

ORDINANCE No. 189489 SUBSTITUTE

Authorize a class exemption to implement Job Order Contracting for asphalt paving, repair and concrete work. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds that:

1. The Portland Plan, adopted in 2012 by Resolution 36918, includes a Framework for Equity to guide plan implementation and improve City operational and business practices, support actions that promote accountability, close disparity gaps and increase community engagement in civic activities.
2. The City's Racial Equity Goals and Strategies, adopted in 2015 by Resolution 37144, directed bureaus to implement a racial equity lens to end racial disparities within city government. One of the stated goals is greater opportunities in contracting.
3. Disadvantaged, Minority-owned, Women-owned, Emerging Small, and Service-disabled Veteran Business Enterprises (D/M/W/ESB/SDVBE or COBID certified firms) face great challenges in competing on the open market with larger, more established contractors to perform work for the City of Portland.
4. A class exemption for Job Order Contracting for asphalt repair and concrete work will facilitate opportunities for COBID certified firms to win contracts and build capacity through this delivery model. Contractors awarded agreements from the resulting solicitation will be able to build relationships with the City bureaus and gain a better understanding of the administrative requirements of contracting with the City.
5. ORS 279A.100 provides that the State Public Contracting Code may not be construed to prohibit the City from engaging in public contracting practices designed to promote affirmative action goals, policies or programs.
6. Portland City Code, Section 5.34.820 allows for an exemption to the competitive bidding requirement for public improvement contracts. Portland City Code, Section 5.34.830 includes findings that need to be addressed to exempt a class of public improvement contracts pursuant to the requirements of ORS 279C.335(3).

NOW, THEREFORE, the Council directs and authorizes:

- a. the Bureau of Revenue and Financial Services, Procurement Services Division to implement Job Order Contracting for asphalt paving, repair and concrete projects estimated to cost between \$5,000 and \$1,000,000 and to limit the pool of contractors to COBID certified firms; and
- b. A class exemption based on the findings attached as Exhibit A.

Passed by the Council: MAY 08 2019

Mayor Ted Wheeler

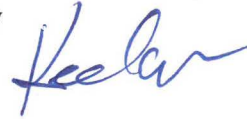
Prepared by: Lester Spitler

Date Prepared: April 12, 2019

Mary Hull Caballero

Auditor of the City of Portland

By



Deputy

411

Agenda No. S-385

Item Type: Ordinance No. 189489 **SUBSTITUTE**

Council Meeting Date: May 1, 2019

Title: Authorize a class exemption to implement Job Order Contracting for asphalt paving, repair and concrete work (Ordinance)

AGENDA TYPE

☐ CONSENT ☒ REGULAR ☐ TIME CERTAIN Start Time: Item 1 of 1

Total amount of time needed for presentation, testimony and discussion (Regular and Time Certain): 15 Minutes

INTRODUCED BY: Mayor Wheeler

COMMISSIONER / AUDITOR APPROVAL

Mayor - Finance & Administration - Wheeler

Michelle
Plambeck

Digitally signed by Michelle
Plambeck
Date: 2019.04.30 10:00:04
-07'00'

Position 1/ Utilities - Fritz

Position 2/ Works - Fish

Position 3/ Affairs - Hardesty

Position 4/ Safety - Eudaly

City Auditor - Hull Caballero

1) Is a completed Impact Statement attached? Yes ☒

3) Is the item a Code ordinance? Yes ☐ No ☒
If yes, Auditor Office Approval

5a) Is item a Portland Policy Document or Administrative Rule? Yes ☐ No ☒

BUREAU APPROVALS

Bureau: OMF/CAO

OMF/CAO: Tom Rinehart

Digitally signed by Tom Rinehart
Date: 2019.04.29 15:57:18 -07'00'

Bureau Approval: Jennifer Cooperman

Digitally signed by Jennifer
Cooperman
Date: 2019.04.29 14:38:00 -07'00'

Prepared By: Lester Spitler

Date Prepared: April 16, 2019

2) Does the item amend the budget? Yes ☐ No ☒
If yes, Budget Office Approval

4) Is this item a contract, code, easement, franchise, comp plan or Charter? Yes ☐ No ☒
If yes, Attorney Office Approval

5b) If yes, is the City Policy/Admin Rule directive in the ordinance or resolution? Yes ☐

ACTION TAKEN:

MAY 01 2019 PASSED TO SECOND READING MAY 08 2019 9:30 A.M.

CLERK USE: DATE FILED 4/30/19

Mary Hull Caballero
Auditor of the City of Portland

Karla Moore-Love

Digitally signed by Karla Moore-Love
Date: 2019.04.30 10:29:10
-07'00'

By: pm Deputy

FOUR-FIFTHS AGENDA

1. Fritz

2. Fish

3. Hardesty

4. Eudaly

Wheeler

COMMISSIONERS VOTED AS FOLLOWS:

YEAS NAYS

1. Fritz

2. Fish

3. Hardesty

4. Eudaly

Wheeler