

BEFORE THE CONTRACT REVIEW BOARD OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING ) RESOLUTION NO. 89 - 1150  
AN EXEMPTION FROM METRO CODE 2.04.060 )  
FOR CONTRACT WITH PACIFIC POWER AND ) Introduced by  
LIGHT COMPANY FOR PURCHASE AND ) Executive Officer Rena Cusma  
INSTALLATION OF ELECTRICAL EQUIPMENT )  
FOR THE OREGON CONVENTION CENTER )

WHEREAS, the design team for the Oregon Convention Center investigated the long term climatic conditions in Portland and determined the optimal internal temperatures for the OCC; and

WHEREAS, comfort of convention center attendees and flexibility of exhibitor services such as electricity are important factors in return business for the convention center; and

WHEREAS, the Oregon Convention Center will use electricity for heating, cooling, ventilation, and lighting and will provide power for exhibitors' use; and

WHEREAS, the Oregon Convention center is in Pacific Power and Light Company's service area; and

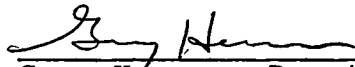
WHEREAS, a contract with Pacific Power and Light Company is required for the purchase and installation of two transformers, switch gear, and cabling and the associated cost is \$106,199; and

WHEREAS, the Executive Officer recommends Council approval; now, therefore,

BE IT RESOLVED,

That the Council hereby exempts the attached contract with Pacific Power and Light Company from the public bidding requirement section of 2.04.060 of the Metro Code.

12th ADOPTED by the Council of the Metropolitan Service District this day of October, 1989.

  
\_\_\_\_\_  
Gary Hansen, Deputy Presiding Officer



# GRANT/CONTRACT SUMMARY

METROPOLITAN SERVICE DISTRICT

GRANT/CONTRACT NO. 901034

BUDGET CODE NO. 559 - 231109 - 574510 - 50706

FUND: Convention Center DEPARTMENT: Construction

(IF MORE THAN ONE) \_\_\_\_\_

SOURCE CODE (IF REVENUE) \_\_\_\_\_

### INSTRUCTIONS

- OBTAIN GRANT/CONTRACT NUMBER FROM CONTRACTS MANAGER. CONTRACT NUMBER SHOULD APPEAR ON THE SUMMARY FORM AND ALL COPIES OF THE CONTRACT.
- COMPLETE SUMMARY FORM.
- IF CONTRACT IS —
  - SOLE SOURCE, ATTACH MEMO DETAILING JUSTIFICATION.
  - UNDER \$2,500, ATTACH MEMO DETAILING NEED FOR CONTRACT AND CONTRACTOR'S CAPABILITIES, BIDS, ETC.
  - OVER \$2,500, ATTACH QUOTES, EVAL FORM, NOTIFICATION OF REJECTION, ETC.
  - OVER \$50,000, ATTACH AGENDA MANAGEMENT SUMMARY FROM COUNCIL PACKET, BIDS, RFP, ETC.
- PROVIDE PACKET TO CONTRACTS MANAGER FOR PROCESSING

1. PURPOSE OF GRANT/CONTRACT allow purchase two 2500 KVA transformers and associated cabling and switches for the Oregon Convention Center

2. TYPE OF EXPENSE

<input type="checkbox"/> PERSONAL SERVICES	<input type="checkbox"/> LABOR AND MATERIALS	<input checked="" type="checkbox"/> PROCUREMENT
<input type="checkbox"/> PASS THROUGH AGREEMENT	<input type="checkbox"/> INTER-GOVERNMENTAL AGREEMENT	<input type="checkbox"/> CONSTRUCTION
		<input type="checkbox"/> OTHER

OR

TYPE OF REVENUE

<input type="checkbox"/> GRANT	<input type="checkbox"/> CONTRACT	<input type="checkbox"/> OTHER
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3. TYPE OF ACTION

