

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1997-98)
BUDGET AND APPROPRIATIONS)
SCHEDULE BY TRANSFERRING \$150,000)
FROM CONTINGENCY TO CAPITAL OUTLAY)
IN THE SOLID WASTE REVENUE FUND TO)
PROVIDE FOR INITIAL EXPENDITURES)
ASSOCIATED WITH REPLACEMENT OF)
COMPACTION SYSTEMS AT METRO SOUTH)
STATION, AND DECLARING AN)
EMERGENCY)

ORDINANCE NO. 98-742

Introduced by Executive Officer
Mike Burton

WHEREAS, the Metro Council approved Resolution No. 98-2611 for the purpose of authorizing the release of RFP #98R-5-REM for the replacement of the compaction systems at Metro South Station; and

WHEREAS, there is a recognized need to accelerate the replacement of the compactors due to poor condition of the existing units;

WHEREAS, this project is included in the adopted Capital Improvement Plan (CIP) for FY 1998-99 through 2002-03; and

WHEREAS, the Metro Council has reviewed and considered the need to transfer appropriations with the FY 1997-98 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,


THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 1997-98 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this

Ordinance for the purpose of transferring \$150,000 from contingency to capital outlay in the Solid Waste Revenue fund to provide for initial expenditures associated with the replacement of compaction systems at Metro South Station.

2. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

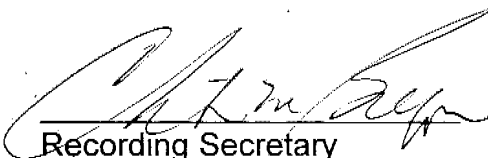
ADOPTED by the Metro Council this 14th day of May, 1998.




Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:



Recording Secretary



Daniel B. Cooper, General Counsel

Exhibit A
Ordinance No. 98-742
Solid Waste Revenue Fund

FISCAL YEAR 1997-98		Current Budget		Revision		Proposed Budget	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Operating Account							
	TOTAL PERSONAL SERVICES	104.10	6,157,814	0.00	0	0.00	6,157,814
	TOTAL MATERIALS & SERVICES		42,270,348		0		42,270,348
	TOTAL OPERATING ACCOUNT	104.10	48,428,162	0.00	0	104.10	48,428,162
Debt Service Account							
	Total Debt Service		2,673,426		0		2,673,426
Landfill Closure Account							
	Total Landfill Closure Account		1,527,900		0		1,527,900
Renewal & Replacement Account							
	<u>Capital Outlay</u>						
574130	Engineering Services		18,000		0		18,000
574520	Const. Work/Materials-Bldg., Exhibits & Rel.		490,900		150,000		640,900
	Total Renewal & Replacement Account		508,900		150,000		658,900
General Account							
	Total General Account		3,262,332		0		3,262,332
Master Project Account							
	Total Master Project Account		350,000		0		350,000
General Expenses							
	Total Interfund Transfers		3,742,909		0		3,742,909
	<u>Contingency and Unappropriated Balance</u>						
599999	Contingency						
	* Operating Account (Operating Contingency)		2,682,495		0		2,682,495
	* Landfill Closure Account		5,096,353		0		5,096,353
	* Renewal & Replacement Account		4,243,053		(150,000)		4,093,053
	* General Account (Capital Contingency)		0		0		0
599999	Contingency		12,021,907		(150,000)		11,871,907
	Unappropriated Fund Balance		21,972,005		0		21,972,005
	Total Contingency and Unappropriated Balance		33,993,912		(150,000)		33,843,912
	TOTAL FUND REQUIREMENTS	104.10	94,487,541	0	0	104.10	94,487,541

Exhibit B
Ordinance No. 98-742
FY 1997-98 SCHEDULE OF APPROPRIATIONS

	Current Budget	Revision	Proposed Budget
SOLID WASTE REVENUE FUND			
Operating Account			
Personal Services	\$6,157,814	\$0	\$6,157,814
Materials & Services	42,270,348	0	42,270,348
Subtotal	48,428,162	0	48,428,162
Debt Service Account			
Debt Service	2,673,426	0	2,673,426
Subtotal	2,673,426	0	2,673,426
Landfill Closure Account			
Materials & Services	314,400	0	314,400
Capital Outlay	1,213,500	0	1,213,500
Subtotal	1,527,900	0	1,527,900
Renewal and Replacement Account			
Capital Outlay	508,900	150,000	658,900
Subtotal	508,900	150,000	658,900
General Account			
Capital Outlay	3,262,332	0	3,262,332
Subtotal	3,262,332	0	3,262,332
Master Project Account			
Debt Service	350,000	0	350,000
Subtotal	350,000	0	350,000
General Expenses			
Interfund Transfers	3,742,909	0	3,742,909
Contingency	12,021,901	(150,000)	11,871,901
Subtotal	15,764,810	(150,000)	15,614,810
Unappropriated Balance	21,972,005	0	21,972,005
Total Fund Requirements	\$94,487,535	\$0	\$94,487,535

ALL OTHER APPROPRIATIONS REMAIN AS ADOPTED

REGIONAL ENVIRONMENTAL MANAGEMENT COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 98-742, AMENDING THE FY 97-98 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$150,000 FROM CONTINGENCY TO CAPITAL OUTLAY IN THE SOLID WASTE REVENUE FUND TO PROVIDE FOR INITIAL EXPENDITURES ASSOCIATED WITH THE REPLACEMENT OF COMPACTION SYSTEMS AT METRO SOUTH STATION AND DECLARING AN EMERGENCY

Date: May 13, 1998

Presented by: Councilor McFarland

Committee Recommendation: At its May 5 meeting, the Committee considered Ordinance No 98-742 and voted unanimously to send the resolution to the Council with a do pass recommendation. Voting in favor: Councilors McFarland and Washington and Chair Morissette.

