

BEFORE THE CONTRACT REVIEW BOARD OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING ) RESOLUTION NO. 91-1518  
AN EXEMPTION TO THE COMPETITIVE )  
PROCUREMENT PROCEDURES OF METRO ) Introduced by Rena Cusma,  
CODE CHAPTER 2.04.053, AND ) Executive Officer  
AUTHORIZING A CHANGE ORDER TO )  
THE PERSONAL SERVICES AGREEMENT )  
WITH ASSOCIATED MARKETING RESEARCH )

WHEREAS, Metro has a contract with Associated Marketing Research for ongoing maintenance of the Regional Land Information System (RLIS) data bases,

WHEREAS, Changing the existing contract specifications would significantly enhance the usefulness of the data for meeting Metro's solid waste management and recycling objectives,

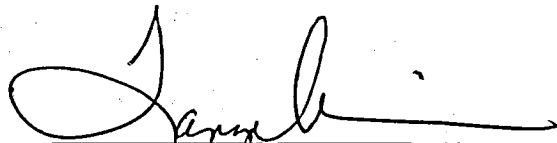
WHEREAS, Change Order No. 1 cannot be approved unless an exemption to the Competitive Procurement Process pursuant to Metro Code 2.04.054 is granted by the Metro Contract Review Board; and

WHEREAS, The resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now, therefore,

BE IT RESOLVED,

That the Metropolitan Service District Contract Review Board exempts Change Order No. 1 to the Personal Services Agreement with Associated Marketing Research from the Competitive Procurement Procedures of Metro Code 2.04.053 and authorizes execution of Change Order No. 1.

ADOPTED by the Contract Review Board of the Metropolitan Service District this 24th day of October, 1991.

  
\_\_\_\_\_  
Tanya Collier, Presiding Officer

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 91-1518 FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE PROCUREMENT PROCEDURES OF METRO CODE CHAPTER 2.04.053, AND AUTHORIZING A CHANGE ORDER TO THE PERSONAL SERVICES AGREEMENT WITH ASSOCIATED MARKETING RESEARCH

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Date: October 2, 1991

Presented by: Terry Petersen

### PROPOSED ACTION

Adopt Resolution No. 91-1518, which grants exemption from the competitive procurement process and authorizes execution of Change Order No. 1 to the Personal Service Agreement with Associated Marketing Research for Maintaining Metro's Building Permit Data.

### FACTUAL BACKGROUND AND ANALYSIS

In October 1991, the Data Resource Center of Metro's Transportation Department entered into a Personal Services Agreement with Associated Marketing Research for maintenance of Metro's Regional Land Information System (RLIS) data base. Under the existing contract, Associated Marketing Research's responsibilities include monthly delivery of building permit data for permits over \$50,000 valuation and any demolition permits that affect the change in number of housing units or commercial/industrial land coverage. These account for about 20% of all building permits in the region.

The Solid Waste and Planning and Development Departments would like to use building permit data for two solid waste purposes:

- Inform recyclers where construction and demolition debris will be generated in advance of the actual work. A lack of such knowledge has been one of the main impediments to recycling of this waste stream. Processors (e.g., OPRC, Weyerhaeuser, Wood Exchange) support Metro's performance of this function.
- Estimate tonnages of construction/demolition debris generated within local geographic areas as needed for solid waste forecasting.

Two changes need to be made in the contract in order to accomplish these solid waste objectives. The first is to include all building permits, not just those greater than \$50,000. A significant proportion of demolition waste is generated from permits with a value of less than \$50,000. The second change is to include permits that are pending in order to give processors sufficient advanced notice so they can make arrangements with generators and haulers to recover the material.

Metro Code Chapter 2.04.054 states that a contract amendment exceeding \$10,000 shall not be approved unless the Contract Review Board exempts the amendment from the competitive procurement process of Section 2.04.053. As detailed above, the work contemplated is most logically viewed as part of the ongoing work of Associated Marketing Research. It would be inefficient to now hire an additional consultant to carry out this relatively small component of data base maintenance.

#### BUDGET IMPACT

This Change Order will increase the not-to-exceed amount of contract from \$35,000 to \$49,190. Details concerning budget appropriations will be available at the time of the Committee meeting.

#### EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 91-1518.

# CHANGE ORDER SUMMARY

PROJECT: DATA COLLECTION FOR RLIS

CONTRACTOR: ASSOCIATED MARKETING RESEARCH

PURPOSE: CHANGE DATA COLLECTION SPECIFICATIONS

CONTRACT NO.: 902128

BUDGET NO. 531-310370-524190

DEPARTMENT: SOLID WASTE

FUND NAME OPERATING

THIS REQUEST IS FOR APPROVAL OF CHANGE ORDER NUMBER: 1

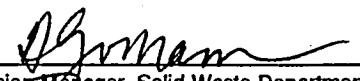
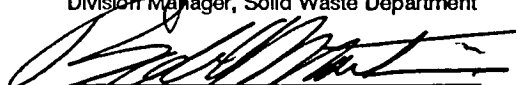
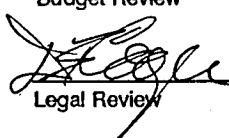
1. The original contract sum was \$ 35,000.00
2. Net change by previously authorized change order \$ 0.00
3. The contract sum prior to this request was \$ 35,000.00
4. Total amount of this change order request \$ 14,190.00
5. The new contract sum, including this change order \$ 49,190.00
6. The contract sum paid in FY 91-92 \$ 0.00
7. Fiscal Year appropriation for FY 91-92 \$ 20,000.00

Line item name: MISC. PROFESSIONAL SERVICES

Estimated appropriation remaining as of 10/4/91 \$ 20,000.00

8. Start Date: October 22, 1991 Expire Date: June 30, 1992

## REVIEW AND APPROVAL:

<u></u> Division Manager, Solid Waste Department	<u>10/4/91</u> Date	_____	_____
_____	_____	Fiscal Review	Date
<u></u> Director, Solid Waste Department	<u>10/4/91</u> Date	_____	_____
_____	_____	Budget Review	Date
_____	_____	<u></u> Legal Review	<u>10/7/91</u> Date

Vendor # \_\_\_\_\_

**CHANGE ORDER NO. 1  
TO THE CONTRACT BETWEEN ASSOCIATED MARKET RESEARCH AND  
THE METROPOLITAN SERVICE DISTRICT ENTITLED,  
"DATA COLLECTION FOR RLIS" (Contract No. 902128)**

Change Specifications for Collecting  
Building Permit Data

The Scope of Work entered into October 9, 1991, is hereby modified to incorporate the changes described below:

1. On pages 1-3 of the Scope of Work, delete all of the language in Section II.1 "Building Permit Records", and replace it with the following:

II.1. Building Permit Records

Building permit data will be delivered on two media: 3½" Macintosh disk(s) and 3½" MS-DOS compatible disk(s). Data on Macintosh disks will be delivered in Excel 3.0 (or compatible) format. Data on MS-DOS disks will be in an ASCII rectangular file (one building permit per record) in a format suitable for appending to a Unix INFO data base.

From July 1991 to April 1992, inclusive, the files to be delivered by CONTRACTOR to METRO shall include data on all permits from all permit-issuing jurisdictions in Clackamas, Multnomah and Washington counties; and all permits over \$50,000 valuation from all permit-issuing jurisdictions in Yamhill and Clark counties. From May 1992 to June 1992, inclusive, the data from jurisdictions in Clackamas, Multnomah and Washington counties shall include data on all permits over \$50,000 valuation. Exceptions to these collection limits are demolition permits affecting the change in the number of residential units or land coverage of non-residential structures in which all permits shall be delivered from all jurisdictions regardless of permit valuation. Each record will contain the following fields:

1. The Federal Information Processing System (FIPS) code for the jurisdiction issuing the permit.
2. Permit number.
3. Issue/approval day, month, and year (3 fields).
4. Site address. This will be provided in four (4) fields:
  - a. street number
  - b. street direction (N, NW, W, SW, S, SE, E, NE)

- c. street name
  - d. street type (e.g., Ave., St., Dr.)
5. Parcel identifier. The tax lot number will be provided. If the tax lot number is not available, a legal description may be substituted. If a legal description is substituted, the subdivision name, block and lot is the preferred description.
  6. Permit valuation.
  7. Zoning code of the permit-issuing jurisdiction.
  8. Square footage of structure.
  9. Permit type (N=new, A=alteration, D=demolition, M=mechanical, etc.).
  10. Structure type (S=single family residential, M=multi-family residential, T=mobile home (additional unit), S=mobile home (replacement unit), C=commercial (non-office), O=office, R=restaurant, H=medical, I=industrial, P=public/institutional, N=other).
  11. Number of units (residential); number of stories (non-residential).
  12. Multiple listing services' subarea codes (2 fields: OMLS, RMLS).

Of the total monthly charge, \$812.50 is allocated to data on permits over \$50,000 valuation in Clackamas, Multnomah, Washington, Yamhill and Clark counties; \$960.00 is allocated to data on permits \$50,000 and under in Clackamas, Multnomah and Washington counties.