<input type="checkbox"/> CHANGE IN COST	<input type="checkbox"/> CHANGE IN WORK SCOPE
<input type="checkbox"/> CHANGE IN TIMING	<input checked="" type="checkbox"/> NEW CONTRACT

4. PARTIES Metro and Pacific Power and Light Company

5. EFFECTIVE DATE October 15, 1989 TERMINATION DATE none  
(THIS IS A CHANGE FROM \_\_\_\_\_)

6. EXTENT OF TOTAL COMMITMENT:

ORIGINAL/NEW	\$ <u>9106,199.00</u>
PREV. AMEND	<u>-0-</u>
THIS AMEND	<u>-0-</u>
<b>TOTAL</b>	\$ <u>9106,199.00</u>

### 7. BUDGET INFORMATION

A. AMOUNT OF GRANT/CONTRACT TO BE SPENT IN FISCAL YEAR 1989 890 \$ 9106,199.00  
*Construction Works Other*

B. BUDGET LINE ITEM NAME than Building AMOUNT APPROPRIATED FOR CONTRACT \$ 100,000.00

C. ESTIMATED TOTAL LINE ITEM APPROPRIATION REMAINING AS OF July 30, 1989 \$ 1,827,200.00

8. SUMMARY OF BIDS OR QUOTES (PLEASE INDICATE IF A MINORITY BUSINESS ENTERPRISE) n/a

SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	

9. NUMBER AND LOCATION OF ORIGINALS Contracts Division, Convention Center Project, PP&T

1. A. APPROVED BY STATE/FEDERAL AGENCIES?  YES  NO  NOT APPLICABLE  
 B. IS THIS A DOT/UMTA/FHWA ASSISTED CONTRACT  YES  NO
11. IS CONTRACT OR SUBCONTRACT WITH A MINORITY BUSINESS?  YES  NO  
 IF YES, WHICH JURISDICTION HAS AWARDED CERTIFICATION \_\_\_\_\_
12. WILL INSURANCE CERTIFICATE BE REQUIRED?  YES  NO
13. WERE BID AND PERFORMANCE BONDS SUBMITTED?  YES  NOT APPLICABLE  
 TYPE OF BOND \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_  
 TYPE OF BOND \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_
14. LIST OF KNOWN SUBCONTRACTORS (IF APPLICABLE)
- |            |               |                              |
|------------|---------------|------------------------------|
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
15. IF THE CONTRACT IS OVER \$10,000  
 A. IS THE CONTRACTOR DOMICILED IN OR REGISTERED TO DO BUSINESS IN THE STATE OF OREGON?  
 YES  NO  
 B. IF NO, HAS AN APPLICATION FOR FINAL PAYMENT RELEASE BEEN FORWARDED TO THE CONTRACTOR?  
 YES DATE \_\_\_\_\_ INITIAL \_\_\_\_\_

16. COMMENTS:

The difference between the amount of the contract (\$106,199) and the amount budgeted (\$100,000) can be made up from within other budget categories. No adjustment is necessary now.

## GRANT/CONTRACT APPROVAL

INTERNAL REVIEW

Neil McFarlane  
 DEPARTMENT HEAD  
Russell R. [Signature]  
 FISCAL REVIEW  
Kathy [Signature] 9/12/89  
 BUDGET REVIEW

CONTRACT REVIEW BOARD  
 (IF REQUIRED) DATE \_\_\_\_\_

1. \_\_\_\_\_  
COUNCILOR
2. \_\_\_\_\_  
COUNCILOR
3. \_\_\_\_\_  
COUNCILOR

COUNCIL REVIEW  
 (IF REQUIRED):

DATE \_\_\_\_\_

LEGAL COUNSEL REVIEW AS NEEDED:

- A. DEVIATION TO CONTRACT FORM \_\_\_\_\_
- B. CONTRACTS OVER \$10,000 \_\_\_\_\_
- C. CONTRACTS BETWEEN GOVERNMENT AGENCIES \_\_\_\_\_

DUP

ELECTRIC SERVICE CONTRACT  
DUPLICATE/INTERMITTENT

R.C. No. 143  
E.R. No. 31-31105  
W.O. No. 5021

This contract, dated September 07, 1989 is between PACIFIC POWER & LIGHT COMPANY (Pacific) and METRO SERVICE DISTRICT / CONVENTION CENTER (You or Your).

