

PROSPER PORTLAND

Portland, Oregon

RESOLUTION NO. 7348

AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT AMONG PROSPER PORTLAND, THE CITY OF PORTLAND OFFICE OF MANAGEMENT AND FINANCE, AND THE CITY OF PORTLAND OFFICE OF EQUITY AND HUMAN RIGHTS, AND OTHER ACTIONS TO IMPLEMENT THE COMMUNITY OPPORTUNITIES AND ENHANCEMENTS PROGRAM

WHEREAS, the City of Portland (“City”) and Prosper Portland are committed to increasing diversity and equity in contracting and have a variety of programs and strategies to provide opportunities for people of color and women in the workforce as well as for disadvantaged, minority-owned, women-owned, and emerging small businesses (“D/M/W/ESB”).;

WHEREAS, on November 8, 2017, Portland City Council passed Resolution No. 37331 (the “Initial COEP Resolution”), which directed the Office of Management and Finance (“OMF”) and the Office of Equity and Human Rights (“OEHR”) to establish the Community Opportunities and Enhancement Program (“COEP”);

WHEREAS, COEP is funded by contributions from City public improvement construction contracts in an amount equal to one percent of the projects’ hard construction costs;

WHEREAS, COEP is intended to provide a reliable source of funding to advance the City’s construction projects by supporting the development of low-income, disadvantaged, minority, and women workers in the construction trades (“Workforce Assistance”) and the development and growth of D/M/W/ESB firms (“Business Technical Assistance”);

WHEREAS, Prosper Portland currently administers a business technical assistance program known as the Inclusive Business Resource Network (“IBRN”);

WHEREAS, the goals of IBRN are to improve outcomes for, and improve service delivery to, underrepresented business owners and entrepreneurs, while supporting an inclusive learning community among IBRN participants;

WHEREAS, over the last several years, Prosper Portland has built out infrastructure to support the IBRN including contract protocols and a robust reporting system that could be expanded to accommodate additional funding for related efforts;

WHEREAS, Prosper Portland manages a grant contract with Worksystems, Inc (“WSI”) for the implementation of the City of Portland’s Economic Opportunity Initiative, which includes adult and youth workforce development programs aimed at low-income individuals with barriers to employment;

WHEREAS, similar to IBRN infrastructure, WSI has developed an extensive system to support workforce development services;

WHEREAS, based on Prosper Portland’s experience, resources and capacity, the City has asked it to administer and implement the Workforce Assistance and Business Technical Assistance components of COEP;

WHEREAS, in April 2019, OMF, OEHR, and Prosper Portland entered into a Memorandum of Understanding which established each party’s anticipated roles and responsibilities with respect to COEP and which was intended to serve as the framework for negotiation of a subsequent intergovernmental agreement; and

WHEREAS, the Portland Housing Bureau (“PHB”) is also committed to increasing diversity and equity in contracting and is interested in contributing funds to Prosper Portland for COEP.

NOW, THEREFORE, BE IT RESOLVED, the Prosper Portland Board of Commissioners (“Board”) hereby authorizes the Executive Director to execute an Intergovernmental Agreement (“IGA”) with OMF and OEHR (“COEP IGA”), substantially consistent with the terms described in the summary attached hereto as Exhibit A, for the purpose of implementing the COEP;

BE IT FURTHER RESOLVED, that the Executive Director may approve changes, amendments, or other modifications to the COEP IGA prior to and subsequent to execution, so long as such changes do not materially increase Prosper Portland’s risks or obligations, as determined by the Executive Director in consultation with General Counsel;

BE IT FURTHER RESOLVED, that the Executive Director is authorized to enter into agreements necessary or appropriate to accept approximately \$300,000 in funding from PHB to support Business Assistance and Workforce Assistance activities consistent with the intent of COEP, whether through a modification or amendment to the COEP IGA, a modification or amendment to Prosper Portland’s existing Intergovernmental Agreement with PHB, or otherwise, on terms and conditions as deemed appropriate by the Executive Director in consultation with the General Counsel;

BE IT FURTHER RESOLVED, that Prosper Portland staff are hereby directed to begin developing a program and implementation plan for the COEP, including stakeholder engagement and a transparent and competitive grant solicitation process; and

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

Adopted by the Prosper Portland Commission on November 13, 2019



Pam Feigenbutz, Recording Secretary

SUMMARY OF ANTICIPATED TERMS

Resolution

Authorize an Intergovernmental Agreement (IGA) among the Office of Management and Finance (OMF), Office of Equity and Human Rights (OEHR), and Prosper Portland for the implementation of the City of Portland's Community Opportunities and Enhancements Program (COEP).

