

9-26-12

ORDINANCE No.

* Amend contract with David M. Corey, Ph.D., P.C. to provide additional funds for psychological examinations for the Portland Police Bureau (Ordinance; amend Contract No. 35139)

The City of Portland ordains:

Section 1. The Council finds:

1. The Police Bureau finds value in having officer applicants submit to a psychological examination and to require psychological fitness for duty examinations as needed.
2. David M. Corey, Ph.D., P.C. has provided these services to the bureau through a series of contracts awarded by competitive bidding processes since 2001.
3. In July 2012, David M. Corey, Ph.D., P.C. was selected through a competitive bidding process reviewed by a panel including members of the public to provide these services for a five year period to begin November 1, 2012.
4. Contract No. C35139 with David Corey, Ph.D., P.C. was executed in January 2004 for a term of two years expiring December 31, 2005 if not extended for additional time. The compensation to the contractor was limited to \$100,000 during the two year term of the contract.
5. Amendment No. 1 to the contract was passed to extend to term of the agreement for an additional year and increase the compensation by an amount of \$86,775.
6. Amendment No. 2 to the contract was passed to extend the term for an additional year and increase the compensation by an amount of \$86,775.
7. Amendment No. 3 to the contract was passed to extend the term of the agreement for an additional year with no additional compensation.
8. Amendment No. 4 to the contract was passed to extend the term for an additional two years and increase the compensation by \$195,000.
9. Amendment No. 5 to the contract was passed to extend the term for an additional year with no additional compensation.
10. Amendment No. 6 to the contract was passed to extend the term of the agreement for an additional three months with no additional compensation.
11. Amendment No. 7 to the contract was passed to extend the term of the agreement through August 31, 2012 based on City Council directive to allow time to verify the procurement process used to establish a new contract for these services. Prices for services were amended to reflect COLA-adjusted rates from the initial date of contract.

12. Amendment No. 8 to the contract was passed to extend the term of the agreement to October 31, 2012 until the new contract becomes effective on November 1, 2012.
13. At this time it is desirable to add an additional \$20,000 to the contract value to pay for services rendered before the new contract goes into effect.
14. In order to prevent delay in providing payment to David M. Corey, Ph.D., P.C. for services provided under Contract No. C35139, it is important that this amendment be in full force and effect from and after its passage by the Council.

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is hereby authorized to execute amendment No. 9 to Contract No. C35139 between the City of Portland and David Corey, Ph.D. in a form substantially in agreement with the attached Exhibit A.

Section 2. The Council declares an emergency exists because delay in proceeding with this agreement will unnecessarily deprive David Corey, Ph.D. the payment due to him for services provided under the existing contract. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:

Mayor Sam Adams
Prepared by: Elizabeth Gardiner
Date Prepared: September 17, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland
By

Deputy

AMENDMENT NO. 9

CONTRACT NO. c35139

FOR

PSYCHOLOGICAL SERVICES/EVALUATIONS FOR BUREAU OF POLICE COMMUNITY POLICE
OFFICER APPLICANTS AND EMPLOYEES

This Contract was made and entered by and between Dr. David Corey, hereinafter called Contractor, and the City of Portland, a municipal corporation of the State of Oregon, by and through its duly authorized representatives, hereinafter called City.

1. This contract requires additional compensation in an amount not to exceed \$20,000. The new maximum contract amount shall not exceed \$488,550.

All other terms and conditions shall remain unchanged and in full force and effect.

CONTRACTOR SIGNATURE:

This contract amendment may be signed in two (2) or more counterparts, each of which shall be deemed an original, and which, when taken together, shall constitute one and the same contract amendment.

The parties agree the City and Contractor may conduct this transaction by electronic means, including the use of electronic signatures.

David M. Corey, Ph. D., P.C.

By: 

Date: 9-18-2012

Name: DAVID M. COREY, PhD., APP

Title: President / Psychologist

Address: 5285 SW Meadows Road, Suite 311, Lake Oswego, OR 97035

Telephone: 503-620-8050

Contract No. C35139 _____ Amendment/Change Order No. 9

Contract Title: Psychological Services/Evaluations for Bureau of Police Community Police Officer Applicants and Employees.

