



October 21, 2021

Board of Commissioners
Clackamas County

Members of the Board:

Approval to Amend the Safe Routes to School (SRTS) Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT)
To construct a new crosswalk at SE Fuller Road and SE Causey Ave.

Purpose/ Outcomes	Amend IGA No. 33116 to allow an additional seven months to construct the project.
Dollar Amount and Fiscal Impact	There is no fiscal impact associated with amending the project completion date. The original dollar amounts for the grant award are as follows: Total cost of the project is \$185,588. ODOT Grant award is \$148,470. 20% match of \$37,118 is required
Funding Source	The Road Fund is the funding source for the original 20% match. No funding modification is proposed.
Duration	Project development has been ongoing. Original project completion was anticipated to be February 18, 2022. Amended date is September 18, 2022.
Previous Board Action	-October 11, 2018 Business Meeting the Board authorized DTD to apply for the Safe Routes to School grant. -February 28, 2019 Business Meeting the Board authorized execution of IGA with ODOT for the grant award October 12, 2021 Discussion item at issues
Strategic Plan Alignment	-This project will help meet the goal to provide travelers safe roads that are in good condition. -This project aligns with the Performance Clackamas Goal that by 2026, 100% of county residents and businesses have access to safe and affordable infrastructure including multimodal transportation facilities.
Counsel Review	This items was reviewed and approval by County Counsel 9/30/21, NB.
Procurement Review	1. Was this item processed through Procurement? No 2. If no, provide brief explanation: This IGA amendment is to extend the project completion date.
Contact Person	Scott Hoelscher, Senior Planner-Multimodal Transportation - 742-4533

In 2018 the County was awarded a SRTS Infrastructure grant from ODOT to construct a new crosswalk serving Whitcomb Elementary School at intersection of SE Fuller Rd and SE Causey Ave. consisting of rectangular rapid flashing beacons (RRFB); center lane pedestrian refuge and ADA curb ramps. The project has been planned and designed. This summer the County prepared the construction bid package through the procurement department and advertised for construction bids on August 11, 2021. The County received one lone bid which was \$135,500.00 over the engineers estimate developed at the time of the grant award. Given the excessive bid amount, the County intends to rebid the project

again this fall. The rebidding process required DTD to amend the project completion date initially established with ODOT to be February 18, 2022. The County received approval from ODOT to change the project completion date to September 18, 2022, which will allow DTD to rebid the project. A change to the project completion date requires an IGA amendment.

RECOMMENDATION:

Staff respectfully requests the BCC to sign the attached Intergovernmental Agreement (IGA) amendment with ODOT to amend the project completion date.

Respectfully submitted,

Scott Hoelscher

Scott Hoelscher – Senior Planner – Multimodal Transportation

**AMENDMENT NUMBER 01
GRANT AGREEMENT
SAFE ROUTES TO SCHOOL PROGRAM (SRTS)
SE Fuller Rd and Causey Ave: Crosswalk Construction
Clackamas County**

This is Amendment No. 01 to the Agreement between the **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as “ODOT,” and **Clackamas County**, acting by and through its elected officials, hereinafter referred to as “Recipient,” entered into on March 18, 2019.

It has now been determined by ODOT and Recipient that the Agreement referenced above shall be amended for an extension of time.

1. **Effective Date.** This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.
2. **Amendment to Agreement.**

a. **Exhibit A, Table 1: Key Milestone 8, Page 13, which reads:**

Key Milestone	Description	Estimated Due Date
8	Project completion (Project must be completed within 5 years of agreement execution.)	2/18/2022

Shall be deleted in its entirety and replaced with the following:

Key Milestone	Description	Estimated Due Date
8	Project completion (Project must be completed within 5 years of agreement execution.)	9/18/2022

3. **Counterparts.** This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.
4. **Original Agreement.** Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. Recipient certifies that the representations, warranties and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

CLACKAMAS COUNTY, by and through its Governing Body

By _____
(Legally designated representative)

Name _____
(printed)

Date _____

By _____
(Legally designated representative)

Name _____
(printed)

Date _____

LEGAL REVIEW APPROVAL (If required in Recipient's process)

By _____
Recipient's Legal Counsel

Date _____

Recipient Contact:

Scott Hoelscher
Senior Transportation Manager
150 Beaver Creek Road
Oregon City, Oregon 97045
(503) 742-4533
scotthoe@clackamas.us

STATE OF OREGON, by and through its Department of Transportation

By _____
Public Transportation Division
Administrator

Name _____
(printed)

Date _____

APPROVAL RECOMMENDED

By _____
SRTS Program Manager

Date _____

ODOT Contact:

LeeAnne Fergason
SRTS Program Manager
555 13th Street NE
Salem, Oregon 97301
(503) 986-5805
leeanne.fergason@odot.state.or.us