

## ORDINANCE NO. 189330

Authorize agreement with Lloyd B.I.D., Inc. for program management in the Lloyd Business District (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 property management license fee within the Lloyd Business District, also called the "Lloyd District" or the "District." The purpose of the license fee is to provide revenues to fund supplemental transportation management, District Attorney prosecution, and economic development services within the District.
2. Lloyd B.I.D., Inc. ("Lloyd BID") is a non-profit organization representing a large number of property owners and managers in the District. Lloyd BID initiated the establishment of the license fee. Lloyd BID also represents the property managers who will be responsible for paying most of the license fee revenues, and it is uniquely qualified to manage the provision of District services. Lloyd BID is a "qualified contractor" as that term is defined in PCC 6.06.020.N.
3. The current contract between Lloyd BID and the City expires January 31, 2019. This contract renewal starts on February 1, 2019 and will expire January 31, 2024.
4. The services provided by the District, throughout the term of the agreement, are part of a unique and coordinated personal services program that Lloyd BID has developed and provided, and there is no other potential provider of the services with the experience, expertise, and capability of Lloyd BID. It is therefore appropriate for the City to enter into an agreement with Lloyd BID for such services, and Lloyd BID is willing to contract to provide the services.
5. The City will experience substantial cost savings if the contract is awarded to Lloyd BID. First, because Lloyd BID is a nonprofit organization, the City is very likely receiving a lower price for its services than from a comparable vendor in the private sector. Second, because Lloyd BID is comprised of a majority of the District's fee payers, it is dedicated to serving the District and thus has a heightened motivation to provide quality service at an affordable price.
6. The Lloyd BID Board has agreed to continue to provide management services to the District and has approved the Management Services agreement attached as Exhibit A from February 1, 2019 through January 31, 2024.
7. To the extent that any of the services provided by Lloyd BID would be considered professional, technical or expert services, this contract should be exempt from the City's standard contracting requirements.
8. In accordance with City Code 5.33.120.C, a Sole Source Procurement Notice was published on November 28, 2018 and remained posted for a minimum of seven (7)

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business days. No comments or protests were received. The expenditure to Lloyd BID for the net license fees collected is budgeted at \$400,000 in FY 18-19. These disbursements are always equal to the net of license fees revenue collected within the District less the Revenue Division's administrative fee and City overhead costs.

NOW, THEREFORE, the Council directs:

- a. The Revenue Division Director is authorized and directed to execute a management services agreement with Lloyd BID Inc. to manage and provide certain services to the Lloyd District, in substantially the form attached to this Ordinance as Exhibit A.
- b. To the extent that any of the services to be provided by Lloyd BID Inc. 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.

Passed by the Council, JAN 02 2019

Mayor Ted Wheeler  
Prepared by: Tyler Wallace  
Date prepared: November 30, 2018

**MARY HULL CABALLERO**  
Auditor of the City of Portland

By

Deputy



Agenda No. **189330**  
**ORDINANCE NO.**  
 Title

Authorize agreement with Lloyd B.I.D., Inc. for program management in the Lloyd Business District  
 (Ordinance)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Wheeler</b>	CLERK USE: DATE FILED <b>DEC 11 2018</b>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - <i>Hardesty</i> Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy
<b>BUREAU APPROVAL</b> Bureau: OMF, BRFS, Revenue CAO: Tom Rinehart Bureau Head: Jennifer Cooperman Division Head: Thomas W. Lannom	ACTION TAKEN: <i>TWL FOR IC</i>
Prepared by: Tyler Wallace Date Prepared: November 30, 2018	DEC 19 2018 PASSED TO SECOND READING JAN 02 2018 9:30 A.M.
<b>Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
<b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>KAM</i>	
Council Meeting Date <b>Dec 19, 2018</b>	

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
<b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <b>10:30</b> <i>5</i> <b>Total amount of time needed: 20 Minutes</b> (for presentation, testimony and discussion)		YEAS	NAYS
<b>CONSENT</b> <input type="checkbox"/>	1. Fritz	1. Fritz	<input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/>	2. Fish	2. Fish	<input type="checkbox"/>
<b>Total amount of time needed:</b> (for presentation, testimony and discussion)	3. <i>Hardesty</i> Saltzman	3. <i>Hardesty</i> Saltzman	<input checked="" type="checkbox"/>
	4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>
	Wheeler	Wheeler	<input checked="" type="checkbox"/>