

METROPOLITAN EXPOSITION RECREATION COMMISSION
Resolution No. 16-03

For the purpose of approving the Contract between the Metropolitan Exposition Recreation Commission (MERC) and Outlaw Lighting for services of design, lighting equipment and rigging services for the IAAF World Indoor Track and Field Championships Event.

WHEREAS, the Oregon Convention Center (OCC) will host the IAAF World Indoor Track and Field Championship Event in March 2016, and;

WHEREAS, this event requires extensive design, audio visual, lighting equipment and rigging services and requested bids from interested parties for this AV Work, and;

WHEREAS, OCC bid for the AV Work and was awarded the bid on December 14, 2015, and;

WHEREAS, the Oregon Convention Center must subcontract portions of the work and procured this as an emergency procurement under Section 6 (A) of the MERC Contracting and Purchasing Rules and Metro Code Section 2.04.053 as circumstances existed that could not have been reasonably foreseen which created substantial risk of loss and required prompt execution of a contract to remedy the situation, and;

WHEREAS, OCC directly negotiated and contracted with Outlaw Lighting, an independent, Portland-based company for the design work for the event and OCC obtained a bid from Outlaw Lighting in support of its bid for the IAAF event based upon the aforementioned design, and;

WHEREAS, OCC must now contract with Outlaw Lighting for the additional AV Work, and;

WHEREAS, the Commission must approve any contracts over \$150,000.

BE IT THEREFORE RESOLVED, that the Metropolitan Exposition Recreation Commission:

1. Approves the award of the contract to Outlaw Lighting for the AV Work in an amount not to exceed \$400,000.
2. Delegates the authority to the Metro Deputy COO to execute the Outlaw Lighting contract for the IAAF World Indoor Track and Field Championships Event in a form approved by the Metro Attorney's office.

Passed by the Commission on February 3, 2016.



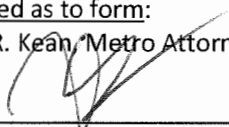
Chair



Secretary/Treasurer

Approved as to form:

Alison R. Keen, Metro Attorney

By: 

Nathan A. S. Sykes, Deputy Metro Attorney

MERC STAFF REPORT

Agenda Item/Issue: For the purpose of selecting Outlaw Lighting as a subcontractor for the Oregon Convention Center's hosting of the IAAF 2016 World Indoor Track and Field Championship Event and authorizing the Deputy Chief Operating Officer of Metro to execute a contract with Outlaw Lighting.

Resolution No: 16-03

Presented by: Scott Cruickshank

Date: February 3, 2016

Background and Analysis: The Oregon Convention Center (OCC) will be the first American venue to host the IAAF 2016 World Indoor Championships since the inaugural meeting in 1987. This international event requires extensive lighting design, audio visual technician and rigging labor services and substantial audio visual and lighting equipment sub rentals. The OCC bid on, and was awarded, the contract for the audio visual lighting service package. Due to the extent of the services requested, the OCC determined the need for subcontracting services. The issuance of the subcontracting bid was unable to follow normal contracting procedures and OCC procured it as an emergency procurement through a direct negotiation.

The timeline and special circumstance are as follows:

- August 5, 2015 – TrackTown sent an RFP for lighting, rigging, audio and video for the IAAF event. The OCC was not included in this distribution. The OCC notified TrackTown of this oversight.
- August 11, 2015 – The OCC received the RFP with a due date of September 5, 2015. The bid was to be awarded on September 18, 2015.
- September 5, 2015 – The OCC submitted the bid to TrackTown. When submitting, the OCC acknowledged the scope of the project would require subcontracting for the lighting and rigging aspects. Outlaw Lighting was a subcontractor partner in the bidding process with the OCC.
- November 16, 2015 – TrackTown, who had not yet formally awarded the contract, met with the OCC and their third-party planner. At this meeting, the participants reviewed the OCC's proposal and design and agreed that the OCC would resubmit the bid based on the meeting.
- December 14, 2015 – TrackTown formally awarded the bid to the OCC. Once the OCC's bid was approved, the OCC worked with TrackTown to addend the license agreement to include acceptance of the awarded bid. The design work is officially intellectual property owned by Outlaw Lighting.
- TrackTown provided no insight into the delay of the contract award.
- Outlaw Lighting is a trusted Portland-based company with a well-established working relationship with the OCC.
- January 14, 2016 – The OCC requested, and Metro's Deputy Chief Operating Officer approved, an Emergency Special Procurement Request for \$291,790.
- January 25, 2016 – TrackTown also awards the OCC the contract for the Athlete Entry, including rigging and lighting for an additional \$61,302 in services to the Outlaw Lighting contract.
- February 4, 2016 – All equipment must be secured (21 days prior to the event) to ensure appropriate fixtures.
- February 25, 2016 - Initial installation of the equipment begins.

FISCAL IMPACT: Due to the time constraints of this project, should this cooperative revenue agreement not receive approval, the Oregon Convention Center would forfeit the bid, and subsequently lose over \$450,000 in gross revenue and place the integrity of the event at risk.

RECOMMENDATION: Staff recommends that the Metropolitan Exposition Recreation Commission, by Resolution No. 16-03, approve the contract award with Outlaw Lighting, for the amount up to four hundred thousand & 00/100 dollars (\$400,000) for Oregon Convention Center's hosting of the IAAF World Indoor Track and Field Championship Event.