

PORTLAND DEVELOPMENT COMMISSION

Portland, Oregon

RESOLUTION NO. 7207

AUTHORIZING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE BUREAU OF REVENUE AND FINANCIAL SERVICES, PROCUREMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$565,700 FOR BUSINESS AND WORKFORCE EQUITY CONTRACT COMPLIANCE SERVICES

WHEREAS, the Portland Development Commission (“PDC”) Equity Policy and Administrative Procedures require contractors on specified projects to make contracting opportunities available to certified disadvantaged, minority, woman-owned, and emerging small businesses (“Certified Firms”) when subcontracting portions of PDC-funded projects and requires contractors working on certain construction projects to make efforts to hire and train a diverse workforce, including apprentices;

WHEREAS, the City of Portland (“City”) Bureau of Revenue and Financial Services, Procurement Services (“Bureau”), maintains the necessary staff, expertise, and information and technology systems and software to provide contract compliance services on behalf of the City and PDC;

WHEREAS, PDC and the Bureau have annually entered into an intergovernmental agreement (“IGA”) to provide business and workforce equity contract compliance services since fiscal year (“FY”) 2012-13;

WHEREAS, PDC and the Bureau intend to amend the IGA to continue the provision of contract compliance services for FY 2016-17 and that cumulative expenditure exceeds the PDC Executive Director’s signature authority.

NOW, THEREFORE, BE IT RESOLVED, that the PDC Board of Commissioners authorizes the Executive Director to enter into an IGA amendment with the Bureau for FY 2016-2017, substantially in the form attached hereto as Exhibit A;

BE IT FURTHER RESOLVED, that the Executive Director may approve changes to the IGA if such changes, in the opinion of the Executive Director in consultation with General Counsel, do not materially change PDC’s obligations or risks; and

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon its adoption.

CITY OF PORTLAND
CITY INTERGOVERNMENTAL AGREEMENT NO. 30002880
PDC INTERGOVERNMENTAL AGREEMENT NO. 512011
AMENDMENT NO. FOUR (4)

FOR
SUPPORT OF EEO, BUSINESS AND WORKFORCE EQUITY PROGRAMS, AND
PROJECT APPRENTICESHIP AGREEMENT

The Intergovernmental Agreement (the "IGA") was made and entered into on the 1st day of July 2012 between the Portland Development Commission, hereinafter called "PDC," and the City of Portland Bureau of Revenue and Financial Services, Procurement Services, hereinafter called the "Bureau." Capitalized terms used in this Amendment have the same meanings ascribed to those terms in the IGA. This Amendment Number Four to the IGA (this "Amendment") modifies the IGA as follows:

- a. The IGA is hereby amended to extend the Contract term for an additional one (1) year, from July 1, 2016 to June 30, 2017.
- b. This Amendment increases the maximum compensation of the IGA by \$116,700 for a contractual total of \$565,700.
- c. The following changes to the IGA are hereby made. Additions are noted in *italic* and **bold**, deletions are noted in ~~strikethrough~~:
 - a. Section 4. FUNDING, Item 2, shall be modified to read, "As compensation for the City's services set forth in Section III herein, PDC shall pay the City quarterly payments of \$29,175 *in 2016/17* each for a total amount not to exceed \$116,700 within 30 calendar days of receiving the City's request for payment. Payment will be based on receipt of services as outlined in the Agreement. If projects are added or additional services are required, this amount may be amended through an amendment to this IGA with agreement by both parties."
 - b. Section 8. ~~SOUTH WATERFRONT~~ PROJECT APPRENTICESHIP AGREEMENT Item A.2 shall be modified to read, "Provide workforce tracking and reporting activities on the Block 37 project *and the OHSU Center for Health and Healing 2 and 3*. Tracking of projects subject to the ~~SOUTH WATERFRONT~~ PROJECT APPRENTICESHIP AGREEMENT, after the Effective Date of this amendment, shall be negotiated by Procurement Services and PDC."
 - c. Section 10. DURATION AND TERMINATION shall be modified to read, "This IGA shall be effective from the Effective Date to **June 30, 2017** (the "Expiration Date"). The Expiration Date may be extended by amending this IGA by mutual agreement of the Parties. Either party may terminate this IGA upon giving thirty (30) days written notice. In the event of termination the City shall be entitled to payment for work performed prior to the notice of termination."
 - d. All other terms and conditions to remain unchanged.

PORTLAND DEVELOPMENT COMMISSION

Approved as to form:

BY: _____

PDC General Counsel

Kimberly Branam, Executive Director

Date

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Approved as to form:

CITY OF PORTLAND
BY: _____

City Attorney

Christine Moody, Chief Procurement Officer

Date