2. The following addition is made to the Scope of Work Section II.1 "Building Permit Records" as II.1.1.

II.1.1. Pending Permits

Pending permits are building, mechanical, demolition, alteration, excavation and land clearing permits which have been issued but not yet approved. Data on pending permits will be delivered on 3½" Macintosh disk(s) in Excel 3.0 (or compatible) format (one pending permit per record). These files shall be separate from the files specified in II.1 (Building Permit Records), above, but may reside on the same disk. Files to be delivered by CONTRACTOR to METRO shall include data on pending permits over \$50,000 valuation from all permit-issuing jurisdictions in Clackamas, Multnomah and Washington counties. Exceptions to these collection limits are demolition permits in which all permits shall be delivered from all jurisdictions in Clackamas, Multnomah and Washington counties regardless of permit valuation.

Deliveries shall be made bi-weekly and shall include data covering approximately two calendar weeks per file. Collection shall commence October 9, 1991 with first delivery of data due to METRO on October 22, 1991. Subsequent deliveries shall be made approximately every two weeks for permits issued during previous two-week periods. Each record will contain the following fields where available:

1. Contractor's name.
2. Contractor's building board number.
3. Contractor's contact person.
4. Contractor's mailing address.
5. Contractor's phone number.
6. Site address. This will be provided in four (4) fields:
  - a. street number
  - b. street direction (N, NW, W, SW, S, SE, E, NE)
  - c. street name
  - d. street type (e.g., Ave., St., Dr.)
7. Parcel identifier. The tax lot number will be provided. If the tax lot number is not available, a legal description may be substituted. If a legal description is substituted, the subdivision name, block, and lot is the preferred description.
8. Owner's name (may be substituted for contractor's name [and so noted] if the owner is acting as his own contractor).
9. Owner's telephone number.
10. Permit valuation.
11. Square footage.
12. Issuing jurisdiction.
13. Permit number.
14. Type of structure.
15. Type of permit (N=new, A=alteration, D=demolition, M=mechanical, E=excavation, C=land clearing).

16. Structure type (S=single family residential, M=multi-family residential, C=commercial (non-office), O=office, I=industrial, P=public/institutional, N=other).

Of the total monthly charge, \$510.00 is allocated to data on pending permits.

3. On page 6 of the Scope of Work, delete all of the language in Section V. "Payment", and replace it with the following:

V. PAYMENT

1. Payment for Specified Data Services

METRO agrees to pay CONTRACTOR, monthly, the amounts listed in Table 1 for the products listed in Section II and Section III.1, if these products are delivered by the 10th day of each month or by the next working day and if this date falls on a weekend or holiday. METRO may elect to deduct \$15.00 from the monthly bill for each day after the due date that delivery of materials is late.

Table 1  
Monthly Payment Chart

<u>Period*</u>	<u>Number of Months</u>	<u>Monthly Amount</u>	<u>Extension</u>
1. July 1991 to September 1991	3	\$3,280.83	\$ 9,842.49
2. October 1991 to April 1992	7	\$3,790.83	\$26,535.81
3. May 1992 to June 1992	<u>2</u>	\$2,830.83	<u>\$ 5,661.66</u>
	12		\$42,039.96

\* Notes on period charges

1. Excludes collection of pending permits (\$510 per month).
2. Includes collection charges for all data.
3. Excludes collection of permits valued at \$50,000 and under in Clackamas, Multnomah and Washington counties (\$960 per month)



2. Payment for Special Data Services

Subject to the requirements and conditions listed in Section III.2, METRO agrees to pay CONTRACTOR no more than \$7,150.04 for prior-period updates delivered under authority of this contract.

3. Conditions of Payment

CONTRACTOR may invoice METRO on or after delivery of products. Subject to conditions specified in Sections IV. and V. above, the appropriate monthly payment shown under "Monthly Amount" in Table 1, plus additional billings authorized under III.2, will be issued by METRO to CONTRACTOR within ten (10) working days of receipt of invoice.

The net additional amount authorized by Change Order No. 1 shall not exceed \$14,190. All other terms and conditions of the original agreement and previous agreements shall remain in full force and effect.

