



REQUEST FOR COUNCIL ACTION

Title: ODOT US 20/OR 228 ADA Ramp Add-Work Agreement

Preferred Agenda: August 23, 2022

Submitted By: Trish Rice, Engineering Tech II

Reviewed By: Christy Wurster, City Manager Pro Tem
Greg Springman, Public Works Director

Type of Action: Resolution ____ Motion ____ Roll Call X Other ____

Relevant Code/Policy: N/A

Towards Council Goal: Goal 3.2: Community Safety

Attachments: ODOT Cooperative Improvement (Utility) Agreement.

Purpose of this RCA:

The purpose of this RCA is to seek Council approval of an add-work agreement to have ODOT's contractor perform specified City water relocations as necessary in regard to the ODOT US 20 / OR 228 ADA Curb Ramps project.

Background/Context:

ODOT is methodically working to update ADA ramps to meet current guidelines throughout the state. Sweet Home is in construction. When work is done in a right-of-way, it is the responsibility of individual utilities to move their lines as necessary. Normally, the City is the one requiring a private utility to move out of our way. Unfortunately, in this case, the City is on the other side. US 20 and OR 228 are ODOT's right-of-way, and the project design requires some City hydrants and water meters to be moved to make way for changes to ODOT's pedestrian ramps. An add work agreement was previously executed for \$12,250 for minor vertical grade adjustments of water meter boxes/valve lids and manhole lids. This requested add work agreement is for the horizontal relocation of 2 valves, 1 water meter, and 6 hydrants for \$98,520.

The Challenge/Problem:

As the utility in the way of another jurisdiction's right-of-way project, the City is financially responsible to relocate our utilities.

Stakeholders:

- Sweet Home City Council – The City Council has ultimate authority over City utilities and finances.
- Sweet Home Residents – Residents deserve pedestrian crossings that are ADA compliant and safe for both pedestrians and motorists.

- Sweet Home Staff – Staff work to address residents’ concerns and accomplish the Council’s goals. Staff do not have the workload capacity at present to complete all of the required utility relocations in-house.
- ODOT– ODOT has jurisdiction over any improvements made within the US 20 and OR 228 rights-of-way. ODOT is legally mandated to construct these pedestrian improvements.

Issues and Financial Impacts:

The agreement price is \$98,520. Actual costs may be lower, in which case ODOT would reimburse the difference. The City budgeted \$150K in the Path Program to cover this anticipated expense and any additional unanticipated costs associated with the project.

Elements of a Stable Solution:

A stable solution includes intergovernmental cooperation for the public good, and the fair and equitable use of public land.

Options:

1. Option 1 – Do Nothing. Not recommended. ODOT will continue seeking a response from the City. At the extreme, ODOT could enact penalties for delaying their contractor.
2. Option 2 – Move to authorize staff to execute the add-work agreement. Recommended.
3. Option 3 – Move to negotiate the offer. – Not recommended. As a public entity, the terms and pricing of ODOT’s agreements are prescribed by law and the unit prices of bids. Staff do not see any worthwhile gains to be sought by negotiation.

Recommendation:

Staff recommends Option 2 – Move to authorize staff to execute the add-work agreement.