Background: The Council-adopted Capital Improvement Plan (CIP) for FY 98-99 includes the replacement of both compactors at Metro South Station. Funding for the total cost of the replacement was included in the recently approved FY 98-99 budget. The Council also approved the release of an RFP for the project.

At the time of the CIP adoption, REM staff advised that it would be proceeding with the procurement prior to the end of the current fiscal and, as a result, might have to introduce a budget amendment to cover costs that would be incurred before the end of the fiscal year. This ordinance addresses the projected need to make initial payments for the new compactors prior to the end of the fiscal year.

Committee Issues/Discussion: Bruce Warner, Regional Environmental Management Director, presented the staff report and reviewed the history of the compactor replacement project. He noted that staff is currently negotiating with SSI, the successful bidder on the terms of a contract. Staff estimates that an initial payment of approximately \$375,000 will be needed prior to the end of the fiscal year. Since the capital outlay portion of the Solid Waste Revenue Fund's General Account has a remaining balance of only \$359,000, the proposed ordinance would transfer an additional \$150,000 from the Renewal and Replacement Account Contingency (\$4.2 million) to capital outlay to cover the cost of this payment and additional budgeted capital outlay work for the remainder of the fiscal year.

Warner explained that the overall cost of the replacement of the compactors will not exceed the original estimate of \$1.5 million. Adoption of the ordinance will simply move the initial portion of the expenditure to the current fiscal year, while reducing the expenditure in FY 98-99 by a corresponding amount.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 98-742 AMENDING THE FY 1997-98 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$150,000 FROM CONTINGENCY TO CAPITAL OUTLAY IN THE SOLID WASTE REVENUE FUND TO PROVIDE FOR INITIAL EXPENDITURES ASSOCIATED WITH THE REPLACEMENT OF COMPACTION SYSTEMS AT METRO SOUTH STATION, AND DECLARING AN EMERGENCY.

Date: March 27, 1998

Presented by: Dennis Strachota

FACTUAL BACKGROUND AND ANALYSIS

This action requests adjustments to the Solid Waste Revenue Fund for the following purpose:

SOLID WASTE REVENUE FUND:

Transfer \$150,000 from the Renewal & Replacement Account, Contingency Category, to the Renewal & Replacement Account, Capital Category, to fund initial costs associated with the replacement of two compactors at Metro South Station.

On February 26, 1998, the Metro Council approved Resolution No. 98-2611 (See Attachment 1) for the purpose of authorizing the release of RFP #98R-5-REM for the replacement of compaction systems at Metro South Station.

The replacement of the compactors at Metro South has been included in the adopted Capital Improvement Plan for FY 1998-99, and the estimated cost of \$1.5 million is included in the Proposed FY 1998-99 Budget. However, the Regional Environmental Management Department (REM) has accelerated the replacement of the compactors due to poor condition of the existing compaction units. This action does not have any fiscal impact on the total project cost as reflected in the Adopted Capital Improvement Plan for FY 1998-99. Negotiated initial payments of \$375,000 are estimated for the current fiscal year. The current available balance in the Renewal & Replacement Account is \$359,000, additional funds are needed to proceed with the replacement while still maintaining sufficient funds to deal with other potential equipment failure.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 98-742.

Attachment

MR:gbc

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I HEREBY CERTIFY THAT THE FOREGOING IS A COMPLETE AND EXACT COPY OF THE ORIGINAL THEREOF.

Rebecca V. Shoemaker, Archivist
Clerk of the Metro Council

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION)	RESOLUTION NO. 98-2611
FROM THE COMPETITIVE BID PROCESS AND)	
AUTHORIZING ISSUANCE OF RFP #98R-5-REM FOR)	INTRODUCED BY:
THE REPLACEMENT OF COMPACTION SYSTEMS AT)	MIKE BURTON,
METRO SOUTH STATION)	EXECUTIVE OFFICER

WHEREAS, The compaction systems at Metro South Station are in need of replacement as described in the accompanying staff report; and

WHEREAS, Staff has prepared the request for proposals is attached as EXHIBIT "A"; and

WHEREAS, The use of this procurement process requires an exemption from the competitive bid process; and

WHEREAS, Metro Code Section 2.04.054 (c) authorizes the Metro Contract Review Board, where appropriate, to exempt a public contract from competitive bidding, subject to the requirements that the exemption will not encourage favoritism or substantially diminish competition for public contracts, and that such an exemption will result in substantial cost savings; and

WHEREAS, EXHIBIT "B" to this resolution contains findings which satisfy the requirements for such an exemption; and

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

BE IT RESOLVED,

1. That the Metro Contract Review Board adopts as findings the information and reasoning contained in EXHIBIT "B," made part of this resolution by reference, and concludes that:
 - a) It is unlikely that exempting the replacement of compaction systems at Metro South Station from the competitive bid process

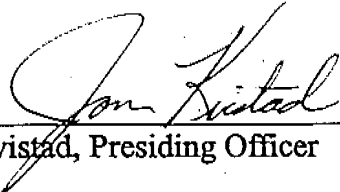
will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; and

b) The exemption will result in substantial cost savings to Metro; and

Therefore, exempts the contract to be solicited through RFP #98R-5-REM from competitive bidding requirements.

2. That the Metro Council authorizes issuance of RFP #98-5-REM, attached as EXHIBIT "A".
3. That the Metro Council, pursuant to Section 2.04.026(b) of the Metro Code, authorizes the Executive Officer to execute a contract with the most qualified proposer.

ADOPTED this 26th day of FEBRUARY, 1998.



Jon Kvistad, Presiding Officer

Approved as to Form:



Daniel B. Cooper, General Counsel