

## ORDINANCE No. 187103

Authorize a contract with Analytical Services, Inc. not to exceed \$1,200,000 for Intake Compliance Monitoring and a contract with Scientific Methods, Inc. not to exceed \$300,000 for Tributary Stream Monitoring in support of maintaining the Bull Run Treatment Variance Program (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 maintain compliance 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-approved or State-accredited laboratory to test intake and tributary water samples for the presence of *Cryptosporidium* oocysts.
3. A formal Request for Proposal was conducted (RFP WTR 116) in accordance with Chapter 5.68 of the Code of the City of Portland. The RFP separated services into two Divisions of Work with the intent to award two separate contracts in support of each Division of Work.
4. The Request for Proposal required proposers to have laboratory capacity to complete work for both Divisions of Work, but also act as a back-up laboratory for the other Division of Work. The highest scored proposer would be awarded a contract for Division of Work 1, Intake Compliance Monitoring. The second highest scored proposer would be awarded a contract to provide services for Division of Work 2, Tributary Stream Monitoring.
5. There were four responsive proposals received and the evaluation committee selected two proposers and in accordance with Chapter 5.68 of the Code of the City of Portland provided the letter of intent to award contracts to the two highest scoring proposers.
6. Analytical Services, Inc. was selected as the highest successful proposer for Division of Work 1, Intake Compliance Monitoring and Scientific Methods, Inc. was selected as the successful proposer for Division of Work 2, Tributary Stream Monitoring. Both contractors identified a majority of the work will be self-performed at their laboratories and each possess the required Environmental Protection Agency-approved or State-accreditations.

7. The not-to-exceed combined value of these contracts is \$1,500,000. The not-to-exceed value of the Analytical Services, Inc. contract is \$1,200,000. The not-to-exceed value of the Scientific Methods, Inc. contract is \$300,000.
8. Funding for the Project is available in the FY 2014-15 Budget, and will be requested in FY 2015-16 through FY 2019-20 Budgets. The confidence level for both contracts is Optimal.
9. During the contract performance period, should there be an event leading to one of the contracts becoming noncompliant and closed, the Water Bureau will evaluate to determine whether an amendment is required to transfer the remaining work and funds to the contract that is open. The amendment action will be administered by the Procurement Office and the Water Bureau.
10. An amendment action for the purpose described above is required to ensure continued compliance with the water monitoring conditions of the Final Order and to maintain the Bull Run Treatment Variance. All other amendment actions to the contracts above will be in accordance with Chapter 5.68 of the Code of the City of Portland.

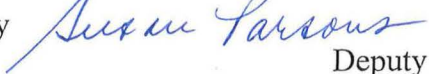
NOW, THEREFORE, the Council directs:

- a. That the Chief Procurement Officer is hereby authorized to execute on behalf of the City a contract with Analytical Services, Inc. and a contract with Scientific Methods, Inc. to provide laboratory services in a form substantially in accordance with the contracts attached as Exhibits A and B, respectively.
- b. In the event that one of the contracts authorized by this ordinance becomes closed, the Chief Procurement Officer is hereby authorized to execute an amendment to transfer the remaining work and funds from the closed contract to the valid contract for the purpose of ensuring continued compliance with the water monitoring conditions of the Final Order and to maintain the Bull Run Treatment Variance. The Chief Procurement Officer will follow the amendment with a Report to Council and identify the conditions that justified the transfer of work and funds.
- c. The Mayor and Auditor are hereby authorized to pay for the contract from the Water Fund when demand is presented and approved by the proper authorities.

Passed by the Council, APR 29 2015

Commissioner Nick Fish  
Ann Richter  
March 19, 2015

**Mary Hull Caballero**  
Auditor of the City of Portland

By  Deputy

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Agenda No. **187103**  
**ORDINANCE NO.**  
 Title

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Commissioner Nick Fish</b></p>	<p>CLERK USE: DATE FILED <u>APR 17 2015</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Water Bureau Head: David G. Shaff <i>[Signature]</i></p> <p>Prepared by: Ann Richter Date Prepared: March 19, 2015</p>	<p><b>ACTION TAKEN:</b> APR 22 2015 <b>PASSED TO SECOND READING</b> APR 29 2015</p>
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <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><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>April 22, 2015</b></p>	

**AGENDA**

**TIME CERTAIN**   
 Start time: \_\_\_\_\_

**Total amount of time needed:** \_\_\_\_\_  
 (for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**Total amount of time needed: 15 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	✓	