

Staff Report

File #: 19-578

Version: 1

Date: 12/9/2019

Item #:

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Amendment to the Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

Result Area(s): Safe, Reliable, and Efficient Infrastructure

ISSUE:

Shall City Council authorize the City Manager to execute Amendment Number 1 to the Intergovernmental Agreement with ODOT for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project?

RECOMMENDATION:

Authorize the City Manager to execute Amendment Number 1 to the Intergovernmental Agreement with ODOT for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project.

SUMMARY:

Design and right-of-way funds have been budgeted in the FY 19-20 construction budget to widen McGilchrist Street SE between 12th Street SE and 25th Street SE to a 3-lane arterial roadway with additional turn lanes and an additional eastbound travel lane east of 22nd Street SE. The project will also realign 22nd Street SE at the intersection with McGilchrist Street SE as shown on the attached Project Location Map (Attachment 1). The initial Intergovernmental Agreement for Right-of-Way Services (Agreement) approved by City Council on May 14, 2018 (Attachment 2) included \$15,000 for ODOT oversight. Amendment Number 1 to the Agreement (Attachment 3) will increase ODOT participation to \$304,000 so they can take a more active role in acquiring right-of-way on behalf of the City.

FACTS AND FINDINGS:

The right-of-way phase of the project is being funded with \$4,575,280 of federal funds and \$524,720 of match funds from the Urban Renewal Agency. ODOT and City staff have determined that sharing right-of-way acquisition responsibilities will save time and reduce costs. Key highlights of Amendment Number 1 to the Agreement are as follows:

- The City will perform all preliminary work, prepare all legal descriptions, conduct environmental site assessments, review appraisals, recommend just compensation, close all transactions, file for condemnation (if necessary), and record all conveyance documents for right-of-way acquisitions.
- The City and ODOT will share responsibilities for appraising properties, making monetary offers, negotiating relocations, and co-signing the necessary right-of-way certification documentation.

BACKGROUND:

City staff initially planned to complete all right-of-way acquisition activities using consultant appraisers and in-house resources. Recently, ODOT informed the City that they have resources available to play a larger role in the right-of-way acquisition process. ODOT has expertise providing valuations on small acquisitions as well as negotiating Union Pacific Railroad acquisitions, both of which are required for the project. ODOT assisted the City in a similar manner for the Brown Road NE project with great success.

Brian D. Martin, PE
City Engineer

Attachments:

1. Project Location Map
2. Intergovernmental Agreement for Right-of-Way Services
3. Amendment Number 1 to the Intergovernmental Agreement for Right-of-Way Services