Summary of Proposed IGA

1. General. The COEP is the City of Portland's set-aside of an amount equal to 1% of hard construction costs on its infrastructure projects. The COEP funds are intended to be used for the provision of grants for workforce assistance and technical assistance to support diverse workers and businesses in the construction industry. Each grant program will be developed and administered by Prosper Portland, although the parties anticipate that the IGA would permit Prosper Portland to subcontract or sub-grant certain functions with respect to workforce assistance grants to Worksystems, Inc. or another permitted entity if it elects to do so.
2. Use of Funds. The IGA among Prosper Portland, OMF and OEHR will provide that **75%** of COEP funds are to be used for workforce assistance grants and **25%** of COEP funds will be used for business assistance grants. The proposed term of the IGA is December 2019 through June 30, 2021.
3. Roles and Responsibilities. Prosper Portland, OMF and OEHR anticipate that the IGA will include the following general roles and responsibilities for each party, respectively:
 - **OMF Responsibilities**
 - Develop annual budget
 - Oversee the Community Equity and Inclusion Committee (CEIC), a City of Portland advisory body with respect to certain of its social equity in contracting programs
 - Provide the CEIC with a "needs forecast" (a forecast of anticipated City construction projects and projected needs with respect to workforce and construction trades) to establish funding priorities, which will inform how grant funds are deployed
 - Consult with the City Attorney's Office to identify ratepayer fund-eligible grant activities and, when necessary, provide direction to Prosper Portland to ensure legal compliance
 - Monitor IGA and Prosper Portland's performance
 - Review and participate in grant selection process
 - Develop and implement program marketing in collaboration with Prosper Portland
 - **OEHR Responsibilities**
 - Review and participate in grant selection process
 - Support and provide technical assistance to CEIC
 - Work in collaboration with OMF and Prosper Portland to support the success of the COEP

- **Prosper Portland Responsibilities**
 - Develop the COEP grant program in collaboration with OMF, in a manner that is responsive to City needs forecasts and funding priorities
 - Lead Request for Proposals process and convene selection committees for workforce assistance grants and business assistance grants
 - Grant implementation and monitoring, including a sub-grant to Worksystems, Inc. or other approved sub-grantee(s) or subcontractor(s) for implementation of workforce assistance grant program (Prosper Portland would implement the business assistance grant program directly)
 - Report on grant programs to OMF

- 4. Other Terms and Conditions. The IGA will include other commonplace contractual terms and conditions (such as indemnification, audit and inspection, periodic reporting, conflicts of interest, and notices) typically found in intergovernmental agreements or otherwise determined to be necessary or appropriate by the parties and not materially inconsistent with the other terms described in this document.

Budget and Financial Information

The currently identified budget for COEP is approximately \$2.25 million. These funds would cover administrative costs and include grants to community organizations for the delivery of Business Technical Assistance and Workforce Assistance services. It is anticipated that additional funding beyond \$2.25 million may be added during the term of this IGA, as funds are identified by OMF, to be used for grants.

Prosper Portland anticipates receiving the following funding for administration of COEP pursuant to this IGA (provided, however, that the FY 19/20 amount may be subject to negotiated proration to the extent certain anticipated funds are not available for deployment in the COEP):

Task	Amount
Work done prior to IGA execution	\$50,000
FY 19/20 program administration	\$200,000
FY 20/21 program administration	\$200,000
Total IGA funding	\$450,000



**PROSPER
PORTLAND**
Building an Equitable Economy

RESOLUTION NO. 7348

RESOLUTION TITLE:

AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT AMONG PROSPER PORTLAND, THE CITY OF PORTLAND OFFICE OF MANAGEMENT AND FINANCE, AND THE CITY OF PORTLAND OFFICE OF EQUITY AND HUMAN RIGHTS, AND OTHER ACTIONS TO IMPLEMENT THE COMMUNITY OPPORTUNITIES AND ENHANCEMENTS PROGRAM

Adopted by the Prosper Portland Commission on November 13, 2019

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Gustavo J. Cruz, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Alisha Moreland-Capua MD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Francesca Gambetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Peter Platt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner William Myers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Consent Agenda Regular Agenda

CERTIFICATION

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Prosper Portland Commission and as duly recorded in the official minutes of the meeting.

Pam Feigenbutz, Recording Secretary

Date:

November 20, 2019