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191433

Emergency Ordinance

***Authorize an emergency price agreement with Rapid Response Bio Clean Inc. for janitorial services at Portland Parks & Recreation downtown restroom sites for September 1, 2023 through June 30, 2024 not to exceed \$500,000**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Clean, welcoming facilities and sites are essential to Portland Parks & Recreation's (PP&R's) ability to provide safe, exemplary park and recreation services to the people of Portland.
2. PP&R services downtown restrooms. PP&R cannot meet the level of service required solely with PP&R staff and has relied on contracted janitorial services to provide the required level of service. The previous vendor, Northwest Success Inc. – an Oregon Forward Contractor (formerly known as Qualified Rehabilitation Facilities (QRF)), terminated the contract in April 2023.
3. PP&R entered a temporary emergency contract with Rapid Response while preparing a new competitive solicitation of services, 31002455.
4. PP&R solicited the services of other Oregon Forward Contractors, all declined or did not respond.
5. PP&R is successfully utilizing Rapid Response to provide the appropriate level of service since an emergency declaration authorizing a temporary contract was issued June 1st, 2023, through August 31st, 2023.
6. In accordance with the Sustainable Procurement Policy, ADM 1.09, Rapid Response has a Labor Peace Agreement in place with local SEIU.
7. To continue providing the appropriate level of service, it is necessary for City Council in accordance with Portland City Code 5.33.130 to adopt an ordinance allowing creation of a new emergency contract from at least September 1, 2023, through June 30, 2024.

NOW, THEREFORE, the Council directs:

- A. The Chief Procurement Officer, or designee, is authorized to execute an emergency price agreement with Rapid Response Bio Clean Inc.

Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Parks & Recreation](#)

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date
August 30, 2023

subject to approval as to form by the City's Attorney's Office, with the price agreement not-to-exceed \$500,000.00 for ten months as stated in the above Findings, with the option to amend and extend as necessary to facilitate the completion of the competitive solicitation for a long term contract for these services.

B. The Mayor and City Auditor are hereby authorized to make payments to the contractor, chargeable to the appropriate project cost object when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists to prevent a disruption in service to the City's customers, to prevent a decrease in public access, and to prevent increased impacts of biohazards; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

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
August 30, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

This emergency consent ordinance will allow PP&R to continue maintenance for 14 downtown core Parks' restrooms.

PP&R will use this emergency consent ordinance to contract for service while continuing work with Central Procurement to get a long-term contract in place as soon as possible.

For many years PP&R downtown zone has contracted with outside janitorial vendors to service 14 of the Downtown Restrooms 2 times per day, seven days a week. The most recent vendor, NW Success was unable to meet expectations and after over a year of inadequate service terminated the City Contract in April 2023. During this time restrooms in the downtown core were not meeting the standards of being open and clean. In fact, they were a health and safety hazard, and an emergency firm was called in frequently to perform emergency bio-hazard cleaning.

Available Parks staffing resources prioritized restroom cleaning over other needed routine park maintenance tasks, however limitations prevented the ability to achieve the needed service level. A new vendor was needed as a maintenance partner to keep the downtown restrooms clean and open. To complete all the necessary processes to get a new vendor in place including

reaching out to Oregon Forward Firms, and having vendors get Labor Peace, City Procurement shared the process could take months, which means we would be unable to provide adequate service during the busy summer.

We recognize the city's commitment to increasing visitors to downtown and that operable, clean public restrooms are a part of that commitment and in accordance with our operation plan. In May of 2023 Parks received an emergency declaration that allowed us to contract with a vendor to clean downtown restrooms while Central Procurement worked to get a long-term contract. This emergency declaration went from June 1st, 2023, through August 31st, 2023. We contracted with Rapid Response. During that time, the RFP process was nearing completion for restroom service at Washington Park. In that process, no Oregon Forward Firms bid on the contract. Five other firms bid, and Rapid Response was selected for the Washington Park Contract as they met all the RFP requirements. Including a completed Labor Peace Agreement with SEIU. In addition, Rapid Response has significant experience with this body of work as a proven bio-hazard removal company.

With approval of the emergency declaration in May, we were able to get the restrooms cleaned and open for the community, June 1, 2023, continuing through August 31st, 2023. The City Procurement work to get a contract in place with an approved vendor is not expected to be completed until 2024. This would result in a gap of service to our downtown restrooms of months.

The emergency consent ordinance is required to deal with the unique realities and challenges of public restrooms in the downtown core and enable PP&R to spend the money budgeted for this need.

Financial and Budgetary Impacts

The funds used to pay for this service will come out of the Parks Downtown Service Zone budget. There is no additional budgetary impact. Downtown restroom cleaning is in the PP&R budget.

Community Impacts and Community Involvement

Downtown restroom users, downtown visitors, downtown businesses, downtown organizations, and downtown events are all impacted by the service level of downtown restrooms. Without approval of this ordinance access to restrooms will be severely impacted. Without consistent cleaning services there will need to be restroom closures, there will be increased repairs and the community will have to navigate increased biohazards. Community access to clean, operational restrooms is a priority for PP&R and we receive significant community feedback when we are unable to provide that essential service. This ordinance will allow us to continue providing clean, operational restrooms to our downtown community.

100% Renewable Goal

n/a

Budget Office Financial Impact Analysis

The price agreement with Rapid Response is not-to-exceed \$500,000.00 for ten months. There will be no additional budgetary impact because downtown restroom cleaning is already in the Parks Downtown Service Zone budget.

This price agreement comes with the option to amend and extend as necessary to complete competitive solicitation for long term contract; the previous contractor terminated the contract in April 2023, and PP&R's most recent solicitation for service was declined or not responded to.

Agenda Items

721 Consent Agenda in [August 30-31, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/8/30)
(<https://www.portland.gov/council/agenda/2023/8/30>)

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea