnomah County has agreed to do so and proposes that the two governmental units enter into an Intergovernmental Agreement to establish the details.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

That the Mayor is authorized to enter into an Intergovernmental Agreement, substantially as shown on Attachment A hereto, with Multnomah County for utility undergrounding on Cherry Park Road.

YEAS: 5
NAYS: 0
ABSTAINED: 0


Paul Thalhofer, Mayor

Dated: 5-17-96


George Martinez, City Recorder

Adopted: 5-14-96

**INTERGOVERNMENTAL AGREEMENT
FOR THE CHERRY PARK ROAD PROJECT
BETWEEN MULTNOMAH COUNTY AND THE CITY OF TROUTDALE**

This Agreement is entered into on June 13, 1996, between the City of Troutdale, Oregon (City), and Multnomah County, Oregon (County), pursuant to the authority granted in ORS Chapter 190.

RECITALS

WHEREAS, the purpose of this Agreement is to detail the responsibilities, compensation and services to be provided by both Multnomah County and the City of Troutdale regarding the improvement of Cherry Park Road between SE 242nd Avenue and SE 257th Avenue, including the undergrounding of utilities in the same area; and

WHEREAS, the Board of County Commissioners and the Troutdale City Council both recognize the need to improve Cherry Park Road; and

WHEREAS, the City of Troutdale has requested undergrounding of utilities with the development of the road and recognizes the responsibility to pay for said undergrounding; and

WHEREAS, the City of Troutdale and the County have agreed that it is desirable to incorporate the needed utility undergrounding in the County contract for the Cherry Park Road improvement to facilitate construction and minimize current and future expenses to both parties.

NOW, THEREFORE, the parties do mutually agree as follows:

I. SCOPE OF WORK

A. The County agrees to perform the following services:

1. Complete project design plans and specifications, prepare contract and bidding documents, and call for bids. The Contractor performing the utility undergrounding work shall be previously qualified by the County in utility construction to the estimated budgeted amount shown in this document.
2. Submit construction bids to the City for their approval, prior to the award of the construction contract.
3. Award the contract for construction of the project and administer the contract.

4. Confer with the City on a regular basis and promptly respond to any inquiries from City personnel in regard to this project.
5. Provide all necessary survey services to install the utility undergrounding.

B. The City hereby agrees to perform the following services:

1. The City will provide a copy of relevant specifications upon signing of this agreement.
2. Review and return the bidding documents prior to bid within seven (7) calendar days from date of receipt from the County.

II. TIME OF PERFORMANCE/SCHEDULE

- A. The County shall advertise the contract for bid by June 1996, issue a Notice to Proceed by July 1996, and complete the undergrounding of utilities by September 1996.
- B. In the event of unforeseen circumstances beyond the control of the County, the "Time of Performance" may be amended as set forth in Section VII, "Amendment of Agreement."

III. EFFECTIVE AND TERMINATION DATES

- A. This Agreement shall be effective as of the signing of this agreement, and shall terminate as of August 1, 1999.

IV. ESTIMATED COST

- A. The estimated cost for the undergrounding of utility facilities is \$165,000.00.

V. COMPENSATION BY CITY

- A. The City shall pay the County based on actual bid prices per items of work shown in the contract proposal, including any necessary change orders plus actual cost for project management and administration, directly related to the undergrounding of the utilities.

- B. The County shall keep itemized records of services performed under this Agreement in sufficient detail to allow the City to monitor work progress in relation to compensation claimed.

VI. BILLING PROCEDURES AND PAYMENT

- A. The County will initially pay for the undergrounding of utility facilities as part of the Cherry Park Road project.
- B. The City will reimburse the County over a period of three (3) years. Payment in the amount of \$55,000.00 plus interest shall be made August 1st of years 1997, 1998, and 1999. Interest shall be computed at the Local Governmental Interest Rate.

VII. AMENDMENT OF AGREEMENT

- A. The City and the County may amend this agreement from time to time by mutual written agreement.

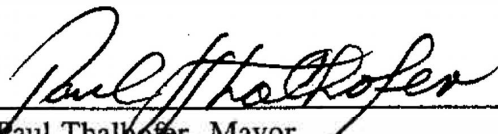
VIII. NON-APPROPRIATION CLAUSE

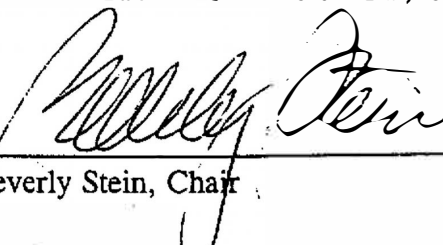
This Agreement is subject to to future appropriations by any future City Council or Board of County Commissioners.

Dated this 13th day of June, 1996.

CITY OF TROUTDALE, OREGON

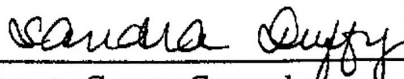
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Paul Thalhofer, Mayor


Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, County Counsel
for Multnomah County Oregon


Deputy County Counsel

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-8 DATE 6/13/96
DEB BOGSTAD
BOARD CLERK