

## **ORDINANCE No. 184267**

\*Authorize contract with Clima-Tech Corporation for \$784,000 for the Portland Building VAV Controls Upgrade project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 183771, passed by the Council May 19, 2010, authorized an Intergovernmental Agreement (IGA) with the State of Oregon Department of Energy (ODOE) for the Portland Building HVAC Controls Upgrade project.
2. Bid No. 112275 was advertised September 29, 2010 for the City's Bureau of Internal Business Services under the Office of Management and Finance with an optimal project construction estimate of \$850,000. Five bids were received and reviewed in accordance with Portland City Code 5.34, and Clima-Tech Corporation's low bid in the amount of \$784,000 was determined to be responsive to the requirements of the solicitation. The City issued a Notice of Intent to Award a Contract to Clima-Tech Corporation on November 4, 2010.
3. Clima-Tech Corporation has a current City of Portland business license, is in full compliance with the Equal Benefits Program, and their EEO Certification is current through November 30, 2012. Clima-Tech Corporation is a corporation of Idaho, doing business in Milwaukie, Oregon, and is not a State certified M/W/ESB contractor. Of the three Divisions of Work identified for this project as potential M/W/ESB subcontracting opportunities, \$41,580 is being awarded to an ESB contractor performing HVAC work, representing 14.48% of the total \$287,124 subcontracting dollars.
4. This contract will be funded in part with American Recovery and Reinvestment Act grants from the Energy Efficient Community Block Grant and the State of Oregon Department of Energy, and by the Portland Building major maintenance reserve in the Facilities Services fund.

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is authorized to execute a contract with Clima-Tech Corporation.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the existing fiscal year 2010-2011 appropriation in the Facilities Services fund when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because a delay would interrupt the project completion required in the IGA with ODOE, and jeopardize the grant funding disbursements; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: DEC 01 2010

Mayor Sam Adams

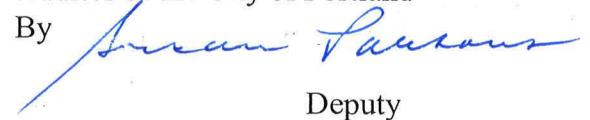
Prepared by: K. Brenes

Date Prepared: November 16, 2010

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

Agenda No.  
**ORDINANCE NO. 184267**  
 Title

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|---|---|
| INTRODUCED BY<br>Commissioner/Auditor:<br><b>Mayor Sam Adams</b><br><i>K. Brenes on behalf of Mayor Adams</i><br>COMMISSIONER APPROVAL                      | CLERK USE: DATE FILED <u>NOV 23 2010</u><br><br>LaVonne Griffin-Valade<br>Auditor of the City of Portland |
| Mayor—Finance and Administration - Adams  | By: <i>Susan Larsons</i><br>Deputy  |
| Position 1/Utilities - Fritz  |   |
| Position 2/Works - Fish   |   |
| Position 3/Affairs - Saltzman   |   |
| Position 4/Safety - Leonard   |   |
| BUREAU APPROVAL<br>Bureau: Procurement Services<br>Bureau Head: Christine Moody <i>CM</i>   | ACTION TAKEN:   |
| Prepared by: K. Brenes<br>Date Prepared: November 16, 2010  |   |
| Financial Impact Statement<br>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/><br>Not Required <input type="checkbox"/> |   |
| Portland Policy Document<br>If "Yes" requires City Policy paragraph stated in document.<br>Yes <input type="checkbox"/> No <input type="checkbox"/>         |   |
| Council Meeting Date<br><b>December 1, 2010</b>   |   |
| City Attorney Approval  |   |

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

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: |                                     |      |
|--------------------|---------------------------------|-------------------------------------|------|
|                    |                                 | YEAS                                | NAYS |
| 1. Fritz           | 1. Fritz                        | <input checked="" type="checkbox"/> |      |
| 2. Fish            | 2. Fish                         | <input checked="" type="checkbox"/> |      |
| 3. Saltzman        | 3. Saltzman                     | <input checked="" type="checkbox"/> |      |
| 4. Leonard         | 4. Leonard                      | <input checked="" type="checkbox"/> |      |
| Adams              | Adams                           | <input checked="" type="checkbox"/> |      |