

ORDINANCE NO.

Authorize agreement with Lloyd B.I.D., Inc. for program management in the Lloyd Business District (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Pursuant to Chapter 6.06 of the City Code, the City has established a business property management license fee within the Lloyd Business District, also called the "Lloyd District" or the "District." The purpose of the license fee is to provide revenues to fund supplemental transportation management, District Attorney prosecution, and economic development services within the District.
2. Lloyd B.I.D., Inc. ("Lloyd BID") is a non-profit organization representing a large number of business property owners and managers in the District. Lloyd BID initiated the establishment of the license fee. Lloyd BID also represents the business property managers who will be responsible for paying most of the license fee revenues, and it is uniquely qualified to manage the provision of District services. Lloyd BID is a "qualified contractor" as that term is defined in PCC 6.06.020.N.
3. In February 2011, Lloyd BID and the City entered into contracts for management services and collection services for the District pursuant to Ordinance No. 184414. Those contracts took effect on February 1, 2011, and they were originally scheduled to terminate on January 31, 2016. City Council has renewed the Lloyd District for another 10 years as part of the Sunset Review process (PCC 6.06.280). The renewal starts on February 1, 2014.
4. As part of the renewal process, the parties agreed that the Revenue Bureau should be solely responsible for collection services of District fees, obviating the need for a separate collection services contract. Given the timing of the renewal and the change in collection responsibilities, both parties agreed that the current contracts should be terminated and a new, single management services contract should be entered into. This allows the management services contract date to align properly with the District's renewal date, now and going forward.
5. The services provided by the District, throughout the term of the agreement, are part of a unique and coordinated personal services program that Lloyd BID has developed and provided, and there is no other potential provider of the services with the experience, expertise, and capability of Lloyd BID. It is therefore appropriate for the City to enter into an agreement with Lloyd BID for such services, and Lloyd BID is willing to contract to provide the services.
6. The City will experience substantial cost savings if the contract is awarded to Lloyd BID. First, because Lloyd BID is a nonprofit organization, the City is very likely receiving a lower price for its services than from a comparable vendor in the private sector. Second, because Lloyd BID is comprised of a majority of the District's fee payers, it is dedicated to serving the District and thus has a heightened motivation to provide quality service at an affordable price.

7. The Lloyd BID Board has agreed to continue to provide management services to the District and has approved the Management Services agreement attached as Exhibit A from February 1, 2014 through January 31, 2019.
8. To the extent that any of the services provided by Lloyd BID would be considered professional, technical or expert services, this contract should be exempt from the City's standard contracting requirements.
9. In accordance with City Code 5.33.120.C, a Sole Source Procurement Notice was published on September 9, 2013 and remained posted for a minimum of 7 business days. No comments or protests were received. The expenditure to Lloyd BID for the net license fees collected is budgeted at \$250,000 in FY 13-14. These disbursements are always equal to the net of license fees revenue collected within the District less the Revenue Bureau's admin fee.

NOW, THEREFORE, the Council directs:

- a. The Chief Administrative Officer is authorized and directed to execute a management services agreement with Lloyd BID Inc. to manage and provide certain services to the Lloyd District, in substantially similar to the form attached to this Ordinance as Exhibit A.
- b. To the extent that any of the services to be provided by Lloyd BID Inc. would otherwise have to be bid pursuant to ORS Chapter 279, the City Council, acting in its capacity as the Local Contract Review Board, hereby declares this contract to be exempt.

Passed by the Council: NOV 27 2013

Mayor Charlie Hales

Prepared by: Terri Williams

Date Prepared: November 4, 2013

LaVonne Griffin-Valade

Auditor of the City of Portland

By

Gayle Jennings

Deputy

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Agenda No.
ORDINANCE NO.
Title

186357

Authorize agreement with Lloyd B.I.D., Inc. for program management in the Lloyd Business District
(Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED <u>NOV 15 2013</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales <i>Thomas</i>	LaVonne Griffin-Valade Auditor of the City of Portland
Position 1/Utilities - Fritz	By: <i>[Signature]</i> Deputy
Position 2/Works - Fish	ACTION TAKEN:
Position 3/Affairs - Saltzman	NOV 20 2013 PASSED TO SECOND READING NOV 27 2013 9:30 A.M.
Position 4/Safety - Novick	
BUREAU APPROVAL Bureau: Revenue Bureau <i>Thomas</i> OMF CAO: Jack D. Graham Bureau Head: Thomas W. Lanfom	
Prepared by: Terri Williams Date Prepared: 10/29/2013	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>KAM</i>	
Council Meeting Date 11/20/2013	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> <i>3 of 3</i> Start time: 10 am
Total amount of time needed: 60 minutes (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: 5 minutes (for presentation, testimony and discussion)

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