ASSOCIATED MARKETING RESEARCH

METROPOLITAN SERVICE DISTRICT

BY: \_\_\_\_\_  
Name and Title)

BY: \_\_\_\_\_ (Print  
(Print Name and Title)

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

TP:ay  
October 3, 1991  
MODEL\AMR.CO1

## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 91-1518, FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE PROCUREMENT PROCEDURES OF METRO CODE CHAPTER 2.04.053, AND AUTHORIZING A CHANGE ORDER TO THE PERSONAL SERVICES AGREEMENT WITH ASSOCIATED MARKETING RESEARCH

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Date: October 16, 1991

Presented by: Councilor Wyers

**Committee Recommendation:** At the October 15 meeting, the committee voted unanimously to recommend Council adoption of Resolution No. 91-1518. Voting in favor: Councilors DeJardin, Gardner, McFarland, McLain and Wyers.

**Committee Issues/Discussion:** The Transportation Department has signed an agreement with Associated Marketing Research to provide information related to building permits issued in the tri-county area and Clark County, Washington for use in the Regional Land Information System (RLIS). The Solid Waste Department has requested that the scope of work of the agreement be expanded to include building permits under \$50,000 and building demolition permits. This information will be furnished to construction and demolition debris recyclers to improve recycling levels for this type of material. The estimated cost for the additional work will be \$14,190 which will be provided from the Solid Waste Department's appropriation for miscellaneous professional services.

Terry Peterson, Waste Reduction Planner, explained that providing building and demolition permit data to recyclers will allow them to contact contractors prior to construction or demolition to arrange for material recycling. Under the provisions of the change order, data on all building and demolition permits will be gathered through April, 1992. Peterson indicated that the effectiveness of the program would be evaluated at that time.

Councilor McFarland questioned whether the department intends to charge for the maps and other data provided to recyclers. Peterson indicated that was a policy decision that had not been made. Councilor Gardner noted that the Transportation and Planning Committee will be reviewing a proposal for marketing RLIS products and that the committee would review the types of products for which a fee will be collected.

The committee reviewed the process by which the change order was proposed and agreed that it was more appropriate to amend the original agreement than to re-bid the entire expanded scope of work. McFarland expressed concern about the large number of contracts and agreements whose scope of work increases after the document is signed and indicated that she will closely monitor this situation.



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

To: Solid Waste Committee Members

From: John Houser, Council Analyst

Date: October 8, 1991

Re: Resolution No. 91-1518, For the Purpose of Authorizing an Exemption the the Competitive Procurement Procedures of Metro Code Chapter 2.04.053, and Authorizing a Change Order to the Personal Services Agreement with Associated Marketing Research

Resolution No. 91-1518 is scheduled to be considered by the committee at the October 15 meeting.

## Background

The Transportation Department recently signed a personal services agreement with Associated Marketing Research to provide selected data relating to building and demolition permits for use in the Regional Land Information System (RLIS). Data for building permits over \$50,000 and all demolition permits affecting the number of housing units or commercial/industrial land coverage would be provided.

The Solid Waste Department has proposed that data on all pending and granted building and demolition permits be gathered. The department would use these data to alert those who recycle construction and demolition debris in advance concerning locations where debris will be generated. In addition, this data would allow the department to more accurately forecast the amount of construction and demolition generated within various geographic areas.

The Solid Waste Department is proposing that the agreement be changed to permit the collection of the additional requested data with an appropriate increase in the amount payable under the agreement. The original maximum amount payable under the agreement was \$35,000 for the current fiscal year. The department is proposing that this amount be increased to \$49,190. The additional funds would come from the department's miscellaneous professional services appropriation.

The Metro Code requires that a change in a personal services agreement of more than \$10,000 must be exempted from the competitive procurement process by the contract review board. The proposed ordinance would provide for such an exemption and make the necessary changes in the language of the agreement.

## Issues and Questions

The committee may wish to address the following issues and questions relating to the proposed resolution.

1) It appears that the department's interest in changing the scope of work under the proposed agreement was made known prior to the signing of the agreement. The procurement staff advised the department that it could let the agreement be signed and then propose a change order or it could request that the proposal be re-bid based on the proposed expanded scope of work and higher estimated cost. The procurement staff recommended use the change order procedure based on its assessment that a rebidding process would not result in other parties bidding on the work and that it would delay implementation of the terms of the agreement. The committee may wish to ask the procurement staff to explain the rationale behind this recommendation.

2) The intent of the changes in the agreement are to provide an ongoing source of information that can be used to increase the amount of construction and demolition debris that is recycled. But language in the proposed revised agreement (pg. 1, Section II.1, second paragraph, second sentence) appears to indicate that all of the necessary data will be collected only through April 1992. Beginning in May 1992, only data on permits over \$50,000 would be gathered. The committee may wish to ask why this change in the data collection process was made?