CITY OF PORTLAND SIGNATURES:

By: _____ Date: _____
Chief Procurement Officer

By: _____ Date: _____
Elected Official

Approved:

By: _____ Date: _____
Office of City Auditor

Approved as to Form: APPROVED AS TO FORM

By: _____ Date: 9/18/12
Office of City Attorney *James H. Van Dyke*
CITY ATTORNEY

Item # 1099

TESTIMONY

Contract w/ David M. Corey P.H.D.

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email (optional)

✓ Jo Ann Hardesty	840 SE 166th Pl	joannhardesty@gmail.com
✓ Dave Hardesty	As above	rdhardesty@centurylink.net
✓ Teresa Roberts	97219	
✓ Dan Handelman	Portland Copwatch	

Date 9/26/12

Page 1 of 1

Jo Ann Hardesty

503.957.4364 • joannhardesty@gmail.com

840 SE 166th Place
Portland, Oregon

09/26/12

Dear Mayor & City Council Members:

You will be supporting the status quo, by re-contracting with Dr. David Corey as the psychologist who determines the fitness of Portland Police officers for duty. In light of the scathing Department of Justice report about the inter-workings of Portland Police Bureau, it seems the city council is poised to repeat past mistakes ... with the hope of different outcomes.

The AMA Coalition for Justice & Police Reform had asked the Mayor & Chief Reese to conduct a broad-based search to replace this psychologist. We wanted to ensure that the pool was broaden to increase the diversity of the talent pool available for psychologist to serve the Portland community. We were willing to assist with an outreach effort and asked the Mayor & Chief many times for updates on this process. We also identified several associations of people of color professionals who were willing to apply for this opportunity.

We were shined on for months, told that this would be an open and inclusive process for a *new* contract. As the City was finishing up its internal process, one of our members was called to review the applications. There were but two applications to consider, and the city has once again decided to renew its contract with Dr. Corey. As I understand it, Dr. Corey has not done an effective job in Portland to weed out officer candidates who have a propensity for violence. Since Dr. Corey contracts with at least three other local law enforcement agencies, by re-opening the search you will add to the pool of expertise available.

Yet due to the lazy nature of the outreach effort by the City of Portland, and by once again cutting the community out of assisting in providing a diverse pool of potential candidates, the city is poised to re-contract with Dr. Corey.

We are very disappointed, especially since the city was unable to articulate an outreach strategy that would have widened the potential candidate pool.

This is yet again an example of our government telling us one thing and doing something that is the complete opposite in practice. The AMA opposes this contract. Widen your search. Work with the community to find the change agents we need to work with the most effective evaluators, trainers & employee managers.



CITY OF PORTLAND, OREGON



Bureau of Police

Sam Adams, Mayor

Michael Reese, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000 • Fax: 503-823-0342

Integrity • Compassion • Accountability • Respect • Excellence • Service

DATE: September 17, 2012
TO: Mayor Sam Adams
FROM: Michael Reese, Chief of Police

FOR MAYOR'S OFFICE USE ONLY

Reviewed by Bureau Liaison _____

RE: * Amend contract with David M. Corey, Ph.D., P.C. to provide additional funds for psychological examinations for the Portland Police Bureau (Emergency Ordinance; amend Contract No. C35139)

1. **INTENDED THURSDAY FILING DATE:** September 20, 2012
2. **REQUESTED COUNCIL AGENDA DATE:** September 26, 2012
3. **PRIMARY CONTACT NAME & NUMBER:** Sean Murray, 3-0333
4. **SECONDARY CONTACT NAME & NUMBER:** Elizabeth Gardiner, 3-0363
5. **PLACE ON:** CONSENT X REGULAR
6. **BUDGET IMPACT STATEMENT ATTACHED:** X Y N N/A
7. **(3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY**
ATTACHED: X Yes No N/A

8. BACKGROUND/ANALYSIS

The Police Bureau finds value in having officer applicants submit to a psychological examination and to require psychological fitness for duty examinations as needed. In 2001, David Corey, Ph.D. was selected to perform these services for the bureau. In late 2002 in a competitive bidding process, David Corey, Ph.D. was selected to continue as the contractor performing the psychological examinations under Contract No. C35139. The contract was amended several times over the years to extend the term and increase compensation. In July 2012, Dr. Corey was selected through a competitive bidding process reviewed by a panel including members of the public to provide these services for a five year period to begin November 1, 2012.

