

ORDINANCE No. 184758

* Authorize agreement for Downtown Business District Management Services with Clean and Safe, Inc. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Pursuant to Chapter 6.06 of the City Code, the City has established a business property management fee within the Downtown Business District. The purpose of the license fee is to provide revenues to fund supplemental cleaning, public safety and business development services within the District. The City Council passed Resolution No. 36857 on April 20, 2011 to extend the current District and the License Fee for a 10 year period. This resolution also directed the Revenue Bureau and Clean and Safe, Inc., to determine if the District should be expanded and to consider changes to the fee formula. Those efforts are under way and will come forward under separate Council action.
2. The Association for Portland Progress and Portland Downtown Services, Inc. ("PDSI") provided comparable services to predecessor Downtown Economic Improvement Districts and the current Downtown Business District pursuant to prior management services agreements with the City. PDSI changed its business name to Clean & Safe and is presently providing such services to the Downtown Business District under a renewal of an Agreement for Downtown Clean and Safe District Management Services (City Contract No. 51730, approved by Ordinance No 176263) which expires September 30, 2011.
3. Clean & Safe is an Oregon non-profit 501 (c) (3) corporation formed by license fee payers within the District. Clean & Safe is the only qualified contractor under City Code Section 6.06.020 N, which defines a "qualified contractor" as "... a non-profit corporation or other non-profit entity established by property owners or licensees in the District for the purpose of providing services that benefit the District."
4. The services provided for the District are part of a unique and coordinated program that Clean & Safe provides at the District's request. There is no other "qualified contractor" with the experience, expertise and capability of Clean & Safe. Therefore, it is appropriate for the City to enter into an agreement with Clean & Safe for such service and Clean & Safe is willing to contract to provide the services.
5. In accordance with City Code 5.33.120.C, a Sole Source Procurement Notice was published on December 28, 2010 and remained posted for a minimum of seven (7) business days. No responses were received to the public notification of the intent to award a sole source contract.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are authorized to execute an agreement with Clean & Safe, Inc. to manage and provide certain Downtown Business District services, in substantially the form attached to this Ordinance as Exhibit A.
- b. To the extent that any services to be provided by Clean & Safe would otherwise have to be bid pursuant to ORS Chapter 279, the City Council, acting in its capacity as the Local Contract Review Board, hereby declares this contract to be exempt.

Section 2. The Council declares that an emergency exists because a delay will prevent the Revenue Bureau from assuming responsibility for the database and issuing accurate license year 2011-2012 bills on August 1, 2011, to the 577 properties in the District as required by PCC 6.06.090; therefore, this ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: JUL 20 2011

Mayor Sam Adams

Prepared by: T. Lannom,
S. Manton and T. Williams

Date: June 29, 2011

LaVonne Griffin-Valade

Auditor of the City of Portland

By: 

Deputy

Agenda No. **184758**
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Mayor Adams	CLERK USE: DATE FILED <u>JUL 15 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Revenue Bureau Head: Thomas W. Lannom Prepared by: Terri Williams Date Prepared: 6/29/2011 Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date July 20, 2011 City Attorney Approval	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> 2 of 2 Total amount of time needed: <u>5 MIN</u> (for presentation, testimony and discussion)
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FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	<input checked="" type="checkbox"/>	
Adams	<input checked="" type="checkbox"/>	