

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PUPOSE OF SUPPORTING
AND APPROVING A GRANT TO
KINK/SOLV FOR THE MAY 19, 1990

RESOLUTION NO. 90-1251

Introduced by Councilor Gary
Hansen

WHEREAS, The Metropolitan Service District is committed to reducing the amount of garbage going to regional landfills; and

WHEREAS, This year is the twentieth anniversary of Earth Day and as Earth Year projects are being conducted throughout the region and nationally to promote waste reduction and provide the public with opportunities for clean-up and recycling; and

WHEREAS, The Stop Oregon Litter and Vandalism, in conjunction with KINK Radio, is sponsoring a major clean up of illegal dump sites and offering neighborhood clean ups; and

WHEREAS, The two groups have asked the Metropolitan Service District to support their efforts with \$20,000 in funding; and

WHEREAS, The Council of the Metropolitan Service District supports the effort by providing funds to Stop Oregon Litter and Vandalism to stage a community event on May 19, 1990 to clean up illegal dump sites and help reduce the amount of waste going to regional landfills by recycling at neighborhood clean ups; and

WHEREAS, the Council of the Metropolitan Service District has received the proposed scope of work for this program incorporated herein as Attachment A; now, therefore,

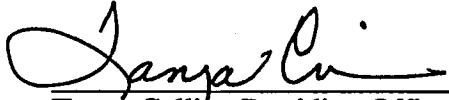
BE IT RESOLVED,

That the Council of the Metropolitan Service District approves the form and substance of the scope of work for this project and authorizes the Executive Officer or her designee to execute a contract with Stop Oregon Litter and Vandalism not to exceed

\$20,000 for the period of May 1, 1990 to June 30, 1990, to perform the work as described
in the Scope of Work in Attachment A attached hereto.

ADOPTED by the Council of the Metropolitan Service District

this 26th day of April, 1990.



Tanya Collier, Presiding Officer

Contract No. _____

PERSONAL SERVICES AGREEMENT

THIS AGREEMENT dated this 27th day of April 1990, is between the METROPOLITAN SERVICE DISTRICT, a municipal corporation, hereinafter referred to as "METRO," whose address is 2000 S.W. First Avenue, Portland, OR 97201-5398, and Stop Oregon Litter and Vandalism, hereinafter referred to as "CONTRACTOR," whose address is P.O. Box 40047, Portland, Oregon 97240 for the period of May 1, 1990, through June 30, 1990, and for any extensions thereafter pursuant to written agreement of both parties.

W I T N E S S E T H :

WHEREAS, This Agreement is exclusively for Personal Services;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

CONTRACTOR AGREES:

1. To perform the services and deliver to METRO the materials described in the Scope of Work attached hereto;
2. To provide all services and materials in a competent and professional manner in accordance with the Scope of Work;
3. All applicable provisions of ORS chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the State of Oregon, are hereby incorporated as if such provision were a part of this Agreement, including but not limited to ORS 279.310 to 279.320.

Specifically, it is a condition of this contract that Contractor and all employers working under this Agreement are subject employers that will comply with ORS 656.017 as required by 1989 Oregon Laws Chapter 684.

4. To maintain records relating to the Scope of work on a generally recognized accounting basis and to make said records available to METRO at mutually convenient times;

5. To indemnify and hold METRO, its agents and employees harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with its performance of this Agreement, with any patent infringement arising out of the use of CONTRACTOR'S designs or other materials by METRO and for any claims or disputes involving subcontractors;

6. To comply with any other "Contract Provisions" attached hereto as so labeled; and

7. CONTRACTOR shall be an independent contractor for all purposes, shall be entitled to no compensation other than the compensation provided for in the Agreement. CONTRACTOR hereby certifies that it is the direct responsibility employer as provided in ORS 656.407 or a contributing employer as provided in ORS 656.411. In the event CONTRACTOR is to perform the services described in this Agreement without the assistance of others, CONTRACTOR hereby agrees to file a joint declaration with METRO to the effect that CONTRACTOR services are those of an independent contractor as provided under Chapter 864 Oregon Laws, 1979.

METRO AGREES:

1. To pay CONTRACTOR for services performed and materials delivered in the maximum sum of TWENTY THOUSAND AND NO/100THS (\$20,000) DOLLARS and in the manner and at the time designated in the Scope of Work; and
2. To provide full information regarding its requirements for the Scope of Work.

BOTH PARTIES AGREE:

1. That METRO may terminate this Agreement upon giving CONTRACTOR five (5) days written notice without waiving any claims or remedies it may have against CONTRACTOR;
2. That, in the event of termination, METRO shall pay CONTRACTOR for services performed and materials delivered prior to the date of termination; but shall not be liable for indirect or consequential damages;
3. That, in the event of any litigation concerning this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs, including fees and costs on appeal to an appellate court;
4. That this Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any condition, be assigned or transferred by either party; and
5. That this Agreement may be amended only by the written agreement of both parties.

