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Memorandum Date: 11/05/07  
Order Date: 11/21/07

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**TO:** Board of County Commissioners

**DEPARTMENT:** Public Works

**PRESENTED BY:** Stephonee Freeman, Engineering & Construction Services Division

**AGENDA ITEM TITLE:** ORDER/IN THE MATTER OF AMENDING A REVENUE AGREEMENT WITH THE CITY OF EUGENE FOR ENGINEERING AND MATERIALS TESTING SERVICES, FOR ADDITIONAL NOT-TO-EXCEED AMOUNT OF \$100,000

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**I. MOTION**

Move approval of Board Order authorizing Public Works staff to enter into an amendment to a revenue agreement with the City of Eugene for Engineering and Materials Testing services in an amount not-to-exceed \$100,000 and authorizing the County Administrator to execute the agreement.

**II. DISCUSSION**

**A. Background / Analysis**

The City of Eugene and Lane County are currently entered into an intergovernmental agreement for engineering and materials testing services on projects within the City of Eugene, which the County will provide said services for billing revenue not-to-exceed \$100,000. Due to a large volume of work generated by the City of Eugene, the original amount of the contract has been used and the City of Eugene is requesting an amendment to increase the contract amount by an additional \$100,000 to cover services through the duration of the contract, which expires 6/30/09.

ORS 373.260 provides that counties and cities may enter into agreements for construction, improvement or repair of, and the acquisition of right-of-way for any county road or city street within the corporate limits of the city. Per Chapter II, Section 8 of the Lane County Home Rule Charter and ORS 190, it has been customary for the County to work cooperatively with other agencies when feasible. The City of Eugene will reimburse the County for all costs associated with providing engineering and materials testing services in accordance with LM 21.124.

**B. Recommendation**

The Board's options are to approve the motion stated above, to deny the motion, or to take some other course of action. Staff is recommending that the Board approve the motion.

**III. ATTACHMENTS**

Board Order

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY  
STATE OF OREGON

ORDER NO.

( IN THE MATTER OF AMENDING  
( A REVENUE AGREEMENT  
( WITH THE CITY OF EUGENE FOR  
( ENGINEERING AND MATERIALS  
( TESTING SERVICES, FOR AN  
( ADDITIONAL NOT-TO-EXCEED  
( AMOUNT OF \$100,000

**WHEREAS**, the City of Eugene has requested that the County amend a current intergovernmental agreement to add an additional not-to-exceed revenue amount of \$100,000 for County's services to provide engineering and materials testing services on projects within the City of Eugene; and

**WHEREAS**, under the authority of Chapter II, Section 8 of the Lane County Home Rule Charter and ORS 190.010, it is the policy of Lane County to offer services to other public agencies where feasible; and

**WHEREAS**, ORS 373.260 provides that counties and cities may enter into agreements for the construction, improvement or repair of, and the acquisition of right-of-way for any county road or city street within the corporate limits of the city; and

**WHEREAS**, the City will reimburse the County for all costs associated with engineering and materials testing services in accordance with LM 21.124 and the work is scheduled to begin in the 2008 construction season; **NOW THEREFORE BE IT**

**ORDERED**, that the original revenue agreement that Lane County has with the City of Eugene for engineering and materials testing services be amended to add an additional not to exceed revenue amount to Lane County of \$100,000.00, and that the County Administrator be authorized to execute the amendment.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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Faye Stewart, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 11-8-07 Lane County

  
OFFICE OF LEGAL COUNSEL