

RESOLUTION NO. 1569

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE MAYOR TO SIGN AMENDMENT NO. 1 TO FUND EXCHANGE AGREEMENT NO. 15,690 WITH THE STATE OF OREGON ACTING BY AND THROUGH THE OREGON DEPARTMENT OF TRANSPORTATION TO PROVIDE \$92,871 IN FUNDING FOR THE MISCELLANEOUS PEDESTRIAN IMPROVEMENTS AND BOBERG ROAD SIDEWALKS PROJECTS.

WHEREAS, construction of the Bicycle and Pedestrian Path Improvements Project was completed in March 1999; and

WHEREAS, the Bicycle and Pedestrian Path Improvements Project incorporated three projects listed in the adopted 1998-1999 Capital Projects budget including the Kinsman Road/Barber Street/Boberg Road Bikeway Improvements (Project 412), the Town Center Loop West Bike Path Improvements (Project 431) and the Boberg Road Sidewalk Improvements (Project 455); and

WHEREAS, the City of Wilsonville and State of Oregon entered into Fund Exchange Agreement No. 15,690 on December 4, 1997; and

WHEREAS, this resolution authorizes the Mayor to sign Amendment No. 1 to Fund Exchange Agreement No. 15,690; and

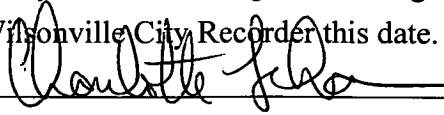
WHEREAS, by approving Amendment No. 1 to Fund Exchange Agreement No. 15,690 the expiration date will be extended by two years, the scope of work will be increased to allow inclusion of the Miscellaneous Pedestrian Improvements Project (Project 475) and the funding will be increased by the 1998 allocation of \$48,115; and

WHEREAS, with funding as outlined, these projects may proceed and the improvements completed in a timely manner.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

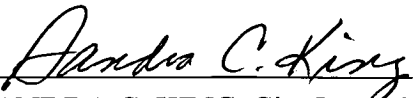
1. That the City Council does hereby approve and authorize the Mayor to sign Amendment No. 1 to the Fund Exchange Agreement No. 15,690 between the City of Wilsonville and the State of Oregon, acting by and through its Department of Transportation, a copy of which is marked Exhibit "A" and attached hereto and incorporated herein to provide funding for the Boberg Sidewalks and Miscellaneous Pedestrian Improvements Projects.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21st day of June, 1999, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:



SANDRA C. KING, City Recorder

SUMMARY OF VOTES:

| | |
|------------------|-----|
| Mayor Lehan | Yes |
| Councilor Helser | Yes |
| Councilor Barton | Yes |
| Councilor Kirk | Yes |
| Councilor Holt | Yes |

Misc. Contracts & Agreements
No. 15,690

AMENDMENT NO. 1
FUND EXCHANGE AGREEMENT
Boberg Road – Barber Street to Boeckman Road
Wilsonville Road from Brown Road to Meadows Parkway

The State of Oregon, acting by and through its Department of Transportation (State), and City of Wilsonville, acting by and through its Elected Officials (Agency), entered into Local Agency Agreement No. 15,690 on December 4, 1997. Said agreement covers a fund exchange project for the construction of sidewalks on Boberg Road between Barber Street and Boeckman Road, hereinafter referred to as "Project."

It has now been determined by State and Agency that the agreement referenced above, although remaining in full force and effect, shall be amended by this agreement to add the City's 1998 STP fund allocation. The combined allocation will be used for the sidewalk construction as mentioned above and will now include the construction of sidewalks and the installation of landscaping and streetlights on sections of Wilsonville Road from Brown Road to Meadows Parkway:

Page 1, Paragraph 3, which reads:

"3. Agency has submitted a completed and signed Part I of the Project Prospectus outlining the schedule and costs associated with the construction of sidewalks on Boberg Road from Barber Street to Boeckman Road, hereinafter referred to as "project"."

Shall be amended to read:

"3. Agency has submitted a completed and signed Part I of the Project Prospectus outlining the schedule and costs associated with the construction of sidewalks on Boberg Road from Barber Street to Boeckman Road; installation of streetlights, landscaping, and construction of sidewalk infills on Wilsonville Road from Brown Road to Meadows Parkway, hereinafter referred to as "project"."

Page 1, Paragraph 4 which reads:

"4. To assist in funding the project, Agency has requested State to exchange Federal funds which have been allocated to Agency, for State funds based on the following ratio:

\$94 State for \$100 Federal

Based on this ratio, Agency wishes to trade \$47,613 Federal funds for \$44,756 State funds."

