

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING A)
PROCESS FOR ENTERING INTO CONTRACTS)
WITH NOT-FOR-PROFIT ORGANIZATIONS TO)
SUPPORT METRO'S STRATEGIC PLAN TO)
ADVANCE RACIAL EQUITY, DIVERSITY AND)
INCLUSION GOALS)

RESOLUTION NO. 16-4760

Introduced by Chief Operating Officer Martha
Bennett in concurrence with Council
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 July of 2016, the Metro Council adopted the Strategic Plan to Advance Racial Equity, Diversity and Inclusion. The Strategic Plan outlines a series of five goals and accompanying outcomes and recommended actions;

WHEREAS, Metro seeks to develop and strengthen meaningful, long-term relationships with communities through co-created partnerships that provide mutual benefit – including helping build capacity and opportunities for community organizations to help inform Metro decisions;

WHEREAS, strategies for achieving Metro's desired goals and outcomes to advance racial equity, diversity and inclusion include forming a diverse range of partnerships, including with not-for-profit organizations;

WHEREAS, for the past four years Metro has entered into contracts with not-for-profit organizations to further our inclusive engagement and other program goals related to racial equity, diversity and inclusion including with community-based organizations serving historically marginalized populations;

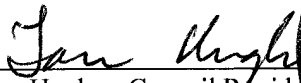
WHEREAS, these "pilot" projects and partnerships were successful in helping move forward Metro's equity goals, providing a sound basis for Metro to work with additional not-for-profits across the region to leverage resources for greater impacts on the ground;

WHEREAS, the use of Metro Code Chapter 2.04.053(a)(20) would streamline the formation of new partnerships with not-for-profit organizations on an agency-wide scale, and staff has developed a process for awarding new contracts with not-for-profit organizations to help achieve the Strategic Plan to Advance Racial Equity, Diversity and Inclusion goals, in accordance with Metro Code Chapter 2.04.053(a)(20);

WHEREAS, the process, if adopted by Metro Council, would require contracts procured through this special procurement to meet the following criteria: (1) contractor must be with a registered 501(c)(3) or similar qualified entity or must have a documented agreement for fiscal sponsorship, (2) contractor must be an organization that represents or delivers services to majority people of color or other historically marginalized populations, (3) the contract must define tangible and measurable deliverables that support the goals of Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion, and (4) the contract must reflect a true collaboration, and be responsive to the contractor's needs and leverage 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 Metro's equity, diversity and inclusion goals, as set forth on the attached as Exhibit A.


ADOPTED by the Metro Council this 1 day of December, 2016.



Tom Hughes, Council President



Approved as to Form:



Alison R. Kean, Metro Attorney

Exhibit A to Resolution No 16-4760

PROCESS FOR ENTERING INTO CONTRACTS WITH NOT-FOR-PROFIT ORGANIZATIONS TO SUPPORT METRO'S STRATEGIC PLAN TO ADVANCE RACIAL EQUITY, DIVERSITY AND INCLUSION GOALS PURSUANT TO METRO CODE 2.04.053(a)(20) FOR SPECIAL PROCUREMENTS

The process outlined below applies to contracts procured through a special procurement supporting Metro's racial equity, diversity and inclusion goals formed with not-for-profit organizations.

Process for awarding the contracts

For new contracts, outreach will be conducted in alignment with agency-wide equity goals and strategies.

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

- Contractor must be a registered 501(c)3 or similarly qualified entity or must have a documented agreement for fiscal sponsorship from a registered organization; and
- Contractor must be an organization that represents or delivers services to majority people of color or other historically marginalized populations; and
- Contractor must define tangible and measurable deliverables that support the goals of Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion. Example: Identify and propose ways to improve youth engagement and youth involvement in Metro decision making, and
- The contract 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 Chief Operating Officer or her/his designee 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. 16-4760, FOR THE PURPOSE OF APPROVING A PROCESS FOR ENTERING INTO CONTRACTS WITH NOT-FOR-PROFIT ORGANIZATIONS TO SUPPORT GOALS OUTLINED IN THE STRATEGIC PLAN TO ADVANCE RACIAL EQUITY, DIVERSITY, AND INCLUSION

Date: December 1, 2016

Prepared by: Becca Uherbelau,
503-797-1714

BACKGROUND

In June of 2016, the Metro Council adopted the Strategic Plan to Advance Racial Equity, Diversity and Inclusion. The Strategic Plan outlines a series of five goals and accompanying outcomes and recommended actions.

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 the goals of Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion.

PROPOSED APPROACH

Metro seeks to engage experts, stakeholders and the broader community to help guide, inform and improve our work, projects, policies, programs and plans. At any given time, Metro enters into financial partnerships and contractual relationships with Community Based Organizations (CBO) for this purpose.

Over the past few years, an informal group of Metro staff have been meeting to coordinate our financial partnership work with CBOs. Through this coordination process, it has become apparent that there are opportunities for current and future partnerships that are or will be held by CBOs with individual projects, program areas, or departments or as an agency-wide partnership.

At the same time, we learned through the engagement process to inform the Equity Strategy that CBOs are overburdened by Metro's procurement process and often unable to identify financial partnership opportunities at Metro by which the partnership can be co-created in recognition of the value of the experience and knowledge specific to their communities.

In 2016, Metro's Chief Operating Officer convened a group of Metro staff, identified as the Community Partnership Coordination Team (CPCT) to develop a process and procedure for entering into agency-wide financial partnerships with CBOs. The CPCT developed criteria for partnership selection and program implementation for the agency-wide pilot partnership program created and defined by this resolution, with an identified contracting process outlined below.

PROCESS FOR ENTERING INTO CONTRACTS WITH NOT-FOR-PROFIT ORGANIZATIONS TO SUPPORT METRO'S STRATEGIC PLAN TO ADANCE RACIAL EQUITY, DIVERSITY AND INCLUSION

For new contracts, outreach will be conducted in alignment with agency-wide equity goals and strategies.

Any contracts awarded for partnerships 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 be with an organization that represents or delivers services to majority people of color or other historically marginalized populations.
- Must define tangible and measurable deliverables that support the goals of Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion.
- 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 Chief Operating Officer or her/his designee must approve contracts prior to award.

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

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to this resolution.

2. Legal Antecedents

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.

Resolution 14-4510, adopted October 23, 2014 (Approving a Process for Entering into Contracts with Not-for-Profit Organizations to Support Parks and Natural Areas Local Option Levy Goals)

3. Anticipated Effects

This approach will create a streamlined process for Metro to enter into contracts with not-for-profit organizations, helping advance and achieve the goals of Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion. It enables an agency-wide 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. 16-4760