

ORDINANCE No. 188682

* Amend contract with Pioneer Courthouse Square Inc. for \$82,433 for additional services related to the all user restroom configuration project; authorize contract in the amount of \$100,000 for payment of unanticipated losses and costs as approved in the Fall Supplemental Budget (Ordinance; amend Contract No. 30000073)

The City of Portland ordains:

Section 1. The Council finds:

1. The Pioneer Courthouse Square (PCS) Board is supportive of the new All User Restroom Configuration. However, the Board understands that the new configuration and current construction has brought on additional capacity and increased PCS operating, public outreach, security and cleaning costs.
2. With the newly-configured All User Restroom and construction ongoing through November 1, \$75,000 in additional funding is critical for security coverage, janitorial services and other as needed parks maintenance.
3. There is also an additional need to supplement PCS's current public engagement agreement for the additional role they played in project management and coordination with their tenants in the amount of \$7,432.82, which would bring the total value of the current contract to \$70, 432.82.
4. The original Agreement, as modified by Amendment One and the Second Amendment, must now be amended to account for the additional duties, obligations, costs and expenses resulting from the new All User Restroom Configuration.
5. The original Agreement between PP&R and PCS, Contract # 30000073, was executed in 2008. Amendment One to that contract was executed in 2011 and the Second Amendment to the original Agreement was executed in 2015.
6. Through the approved FY2017-18 Fall Supplemental Budget Ordinance #188677 the City provided \$100,000 to PP&R for services and losses and costs not originally anticipated at Pioneer Square Courthouse through the Fall Budget Monitoring Process (BuMP). PP&R now seeks the authorization to make this payment to PCS.

NOW, THEREFORE, The Council Directs:

- a. That the Parks Commissioner or designee is authorized execute a Third Amendment to the original PCS Contract # 30000073 that will provide for payments not to exceed \$70,432.82, which will include the \$7,432.82 payment for project management and coordination services during construction, and PP&R is also authorized to provide \$75,000 in additional funding to PCS for critical security coverage, janitorial services and other as-needed parks maintenance service by the All User Restroom Attendant. This Third Amendment, in a form substantially similar to the Exhibit A, attached to this Ordinance may be executed upon approval as to form by the City Attorney.
- b. That Parks Commissioner or designee is authorized execute an agreement that will allow payment of \$100,000 to PCS for losses and costs not originally anticipated in the initial budgeting process, in the event those funds are allocated to PP&R through the BuMP, upon approval as to form by the City Attorney.

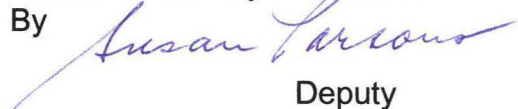
Section 2. The Council declares that an emergency exists and that this Amendment and the resulting payments to PCS need to be executed immediately in order for the parties to move forward with negotiations on a management agreement that ends in December 2018, therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: NOV 29 2017

Commissioner Fritz
Prepared by: Jamal Fox
Date Prepared: November 6, 2017

Mary Hull Caballero
Auditor of the City of Portland

By

 Susan Parsons

Deputy

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Agenda No.
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Title

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INTRODUCED BY Commissioner/Auditor: Fritz	CLERK USE: DATE FILED NOV 20 2017
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz <i>Amend Fritz</i> Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By: <i>Paul</i> Deputy
BUREAU APPROVAL Bureau: Parks & Recreation Bureau Head: Mike Abbate <i>Mike Abbate</i> Prepared by: Jamal Fox Date Prepared: Nov 6, 2017 Impact Statement Completed <input type="checkbox"/> Amends Budget <input checked="" type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>JP</i> Council Meeting Date Nov 29 2017	ACTION TAKEN:

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS: <table border="1"> <thead> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> </thead> <tbody> <tr> <td>1. Fritz</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> </tbody> </table>		YEAS	NAYS	1. Fritz	<input checked="" type="checkbox"/>		2. Fish	<input checked="" type="checkbox"/>		3. Saltzman	<input checked="" type="checkbox"/>		4. Eudaly	<input checked="" type="checkbox"/>		Wheeler	<input checked="" type="checkbox"/>	
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