

36558

RESOLUTION No.

As Amended

Modify the Professional, Technical, and Expert policy documents to address Minority, Women, and Emerging Small Business subcontractor concerns and to require public notice of the City intent to execute sole source PTE contracts (Resolution)

WHEREAS, PTE contractors may use the M/W/ESB subconsultant disclosure form in Formal Solicitations in order to achieve maximum points by indicating their intent to use certified firms; and

WHEREAS, said PTE contractors may decide to use their own workers in lieu of the identified M/W/ESB subconsultant firm(s) after the contract has been awarded; and

WHEREAS, City Code requires sole source procurements for goods and services contracts to provide for public notice of proposed sole source contracts but does not apply to PTE contracts; and

WHEREAS, Portland City Code 5.68.015 delegates responsibility to the Bureau of Purchases to establish and govern the selection and award of PTE contractors, which is accomplished primarily through the adoption of procedures in the contracting for Professional, Technical and Expert Services Manual; and

NOW, THEREFORE, BE IT RESOLVED: The City Council hereby directs the Purchasing Agent to:

- Amend the City's PTE contract to require PTE contractors to use the M/W/ESB subconsultants identified in their proposals and to seek prior approval from the Purchasing Agent if such subconsultants will not be used during contract performance;
- Amend the City's Request for Proposal (RFP) form to alert contractors of this requirement;
- Require PTE contractors to identify the percentage of M/W/ESB participation as a portion of the total project or contract amount;
- Require substitution requests be submitted to the Bureau of Purchases for any changes from proposal to contract related to M/W/ESB participation;
- Require bureaus to indicate the percentage of M/W/ESB participation either as a prime contractor or subconsultant participation in the Ordinance seeking Council approval to execute a PTE contract exceeding \$100,000;
- Modify the PTE Final Payment Form to identify the total amount paid to M/W/ESB subconsultants.
- Provide public notice of the determination that the PTE services are available from only one source when the contract is greater than the informal solicitation amount and less than \$100,000 by publishing a notice on the Bureau of Purchases' website.

BE IT FURTHER RESOLVED, this resolution is binding city policy.

Adopted by the Council: DEC 05 2007

GARY BLACKMER

Auditor of the City of Portland

By



Deputy

Prepared by:
JBB/eka

1412

1444

Agenda No.

RESOLUTION NO.

36558 As Amended

Title

Modify the City's Professional, Technical, and Expert (PTE) policy documents to address Minority, Women, and Emerging Small Business (M/W/ESB) subcontractor concerns, and to require public notice of the City's intent to execute sole source PTE contracts (Resolution)

INTRODUCED BY	CLERK USE: DATE FILED <u>NOV 23 2007</u>
Mayor Tom Potter	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs	By: <u>Susan Parsons</u> Deputy
Finance and Administration <u>Tom Potter / H</u>	
Safety	ACTION TAKEN:
Utilities	NOV 28 2007 CONTINUED TO DEC 05 2007 9:30 A.M
Works	
BUREAU APPROVAL	
Bureau: Office of Management and Finance Bureau of Purchases	
Prepared by: Date: Eugenia Alexander	
Financial Impact Statement ____ Completed ____ Amends Budget <u>X</u> Not Required	
Portland Policy Document <u>X</u> Yes ____ No	
Council Meeting Date November 28, 2007	
Bureau Head: Jeff Baci <u>Jim Feely</u>	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
Consent	Regular X			YEAS	NAYS
		Adams	Adams	✓	
		Leonard	Leonard	✓	
NOTED BY		Saltzman	Saltzman	✓	
City Attorney		Sten	Sten	✓	
		Potter	Potter	✓	