



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: Feb. 2017)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R.6 DATE 4/13/17
MARINA BAKER, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 04/13/17
Agenda Item #: R.6
Est. Start Time: 11:25 a.m.
Date Submitted: 04/08/17

Agenda Title: Acting as the Public Contracts Review Board (PCRB) to consider a sole source procurement for Motor Pool Service Under PCRB 47-0275.

Requested Meeting: 4/13/17 **Time Needed:** 15 mins

Department: County Assets **Division:** Motor Pool

Contact(s): Tony Dornbusch

Phone: (503) 988-4873 **Ext.** 84873 **Email:** Tony.dornbusch@multco.us

Presenters: Tony Dornbusch

General Information

1. What action are you requesting from the Board?

Acting as the Public Contract Review Board – Approval to extend a sole source contract with EAN Holdings for the hourly car rentals and related services supporting the Downtown Employee Motor Pool.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer(s) this action affects and how it impacts the results.

Due to changing circumstances at the downtown facility that housed the motor pool storage and parking, the County implemented an alternative service option for the downtown employee fleet needs in the form of a flexible hourly rental vehicle pilot project. Other providers were reviewed and considered, but only Enterprise had an hourly flexible rental service that could be adapted to County motor pool specifications. A 2017 assessment of similar vehicle and service resources for downtown is attached.

Enterprise currently provides long term car rentals for the County under a cooperative contract with the State of Oregon through the National Association of State Procurement Officers (NASPO) cooperative consortium. Their cooperative contract has the hourly rental product included as a service. It was the goal of the original pilot project to transition into the NASPO cooperative contract once it was determined that the project would be successful enough to expand. However, after close analysis of the cooperative contract terms, it was discovered that there was a major employee personal liability issue and an Oregon Tort Claims loophole that was not addressed sufficiently in the NASPO cooperative contract. This would leave the County and its employees at increased risk.

Fortunately, the State and Enterprise are cooperating in negotiating new language that will

remedy these issues. Because of the complex relationships of the State of Oregon and NASPO and the time involved, progress on those language changes has been moving very slowly, even with the shepherding and assistance of our own County Attorney's Office, who has been working with the issues since last fall.

The NASPO contract that was originally executed is not yet sufficient to support the continued operation beyond the pilot project and is being negotiated with the State and NASPO. Limitations in timing and resources will require the County to move forward under the existing pilot project agreement to obtain services in order to maintain this resource as it is fully developed to meet the needs of downtown employees requiring flexible, available transportation options.

3. Explain the fiscal impact (current year and ongoing).

Funding for this action is included in the Budget. The fiscal impact is planned annually for transportation services utilized by County employees stationed in the downtown area. Actual service expenditures are contingent on the number of hours driven and cars used by the downtown employee population and can total up to \$40,000 monthly.

4. Explain any legal and/or policy issues involved.

The Public Contracting Review Board (PCRB rule 47-0275) may make exemptions to the competitive contracting process if it is determined to serve the best interest of the public.

5. Explain any citizen and/or other government participation that has or will take place.

The Purchasing Division will post notice on the County's website that the service will be obtained from EAN Holdings, LLC. Prior to award, public comment or protests may be submitted for consideration.

Required Signature

**Elected
Official or
Department
Director:**

/s/ Sherry Swackhamer

Date: 04/03/17