Shall be amended to read:

"4. To assist in funding the project, Agency has requested State to exchange 1997 and 1998 Federal funds which have been allocated to Agency, for State funds based on the following ratio:

\$94 State for \$100 Federal

Based on this ratio, Agency wishes to trade \$98,799 Federal funds for \$92,871 State funds."

Page 2, Paragraph D which reads:

"D. This Fund Exchange shall be on a reimbursement basis, with State funds limited to a maximum amount of \$44,756. All costs incurred in excess of the fund exchange amount will be the sole responsibility of Agency."

Shall be amended to read:

"D. This Fund Exchange shall be on a reimbursement basis, with State funds limited to a maximum amount of \$92,871. All costs incurred in excess of the fund exchange amount will be the sole responsibility of Agency."

Page 3, Paragraph J which reads:

“J. Agency shall compile accurate cost accounting records. Agency shall bill State, in a form acceptable to State, no more than once a month, for costs incurred on the project. State will reimburse Agency at 94 percent of the billing amount, not to exceed \$44,756. The cost records and accounts pertaining to the work covered by this agreement shall be retained for inspection by representatives of State for a period of three (3) years following final payment. Copies shall be made available upon request.”

Shall be amended to read:

“J. Agency shall compile accurate cost accounting records. Agency shall bill State, in a form acceptable to State, no more than once a month, for costs incurred on the project. State will reimburse Agency at 100 percent of the billing amount, not to exceed \$92,871. The cost records and accounts pertaining to the work covered by this agreement shall be retained for inspection by representatives of State for a period of three (3) years following final payment. Copies shall be made available upon request.”

Page 3, Paragraph M which reads:

“M. This agreement shall be for two years beginning on the date State’s representative executes this agreement and terminating two calendar years later on the same month and day, unless otherwise extended or renewed by formal agreement of the parties.”

Shall be amended to read:

“M. This amendment to the existing agreement shall extend the time for project completion for two years beginning on the date State’s representative executes this amendment and terminating two calendar years later on the same month and day, unless otherwise extended or renewed by formal agreement of the parties.”

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

M C & A No. 15,690
CITY OF WILSONVILLE

The funding for this fund exchange program was approved by the Oregon Transportation Commission on September 13, 1995, as a part of the 1996-1998 Statewide Transportation Improvement Program.

The Financial Services Branch Manager approved the fund exchange on February 25, 1997 for the 1997 project and January 13, 1999 for the combining of the 1997 and 1998 funds.

The Oregon Transportation Commission on March 18, 1999, approved Subdelegation Order No. 2 in which the Director grants authority to the Executive Deputy Director to approve and execute agreements over \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program.

APPROVAL RECOMMENDED

By *Kay Van Arckel*
Region 1 Manager

Date 5/26/99

APPROVED AS TO
LEGAL SUFFICIENCY

By _____
Agency Attorney

Date _____

STATE OF OREGON, by and through
its Department of Transportation

By _____
Executive Deputy Director

Date _____

CITY OF WILSONVILLE, by and
through its elected officials

By *Donald H. Felt*
Mayor

By *Andrea C. King*
Recorder

Date June 22, 1999

Misc. Contracts & Agreements
No. 15,690

AMENDMENT NO. 1
FUND EXCHANGE AGREEMENT
Boberg Road – Barber Street to Boeckman Road
Wilsonville Road from Brown Road to Meadows Parkway

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It has now been determined by State and Agency that the agreement referenced above, although remaining in full force and effect, shall be amended by this agreement to add the City's 1998 STP fund allocation. The combined allocation will be used for the sidewalk construction as mentioned above and will now include the construction of sidewalks and the installation of landscaping and streetlights on sections of Wilsonville Road from Brown Road to Meadows Parkway:

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Shall be amended to read:

"3. Agency has submitted a completed and signed Part I of the Project Prospectus outlining the schedule and costs associated with the construction of sidewalks on Boberg Road from Barber Street to Boeckman Road; installation of streetlights, landscaping, and construction of sidewalk infills on Wilsonville Road from Brown Road to Meadows Parkway, hereinafter referred to as "project"."

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Shall be amended to read:

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Shall be amended to read:

“J. Agency shall compile accurate cost accounting records. Agency shall bill State, in a form acceptable to State, no more than once a month, for costs incurred on the project. State will reimburse Agency at 100 percent of the billing amount, not to exceed \$92,871. The cost records and accounts pertaining to the work covered by this agreement shall be retained for inspection by representatives of State for a period of three (3) years following final payment. Copies shall be made available upon request.”

