

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING A) RESOLUTION NO. 14-4510
PROCESS FOR ENTERING INTO CONTRACTS)
WITH NOT-FOR-PROFIT ORGANIZATIONS TO) Introduced by Chief Operating Officer Martha
SUPPORT PARKS AND NATURAL AREAS) Bennett in concurrence with Council
LOCAL OPTION LEVY GOALS) President Tom Hughes

WHEREAS, Metro Code Chapter 2.04.053(a)(20) establishes a special procurement category that facilitates partnership contracts with not-for-profit organizations to help implement Metro’s programs and projects, and requires the Metro Council to approve by resolution a process for awarding of the contracts;

WHEREAS, in 2013, voters approved a five-year local option levy to care for Metro’s growing portfolio of natural areas and parks, including natural area restoration, maintenance and improvements for visitors, park maintenance and improvements, expansion of volunteer programs and conservation education, and expanding the Nature in Neighborhoods community grants;

WHEREAS, strategies for achieving the levy’s desired conservation and equity-related outcomes include forming a diverse range of informal partnerships, including with not-for-profit organizations;

WHEREAS, in the first year of the levy Metro entered into contracts with a small number of not-for-profit organizations to further levy goals, including with community-based organizations serving low-income and communities of color through the new Partners in Nature program, and with watershed councils and other conservation organizations to plan, manage and implement levy restoration projects;

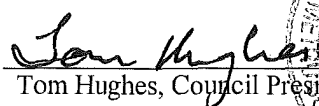
WHEREAS, these “pilot” projects were successful in helping achieve levy goals, providing a sound basis for Metro to work with additional not-for-profit across the region to leverage levy resources for greater impacts on the ground;

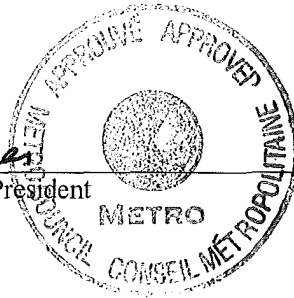
WHEREAS, the use of Metro Code Chapter 2.04.053(a)(20) would streamline the formation of new relationships with not-for-profit organizations on a programmatic scale, and staff has developed a process for awarding new contracts with not-for-profit organizations to help achieve the levy goals, in accordance with Metro Code Chapter 2.04.053(a)(20);

WHEREAS, the process, if adopted by Metro Council, would require contracts formed through this special procurement to meet the following criteria: (1) must be with a registered 501(c)(3) or similar qualified entity or must have a documented agreement for fiscal sponsorship, (2) must demonstrate shared goals that clearly align with identified Parks and Natural Areas local option levy goals and outcomes, (3) must define tangible and measurable deliverables that support the levy program objectives, and (4) must reflect a true collaboration, and be responsive to the contractor’s needs and leverage and benefits for the public; now therefore

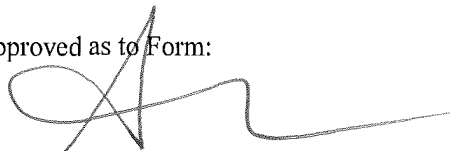
BE IT RESOLVED that the Metro Council approves, in accordance with Metro Code Chapter 2.04.053(a)(20), a process for awarding contracts to not-for-profit organizations to meet levy goals, as set forth on the attached as Exhibit A.

ADOPTED by the Metro Council this 23rd day of October, 2014.


Tom Hughes, Council President



Approved as to Form:


Alison R. Kean, Metro Attorney

PROCESS FOR ENTERING INTO CONTRACTS WITH NOT-FOR-PROFIT ORGANIZATIONS TO SUPPORT PARKS AND NATURAL AREAS LOCAL OPTION LEVY GOALS

The process outlined below would apply to contracts formed under these and other levy programs that contract with not-for-profit organizations supporting levy goals.

Process for awarding the contracts

For new contracts, Metro staff will broadly advertise the opportunities to relevant audiences. This could include, at a minimum, emailing lists and personal contacts; posting on Metro's website, newsfeed and other media; and follow-up conversations, and may also include open houses or other special outreach efforts. Outreach will be conducted in alignment with the parks and natural areas engagement strategies and with agency-wide equity goals and strategies.

Any contracts awarded under this special procurement will meet the following criteria:

- Must be with a registered 501(c)3 or similarly qualified entity or must have a documented agreement for fiscal sponsorship from a registered organization.
- Must demonstrate shared goals that clearly align with identified Parks and natural areas local option levy program goals and outcomes.
- Must define tangible and measurable deliverables that support the levy program objectives. Examples include number of youth from historically underserved communities to participate in field outings at Metro natural area sites, number of acres of invasive plants to be treated, and percentage of minority/women/ emerging small business (MWESB) contractors to be involved.
- Must reflect a true collaboration, be responsive to the contractor's needs and leverage benefits for the public.

Contracts will not exceed the limits for intermediate procurements and the services would not include services required as part of a public improvement project. The Sustainability Center Director or Natural Areas Program Director must approve contracts prior to award.

