

ORDINANCE NO. 18 6774

*Authorize a contract with Analytical Services, Inc. in the amount of \$250,000 for laboratory services for Cryptosporidium and Giardia water analysis (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City recognizes that on March 14, 2012, the Oregon Health Authority (OHA) issued its Final Order granting Portland Water Bureau's request for a variance to the treatment requirements of the Long Term 2 Enhanced Surface Water Treatment Rule under 42 USC § 300g-4(a)(1)(B). The Bull Run Treatment Variance is subject to the conditions specified by OHA in the Final Order IV(1) to (5).
2. In order to comply with the water monitoring conditions of the Final Order and maintain the Bull Run Treatment Variance, the City must retain the services of an Environmental Protection Agency (EPA) approved or State accredited laboratory to test intake and tributary water samples for the presence of Cryptosporidium.
3. An emergency contract is needed because the laboratory contracted to provide analysis of Cryptosporidium in water abruptly notified the Water Bureau that they were going out of business and would no longer be able to accept samples. Although the fate of the laboratory remains uncertain, this level of uncertainty and potential for the abrupt loss of laboratory services is unacceptable.
4. It is imperative for the Water Bureau to retain the services of a qualified laboratory that can reliably provide analytical services to meet the water monitoring conditions of the Bull Run Treatment Variance.
5. Failure to analyze Bull Run intake samples at the required frequency of twice per week due to a loss of laboratory services would place the City at an unacceptable risk of having the Bull Run Treatment Variance revoked by OHA.
6. Analytical Services, Inc., an EPA and State of Oregon approved laboratory that is known to possess the necessary laboratory capacity and qualifications, was selected for the emergency contract.
7. The not-to-exceed value of this contract is \$250,000. The emergency was declared and approved in June 2014. Partial funding was available and accrued in the FY 2013-14 Budget. Additional funding is available in the FY 2014-15 Budget.
8. Analytical Services, Inc. will be self-performing all but a small percentage of the work. Because of this, there is no Minority, Woman, or Emerging Small Business participation on this contract.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and Auditor are authorized to execute on behalf of the City a contract with Analytical Services, Inc. to provide laboratory services in a form substantially in accordance with the contract attached as Exhibit A.
- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities.

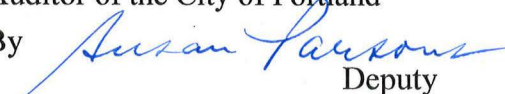
Section 2. The Council declares that an emergency exists because the City's current contract laboratory is abruptly going out of business and can no longer accept samples for analysis. Failure to contract with a new laboratory will result in the failure to meet the Bull Run Treatment Variance monitoring conditions with the outcome that Oregon Health Authority may revoke the variance and require that the City build a treatment plant for Cryptosporidium. Therefore this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, AUG 27 2014

Commissioner Nick Fish
Ann Richter
July 15, 2014

LaVonne Griffin-Valade
Auditor of the City of Portland

By


Deputy

901

Agenda No. **186774**
ORDINANCE NO.
 Title

*Authorize an Emergency Contract with Analytical Services, Inc. in the amount of \$250,000 for Laboratory Services for Cryptosporidium and Giardia Water Analysis (Ordinance)

INTRODUCED BY Commissioner/Auditor: Commissioner Nick Fish	CLERK USE: DATE FILED <u>AUG 22 2014</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish <i>Nick Fish</i> Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy
BUREAU APPROVAL Bureau: Water Bureau Head: David G. Shaff <i>[Signature]</i> Prepared by: Ann Richter Date Prepared: July 15, 2014 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date August 27, 2014	ACTION TAKEN:
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	