

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2016-XXX

Authorizing the County Chair to Execute an IGA with the City of Portland Bureau of Environmental Services for Sewer Repair Work in Conjunction with the Central Courthouse Project.

The Multnomah County Board of Commissioners Finds:

- a. The Intergovernmental Agreement (IGA) is authorized pursuant to ORS 190.110. The City of Portland Bureau of Environmental Services (BES) and the County desire to work together to include needed City sewer repair work in the County's site construction work for the Central Courthouse Project (Project).
- b. The IGA provides for the County to complete sewer rehabilitation work as part of the Project, as described in the Statement of Work, at Exhibit A to the IGA, a copy of which is attached hereto as Exhibit A and incorporated herein by reference.
- c. The IGA requires BES to reimburse the County for costs associated with the provision of the construction materials, equipment and services as described in the IGA and in accordance with Exhibit B to the IGA: Project Budget. The public works portion of the Project is being built under City Permit number EP269, and City Building Permit number: 16-188612-MG. The BES Capital Improvement Project number is: E10860.C14.
- d. The IGA will become effective upon execution by both parties. Unless earlier terminated or extended, the IGA will expire when the County's completed performance of the Work has been accepted by BES or on September 1, 2017, whichever date occurs first.
- e. The County has selected Hoffman Construction as Construction Manager/General Contractor (CM/GC) and SRG Partnership as Architecture & Engineering firm (A&E) and will manage and enforce provisions of the CM/GC and A&E contracts, and make payments to the CM/GC and A&E for their Work performed under the IGA. The BES Project Manager shall have the opportunity to review and comment on all Work procurement and contract documents prior to issuance by the County. The CM/GC will provide a schedule of values for the Work to BES prior to notice to proceed.
- f. Both parties certify that, at the time the IGA becomes effective, sufficient funds are available and authorized for expenditure to finance the costs of the IGA

within either party's current appropriation and limitation. Both parties understand and agree that payment of amounts under the IGA attributable to work performed after the last date of the current budget period is contingent on either party receiving appropriations, limitations, or other expenditure authority.

- g. The IGA requires BES to pay the County for the cost of the Work as described in Exhibit A and not to exceed \$300,000 as allocated in Exhibit B. Up to an additional 25% to cover unexpected contingencies will be made available with approval by the BES Director or designee. Any necessary funds above and beyond the 25% contingency will require an amendment to the IGA and City Council approval.
- h. The IGA will permit the County's Project CM/GC to perform required upgrades to and relocation of City sewer lines that will serve the new Central Courthouse and other buildings in the area in a cost-efficient manner. The CM/GC will endeavor to meet or exceed City equity in contracting and workforce goals for Oregon State certified disadvantaged, minority, women and emerging small businesses (DMWESBs) for the Work in accordance with Hoffman's CM/GC contract with the County.
- i. The County's Central Courthouse team and the City's BES and Bureau of Development Services teams have met over the past several months to plan, design and permit the Work, in anticipation of entry into the IGA and the County's construction start in January 2017.

The Multnomah County Board of Commissioners Resolves:

- 1. The County Chair is authorized to sign the IGA with the City of Portland, acting by and through its Bureau of Environmental Services, in substantially the form attached hereto as Exhibit A. Board approval is needed for any modification or amendment that results in a material increase in the obligations of Multnomah County or a material decrease in the benefits for Multnomah County under the IGA.

ADOPTED this 10th day of November 2016.

**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

Deborah Kafoury, Chair

REVIEWED:

**JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON**

By _____
Kenneth M. Elliott, Assistant County Attorney

SUBMITTED BY: Sherry Swackhamer, Director, Department of County Assets