

# ORDINANCE No. 183445

\*Update Purchasing Code to conform to new state law and make technical corrections. (Ordinance; amend Code Chapters 5.33 and 5.34)

The City of Portland ordains:

Section 1. The Council finds:

1. In the 2009 the Oregon Legislature passed HB 2867 which revises portions of ORS Chapters 279A, 279B and 279C collectively know as the "Public Contracting Code." Some of these changes take effect January 1, 2010.
2. The City must now revise its own contracting rules, found in City Code Chapters 5.33 and 5.34 to conform to the new legislation.
3. If the City Code changes are not adopted, some of the Attorney General Model Rules, which are directed more to state agencies than municipal governments, would apply by default as a result of ORS 279A.065(5).
4. Attached as Exhibits A (Chapter 5.33) and C (Chapter 5.34) detail the City's revisions to its Code to take into account the newly effective laws and housekeeping changes.
5. Attached as Exhibits B (Chapter 5.33) and D (Chapter 5.34) are outlines of the substantive proposed rule changes.
6. The rule changes include a feasibility and cost analysis requirement before conducting a procurement that pertains exclusively for services other than professional services and which is estimated to exceed \$250,000.

NOW, THEREFORE, the Council directs:

- a. Code Chapter 5.33, Goods and Services, is hereby amended as shown in the attached Exhibit A.
- b. Code Chapter 5.34, Public Improvements and Construction Services, is hereby amended as shown in the attached Exhibit C.

Section 2. The Council declares that an emergency exists because these corrections will bring the City's Purchasing Code into conformance with new legislation and more consistent with the Attorney General's Model Rules; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

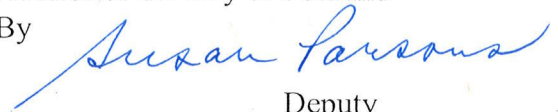
Passed by the Council: JAN 06 2010

Mayor Sam Adams  
Bureau of Internal Business Services  
Prepared by: Christine Moody  
Date Prepared: December 23, 2009

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

Agenda No. **183445**  
**ORDINANCE NO.**

Title

amend

\*Update Purchasing Code to conform to new state law and make technical corrections. (Ordinance; replace Code Chapters 5.33 and 5.34)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b></p>	<p>CLERK USE: DATE FILED <u>DEC 31 2009</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Internal Business Services - Procurement Services Bureau Head: Jeffrey Baer <i>[Signature]</i></p>	<p><b>ACTION TAKEN:</b></p>
<p>Prepared by: Christine Moody Date Prepared: December 23, 2009</p>	
<p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date <b>January 6, 2010</b></p>	
<p>City Attorney Approval <i>[Signature]</i></p>	

✓  
✓  
✓<sub>Tom</sub>

<p><b>AGENDA</b></p>
<p><b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <b>5 minutes</b> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman ✓	
4. Leonard	4. Leonard ✓	
Adams	Adams ✓	