STOP OREGON LITTER
AND VANDALISM

METROPOLITAN SERVICE DISTRICT

By: _____

By: _____

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____

Date: _____

AMH:JM:ay
SOLV0501.CNT
10/19/89

Attachment A

Scope of Work

The contractor will provide promotional services to advertise the May 19th clean-up day. The advertising and promotional materials will prominently use METRO's logo type as a sponsor for the event.

The contractor will provide promotional services to recruit volunteers to assist with the clean-up event.

The contractor, prior to final approval to print and distribute promotional materials, will consult with the Metro Public Affairs Director and the Solid Waste Director on the types of materials, promotions and advertising to be used in promoting the event.

The contractor will assure that recycling of yard debris and other recyclable materials will occur at every neighborhood clean-up by providing separate drop boxes and staff to direct the public in their use.

The contractor will assure that each neighborhood clean-up and illegal dump site listed for the KINK/SOLV clean up will be carried out as planned and within the hours of operation as stated in the KINK proposal, and that all necessary licenses and permits will be obtained from the affected jurisdictions and authorizing agencies.



GRANT/CONTRACT SUMMARY

METROPOLITAN SERVICE DISTRICT

GRANT/CONTRACT NO. _____ BUDGET CODE NO. 530 315000 529500 75000
 FUND: Operations DEPARTMENT: S.W. (IF MORE THAN ONE) _____
 SOURCE CODE (IF REVENUE) _____

INSTRUCTIONS

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

1. PURPOSE OF GRANT/CONTRACT Fund the KINK/SOLV clean up day on May 19th, 1990

2. TYPE OF EXPENSE PERSONAL SERVICES LABOR AND MATERIALS PROCUREMENT
 PASS THROUGH AGREEMENT INTER-GOVERNMENTAL AGREEMENT CONSTRUCTION
 OTHER

OR

TYPE OF REVENUE GRANT CONTRACT OTHER

3. TYPE OF ACTION CHANGE IN COST CHANGE IN WORK SCOPE
 CHANGE IN TIMING NEW CONTRACT

4. PARTIES Stop Oregon Litter and Vandalism and METRO

5. EFFECTIVE DATE May 1, 1990 TERMINATION DATE June 30, 1990
 (THIS IS A CHANGE FROM _____)

6. EXTENT OF TOTAL COMMITMENT:	ORIGINAL/NEW	\$ 20,000.00
	PREV. AMEND	-----
	THIS AMEND	-----
	TOTAL	\$ 20,000.00

7. BUDGET INFORMATION

A. AMOUNT OF GRANT/CONTRACT TO BE SPENT IN FISCAL YEAR 198 <u>9</u> - <u>90</u>	\$ 20,000.00
B. BUDGET LINE ITEM NAME <u>Personal Serv.</u> AMOUNT APPROPRIATED FOR CONTRACT	\$ 20,000.00
C. ESTIMATED TOTAL LINE ITEM APPROPRIATION REMAINING AS OF <u>April 26</u> , 19 <u>90</u>	\$ _____

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

N/A See Comments, Reverse

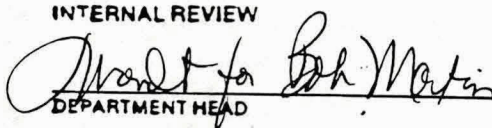
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	

9. NUMBER AND LOCATION OF ORIGINALS _____

10. A. APPROVED BY STATE/FEDERAL AGENCIES? YES NO NOT APPLICABLE
 B. IS THIS A DOT/JMTA/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:

This contract is by resolution of the Metro Council and will be approved for payment via an amendment to the Solid Waste 1989-90 FY Budget

GRANT/CONTRACT APPROVAL

INTERNAL REVIEW  DEPARTMENT HEAD	CONTRACT REVIEW BOARD (IF REQUIRED) DATE _____ 1. _____ COUNCILOR 2. _____ COUNCILOR 3. _____ COUNCILOR	COUNCIL REVIEW (IF REQUIRED) DATE _____
FISCAL REVIEW _____		
BUDGET REVIEW _____		

- LEGAL COUNSEL REVIEW AS NEEDED:
- A. DEVIATION TO CONTRACT FORM _____
- B. CONTRACTS OVER \$10,000 _____
- C. CONTRACTS BETWEEN GOVERNMENT AGENCIES _____



GRANT/CONTRACT SUMMARY

METROPOLITAN SERVICE DISTRICT

GRANT/CONTRACT NO. _____ BUDGET CODE NO. 530 315000 529500 75000
 FUND: Operations DEPARTMENT: S.W. (IF MORE THAN ONE) _____
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OR

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3. TYPE OF ACTION CHANGE IN COST CHANGE IN WORK SCOPE
 CHANGE IN TIMING NEW CONTRACT

4 PARTIES Stop Oregon Litter and Vandalism and METRO

5. EFFECTIVE DATE May 1, 1990 TERMINATION DATE June 30, 1990
 (THIS IS A CHANGE FROM _____)

6. EXTENT OF TOTAL COMMITMENT:	ORIGINAL/NEW	\$	<u>20,000.00</u>
	PREV. AMEND	\$	<u>-----</u>
	THIS AMEND	\$	<u>-----</u>
	TOTAL	\$	<u>20,000.00</u>

7. BUDGET INFORMATION

A. AMOUNT OF GRANT/CONTRACT TO BE SPENT IN FISCAL YEAR 1989-890 \$ 20,000.00
 B. BUDGET LINE ITEM NAME Personal Serv. AMOUNT APPROPRIATED FOR CONTRACT \$ 20,000.00
 C. ESTIMATED TOTAL LINE ITEM APPROPRIATION REMAINING AS OF April 26, 1990 \$ _____

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

N/A See Comments, Reverse

SUBMITTED BY _____ \$ _____ AMOUNT MBE
 SUBMITTED BY _____ \$ _____ AMOUNT MBE
 SUBMITTED BY _____ \$ _____ AMOUNT MBE

9. NUMBER AND LOCATION OF ORIGINALS _____

COUNCIL SOLID WASTE REPORT

RESOLUTION NO. 90-1251, FOR THE PURPOSE OF SUPPORTING AND APPROVING A GRANT AWARD FOR KINK RADIO/SOLV (STOP OREGON LITTER AND VANDALISM) CLEAN-UP DAY

Date: April 18, 1990

Presented by: Councilor Hansen

Committee Recommendations

The CSWC voted 3 to 0 to recommend Council adoption of Resolution No. 90-1251. Voting: Councilors Hansen, Buchanan and Wyers. Absent: Councilors Bauer and DeJardin. This action was taken April 17, 1990.

Committee Discussion/Issues

Pat Merkle of SOLV and Anne-Marie Messano of KINK Radio addressed the Solid Waste Committee regarding the request of Metro to donate \$20,000 to support the waste reduction efforts and clean-ups by neighborhoods in the Metropolitan area on May 19, 1990.

The clean-up will be focused in 25 neighborhoods and 10-15 illegal dump sites. Through marketing, the whole community will be encouraged to get involved. KINK and SOLV expect to mobilize between 5,000 and 10,000 volunteers for the one day cleanup.

The Metro Council is requested to approve a budget amendment for the 1989-90 Fiscal Year. The funding for the above program would be a part of a department budget amendment currently being compiled and scheduled to be presented for consideration next month.

The Solid Waste Committee indicated that the proposed FY 90-91 budget provides for Neighborhood Cleanups. The Committee also supports cleanup campaigns during this fiscal year.

It was noted that each neighborhood conducting a cleanup has agreed to recycle all items that can be recycled.

Councilor Wyers suggested the coordinators find a way to get local officials involved in the cleanup campaign.

There were no further questions, comments or issues raised.

901251.CR

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 90-1251 FOR THE PURPOSE OF SUPPORTING AND APPROVING A GRANT TO KINK/SOLV FOR THE MAY 19, 1990 PORTLAND AREA CLEAN UP DAY.

Date: April 11, 1990

Presented by: Councilor Gary Hansen

Proposed Action:

Adoption of this resolution by the Solid Waste Committee and Metro Council would acknowledge and promote waste reduction efforts and clean-ups by neighborhoods in metropolitan area on May 19, 1990.

Factual Background

On May 19, 1990 KINK Radio, SOLV (Stop Oregon Litter and Vandalism), Northwest Natural Gas Company and Safeway grocery stores are joining forces to coordinate a Portland-area clean up of neighborhood and illegal dump sites.

Illegal dump sites are areas such as Forest Park and Oaks Bottom, where people dump garbage, tires and debris even though it is prohibited. Neighborhood efforts will involve yard, street and park clean ups and beautification. The event will concentrate on preventative measures to discourage future dumping. Each neighborhood conducting a clean up has agreed to recycle all items that can be recycled.

Each sponsor is asked to donate \$20,000 to support these efforts. A portion of the funding goes to the actual clean-up which includes the use of drop boxes, collection, transportation, recycling and disposal costs. The other portion of the funding goes to promotion of the event.

The clean-up, scheduled from 9 a.m. to 2 p.m., will be focused in 25 neighborhoods and 10 to 15 illegal dump sites. Through marketing, the whole community will be encouraged to get involved. KINK and SOLV expect to mobilize between 5,000 to 10,000 volunteers for the one day clean up.

The Metro Council is requested to approve a budget amendment for the 1989-90 fiscal year solid waste budget. The funding for this program will come as part of a department budget amendment currently being compiled and scheduled to be presented for consideration next month.