

**EXHIBIT-A**

CITY of Portland Agreement No. 300000815

**INTERGOVERNMENTAL AGREEMENT****For Funding Contributions and Administration of the 2009 Disparity Study Project**

This intergovernmental agreement (IGA) is between the CITY of Portland's Bureau of Internal Business Services (CITY) and the Portland Development Commission (PDC). This agreement is effective on January 6, 2010.

**RECITALS**

- A. The CITY of Portland and the PDC were party to a prior 1995/1996 Disparity Study review for contracting practices, along with other government agencies in Oregon. The Fair Contracting and Employment Strategy was established and adopted, by CITY Council.
- B. To provide an update to the CITY and PDC's portion of the fair contracting programs, to date, established as a result of the outcome of the 95/96 study, the CITY and PDC solicited through competitive RFP process (#110407), per Portland CITY Code 5.68, for consulting services to provide an in-depth review of the CITY and PDC's Fair contracting processes, called the 2009 Disparity Study.
- C. A diverse evaluation panel made up of CITY and PDC workforce along with one outside community member evaluated six firms to provide the study, and selected one firm, BBC Consulting & Research (BBC) of Denver Colorado.
- D. On August 19, 2009 CITY Council approved via Ordinance No. 183122 an \$831,000 Contract No. 30000815 with BBC.
- E. This agreement establishes an IGA between the CITY and PDC for the funding source where the PDC agrees to share the cost of the BBC contract. For PDC the contract amounts to \$290,670 and for the CITY \$540,330.
- F. The Bureau of Internal Business Services, Procurement Services Division provides oversight, compliance services, certification services, data entry and project tracking, reporting, monthly participation and statistical reports and outreach services for PDC under a separate IGA and will provide services specifically related to the 2009 disparity study data needs for FY 08/09 and FY 09/10 information only, in this agreement.
- G. This instrument contains the entire agreement of the parties, no amendment or variation of the terms and conditions shall be valid unless it is in writing and signed by both parties.

Now, THEREFORE, the parties agree to the following:

- I. PDC will:
  - i) Transfer \$290,670 to the CITY, on or before January 30, 2009, to assist in funding the 2009 Disparity Study review for PDC portion of the BBC contract.

- ii) Assign a Project Manager (Linda Andrews) for the PDC's portion of the study to communicate direct with the CITY's project manager (Annette Palmer) and the consultant regarding PDC matters.
- iii) Provide all day to day project management and administration for PDC's portion of the study, including providing the CITY with timely verifications to pay invoices for PDC's portion of the study.
- iv) Keep track of consultant hours associated with PDC's portion of the study and provide additional funding to the CITY if their costs go over the initial \$290,670.00.

II. The CITY will:

- i) Pay invoices, for completed and accepted work. All invoices will be reviewed and approved in writing by PDC's project manager to the CITY's project manager. All invoices related to this IGA and the 2009 Disparity Study contract will be paid through the CITY's accounting system against the contract.
- ii) Keep track of consultant hours associated with the CITY's portion of the study and provide additional funding for the contract, if their costs go over the initial \$540,330.00.

III. The CITY and PDC will make its records available for inspection upon request of either party.

City of Portland:	Portland Development Commission
Christine Moody, CPO	Bruce A. Warner, Executive Director
Date:	Date:
BY:	BY:
City Attorney	PDC Legal Counsel