Amendments and extensions to these contracts will follow existing contracting procedures for intermediate procurements.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 14-4510, FOR THE PURPOSE OF APPROVING A PROCESS FOR ENTERING INTO CONTRACTS WITH NOT-FOR-PROFIT ORGANIZATIONS TO SUPPORT PARKS AND NATURAL AREAS LOCAL OPTION LEVY GOALS

Date: October 23, 2014

Prepared by: Kathleen Brennan-Hunter, 503-797-1948

BACKGROUND

In 2013, voters approved a five-year local option levy to care for Metro's growing portfolio of natural areas and parks. The five-year work plan includes natural area restoration, maintenance and improvements for visitors, park maintenance and improvements, expansion of volunteer programs and conservation education, and expanding Nature in Neighborhoods community grants. Strategies for achieving the levy's desired outcomes include forming a diverse range of partnerships, including with not-for-profit organizations.

Metro Code Chapter 2.04.053(a)(20) establishes a special procurement category that facilitates engagement with not-for-profit organizations to help achieve Metro's policy goals. The special procurement applies to the following:

Contracts not exceeding \$150,000 for personal services or for trade services (and not required as part of a public improvement project) when the provider of the procured services is a not-for-profit organization, and the purpose of the services is to implement Metro programs and projects, provided the Metro Council has approved by resolution a process for awarding such contracts.

This resolution outlines a process for awarding contracts to not-for-profit organizations under this special procurement for the purposes of achieving Metro's goals under the Parks and natural areas local option levy.

PROPOSED APPROACH

In the first year of the levy, Metro contracted with not-for-profit organizations in several of the levy's key initiatives. Examples include:

- Contractual relationships and informal partnerships formed through the newly-established Partners in Nature program that helps achieve the levy's equity-related goals. Projects developed through this program are co-created by Metro and community-based organizations serving communities of color and low-income families. The purposes of these projects are to provide opportunities for underserved communities to experience nature through Metro's parks and natural areas, and to build the capacity of the organizations to lead their own nature-related programming. In fiscal year 13-14 Metro awarded four contracts to organizations whose work aligned with the levy's equity goals.
- Contracts with not-for-profit organizations to plan, manage and implement levy restoration work on Metro properties. These contracts support two key goals of the levy: completion of priority restoration projects, and increasing the capacity of partners to serve the community by improving local natural areas. In fiscal year 13-14 Metro awarded six contracts to organizations whose work aligned with the levy's restoration goals.

The process outlined below would apply to contracts formed under these and other levy programs that contract with not-for-profit organizations supporting levy goals.

Process for awarding the contracts

For new contracts, Metro staff will broadly advertise the opportunities to relevant audiences. This could include, at a minimum, emailing lists and personal contacts; posting on Metro’s website, newsfeed and other media; and follow-up conversations, and may also include open houses or other special outreach efforts. Outreach will be conducted in alignment with the parks and natural areas engagement strategies and with agency-wide equity goals and strategies.

Any contracts awarded under this special procurement will meet the following criteria:

- Must be with a registered 501(c)3 or similarly qualified entity or must have a documented agreement for fiscal sponsorship from a registered organization.
- Must demonstrate shared goals that clearly align with identified Parks and natural areas local option levy program goals and outcomes.
- Must define tangible and measurable deliverables that support the levy program objectives. Examples include number of youth from historically underserved communities to participate in field outings at Metro natural area sites, number of acres of invasive plants to be treated, and percentage of minority/women/ emerging small business (MWESB) contractors to be involved.
- Must reflect a true collaboration, be responsive to the contractor’s needs and leverage benefits for the public.

Contracts will not exceed the limits for intermediate procurements and the services would not include services required as part of a public improvement project. The Sustainability Center Director or Natural Areas Program Director must approve contracts prior to award.

Amendments and extensions to these contracts will follow existing contracting procedures for intermediate procurements.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to this resolution.

2. Legal Antecedents

In December 2012, the Metro Council adopted Resolution No.12-4398, “For the Purpose of Referring to the Voters of the Metro Area a Local Option Levy for the Purposes of Preserving Water Quality, Fish and Wildlife Habitat and Maintaining Metro’s Parks and Natural Areas for the Public.”

Resolution No. 12-4398 sets forth the criteria for levy projects and is the ongoing guiding document for programs and projects implemented with levy funds.

Metro Code Chapter 2.04.053(a)(20) requires that the Metro Council approve by resolution a process for awarding contracts to not-for-profit organizations under special procurement.

3. Anticipated Effects

This approach will streamline Metro’s process for entering into contracts with not-for-profit organizations, increasing the levy’s impact by leveraging the support and resources of partners. It

enables a programmatic-scale approach that is a more transparent and efficient use of public funds versus entering into these contracts on a project-by-project basis.

4. Budget Impacts

None.

RECOMMENDED ACTION

The Chief Operating Officer recommends passage of Resolution No. 14-4510.