The most recent amendment to the contract extended the date to October 31, 2012 but did not increase the maximum compensation. This amendment requests an additional \$20,000 be added to the maximum compensation on the contract to pay for any services provided before the new contract goes into effect on November 1st, 2012.

Community Policing: Making the Difference Together
An Equal Opportunity Employer

City Information Line: 503-823-4000, TTY (for hearing and speech impaired): 503-823-6868 Website: www.portlandpolice.com

9. FINANCIAL IMPACT

This ordinance requests an additional \$20,000 for the contract to come from the existing Police Bureau budget appropriation.

10. RECOMMENDATION/ ACTION REQUESTED

This ordinance is deemed an emergency because a delay in processing would unnecessarily delay payment due to Dr. David Corey for services provided under the existing contract. If this ordinance meets your approval, please file it for council action on the next Council Agenda.

A handwritten signature in blue ink, appearing to read "Michael Reese".

MICHAEL REESE
Chief of Police

Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Elizabeth Gardiner		2. Telephone No. 823-0363	3. Bureau/Office/Dept. Police/Fiscal Svcs.
4a. To be filed (date): September 26, 2012	4b. Calendar (Check One) <div style="display: flex; justify-content: space-around; align-items: center;"> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/> </div>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: September 20, 2012
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

* Amend contract with David M. Corey, Ph.D., P.C. to provide additional funds for psychological examinations for the Portland Police Bureau (Ordinance; amend Contract No. C35139)

2) Purpose of the Proposed Legislation:

The purpose of this legislation is to add \$20,000 to Contract No. C35139 to pay for any psychological evaluation services provided before a new contract goes into effect on November 1, 2012.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|---|------------------------------------|------------------------------------|--------------------------------|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |
| <input checked="" type="checkbox"/> Internal City Government Services | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No revenue to the City will be generated or reduced as a result of this legislation.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence**.)*

This ordinance requests an additional \$20,000 for the contract to come from the existing Police Bureau budget appropriation.

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No positions will be created, eliminated or re-classified in the current year as a result of this legislation.

- **Will positions be created or eliminated in future years as a result of this legislation?**

No positions will be created or eliminated in future years as a result of this legislation.

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☐ **YES:** Please proceed to Question #9.

☒ **NO:** Please, explain why below; and proceed to Question #10.

There was no public involvement included in the development of this Council item because it pertains to internal city government services provided by Dr. Corey under contract #C35139. This contract was awarded to Dr. Corey through a competitive bidding process reviewed by a panel including members of the public. A new contract with Dr. Corey for these services will be going into effect on November 1, 2012. Public involvement was included in the selection process for the new contract.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

c) How did public involvement shape the outcome of this Council item?

d) Who designed and implemented the public involvement related to this Council item?

e) Primary contact for more information on this public involvement process (name, title, phone, email):

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

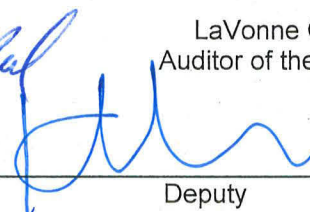

The bureau does not anticipate that any future public involvement will be necessary based on the reasons given above.



MICHAEL REESE, Chief of Police

Agenda No.
ORDINANCE NO.
 Title

* Amend contract with David M. Corey, Ph.D., P.C. to provide additional funds for psychological examinations for the Portland Police Bureau (Ordinance; amend Contract No. 035139)

INTRODUCED BY Commissioner/Auditor: Mayor Adams	CLERK USE: DATE FILED <u>SEP 21 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams	LaVonne Griffin-Valade Auditor of the City of Portland By:  Deputy
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL Bureau: Police Bureau Head: Michael Reese 	ACTION TAKEN: SEP 26 2012 REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION
Prepared by: Elizabeth Gardiner Date Prepared: September 17, 2012	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <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 September 26, 2012	
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"/> Total amount of time needed: 5 min (for presentation, testimony and discussion)

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	