

BOARD OF EDUCATION  
SCHOOL DISTRICT NO. 1J, MULTNOMAH COUNTY, OREGON

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November 28, 2017

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November 28, 2017

Purchases, Bids, Contracts

The Superintendent RECOMMENDED adoption of the following items:

Numbers 5540 and 5541

Director Kohnstamm moved and Director Bailey seconded the motion to adopt the above numbered items. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

November 28, 2017

**RESOLUTION No. 5540**

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Relay Resources	12/1/17 through 11/30/22	Services S 65523	To provide for rental and laundering of dust mops for all District sites.  Qualified Rehabilitation Facilities (QRF) PPS 45-0410	\$400,000	J. Vincent Fund 101 Dept. 5593

**NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Reynolds School District	7/1/17 through 6/30/18	Intergovernmental Agreement IGA 65509	Columbia Regional Program will provide autism support services to regionally eligible children.	\$231,600	V. Truong Fund 205 Dept. 5433 Grant G1700

**AMENDMENTS TO EXISTING CONTRACTS**

<b>Contractor</b>	<b>Contract Amendment Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Amendment Amount, Contract Total</b>	<b>Responsible Administrator, Funding Source</b>
Day CPM an OTAK Division	11/29/17 through 1/31/18	Related Services RS 64855 Amendment 1	Adding funds for continued construction management services.  Direct Appointment PPS 48-0200  Approval of amendment sought under PPS 48-0320(4)(c) (allowing amendment over 125% of original contract value if Board approves)	\$99,999 \$199,999	J. Vincent Fund Varies Dept. 5597 Project Varies

November 28, 2017

**RESOLUTION No. 5541**

Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$150,000 per contractor are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW REVENUE CONTRACTS**

No New Revenue Contracts

**NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Reynolds School District	7/1/17 through 6/30/18	Intergovernmental Agreement / Revenue IGA/R 65504	Columbia Regional Program will provide Reynolds School District school age classroom services for Deaf/Hard of Hearing regionally eligible children.	\$232,925	V. Truong Fund 299 Dept. 5422 Grant S0031

**AMENDMENTS TO EXISTING REVENUE CONTRACTS**

No Amendments to Existing Revenue Contracts

November 28, 2017

Other Matters Requiring Board Approval

The Superintendent RECOMMENDS adoption of the following items:

Numbers 5542 through 5544

During the Committee of the Whole, Director Bailey moved and Director Kohnstamm seconded the motion to adopt Resolution 5542. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

During the Committee of the Whole, Vice-Chair Esparza Brown moved and Vice-Chair Moore seconded the motion to adopt Resolution 5543. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

Resolution 5544 was withdrawn.

November 28, 2017

**RESOLUTION No. 5542**

Authorizing Usage of Construction Excise Fund

The Superintendent recommends that the Board authorize the use of Construction Excise Fund (Fund 404) for capital improvement costs during the Middle School implementation at Tubman and Roseway Heights, and ACCESS relocation. The Board accepts this recommendation and by this resolution authorizes the Superintendent or his designee to utilize these funds.

**RECITALS**

- A. Board Resolution No. 3833 approved the Construction Excise Tax (CET). The use of funds from this tax is limited to capital improvements to school facilities.
- B. Board Resolution No. 5451 directed the Superintendent to further develop an implementation plan for Roseway Heights and Harriet Tubman Middle Schools aligned to the working draft of the Middle Grades Framework, and following completion of that Framework, to open Roseway Heights and Harriet Tubman Middle Schools for the 2018-2019 school year.
- C. The Superintendent has determined that ACCESS will be relocated from Rose City Park to another location.
- D. Staff estimates Facilities and Asset Management costs at \$16.65M and IT capital improvement costs at \$1.48M.
- E. \$12.59M will come from the Construction Excise Fund. \$3M will come from restricted funds, the remainder from unrestricted funds.
- F. The future repayment plan to restricted funds will come from CET unrestricted funds.
- G. Bond compensable capital costs of \$5.45M will be funded from the 2017 Capital Bond.

**RESOLUTION**

- 1. The Board authorizes the Superintendent or his designee to utilize Construction Excise Funds for Middle School implementation and ACCESS relocation.
- 2. The Board authorizes the use of up to \$12.59M from the Construction Excise Tax Fund to facilitate this work effort.

*M. Lee*

November 28, 2017

**RESOLUTION No. 5543**

Middle School Conversion Project: Exemption from Competitive Bidding

**RECITALS**

- A. The Board of Directors of Portland Public Schools ("District") is the Local Public Contract Review Board ("Board") pursuant to ORS 279A.060.
- B. ORS 279C.335(2) authorizes the Board to exempt certain public contracts or classes of contracts from the standard competitive procurement process otherwise required by the Public Contracting Code and Rules upon certain findings.
- C. The District intends to complete the Middle School Conversion Project, including opening two new middle schools and related reconfiguration of buildings that will convert to K-5 programs or otherwise change programs or populations due to middle school reconfiguration, by August 2018.
- D. Staff has determined that completion of the Middle School Conversion Project by August 2018 requires an exemption from competitive procurement. This determination is supported by draft Findings of Fact ("Findings") presented to the Board pursuant to ORS 279C.335.
- E. These Findings specify the scheduling, operational, and logistical advantages gained through use of direct appointment of one or more design, construction management, and construction firms as soon as possible.
- F. On November 14, 2017, the District issued a public notice in the Business Tribune announcing the District's intent to seek an exemption from competitive procurement. The notice was issued in compliance with ORS 279C.335 and the PPS Public Contracting Rules. The Findings were made available for public review and comment on the date of publication.
- G. The Board held a public hearing on the draft findings on November 28, 2017.
- H. Staff recommends approval of the exemption from competitive procurement of design, engineering, construction management, and construction firms for the Middle School Conversion Project.

**RESOLUTION**

- 1. The Board hereby exempts the Middle School Conversion Project from competitive procurement under ORS 279C.110, 279C.120, and 279C.335 and related PPS Public Contracting Rules. The Board approves utilization of a direct appointment alternative contracting method as described in the Draft Findings.
- 2. The exemption granted in Section 1 of this Resolution is based upon the Findings pursuant to ORS 279C.335(2), which the Board adopts and incorporates by reference into this Resolution.
- 3. Pursuant to these findings and decision, the Superintendent or his designee is hereby authorized to directly appoint design, engineering, construction management, and construction firms for the Middle School Conversion Project.

*M. Lee*

**RESOLUTION No. 5544**  
WITHDRAWN