All provisions of this contract are subject to the rates, rules and regulations of Pacific's filed tariffs and the jurisdiction of the Public Utility Commission of Oregon. Pacific's tariffs are available for review upon Your request.

Pacific agrees to provide facilities for furnishing 277/480 volt, 3 phase electric service for Your facilities located at: 777 N.E. Martin Luther King Jr. Blvd. ( Union Ave. )

You agree:

- (a) To make a nonrefundable cash advance to Pacific of \$106,199.00, as Your share of Pacific's investment in service facilities; and
- (b) To provide rights-of-way at no cost to Pacific, in a form acceptable to Pacific, properly cleared and prepared; and
- (c) To take service for not less than thirty-six (36) months from the date that Pacific is ready to supply service; and
- (d) To comply with all other specifications and requirements of Pacific's extension tariffs and procedures.

The minimum monthly charge for service under this contract during the first thirty-six (36) months following the date Pacific is ready to supply service shall be the greater of (1) the monthly schedule billings or (2) \$2,846.00 plus eighty percent (80%) of the schedule billings for the month computed in accordance with Rate Schedule No. 25 and superseding schedules.

A monthly facilities charge, in the amount of \$712.00 shall be paid by You for as long as this contract is in effect. The facilities charge will be in addition to any contracted minimum charges and regular monthly billings for service taken under and computed in accordance with Rate Schedule No. 25 and superseding schedules.

This contract shall benefit and be binding upon the respective successors and assigns of You and Pacific; provided however, that no assignment by You shall be effective without Pacific's prior written consent. Pacific's consent will not be unreasonably withheld.

If service is provided by underground facilities, Pacific reserves the right to abandon underground cables in place, should any or all of the cables installed under this contract cease to be useful to Pacific.

This contract will not become effective unless:

- (a) Pacific receives an original signed copy of this contract together with any required advance of costs within 90 days after the date first shown on this contract; and
- (b) You are ready to receive service within 150 days after the date first shown on this contract.

SPECIAL PROVISIONS:

See attached 3rd. page.

This contract constitutes the entire agreement between You and Pacific and replaces all prior communications with respect to this project.

PACIFIC POWER & LIGHT COMPANY

BY \_\_\_\_\_  
                        Manager

METRO SERVICE DISTRICT / CONVENTION CENTER

BY \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

### Special Provisions

The advance of \$106,199 is the estimated installed cost of two 2500 KVA transformers, two primary switch compartments, related cable and terminations, installed at Customer's request, which are in excess of facilities which the Company in its sole discretion would normally install to furnish service hereunder. At such time, in Company's judgement, Customer's power requirements are such as to warrant the need of said excess transformers and associated facilities, the monthly facilities charge specified above shall be adjusted to reflect such need.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 89-1150 GRANTING AN EXEMPTION FROM METRO CODE REQUIREMENT, 2.04.060 FOR CONTRACT WITH PACIFIC POWER AND LIGHT COMPANY FOR THE PURCHASE AND INSTALLATION OF TRANSFORMERS IN THE OREGON CONVENTION CENTER

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Date: September 18, 1989

Presented by: McFarlane

BACKGROUND AND FACTUAL ANALYSIS:

The Oregon Convention Center will use electricity for heating, lighting, ventilation, and air conditioning. The main requirements for electrical power will be for air conditioning and use by exhibitors in the exhibit halls.

The design team reviewed the long term climate of Portland and the desirable inside temperatures for the convention center during extreme weather conditions. In consultation with the Advisory Committee on Design and Construction, the team determined that providing optimal cooling and air exchange capacity was important to return business to the convention center. In addition, a great deal of electrical capacity must be available to exhibitors in the center.

