

from competitive bidding and directs that such purchases be made in accordance with the procedures contained in Exhibit 1 hereto.

ADOPTED this 3rd day of June, 1982.

Cindy Banzer
Presiding Officer

ATTEST:

Sue Haynes
Clerk of the Council

AJ/gl
5382B/107



METROPOLITAN SERVICE DISTRICT

527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

M E M O R A N D U M

EXHIBIT 1

Date: May 5, 1982
To: Metro Council
From: Executive Officer
Regarding: Exemption of Gift Shop Purchasing from
Competitive Bidding Requirements

The gift shop at the Washington Park Zoo is a retail outlet for gift-type merchandise. It is anticipated such merchandise will cost approximately \$115,000 during FY 82.

Most items are not generic, therefore, style and design are important aspects to be considered. Quality of goods must balance price to achieve a value to the customer. The least expensive item (wholesale) is not necessarily the best selling retail.

Since the items are for resale rather than use by the public body, ordinary competitive market activity will accomplish the purposes of the public contracting procedures.

If exempted from bidding procedures, purchases of gift shop items will be consistent with the following procedures:

1. Bulk purchases of generic items for which there may be several suppliers will be subject to receipt of written or oral competitive quotes. The lowest quote obtained will be accepted unless valid reasons for rejecting it can be shown. Such reasons shall be in writing.
2. Purchases of non-generic items shall not require quotes.

We, therefore, request that purchases for the gift shop be exempted from competitive bidding procedures.

AJ/gl
5831B/D5

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer
SUBJECT: Exemption of Zoo Gift Shop Purchases from Competitive Bidding

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adoption of attached Ordinance exempting purchases of Zoo Gift Shop inventory and resale items from competitive bidding.
- B. POLICY IMPACT: The ordinance would mean that items purchased by the Zoo for resale at the gift shop could be purchased without competitive bidding. Generic items for which several suppliers exist would require competitive quotes.
- C. BUDGET IMPACT: Since such items are typically resold for more than their cost, any impact would be positive. The ordinance may require less administrative effort and cost in acquiring gift shop inventory.

II. ANALYSIS:

- A. BACKGROUND: The basis for this proposal is explained in the attached memo. There is substantial statewide precedent for the exemption of goods purchased by public agencies for resale.

The Council should be aware that it has previously exempted gift shop purchases from review by the Council and Contract Review Committee. Also, Metro contracts under \$10,000 are already exempted from competitive bidding. This ordinance would exempt gift shop purchases over \$10,000 from competitive bidding and certain purchases from competitive quotes.

- B. ALTERNATIVES CONSIDERED: None. Competitive bidding of resale items serves no useful purpose.
- C. CONCLUSION: Staff recommends adoption of the exemption proposed in the ordinance.

AJ/gl
5809B/107
4/27/82

6.2 Recommendation on Resolution No. 82-329, For the Purpose of Granting a Franchise to Sunflower Recycling for the Purpose of Operating a Processing Facility.

General discussion of Sunflower's requests for waivers to the franchise fees.

Motion to adopt Resolution No. 82-329; carried. (Kafoury/Schedeen, Deines and Oleson voting "no")

6.3 Recommendation on Black and Veatch Contract Amendment for Phase III, Construction Contract Administration and Engineering Services during Construction of CTRC.

6.4 Recommendation on Black and Veatch Contract Amendment for Construction Inspection Services of the CTRC.

Motion that the Black and Veatch contract amendments be approved; carried unanimously. (Deines/Burton)

7.1 Public Hearing on Ordinance No. 82-134, Exempting Purchases of the Zoo Gift Shop Inventory from Competitive Bidding. (First Reading)

Motion that Ordinance No. 82-134 be adopted. (Deines/Kafoury)

General discussion of the reasons for exemption.

There was no one present who wished to present public testimony on the matter.

Reconsideration of Contested Case No. 81-6, In the Matter of a Petition for a Locational Adjustment to the Urban Growth Boundary (UGB) to Add Jenne Lynd Acres and Remove Schoppe Acres.

Roxanne Nelson and Doug Fowler, representing the City of Portland, presented the City's position on the matter.

Bruce Burmeister and George Hammersmith, representing a group of residents in the Jenne Lynd area, presented the opposition to the petition.

At the conclusion of the arguments, Presiding Officer stated that the Council has three options:

- 1) Reaffirm the original action, which denies the City of Portland's petition;
- 2) Reverse the action and approve the petition outright; or
- 3) Approve petitions with conditions as presented by the Development Committee.

A final order will then be prepared by the staff and appear on the next meeting's consent agenda.

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

JUNE 3, 1982

Members present: Couns. Banzer, Berkman, Bonner, Burton, Deines, Etlinger, Kafoury, Kirkpatrick, and Williamson.

Members absent: Couns. Oleson and Schedeen.

Staff present: Andy Jordan, Don Carlson, Jennifer Sims.

Visitors present: Beth Blunt, League of Women Voters; C. E. & Julie Gregg, Aloha.

The meeting was called to order by Presiding Officer Banzer at 7:30 PM.

There were no introductions, written, citizen or Councilor communications.

Presiding Officer:

reminded Councilors to submit their anticipated expenses for the remainder of the fiscal year if they haven't already done so;

stated that budget adjustments would be made soon and if Councilors had any problems with the transfers to the General Fund, they should let her know as soon as possible;

stated that she and the Executive Officer have drafted a list of names for the solid waste review committee and she will be contacting Councilors for reactions.

5. Consent Agenda.

The consent agenda consisted of the following:

Order and Resolution No. 82-335, An Order and Resolution of Intent to Approve a Petition by the City of Portland for a Locational Adjustment to the Urban Growth Boundary upon Compliance with Conditions.

Motion that the consent agenda be approved; carried unanimously. (Burton/Rhodes)

6.1 Ordinance No. 82-134, For the Purpose of Exempting Purchases of the Zoo Gift Shop Inventory from Competitive Bidding. (Second Reading)

A vote on the previous motion (Deines/Kafoury) indicated that the ordinance passed unanimously.

7.1 Personnel Classification Adjustments per FY '83 Budget.

Resolution No. 82-339, For the Purpose of Approving and Authorizing Two New Classification and Two Reclassifications.

Coun. Deines stated that these adjustments were discussed at the Coordi-