

IMPACT STATEMENT

Legislation title: *Authorize an exemption to the competitive bidding process pursuant to ORS Chapter 279C and City Code Chapter 5.34 for construction of certain Green Street facilities funded by % for Green (Ordinance)

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Presenter name: Ivy Dunlap

Purpose of proposed legislation and background information:

The Green Street Policy adopted April 2007 through Resolution No. 36500 established the % for Green program. This is a reauthorization of a recently expired ordinance that allowed for the exemption from competitive bidding for % for Green projects.

This ordinance will allow for the funding of future voluntary green street projects such as Verde's NE 72nd Cully Park Access project, and Catholic Charities green streets adjacent to the upcoming St. Francis Apartments.

Because the project results in a BES asset, a construction contract is required. However, it would be difficult to use the typical low bidder process because there is usually already a contractor working at the site, and the projects are initiated by the adjacent property owners. See Exhibit A for more detail.

Financial and budgetary impacts:

The ordinance will fund green streets in the ROW that will become BES maintained assets.

Funds have already been budgeted to this program. This ordinance will not change the % for Green budgeting process that is already established.

The ordinance is "not to exceed" \$1,000,000 and is based on past trends for the program. Once the maximum amount has been reached, the ordinance would need to be re-authorized.

Ivy Dunlap spends about 10% of her staff time managing the program. Of that, only a small portion of the projects will use this contracting method.

The legislation will allow for exemption from competitive bidding contracts under the % for Green program for 5 years.

Community impacts and community involvement:

The program criteria include:

- Provide multiple community benefits (i.e., enhance pedestrian safety and circulation, enhance bicycle safety and circulation, calm traffic, provide or enhance a community amenity, bring community members together for design or installation, connect parks and other facilities, provide public education, etc.)
- Have multiple partners, matching dollars, community involvement with nearby organizations and other resources (volunteers, outreach, education)

- Include diverse employment, job training, and/or education opportunities in project design or construction (e.g. a project includes partnerships with pre-apprenticeship programs such as Oregon Tradeswomen, Portland Youth Builders, or Constructing Hope)
- Include certified minority-owned and/or women-owned businesses in project design or construction
- Have high visibility and/or educational value

Therefore projects have already been selected to meet these attributes before entering into the contract.

Because the contract requires prevailing wages, most of the projects funded with this method are affordable housing that have already received public funding. (for example, REACH and Human Solutions). Home Forward is completing a project using % for Green funds that serves seniors and disabled residence.

The % for Green program has a goal to fund projects throughout the City. Recent per capita analysis indicated that north Portland had received the least per capita. Additionally east Portland had lower per capita spending and the program has been working with BPS to identify a project that serves the area.

The first contract under this ordinance will be with Verde, Inc. for their community based improvements in the Cully neighborhood. They have goals to use local labor and MWESB subcontractors whenever possible. Their general contractor is Colas Construction.

The % for Green contract that will be used for projects covered under this ordinance was developed with input from Procurement. It encourages the use of MWESB contractors and requires reporting of MWESB used on the project.

Most of the projects include safety improvements (Safe Routes to Schools, pedestrian curb extensions, etc) that make conditions better for bikes and pedestrians. Some of the projects also include educational signage or neighborhood involvement.

Community involvement for the program has included outreach; to neighborhood coalitions; to individuals that have expressed an interest in community initiated ROW projects; to the review committee so that they can spread the word through their contacts; to local non-profits that initiate community projects; and to a long list of city staff that work in the ROW and/or with community organizations. Outreach about the program and soliciting applications is done two times a year; in spring for May 1 and fall for November 1 application deadlines.

The program information and details are on the BES green street web page.

<http://www.portlandoregon.gov/bes/percentforgreen>

Budgetary Impact Worksheet

Does this action change appropriations?

☐ YES: Please complete the information below.☒ NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount