

ORDINANCE No. 190264

*Authorize a competitive solicitation and price agreements for real property appraisal services and right of way acquisition and relocation services in support of the Portland Bureau of Transportation for an amount up to \$1,500,000 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Transportation (PBOT) requires real property appraisal services and right of way acquisition and relocation services for projects primarily located in Multnomah County, supporting road and sewer projects. The services will be requested on an as needed basis during planning, design and construction phases in support of PBOT's goals when the skills or capacity are unavailable in-house. There shall be no guarantee of any expenditure on any resulting contract as services will be requested as needed.
2. The City intends to award five (5) price agreements in the real property appraisal service category, and two (2) price agreements in the right of way acquisition and relocation services service category. The City may, but is not obligated to, award up to the maximum number of contracts per category as indicated. Successful Proposers may be called upon to provide consulting services and/or undertake fixed/term projects.
3. PBOT requires Professional, Technical & Expert (PTE) right of way services to support specific project requirements, the majority of which are not completely determined at this time.
4. Flexible Service contracts for real property appraisal, and right of way acquisition and relocation services, facilitate long-range planning, increase cost controls and provide for an uninterrupted supply of needed contractors.
5. Flexible Service contracts save time and money by reducing repetitive selection processes on a project by project basis. The establishment of such contracts based upon estimated amounts of work without specific City commitments to purchase any given amount of services is in the best interest of the City of Portland.

6. Contracting for PTE services in this manner does not diminish competition or compromise DMWESB participation because solicitation is an open competitive process. The City will invite prospective consultants to submit competitive proposals in response to the City's Request for Proposals ("RFP"). A Selection Committee will select consultants based on an evaluation of the proposals received. The selection committee will include City staff and minority evaluator(s) as required per Resolution 36757. The RFP process will be completed under the guidance and direction of Procurement Services and in accordance with requirements set forth in Portland City Code 5.68 and the PTE Manual.
7. The Bureau's level of confidence in the cost estimates for this project is high. PBOT will negotiate individual Task Orders within the contracts with selected firms. As project needs are identified and funds are available, services needed for specific projects will be defined, authorized, assigned and approved for a not-to-exceed dollar value at the discretion of PBOT via negotiated task orders. Task orders will be negotiated with selected firms on a rotational basis.
8. The value of each three-year contract shall not exceed \$100,000 for real property appraisal services, and \$500,000 for right of way acquisition and relocation services, with the contracts expiring after three years unless otherwise amended and approved by the City's Chief Procurement Officer.
9. Council has previously approved ordinances for the implementation of similar price agreements that are a proven, effective and efficient means of completing projects of this type and are routinely utilized by the City.

NOW, THEREFORE, the Council directs:

- a. The Chief Procurement Officer is authorized to solicit for and execute multiple price agreements with a cumulative amount not to exceed \$1,500,000 for the purpose specified in Section 1, provided the price agreements have been approved as to form by the City Attorney's Office.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to PBOT when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because delay in the contracting process for real property appraisal services, and right of way acquisition and relocation services would potentially lead to delay in property rights acquisition which results in a delay in construction and impact the overall project completion; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: January 20, 2021

Commissioner Jo Ann Hardesty

Prepared by: Marty Maloney:CDB

Date Prepared: December 15, 2020

Mary Hull Caballero

Auditor of the City of Portland

By *Keelan McClymont*
Deputy

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 Agenda No.
ORDINANCE NO. 190264
 Title

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INTRODUCED BY Commissioner/Auditor: Jo Ann Hardesty	CLERK USE: DATE FILED <u>January 12, 2021</u>
COMMISSIONER APPROVAL	<div style="text-align: center;"> Mary Hull Caballero Auditor of the City of Portland </div> By: <u><i>Keelan McClymont</i></u> <div style="text-align: center;">Deputy</div> ACTION TAKEN:
Mayor—Finance & Administration - Wheeler	
Position 1/Utilities - Rubio	
Position 2/Works - Ryan	
Position 3/Affairs - Hardesty <i>Jo Ann Hardesty</i>	
Position 4/Safety - Mapps	
BUREAU APPROVAL	
Bureau: PBOT Bureau Head: Christopher Warner <div style="font-size: small; margin-top: 5px;"> Digitally signed by Christopher Warner Date: 2021.01.04 09:30:53 -08'00' </div>	
Prepared by: Marty Maloney Date Prepared: 12/15/20	
Impact 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"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: Ken McGair required for contract, code, easement, franchise, comp plan, charter <div style="font-size: small; margin-top: 5px;"> Digitally signed by Ken McGair Date: 2020.12.17 10:02:01 -08'00' </div>	
Council Meeting Date 1/20/21	

AGENDA	FOUR-FIFTHS AGENDA		
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)	COMMISSIONERS VOTED AS FOLLOWS:		
CONSENT <input checked="" type="checkbox"/>		YEAS	NAYS
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)	1. Rubio	✓	
	2. Ryan	✓	
	3. Hardesty	✓	
	4. Mapps	✓	
	Wheeler	✓	