

ORDINANCE No. 184404

*Authorize Class Special Procurements to permit the City to enter into classes of contracts for goods and services (Ordinance; amend Code Section 5.33.220)

The City of Portland ordains:

Section 1. The Council finds:

1. In 2003 the Oregon Legislature passed HB 2341, which repealed most of the state's purchasing statutes found in ORS 279 and adopted new chapters 279A, 279B and 279C. These changes became effective in March 2005. On March 9, 2005, the City Council passed Ordinance No. 179110 that revised the City's Procurement Code to conform to these adopted state laws.
2. New classes of contracts within City Code Section 5.33.220 establish new Class Special Procurements which permit the City to use alternative contracting methods to acquire goods and services. ORS 279B permits the City to enter into classes of contracts for goods and services, called Special Procurements, through methods other than competitive sealed bidding and competitive sealed proposals provided that the City makes required factual findings.
3. The factual findings as required by ORS 279B.085(3) to purchase goods and services as Special Procurements, which use contracting processes other than competitive sealed bidding and competitive sealed proposals are a) that the alternative method would be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts and either b) would result in substantial cost savings to the City or to the public or; c) would otherwise substantially promote the public interest in a manner that could not practically be realized by complying with the requirement of other authorized purchasing methods.
4. Attached as Exhibit A are Draft Findings conforming to the statutory requirements for classes of contracts that may be awarded as Class Special Procurements. The methods for acquiring each of these classes of contracts are set forth in the Draft Findings.
5. The Chief Procurement Officer has reviewed and recommends the use of a Class Special Procurements. The Class Special Procurements should be placed in City Code together with the other special procurements previously adopted by the City. The language to be adopted is attached hereto as Exhibit B.
6. The City Council is the Local Contract Review Board with the authority to approve a Class Special Procurement pursuant to ORS 279B.085 and City Code 5.33.220.

NOW, THEREFORE, the Council directs:

- a. The Draft Findings, attached as Ordinance Exhibit A, are hereby adopted.
- b. Chapter 5.33.220 is hereby modified as shown in the attached Exhibit B.

Section 2. The Council declares that an emergency exists because a delay in the adoption of this ordinance would significantly affect and delay the City's contracting process thus costing the taxpayers additional funds; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: FEB 02 2011

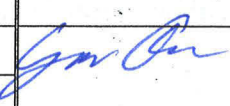
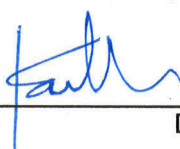

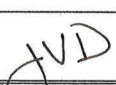
LaVonne Griffin-Valade
 Auditor of the City of Portland
 By *Emig Matasan*

Mayor Sam Adams
 Prepared by: Christine Moody - BG
 Date Prepared: January 19, 2011

Deputy

Agenda No.
ORDINANCE NO. 184404
 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS</p>	<p>CLERK USE: DATE FILED <u>JAN 28 2011</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</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 style="text-align: right;">  LaVonne Griffin-Valade Auditor of the City of Portland </p> <p>By:  _____ Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Internal Business Services Bureau Head: Jeff Baer </p> <p>Prepared by: Christine Moody, CPO Date Prepared: 1/19/2011</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 2/2/2011</p>	<p>ACTION TAKEN:</p>
<p><input checked="" type="checkbox"/> City Attorney Approval </p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/> <i>2 of 2</i></p> <p>Total amount of time needed: 5-min. (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	✓	