

**ORDINANCE 1598**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT AMENDMENT WITH FIRST TRANSIT, INC. OF CINCINNATI, OHIO.**

**WHEREAS**, the Parties entered into a contract for Transit Services dated June 1, 2021, with an initial contract term of three (3) years, effective July 1, 2021 to June 30, 2024;

**WHEREAS**, the City's insurance company recently dropped liability for all Contractor operated vehicles;

**WHEREAS**, the agreement states: "The CITY will be responsible for primary auto liability insurance for all City-owned Transit vehicles up to the current Oregon Tort Claim caps.";

**WHEREAS**, the Contractor has agreed to provide liability insurance for all City-owned Contractor operated Transit vehicles up to the current Oregon Tort Claim caps at a rate of .12 per mile not to exceed \$50,000; and

**WHEREAS**, the City intends to extend the Canby Loop service to Saturdays adding an additional 624 hours to the contract, the "Compensation Amount as of Date of Award" section of the contract is amended as follows:

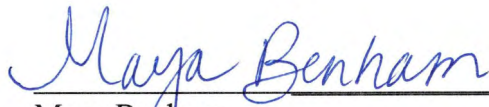
**Budget -Year 3 (7/1/23 – 6/30/24) \$1,701,521 (21,178 VRH - @ \$80.34 per VRH)**

All other terms, conditions, agreements, and addendums remain in effect between the parties.

**NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:**

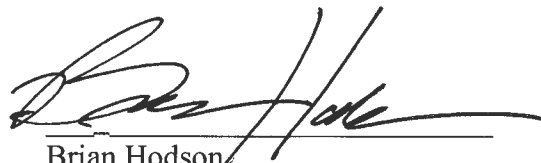
The Mayor and the City Administrator are hereby authorized and directed to make, execute and declare in the name of the City of Canby and on its behalf, an appropriate amendment to the contract with First Transit, Inc. of Cincinnati, Ohio. A copy of said amendment is attached hereto as Exhibit "A" and by this reference incorporated herein.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, May 3, 2023, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, May 17, 2023 commencing at the hour of 7:00PM in the City Council Chambers located at 222 NE 2<sup>nd</sup> Avenue, 1<sup>st</sup> Floor, Canby, Oregon.

  
\_\_\_\_\_  
Maya Benham,  
City Recorder

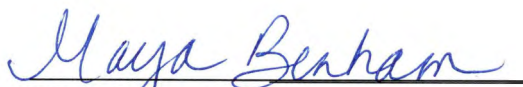
**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on May 17, 2023, by the following vote:

YEAS 4 NAYS 0



Brian Hodson  
Mayor

**ATTEST:**



Maya Benham,  
City Recorder

**Amendment 1  
Contract for Transit Services  
No.: CAT2021**

**THE CONTRACT** was previously entered into on the 1<sup>st</sup> day of June between the City of Canby, Oregon, a municipal corporation hereinafter called "City," and First Transit, Inc., with headquarters located in Cincinnati, Ohio hereinafter called "Contractor", and collectively referred to herein as the "Parties".

**WITNESSETH THAT:**

**WHEREAS**, the Parties entered into a contract for Transit Services dated June 1, 2021, with an initial contract term of three (3) years, effective July 1, 2021 to June 30, 2024.

**WHEREAS**, the City's insurance company recently dropped liability for all Contractor operated vehicles.

**WHEREAS**, the agreement states: "The CITY will be responsible for primary auto liability insurance for all City-owned Transit vehicles up to the current Oregon Tort Claim caps."

**WHEREAS**, the Contractor has agreed to provide liability insurance for all City-owned Contractor operated Transit vehicles up to the current Oregon Tort Claim caps at a rate of .12 per mile not to exceed \$50,000.

**WHEREAS**, the City intends to extend the Canby Loop service to Saturdays adding an additional 624 hours to the contract, the "Compensation Amount as of Date of Award" section of the contract is amended as follows:

**Budget -Year 3 (7/1/23 – 6/30/24) \$1,701,521 (21,178 VRH - @ \$80.34 per VRH)**

All other terms, conditions, agreements, and addendums remain in effect between the parties.

**IT IS SO AGREED**, City and Contractor have executed this Transit Contract Amendment 1 effective July 1, 2023.

5-19-23  
Date

\_\_\_\_\_  
Date

Eileen Stein  
Name:

\_\_\_\_\_  
Name:

Title: Interim City Administrator

\_\_\_\_\_  
Title:

City of Canby  
PO Box 930  
Canby, OR 97031  
503.266.0745

First Transit Inc.  
600 Vine St  
Cincinnati, OH  
972.391.4600

**AFFIDAVIT OF POSTING**

**STATE OF OREGON**     )  
  )  
**County of Clackamas**     )     ss:  
  )  
**CITY OF CANBY**             )

I, Maya Benham, being first duly sworn, depose and say that I am the City Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon.

That on the 3<sup>rd</sup> day of May, 2023 the Council for said City of Canby held a Regular City Council Meeting, at which meeting Ordinance No. 1598 was read for the first time and passed by the vote of said Council and was then and there ordered posted in at least three (3) public and conspicuous places in said City for a period of five (5) days prior to the second reading and final vote on said Ordinance, as provided in Section 2 of Chapter 8 of the Charter of the City of Canby, and

Thereafter, on the 5<sup>th</sup> day of May, 2023, I personally posted said Ordinance in the following three (3) conspicuous places, all within the said City of Canby, to wit:

- 1. Canby Civic Building
- 2. Canby Post Office
- 3. City of Canby Web Page

That since said posting on the date aforesaid, the said Ordinance will remain posted in the said three (3) public and conspicuous places continuously for the period of more than five (5) days and until the very 17<sup>th</sup> day of May, 2023.

Maya Benham  
Maya Benham, City Recorder

Subscribed and sworn to before me this 5 day of May, 2023.

Melissa Bisset  
Notary Public for Oregon  
My Commission Expires:

