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# 191671

Emergency Ordinance

## \*Amend contracts with Porter W Yett Company, Lakeside Industries Inc, and Baker Rock Resources for asphalt concrete supply for use on street maintenance and preservation projects (amend Contracts 31001537, 31001538, and 31001539)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City performs routine road maintenance and pavement preservation work on our roadways annually, and has a need for Asphalt Concrete (AC) materials to do this work.
2. The unit-priced supply contracts between the City and various AC mix plant suppliers are necessary to allow the City to perform required maintenance work year-round and be efficient with trucking of the AC material to the work areas.
3. On July 18, 2018, by Ordinance No. 189076, City Council authorized a solicitation for Asphalt Concrete supply contracts estimated at \$15,500,000 for use on street maintenance and preservation projects.
4. Three contracts were executed from this solicitation. All three current asphalt contract suppliers will be offered an extension for an additional three years and an increase in contract value. This list represents all asphalt plant suppliers in the greater Portland metropolitan area. The City is being inclusive by offering to extend the contracts to all three potential vendors.

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

April 3, 2024

Contract No.	Company	Contract Value	Revised Value
31001537	Baker Rock Resources	\$1,000,000	\$1,500,000
31001538	Lakeside Industries Inc	\$13,000,000	\$17,000,000
31001539	Porter W Yett Company	\$4,500,000	\$5,550,000
<b>Total</b>	-	<b>\$18,500,000</b>	<b>\$24,050,000</b>

5. The Bureau of Transportation has funds budgeted in FY 2024 and proposed FY 2025 - 2027 for asphalt concrete materials used to maintain City roads.
6. The Bureau's level of confidence in the cost estimate for this project is moderate. Asphalt Concrete price agreements have been in place and used by the City for many years, but pricing can fluctuate. Asphalt Concrete is an oil-based product which is influenced by the price of oil. Each contractor is allowed to adjust pricing caused by market conditions, per original contract.
7. The City plans to request authorization for a new solicitation before the end of the proposed three-year contract extensions.

NOW, THEREFORE, the Council directs:

- A. That the Chief Procurement Officer is hereby authorized to amend the existing asphaltic supply contracts for the Portland Bureau of Transportation's use with road maintenance and preservation work, in an amount not to exceed \$24,050,000 for an additional three (3) years contractual term.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform the activities; 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  
April 3, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

- The Bureau of Transportation needs asphalt concrete materials to perform routine road maintenance and pavement preservation on City streets. This ordinance extends existing supply contracts with local, qualified companies that have asphalt plants which can produce and supply acceptable materials to the City.
- All three current asphalt contract suppliers will be offered an extension for an additional three years and an increase in contract value. This list represents all asphalt plant suppliers in the greater Portland metropolitan area. The City is being inclusive by offering to extend the contracts to all three potential vendors.

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### Financial and Budgetary Impacts

- Transportation Maintenance Operations has had similar unit-priced asphalt supply contracts for many years and uses them to purchase over \$2 million in asphalt materials each year.
- This action does not amend the budget or make any changes to appropriations.
- The PBOT annual budget contains sufficient appropriation to cover the anticipated purchases each year.
- This action has no impact on current or future revenues or staffing levels.

### Community Impacts and Community Involvement

- These contracts will allow Transportation to manage and maintain an effective and safe transportation system that provides access and mobility for all citizens, communities, geographic areas, neighborhoods and businesses by maintaining the City's transportation infrastructure.

### 100% Renewable Goal

This action does not increase or decrease the City's total or renewable energy use.

### Budget Office Financial Impact Analysis

This action extends by three years existing supply contracts for three vendors that supply asphalt concrete for street maintenance and preservation projects. Associated revised contracts total \$23,550,000. No additional resources are required.

### Agenda Items

265 Consent Agenda in [April 3, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/4/3)  
(<https://www.portland.gov/council/agenda/2024/4/3>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea