

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 18- [INSERT NUMBER], FOR THE PURPOSE OF AMENDING METRO'S CONTRACTING AND PROCUREMENT ADMINISTRATIVE RULES

Date: October 25, 2018

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BACKGROUND

The Metro Local Contract Review Board has adopted administrative rules that direct the process by which Metro contracts for goods and services, personal services and construction services. The last significant changes to the contracting and procurement administrative rules were in June of 2017. Staff has since been monitoring rules for effectiveness to Metro procurements and has identified areas in the rules which would benefit from minor administrative updates.

Of particular note, staff is recommending updating the Metro Equity in Contracting rules to make certain clarifications to the Subcontractor Equity Program.

Section C of the Subcontractor Equity Program requires the prime contractor to advertise bidding opportunities. This requirement should only apply to CM/GC (construction manager/general contractor) contracts and is inconsistent with sections A, B and D of the Subcontractor Equity Program within the Invitation to Bid which require contractors to contact COBID certified firms directly and submit a COBID subcontractor plan at the time of bidding.

In order to enforce the submitted subcontractor plan, staff is also recommending adding a required monthly utilization report for tracking the progress toward the COBID certified firm participation.

ANALYSIS/INFORMATION

1. **Known Opposition.** None known.
2. **Legal Antecedents.** Oregon Revised Statutes Chapter 279 A,B,C. Metro LCRB Rules Division 47, Metro Personal Services Contracting Rules, Metro Equity in Contracting Rules
3. **Anticipated Effects.** Revises Metro's contracting and procurement administrative rules to correct discrepancies and increase effectiveness.
4. **Budget Impacts.** None.

RECOMMENDED ACTION

Staff recommends adoption of the revised contracting and procurement administrative rules by the Metro Local Contract Review Board.