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Shall be amended to read:

“M. This amendment to the existing agreement shall extend the time for project completion for two years beginning on the date State’s representative executes this amendment and terminating two calendar years later on the same month and day, unless otherwise extended or renewed by formal agreement of the parties.”

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

M C & A No. 15,690
CITY OF WILSONVILLE

The funding for this fund exchange program was approved by the Oregon Transportation Commission on September 13, 1995, as a part of the 1996-1998 Statewide Transportation Improvement Program.

The Financial Services Branch Manager approved the fund exchange on February 25, 1997 for the 1997 project and January 13, 1999 for the combining of the 1997 and 1998 funds.

The Oregon Transportation Commission on March 18, 1999, approved Subdelegation Order No. 2 in which the Director grants authority to the Executive Deputy Director to approve and execute agreements over \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program.

APPROVAL RECOMMENDED

By Kay Van Antel
Region 1 Manager

Date 5/26/99

APPROVED AS TO
LEGAL SUFFICIENCY

By N/A
Agency Attorney

Date _____

STATE OF OREGON, by and through
its Department of Transportation

By Thomas D. Lulay
Executive Deputy Director

Date 7/1/99

CITY OF WILSONVILLE, by and
through its elected officials

By Donnell Scha
Mayor

By Andrea C. Kriz
Recorder

Date June 22, 1999

RESOLUTION NO. 1569

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE MAYOR TO SIGN AMENDMENT NO. 1 TO FUND EXCHANGE AGREEMENT NO. 15,690 WITH THE STATE OF OREGON ACTING BY AND THROUGH THE OREGON DEPARTMENT OF TRANSPORTATION TO PROVIDE \$92,871 IN FUNDING FOR THE MISCELLANEOUS PEDESTRIAN IMPROVEMENTS AND BOBERG ROAD SIDEWALKS PROJECTS.

WHEREAS, construction of the Bicycle and Pedestrian Path Improvements Project was completed in March 1999; and

WHEREAS, the Bicycle and Pedestrian Path Improvements Project incorporated three projects listed in the adopted 1998-1999 Capital Projects budget including the Kinsman Road/Barber Street/Boberg Road Bikeway Improvements (Project 412), the Town Center Loop West Bike Path Improvements (Project 431) and the Boberg Road Sidewalk Improvements (Project 455); and

WHEREAS, the City of Wilsonville and State of Oregon entered into Fund Exchange Agreement No. 15,690 on December 4, 1997; and

WHEREAS, this resolution authorizes the Mayor to sign Amendment No. 1 to Fund Exchange Agreement No. 15,690; and

WHEREAS, by approving Amendment No. 1 to Fund Exchange Agreement No. 15,690 the expiration date will be extended by two years, the scope of work will be increased to allow inclusion of the Miscellaneous Pedestrian Improvements Project (Project 475) and the funding will be increased by the 1998 allocation of \$48,115; and

WHEREAS, with funding as outlined, these projects may proceed and the improvements completed in a timely manner.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:


1. That the City Council does hereby approve and authorize the Mayor to sign Amendment No. 1 to the Fund Exchange Agreement No. 15,690 between the City of Wilsonville and the State of Oregon, acting by and through its Department of Transportation, a copy of which is marked Exhibit "A" and attached hereto and incorporated herein to provide funding for the Boberg Sidewalks and Miscellaneous Pedestrian Improvements Projects.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21st day of June, 1999, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:



SANDRA C. KING, City Recorder

SUMMARY OF VOTES:

| | |
|------------------|-----|
| Mayor Lehan | Yes |
| Councilor Helser | Yes |
| Councilor Barton | Yes |
| Councilor Kirk | Yes |
| Councilor Holt | Yes |



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation
Transportation Building
Salem, OR 97310

FILE CODE:

July 6, 1999

CITY OF WILSONVILLE
ATTN: SANDRA KING, CITY RECORDER
3000 SW TOWN CENTER LOOP EAST
WILSONVILLE OR 97070

AGR

Enclosed for your records is a fully executed copy of Amendment No. 1 to revise an agreement covering work on Boberg and Wilsonville roads.

We have retained a fully executed copy of this amendment for the Department of Transportation's files.

Fran Neavoll

Fran Neavoll, Agreement Specialist
Construction Contracts Unit
Roadway Engineering Section

Enclosure

FN: pf

RESOLUTION No. 1569



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation
Transportation Building
Salem, OR 97310

FILE CODE:

June 13, 2000

City of Wilsonville
Attn: Sandra C. King, City Recorder
30000 SW Town Center Loop East
Wilsonville OR 97070

AGR

Enclosed for your records is a fully executed copy of Amendment No. 2 to Fund Exchange Agreement No. 15690 covering the installation of streetlights and landscaping and sidewalk construction on Wilsonville Road from Brown Road to Meadows Parkway.