The convention center is in Pacific Power and Light's (PP&L) service area. Because PP&L is the only possible source for this equipment and the amount of the contract exceeds \$2,500, the Contract Review Board must grant an exemption from the public bidding process.

The convention center will use four transformers. PP&L estimated that two transformers would provide the building with adequate power. However, two would not provide service for peak demand periods. To provide the preferred comfort level and service during the peak demand times, the electrical subconsultant recommended that four transformers be used. Peak demands are expected when the exhibit halls and many of the meeting rooms are in use.

Under PUC regulations, PP&L will install the equipment required according to its own estimates. PP&L cannot provide capacity in excess of normal requirements (i.e., the sale of electricity to the center can only justify two transformers; although four are required to provide to service peaks). The customer must pay for additional equipment. An adjustment in monthly rates or other financing of this capital cost is not available from PP&L. The cost for the two additional transformers, switch gear, and cabling is \$106,199.

Installation of the transformers is scheduled to begin on October 24, 1989. Approval of this agreement prior to installation is

required by PP&L. Delay in this installation work would affect the General Contractor's schedule.

In the overall project budget, \$100,000 was allocated for hookup costs. This amount was appropriated in the 1989-90 adopted budget under "Construction Work Other than Building." This contract will exhaust that budget category. The difference can be made up from within other existing allocations.

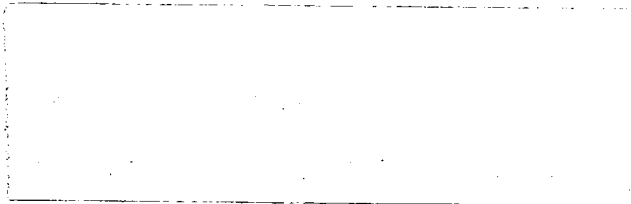
Consideration was given to shifting this and any other "hookup" costs to the Metro E-R Commission operating budget. The 1989-90 Metro E-R Commission budget does not have adequate capital funds to cover this contract. The Council may wish to consider this issue as part of budget deliberations.

EXECUTIVE OFFICER RECOMMENDATION:

The Executive Officer recommends approval of Resolution No. 89-1150, granting an exemption from the public bidding requirements of Metro Code 2.04.060 for contract with Pacific Power and Light Company for the purchase and installation of electrical equipment in the Oregon Convention Center.



**CONVENTION, ZOO & VISITORS  
FACILITIES COMMITTEE REPORT**



RESOLUTION NO. 89-1150, AUTHORIZING AN EXEMPTION FROM METRO  
CODE 2.04.060 FOR A CONTRACT WITH PACIFIC POWER AND LIGHT  
COMPANY FOR PURCHASE AND INSTALLATION OF ELECTRICAL EQUIPMENT  
FOR THE OREGON CONVENTION CENTER

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Date: September 29, 1989

Presented by: Councilor Knowles

COMMITTEE RECOMMENDATION: At the Convention, Zoo & Visitors  
Facilities Committee meeting September 26, 1989, all Committee members  
were present and voted unanimously to recommend Council adoption of  
Resolution No. 89-1150.

COMMITTEE DISCUSSION/ISSUES: Resolution No. 89-1150 is a companion  
piece to Resolution No. 89-1151 which grants an easement to the  
Pacific Power and Light Company (PP&L) to install an underground  
electrical line to the Oregon Convention Center. PP&L is the sole  
electricity provider for the service area in which the Convention  
Center is located. Accordingly, Resolution No. 89-1150 exempts the  
purchase of Convention Center electricity from the competitive bid  
process and authorizes a contract with PP&L. Convention Center staff  
noted electricity was selected as the Center's energy source based on  
the design team and Advisory Committee on Design and Construction  
(ACDC) analysis on climate conditions and power needs. The Committee  
did not raise any issues or questions regarding the resolution.

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