

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF INVOLVING)	RESOLUTION NO. 80-195
MINORITY BUSINESS ENTERPRISES IN)	
CONTRACTING AND PROCUREMENT)	Introduced by the Council
ACTIVITIES AND SETTING FY 1981)	Coordinating Committee
PARTICIPATION GOALS)	

WHEREAS, Metro is strongly committed to using Minority and Women-owned Business Enterprises in all aspects of contracting and procurement; and

WHEREAS, Federal regulations require that a policy statement be made, annual goals be set and a program be implemented; now, therefore,

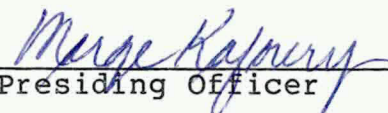
BE IT RESOLVED,

1. That Attachment A be adopted as Metro's policy statement on Minority and Women-owned Business Enterprise participation in contracting and procurement.

2. That a program will be developed to implement this policy in conformance with State and federal regulations.

3. That this policy statement, a program and other necessary documents will be forwarded to all appropriate agencies for their approval.

ADOPTED by the Council of the Metropolitan Service District
this 23rd day of October, 1980.



Presiding Officer

JS:bb
715B/81

ATTACHMENT A

Minority Business Enterprise Policy Statement

Through a Minority Business Enterprise (MBE) Program, the Metropolitan Service District (Metro):

- . expresses its strong commitment to using MBEs in all aspects of contracting and procurement to the maximum extent feasible;
- . informs all employees, governmental agencies and the general public of its policy and program to implement this policy; and
- . assures conformity with current, applicable federal regulations or as they may be amended.

It is the policy of Metro to provide equal opportunity to all persons to participate in and access the benefits and services provided through activities, projects and programs within the District's jurisdiction.

Metro and any recipient of a contract will not discriminate against any person or firm on the basis of race, color, national origin, sex, age, religion, mental or physical handicap, political affiliation or marital status.

The general policy and procedures established under this program apply to all Metro departments and program areas.

Objectives of this program are to:

- . assure that provisions of this policy are adhered to by all Metro organizational units, by employees and supervisory personnel and by all recipients of financial assistance from or through Metro;
- . initiate and maintain efforts to increase participation by Minority and Women-owned Business Enterprises in Metro programs;
- . strengthen already known Minority Business Enterprises;
- . seek out and assist in developing additional Minority Business Enterprise resources;
- . identify barriers to participation in and access to the benefits and services provided by Metro activities, projects and programs, and develop ways to remove or modify the effect of said barriers.

Primary administrative responsibility for the MBE Program, including

implementation of necessary amendments to policies, procedures, guidelines and other resource materials and review, monitoring and evaluation of the program rests with the Management Services Department. The Director of Management Services will serve as the designated liaison officer with support from the Senior Accountant, Administrative Assistants and program managers from each Metro department. All department heads and program managers have responsibility for assuring implementation of the MBE Program.

In addition, this policy and program apply to all who receive financial assistance from or through Metro, including:

- . cities, counties and special districts;
- . private individuals, organizations and/or firms including MBEs qualified for contractual agreements with Metro.

The procedures for carrying out this commitment are described in Metro's MBE Program, which is available for inspection through the designated MBE liaison officer.

FY 1981 Goals

The activities which involve MBE participation occur in three major areas for FY 1980-81:

1. Construction Contracts

An overall goal of 10 percent MBE participation is established for construction contracts based on expected expenditures and present and anticipated MBE capacity. No Women-Owned Business Enterprise (WBE) participation is anticipated for construction work, though efforts will be made to identify and involve women contractors. All prime contractors, regardless of ethnicity, are subject to this requirement. Examples of construction services are site preparation, building construction, demolition, structural improvements and landscaping.

2. Consultant Contracts

An overall goal of 10 percent participation is established for all consultant contracts. Subgoals are nine percent for MBE and one percent for WBE participation. Examples of consultant services are management development, architecture, engineering, planning, accounting, graphics and legal services.

3. Procurement

An overall goal of six percent participation is established for procurement of supplies and services. Subgoals are five percent for MBE and one percent for WBE participation.

Examples of supplier/vendor services are banks, chemical products, computer services, general office supplies, equipment, insurance and travel agents.



Marjorie Murlin Kafoury
Metro Presiding Officer

Date: October 23, 1980

JS:gl
716B/81

THIS 23rd DAY OF October 1980

Cynthia M. Wickman
 CLERK OF THE COUNCIL
 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: Council Coordinating Committee
 SUBJECT: Minority Business Enterprise Program

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: The Council is requested to approve Resolution No. 80-195 establishing a policy to provide opportunities for Minority Business Enterprise (MBE) participation in Metro contracting and procurement. The policy statement includes specific MBE and Women-owned Business Enterprise (WBE) goals for FY 1981.
- B. POLICY IMPACT: Metro, and formerly CRAG, have been subject to MBE participation requirements as a condition for receipt of federal funds. This action will broaden Metro's policy to include all contracting and procurement activities, regardless of source of funds. Also, specific goals for construction, consulting and procurement will be set for this fiscal year.
- C. BUDGET IMPACT: The City of Portland has tentatively agreed to conduct the MBE certification process for Metro. This will be arranged through an intergovernmental agreement for about \$3,000. A budget transfer from contingency for this amount will be presented for Council action with the supplemental budget.

About 25 percent of one staff person's time will be required to administer the MBE program for all Metro departments. This responsibility will be assigned to the Management Services Department and implemented on an incremental basis.

II. ANALYSIS:

- A. BACKGROUND: Metro is subject to MBE requirements as a condition for receipt of federal funds. A recent federal emphasis on increasing MBE involvement has resulted in new regulations from the U.S. Department of Transportation (DOT) and new goals from the Environmental Protection Agency (EPA). Similar requirements to set goals and establish an MBE program will be issued by other federal agencies within the next year. The new regulations require a substantially greater effort by Metro to involve MBEs and WBEs.

The primary issue in implementing the required program is whether to limit efforts to federally funded work or apply the program to all Metro programs and projects.

A full-scale application significantly increases staff requirements because the Solid Waste and Zoo Departments have the highest level of contracting and procurement activity. It appears that a full-scale application is the most appropriate in that it would require only one set of contracting procedures and more adequately address the intent of such a program.

- B. ALTERNATIVES CONSIDERED: Application of the MBE program to federally funded work only or to all Metro programs and projects were considered as alternatives. Full responsibility for implementation by Metro or implementation by Metro with certification assistance from the City of Portland were evaluated as options.
- C. CONCLUSION: The Council should approve the attached resolution establishing an MBE policy and FY 1981 goals. The policy will be applied to all departments and implemented with assistance from the City of Portland.

716B/81



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

MEMORANDUM

Date: October 10, 1980
To: Metro Council
From: Executive Officer
Regarding: Clackamas County Subdivisions

Several months ago, Clackamas County approved three urban subdivisions outside the Metro UGB. The Council authorized the Executive Officer to appeal to the Land Use Board of Appeals. After the first appeal was filed, the County repealed all three subdivisions and the appeal was withdrawn.

The County has now re-approved two of the three subdivisions. If Metro is to appeal again, such appeals must be filed by October 24, 1980. This memo is to seek Council approval of such appeals.

We believe that both subdivisions violate Statewide Goals 2, 3, and 14, and are inconsistent with the UGB. Since both of the subdivisions were originally approved some time ago, it would be difficult to challenge them in the pending acknowledgment process. Therefore, LUBA appeals are the only effective remedy available to prevent these developments.

RG:AJ:cw