

**ORDINANCE No. 184311**

\*Authorize a Price Agreement with Pacific Rock Products, LLC, dba CEMEX, to provide Bulk Mixed Concrete for a 5-year contractual total not to exceed \$2,850,000. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Bureau of Transportation, Maintenance Operations, is regularly in need of Mixed Bulk Concrete to meet its many maintenance obligations, including scheduled, routine, and emergency projects.
2. The most cost effective way to meet this need is to procure, on a long term contractual basis, the needed materials so there is an uninterrupted source of supply. This ensures the best value for the taxpayers of the City of Portland.
3. Invitation to Bid (ITB) No. 112344 was issued October 29, 2010, for Bulk Mixed Concrete and four bids were received. Pacific Rock Products, LLC, dba CEMEX was identified as the lowest responsible bidder. It has been determined that it is beneficial to the City to award a Price Agreement to the low bidder, Pacific Rock Products, LLC, dba CEMEX, for a not to exceed amount of \$2,850,000 for the 5-year contractual period. The City issued a Notice of Intent to Award a Contract to Pacific Rock Products, LLC, dba CEMEX, on December 2, 2010.
4. Pacific Rock Products, LLC, dba CEMEX, has a current City of Portland business license, is in compliance with the Equal Benefits Program, and their EEO Certification is current through November 30, 2012. The company is located in Vancouver, Washington, and is not an Oregon certified MWESB contractor.

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is authorized to execute a Price Agreement with Pacific Rock Products, LLC, dba CEMEX, on behalf of the City for a not to exceed amount of \$570,000 per year, for a not to exceed amount of \$2,850,000 for the 5-year contract period.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks payable to the contractor for the Price Agreement and chargeable to the appropriate authorization and accounting center when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because the materials and services described under this ordinance must be continued as quickly as possible in order to maintain current Portland Bureau of Transportation, Maintenance Operations. Therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: **DEC 15 2010**

Mayor Sam Adams  
Prepared by: Christine Moody - JVN  
Date Prepared: December 3, 2010

**LaVonne Griffin-Valade**  
Auditor of the City of Portland  
By *Emily Matasar*  
Deputy

Agenda No. **184311**  
**ORDINANCE NO.**  
 Title

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b></p>	<p>CLERK USE: DATE FILED <u>DEC 10 2010</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams </p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Internal Business Services Bureau Head: Jeff Baer </p>	<p><b>ACTION TAKEN:</b></p>
<p>Prepared by: Jim Van Nest Date Prepared: 12/3/10</p>	
<p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date <b>December 15, 2010</b></p>	
<p><b>City Attorney Approval</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____</p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	