This amendment adds the City's 1999 STP fund allocation to continue the project.

We have retained a fully executed copy of this amendment for the Department of Transportation's files.

Julie Redden, Agreement Coordinator
Construction Contracts Unit
Roadway Engineering Section

Enclosure

JR:sl

Misc. Contracts & Agreements
No. 15,690

AMENDMENT NO. 2
FUND EXCHANGE AGREEMENT
Boberg Road – Barber Street to Boeckman Road
Wilsonville Road from Brown Road to Meadows Parkway

The State of Oregon, acting by and through its Department of Transportation (State), and City of Wilsonville, acting by and through its Elected Officials (Agency), entered into Local Agency Agreement No. 15,690 on December 4, 1997 and Amendment No. 1 on July 1, 1999. Said agreements cover a fund exchange project for the construction of sidewalks and the installation of landscaping and streetlights on Boberg Road between Barber Street and Boeckman Road and on sections of Wilsonville Road from Brown Road to Meadows Parkway, hereinafter referred to as "Project."

It has now been determined by State and Agency that the agreements referenced above, although remaining in full force and effect, shall be amended by this agreement to add the City's 1999 STP fund allocation. The combined allocation will be used to continue the project as described above. The following changes shall be made:

Page 2, Amendment No.1, Paragraph 4 which reads:

"4. To assist in funding the project, Agency has requested State to exchange 1997 and 1998 Federal funds which have been allocated to Agency, for State funds based on the following ratio:

\$94 State for \$100 Federal

Based on this ratio, Agency wishes to trade \$98,799 Federal funds for \$92,871 State funds."

RES. 1569

M C & A No. 15,690
CITY OF WILSONVILLE

Shall be amended to read:

"4. To assist in funding the project, Agency has requested State to exchange 1997, 1998, and 1999 Federal funds which have been allocated to Agency, for State funds based on the following ratio:

\$94 State for \$100 Federal

Based on this ratio, Agency wishes to trade \$153,381 Federal funds for \$144,178 State funds."

Page 2, Amendment No. 1, Paragraph D which reads:

"D. This Fund Exchange shall be on a reimbursement basis, with State funds limited to a maximum amount of \$92,871. All costs incurred in excess of the fund exchange amount will be the sole responsibility of Agency."

Shall be amended to read:

"D. This Fund Exchange shall be on a reimbursement basis, with State funds limited to a maximum amount of \$144,178. All costs incurred in excess of the fund exchange amount will be the sole responsibility of Agency."

Page 3, Amendment No. 1, Paragraph J which reads:

"J. Agency shall compile accurate cost accounting records. Agency shall bill State, in a form acceptable to State, no more than once a month, for costs incurred on the project. State will reimburse Agency at 94 percent of the billing amount, not to exceed \$92,871. The cost records and accounts pertaining to the work covered by this agreement shall be retained for inspection by representatives of State for a period of three (3) years following final payment. Copies shall be made available upon request."

Shall be amended to read:

"J. Agency shall compile accurate cost accounting records. Agency shall bill State, in a form acceptable to State, no more than once a month, for costs incurred on the project. State will reimburse Agency at 100 percent of the billing amount, not to exceed \$144,178 The cost records and accounts pertaining to the work covered by this agreement shall be retained for inspection by representatives of State for a period of three (3) years following final payment. Copies shall be made available upon request."

M C & A No. 15,690
CITY OF WILSONVILLE

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

The funding for this fund exchange program was approved by the Oregon Transportation Commission on September 13, 1995, as a part of the 1996-1998 Statewide Transportation Improvement Program.

The Financial Services Branch Manager approved the fund exchange on February 25, 1997 for the 1997 project, January 13, 1999 for the combining of the 1997 and 1998 funds, and July 17, 1999 for the addition of the 1999 funds.

The Oregon Transportation Commission on March 18, 1999, approved Subdelegation Order No. 2 in which the Director grants authority to the Executive Deputy Director to approve and execute agreements over \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program.

APPROVAL RECOMMENDED

By Kay Van Aukel
Region 1 Manager

Date 5-23-00

APPROVED AS TO
LEGAL SUFFICIENCY

By _____
Agency Attorney

Date _____

APPROVED AS TO
LEGAL SUFFICIENCY
[Signature]
Asst. Attorney General
Date 6/16/00

STATE OF OREGON, by and through
its Department of Transportation

By [Signature]
Executive Deputy Director

Date 6/16/00

CITY OF WILSONVILLE, by and
through its elected officials

By [Signature]
Mayor

By [Signature]
Recorder

Date May 16, 2000