

RESOLUTION No. 37223

Direct the Office of Management and Finance to implement the Community Opportunities and Enhancements Plan for the Portland Building Reconstruction project and to allocate \$1 million of the project budget for these purposes. (Resolution)

WHEREAS, the City of Portland is committed to increasing diversity and equity in contracting, and has a variety of programs and strategies to provide opportunities for minority and women workforce and disadvantaged, minority-owned, women-owned, and emerging small businesses; and

WHEREAS, the Office of Management and Finance (OMF) considered whether it would be appropriate and feasible to use a negotiated Community Benefit Agreement (CBA) for the Portland Building Reconstruction project and determined that it was not, due to the nature of the proposed contracting approach as well as the ongoing evaluation of previous CBAs and Community Benefit Plans at the City; and,

WHEREAS, Resolution #37158 directed OMF to develop a Request for Proposals (RFP) and solicit bids for the reconstruction of the Portland Building for an amount not to exceed \$195,000,000 for the design, relocation, reconstruction and project management and for completion by the end of 2020; and

WHEREAS, Resolution #37160 directed OMF to develop a “One Percent for Community Opportunities and Enhancements Plan” for the Portland Building Reconstruction project; and

WHEREAS, while developing the progressive Design-Build-Relocate (DBR) RFP and the One Percent Plan, OMF looked at past Community Benefit Agreements, Community Benefit Plans and the City’s experience with a variety of contracting policies and strategies to inform the RFP and this Plan; and

WHEREAS, OMF held two meetings with community stakeholders prior to drafting a Plan to gain input on what was important to include in the Plan and ideas for how to allocate the Community Opportunities and Enhancements funding; and

WHEREAS, the draft Plan was distributed for comment to interested individuals and groups, including the Equitable Contracting and Procurement Commission, those who attended the stakeholder meetings, and internal City partners, as well as posted on the Portland Building website for broader community input; and

WHEREAS, the Director of the Office of Equity and Human Rights conducted further outreach to the contracting community and further engaged the Equitable Contracting and Procurement Commission which voted on a percentage allocation for spending the funds. The revised Plan reflects the additional input received; and

WHEREAS, dedicating the equivalent of one percent of the Portland Building Reconstruction project’s hard construction costs for Community Opportunities and Enhancements can provide

opportunities for people of color, women, economically disadvantaged individuals and communities, people with disabilities, and local contractors and organizations; and

WHEREAS, Ordinance #187560 authorized a contract with DAY CPM Services LLC for Owner's Representative, Public Outreach, and Social Equity Support and Oversight services for the Portland Building Reconstruction Project; and

WHEREAS, Ordinance #187559 authorized an alternative contracting process to conduct a competitive solicitation for use of the progressive DBR alternative contracting method, and payment for construction related to the Portland Building Reconstruction project; and

WHEREAS, the magnitude of reconstruction projects such as the Portland Building provides the ability for the City to create economic opportunities and benefits for local businesses, community organizations, and workforce through the contracts and opportunities and enhancements; and

WHEREAS, the City of Portland is committed to increasing contracting and subcontracting opportunities for Disadvantaged/Minority/Women/Emerging Small Businesses (DMWESB), paying prevailing wages, and supporting workforce development goals and objectives; and

WHEREAS, the progressive DBR RFP includes an Equity, Inclusion and Diversity Plan, developed in consultation with the Social Equity Support and Oversight consultant, that establishes community apprenticeship goals, community workforce and recruitment and retention goals, subcontracting goals, and reporting requirements and penalties for non-compliance; and

WHEREAS, the progressive DBR RFP required the DBR to include a Diversity Manager to provide assistance to the contractor and subcontractors to ensure compliance with the Equity, Inclusion and Diversity Plan requirements, and to provide a Design Team Mentor-Protégé for mentoring and increasing capacity of DMWESB Professional, Technical and Expert Services; and

WHEREAS, the hard construction costs for the Portland Building Reconstruction project are estimated at \$80-100 million, with one percent equaling \$800,000 to \$1 million; and

WHEREAS, OMF proposes setting the Community Opportunities and Enhancement allocation at a fixed \$1 million, and

WHEREAS, OMF proposes the funding be allocated to support diversifying the workforce; support Minority/Women/Disadvantaged Business Enterprise (MWDBEs); support individual workers; support collaborative efforts in the region to provide continuity of opportunity for MWDBEs and diverse workers; and

WHEREAS, this funding will be made available through open competitive processes to community based organizations and other community partners who can assist the City in achieving the accountability metrics and program outcomes established to help build capacity of MWDBE firms for future contract work with the City, and can help provide opportunities and experience for a diverse workforce in the reconstruction of the Portland Building; and

WHEREAS, the Office of Management and Finance is proposing other options to mitigate the impacts of the project on the Portland Building vendors, including rental concessions, up to a year's advanced notice of vacating the property and first rights to return to the reconstructed building.

NOW, THEREFORE, BE IT RESOLVED that the City Council directs the Office of Management and Finance to implement the Community Opportunities and Enhancements Plan, attached as Exhibit A, and to allocate \$1 million of the Portland Building Reconstruction project's budget for Community Opportunities and Enhancements to support the City's broad-based equity and inclusion goals and objectives.

Adopted by the Council: JUL 27 2016

Mayor Charlie Hales

Prepared by: Jamie Waltz

Date Prepared: July 13, 2016

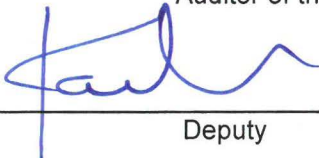
Mary Hull-Caballero

Auditor of the City of Portland

By *Gayla Jennings*

Deputy

Direct the Office of Management and Finance (OMF) to implement the Community Opportunities and Enhancements Plan for the Portland Building Reconstruction project and to allocate \$1 million of the project budget for these purposes. (Resolution)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>JUL 19 2016</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Office of Management and Finance Bureau Head: Fred Miller, CAO</p> <p>Prepared by: Jamie Waltz Date Prepared: July 13, 2016</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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p> <p>Council Meeting Date July 27, 2016</p>	
<p>ACTION TAKEN:</p>	

AGENDA

TIME CERTAIN
Start time: 10:15 am
Total amount of time needed: 1 hour for three related items (2 of 3)
 (for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
 (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	_____	