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Emergency Ordinance

**\*Authorize price agreement with Northwest Success, Inc., an Oregon Forward Contractor, for janitorial services at Portland Parks & Recreation locations not to exceed \$1 million for a nine-month term**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Clean, welcoming recreation facilities and sites are essential to Portland Parks & Recreation's (PP&R's) ability to provide exemplary park and recreation services to the people of Portland
2. In accordance with City Code 5.33.110, it is the policy of the City to procure services from an Oregon Forward Contractor (formerly known as Qualified Rehabilitation Facilities (QRF)) at the price determined by the State Procurement Office if the product or service meets the City's needs.
3. Northwest Success Inc. is certified by the State of Oregon as an Oregon Forward Contractor. It is a nonprofit community rehabilitation program and vocational service provider whose purpose it is to assist and encourage disabled individuals.
4. In accordance with City Code 5.33.110, the City may purchase the required product or service from any QRF without competition between QRFs.
5. The City has verified with the State of Oregon, Department of Administrative Services that the selected QRF is in good standing. Northwest Success pricing has been validated through the State's verification procedures as required in City Code 5.33.110.D.3.
6. Northwest Success is subject to City Code 3.99, Fair Wage Policies. The minimum wage rate is determined by the City each fiscal year. Increases for the Fair Wage policy and cost of living average 5% annually. An amount of up to \$50,000.00 (equaling 5% for four annual adjustments) is included in the total not to exceed amount for these increases.
7. Appropriation is included in the FY 2022-2023 Budget for the nine-month term of the agreement.

**Introduced by**

[Commissioner Carmen Rubio](#)

**Bureau**

[Parks & Recreation](#)

**Contact**

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**Requested Agenda Type**

Consent

**Date and Time Information**

**Requested Council Date**

December 14, 2022

8. City Council adopted Resolution No. 37483, on March 25, 2020, amending the Sustainable Procurement Policy, ADM 1.09, to include Amendment 4: *Labor Peace*. That Amendment 4 pertaining to the Labor Peace policy was amended by Resolution No. 37583 on July 20, 2022. The July amendment clarified that if a contractor does not meet the Labor Peace requirement by achieving a labor peace agreement, the City may nevertheless proceed with a contract award if the contractor can meet one of three exceptions. The policy delegated to the Mayor's Office or elected's delegee the responsibility for determining whether a selected contractor meets an exception to this policy.
9. Commissioner Rubio reviewed the information provided by Northwest Success and determined an exception to the Labor Peace policy was met. The determination that this contract met an exception to the Labor Peace policy to allow for a contract award does not create a precedent or guarantee an exception will be determined in a future contract with this contractor or one for similar services.
10. PP&R will support Northwest Success' continued efforts to engage with labor organization(s) for the purpose of meeting the Labor Peace policy and for Northwest Success to achieve a labor peace agreement by March 1, 2023 for potential future public contracting opportunities to enter into multiyear janitorial services contract(s) with PP&R.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer, or designee, is authorized to execute a price agreement with Northwest Success, Inc. subject to approval as to form by the City's Attorney's Office, with the price agreement at a cost not-to-exceed \$1,000,000.00 for nine months.
- B. The Mayor and Auditor are hereby authorized to make payments to the contractor, chargeable to the appropriate project cost object when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists to prevent a disruption in service to the City's customers and a delay in the delivery of essential City services; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
December 14, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## **Impact Statement**

### **Purpose of Proposed Legislation and Background Information**

Northwest Success provides janitorial services on a daily, weekly, and monthly basis at 16 PP&R facilities and Community Centers. Initially, they made themselves available to PP&R on an on-call, as needed basis. However, when Relay Resources terminated their contract with PP&R, Northwest Success was able to take on all of the full-service work provided by Relay Resources. Northwest Success is a non-profit, Oregon Forward Contractor (formerly known as a Qualified Rehabilitation Firm), which provides opportunities to those facing barriers to employment. City Code and State Statute requires contracting with Oregon Forward Contractors, when they are available. In order to maintain the level of service expected by the public to provide clean, welcoming, and safe facilities, it is mission-critical to continue contracting with Northwest Success. Any interruption in service could result in reduced or delayed programming, or unclean or closed facilities. Previously, Council awarded \$5,495,216 to Relay Resources for this scope of work. PP&R seeks to establish a full-service contract with Northwest Success for the continuation of services at Parks facilities and Community Centers.

### **Financial and Budgetary Impacts**

The Council previously awarded \$5,495,216 to Relay Resources for a 5-year agreement for janitorial services, which was set to expire June 30, 2022. Inflation and increased labor costs will affect the cost of a new contract with Northwest Success. The emergency contract will be in the amount of \$1,000,000.00 for nine-months. However, it will not substantially impact the overall budget. No budget amendments will be needed at this time.

### **Community Impacts and Community Involvement**

Northwest Success is a non-profit, Oregon Forward Contractor (formerly Qualified Rehabilitation Firm program), which provides opportunities to those facing barriers to employment.

### **100% Renewable Goal**

Not applicable.

### **Budget Office Financial Impact Analysis**

This ordinance increases extends the original \$5.5M contract that ended on 6/30/22 with the vendor by 9 months at a cost of \$1.0M (an annual average cost increase of \$330K when compared to the annual average value of the previous contract—driven to inflation and increased labor costs). The bureau will absorb these costs within their existing budget appropriation.

## Agenda Items

### 1052 Consent Agenda in December 14-15, 2022 Council Agenda

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea