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# 191426

Emergency Ordinance

## **\*Authorize competitive solicitation and execution of price agreements in support of the Bureau of Transportation Quick Build Delivery Program for a cumulative amount not to exceed \$45 million (amend Ordinance 191139)**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Transportation (PBOT) requires construction contracting to deliver ongoing traffic calming projects within the Quick Build Delivery Program.
2. Construction price agreements save time and money by reducing repetitive solicitation processes on a project-by-project basis.
3. Contracting services in this manner provides opportunities to firms certified as Disadvantaged Business Enterprises, Minority-owned Business Enterprises, Woman-owned Business Enterprises, Service Disabled Veteran Business Enterprises and Emerging Small Businesses by the Oregon Certification Office for Business Inclusion and Diversity (COBID). The scope of work is limited to specialty areas (asphalt, signing, striping, and ADA ramps) that COBID firms would typically serve as a subcontractor to a prime contractor. These type of price agreements set up COBID contractors to serve, and gain more experience, as the prime contractor to PBOT.
4. PBOT will outreach to Oregon Certified Office for Business Inclusion and Diversity (COBID) certified contractors through the National Association of Minority Contractors – Oregon Chapter (NAMCO), the Oregon Association of Minority Entrepreneurs (OAME), and the Professional Business Development Group (PBDG). A pre-solicitation notice will be posted through PBOT's contractor equity program. A notification will be sent to all vendors registered with the City with matching commodity codes for the solicited services.

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

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Project Manager

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

August 23, 2023

5. PBOT anticipates awarding multiple price agreements with a cumulative amount not to exceed \$45,000,000 over five-year terms for all price agreements, for the following service areas.

<b>Category</b>	<b>Maximum Number of Price Agreements to be Awarded</b>	<b>Maximum Price Agreement Amount (Each Contract per year)</b>	<b>Task Order Maximum</b>
Asphalt Speed Bumps, Milling, and Base Repair	4	\$1,000,000	\$250,000
Traffic Striping & Signing	5	\$1,000,000	\$250,000

6. 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 the selected contractors on a rotational basis. The maximum value of each contract is \$1,000,000 per year, up to five years, as shown in the following table, unless otherwise amended and approved by the Chief Procurement Officer.
7. Funding is identified by project in the PBOT Capital Improvement Plan budget for the necessary Task Orders. These price agreements will be executed to construct projects that already have funding and that are on the approved CIP budget list. There is no additional funding requested.
8. The level of confidence in Engineer's opinion of probable construction cost is high.
9. Ordinance No. 191139 will be amended to increase the total cumulative amount not to exceed from \$10,000,000 to \$45,000,000 over five-year terms for all price agreements.

NOW, THEREFORE, the Council directs:

- A. Ordinance No. 191139 is amended to the cumulative amount not to exceed \$45,000,000 over five-year terms for all price agreements.
- B. The Chief Procurement Officer is authorized to solicit and execute multiple price agreements with a cumulative amount not to exceed \$45,000,000 for the purpose specified in Section 1, provided the price agreements have been approved as to form by the City Attorney's Office.

- C. The Mayor and City Auditor are hereby authorized to draw and deliver checks chargeable to PBOT's Transportation Capital Improvement Program when demand is presented and approved by the proper authorities.
- D. All other terms and provisions of Ordinance No. 191139 remain the same and are not affected by this amendment.

Section 2. The Council declares that an emergency exists because current contract dollar authority for traffic calming project delivery has been programmed and projects are designed and ready for delivery; 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  
August 23, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

- This legislation amends Ordinance No. 191139, passed by Council on January 18, 2023 which authorized a competitive solicitation and execution of price agreements in support of the Portland Bureau of Transportation Quick Build Delivery Program in an amount up to \$10,000,000. The 'amount up to' was given for only one year. The price agreements are renewable for up to five years. This amendment updates the total 'amount up to' for all price agreements to \$45,000,000 to reflect the five-year accumulative total.
- The Bureau of Transportation (PBOT) requires construction contracting to deliver ongoing traffic calming projects within the Quick Build Delivery Program.
- Construction price agreements save time and money by reducing repetitive solicitation processes on a project-by-project basis.
- Contracting services in this manner provides opportunities to firms certified as Disadvantaged Business Enterprises, Minority-owned Business Enterprises, Woman-owned Business Enterprises, Service Disabled Veteran Business Enterprises and Emerging Small Businesses by the Oregon Certification Office for Business Inclusion and Diversity (COBID). The scope of work is limited to specialty areas (asphalt, signing, striping, and ADA ramps) that COBID firms would typically serve as a subcontractor to a prime contractor. These type of price agreements set up COBID contractors to serve, and gain more experience, as the prime contractor to PBOT.

- The proposed legislation does not change any current City policies.

## Financial and Budgetary Impacts

- PBOT anticipates awarding multiple price agreements with a cumulative amount not to exceed \$45,000,000 over the next five years for all price agreements. Nine (9) new contracts associated with this legislation are anticipated. The maximum value of each contract is \$1,000,000 per year, renewable for up to five years.
- Ordinance No. 191139 will be amended to increase the total cumulative amount not to exceed from \$10,000,000 to \$45,000,000 over the next five years for all price agreements.
- The level of confidence in Engineer's opinion of probable construction cost remains high.
- Funding is identified by project in the PBOT Capital Improvement Plan budget for the necessary Task Orders. These price agreements will be executed to construct projects that already have funding and that are on the approved CIP budget list. There is no additional funding requested.
- Nine (9) new contracts associated with this legislation are anticipated. The maximum value of each contract is \$1,000,000 per year, renewable for up to five years.

Category	Maximum Number of Price Agreements to be Awarded	Maximum Price Agreement Amount (Each Contract)	Task Order Maximum
Asphalt Speed Bumps, Milling, and Base Repair	4	\$1,000,000	\$250,000
Traffic Striping & Signing	5	\$1,000,000	\$250,000

- If this ordinance is not approved, PBOT will not have the on-call construction delivery contract authority needed to accomplish safety improvements and the other capital improvement projects currently in the queue. Additionally, PBOT would need to solicit for each new identified new project, expanding project timelines greatly and increase of cost, and resulting in needed safety improvements and other transportation projects being unnecessarily delayed.

## Community Impacts and Community Involvement

- The projects delivered through these price agreements are part of PBOT's Quick Build Delivery Program. The program focuses on delivering multimodal safety improvements efficiently and expeditiously. We partner with PBOT program areas with defined project priority lists that are part of approved transportation and neighborhood plans. Current project delivery partners include Safe Routes to School, local In Motion plans (Southwest in Motion, Northwest in Motion, and North Portland in Motion), prioritized projects from the PedPDX plan, and our master bicycle plan. We regularly deliver Neighborhood Greenway projects funded by Fixing Our Streets and other smaller scale safety improvements.

## 100% Renewable Goal

N/A

## Budget Office Financial Impact Analysis

This action authorizes an increase in PBOT's not to exceed amount from \$10 million to \$45 million, valid through 2027, for the price agreement in support of the bureau's Quick Build Delivery Program. The program constructs speed bumps traffic striping, signage and other items. Funding will be provided by relevant project budget within the Adopted CIP.

## Agenda Items

701 Consent Agenda in [August 23, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/8/23)  
(<https://www.portland.gov/council/agenda/2023/8/23>)

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea