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# 191014

Ordinance

## Authorize competitive solicitation and contracts to support critical temporary professional modeling support service needs in the Bureau of Environmental Services for amount not to exceed \$15,050,000 over five years

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland Bureau of Environmental Services (BES) proposes to engage the services of qualified firm(s) that can effectively and efficiently perform temporary professional on-call support services for computer modeling/engineering support services and perform all associated administrative tasks as required on an as needed basis to supplement City staff during peak periods and to perform specialized support services, as needed. The temporary personnel will be engaged in hydrologic and hydraulic computer modeling, analysis, and technical services, including support for planning, design, construction, maintenance, climate and seismic resiliency, and emergency projects; wastewater and stormwater sewer projects; restoration and remediation projects; regulatory compliance; and development/permit projects.
2. The bureau owns, operates, and maintains two wastewater treatment facilities, more than 2,500 miles of underground pipe, 99 pump stations, more than 2,400 green street facilities, 183 parcels of natural area, among other assets.
3. The bureau's annual capital budget is approximately \$200 million and comprises about 70% of BES' overall budget and includes extensive, state-required upgrades to the Columbia Blvd Wastewater Treatment Plant, critical pump station repairs and improvements, pressurized sewer system improvements, repairs needed to ensure staff safety, and many other capital projects.
4. BES is experiencing an increased need for temporary personnel due to recent increases in the bureau's Capital Improvement Program budget and the number of projects required to meet the needs of Portland's wastewater and stormwater systems related to age, condition, and

### Introduced by

[Commissioner Mingus Mapps](#)

### Bureau

[Environmental Services](#)

### Contact

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### Requested Agenda Type

Regular

### Date and Time Information

Requested Council Date  
September 28, 2022

regulatory mandates. BES expects this trend to continue.

5. The bureau will work collaboratively with the Office of Management & Finance Procurement Services' Inclusive Contracting Manager to raise awareness around the price agreement solicitations within the local contracting community. Preliminary notices of the solicitation opportunities will be made public on Procurement's vendor portal BuySpeed, and through invitations to attend procurement information session(s) hosted by Procurement and BES. The Inclusive Contracting Manager will follow-up on feedback received and work with BES project management team to identify and, where possible, reduce barriers that firms owned by Black, Indigenous, People of Color, Minority, Immigrant, Women-owned, Disadvantaged, Service-Disabled Veterans, and Emerging Small Business firms may face when responding to the solicitation, or simply doing business with the City.
6. The Bureau seeks City Council's authorization for Procurement Services to issue a competitive solicitation and issue price agreements for the supplemental staffing services above.
7. The established, not-to-exceed cost of all price agreements awarded is \$15,050,000 over 5 years. Funds will be made available as needed in the Bureau of Environmental Services, Sewer System Operating Fund budget and various Capital Improvement Program (CIP) project budgets over the term of the contract.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer is authorized to conduct a competitive solicitation process in accordance with Chapter 5.68 of the Portland City Code and to negotiate contracts with the selected engineering consultants.
- B. Upon Council acceptance of the Chief Procurement Officer's Report, the Chief Procurement Officer is authorized to execute contracts in a cumulative total amount not-to-exceed \$15,050,000 over a 5-year term, provided the contracts have been approved as to form by the City Attorney's office.
- C. The Mayor and City Auditor are hereby authorized to pay for the contract from the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
September 28, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## Impact Statement

### Purpose of Proposed Legislation and Background Information

- The City of Portland Bureau of Environmental Services (BES) proposes to engage the services of qualified firm(s) that can effectively and efficiently perform temporary professional on-call support services for computer modeling/engineering support services and perform all associated administrative tasks as required on an as needed basis to supplement City staff during peak periods and to perform specialized support services, as needed. The temporary personnel will be engaged in hydrologic and hydraulic computer modeling, analysis, and technical services, including support for planning, design, construction, maintenance, climate and seismic resiliency, and emergency projects; wastewater and stormwater sewer projects; restoration and remediation projects; regulatory compliance; and development/permit projects. BES currently manages two price agreements, for these and similar services, that have been in place since 2017 and expire July 24, 2023.
- Professional services support allows the bureau to flexibly supplement staffing when project schedules demand. These Price Agreements are a tool that allows the bureau to quickly meet urgent staffing needs, as well as to avoid “over staffing” with permanent City FTE when workloads ebb. With an annual average CIP budget of approximately \$200 million, and more than 200 active capital projects that span multiple years, BES has substantial CIP outlay. Professional services support allows BES to keep work moving while making more incremental, long-term adjustments to permanent staffing levels as needed to meet projected baseline levels of work. Planned increase in CIP delivery over the next five years is due mainly to aging infrastructure and regulatory needs, particularly for treatment plants and pump stations.
- Additionally, professional services support for hydrologic and hydraulic computer modeling of BES’ aging infrastructure is increasingly necessary to support planning and investment strategies for long-term financial planning and budgeting. These support services will be leveraged to support urgent planning needs for the City’s Columbia Boulevard Wastewater Treatment Plant and its aging pumping and conveyance system.
- Without the Price Agreements, BES will be critically understaffed and unable to perform computer modeling/engineering support services at current service levels. This will lead to BES not being able to deliver the adopted CIP program nor to develop plans to inform long-term infrastructure investment needs for financial planning. BES planning and delivery output will decelerate immediately and substantially at the expiration of the existing Price Agreements in June 2023, if not replaced with new Price Agreements.
- BES has used professional services support to fill important roles during increased workload for more than 20 years. The RFP and resulting Price Agreements do not address any specific City policies.

### Financial and Budgetary Impacts

- This legislation does not change the adopted BES budget. The solicitation will result in Price Agreements with a not-to-exceed limit of \$15,050,000 over five years. The total-not-to-exceed amount for each individual price agreement for the 5-year term is dependent on the service category and shall be in accordance with the table below.

No.	Service Category Description	Maximum Number of Price Agreements to be Awarded	Maximum Price Agreement Amount for the Five-Year Period (EACH PRICE AGREEMENT)
I.	Modeling support for Capital Improvement Projects	3	\$1,500,000
II.	Modeling support for System Plan Development	3	\$1,500,000
III.	Special Modeling Support	6	\$500,000
IV.	Programmer/GIS Analyst	3	\$750,000
V.	Technical Editor	2	\$400,000

- Funds are available in the Sewer System Operating Fund, FY23-24 Capital Budget and will be requested in the FY 2025 and FY 2026 Capital Budgets, Bureau of Environmental Services. The impact of not approving the RFP and associated Price Agreements will likely result in capital program outlay to slow down causing under-delivery of the adopted annual CIP.
- The level of confidence for this estimate is high based on current maximum projections for these on-call, as-needed Price Agreements. This legislation does not change the existing BES budget because staff time for project design, technical support, and project management are built into capital project budget estimates for projects already in the adopted (and planned future) CIP. The bureau assumes a mix of approaches for this labor on projects, including City FTE, temporary contract staff, and consultant work.
- This solicitation has no long-term financial impacts to the City, and at any time, the bureau can increase or decrease use of the Price Agreements. No property will be purchased as a direct result of this RFP. The RFP does not change current or future revenues. The Ordinance supports BES to continue to use professional services when

FTE resources are not adequate to meet program needs. BES preference is for FTE, and the bureau will continue to request FTE which, if approved, would reduce the need to use these contracts.

## Community Impacts and Community Involvement

- This legislation does not specifically impact communities served by BES infrastructure, other than helping ensure future and already-planned capital projects citywide to repair, replace, or upgrade infrastructure assets are identified, planned, designed, and constructed in a timely manner. A significant portion of upcoming Planning and CIP project work is at the City's Columbia Boulevard Wastewater Treatment Plant, which serves the largest part of the community. Delaying planning and development of CIP projects due to lack of staffing resources would necessitate re-prioritizing and re-planning CIP work. Delaying or disrupting planning and CIP projects pose significant risks to the bureau's most critical assets, including higher likelihood of asset failure and increases the burden and safety risk to personnel maintaining and operating these assets. Additionally, delaying the planning and development of projects could impact the bureau's compliance with regulatory requirements.
- This Council item will allow a public competitive RFP process as well as involvement by the public in the evaluation process via the Minority Evaluator Program. BES staff are working with the City's Inclusive Contracting Manager to enable COBID firms to bid on the work. The Inclusive Contracting Team conducted research and identified COBID firms and firms that are certified through other means but are not necessarily certified through the State of OR, that could potentially submit proposals. BES and the Inclusive Contracting Team will reach out to these firms and others to ensure they have adequate notice about the RFP and support to submit a proposal.
- The adopted CIP, which supports the ramp-up of project workload for which much of these resources are needed, was supported by the Portland Utility Board (PUB), Citizens Utility Board (CUB), and vetted through the City Council budget process. No groups will be testifying, and there are no known objections or concerns about the solicitation.

## 100% Renewable Goal

This RFP and resulting Price Agreements do not impact the City's total energy use, including use of renewable energy.

## Agenda Items

### 771 Time Certain in [September 21, 2022 Council Agenda](#)

Passed to second reading

Passed to second reading September 28, 2022 at 9:30 a.m.

**815 Regular Agenda in [September 28, 2022 Council Agenda](#)**

Passed

Commissioner Jo Ann Hardesty Nay

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea