



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 6/16/11
Agenda Item #: R.8
Est. Start Time: 10:55 am
Date Submitted: 6/2/11

Agenda Title:	Approving a Sole Source Procurement Process to Contract with Siemens Building Technologies, Inc. for continuing Support of the Existing County Building Automation Systems
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 16, 2011 **Amount of Time Needed:** 30 minutes
Department: County Management **Division:** Facilities & Property Mgmt
Contact(s): Jon Schrotzberger
Phone: 503 372-7580 **Ext.** _____ **I/O Address:** 274
Presenter(s): Jon Schrotzberger, Clark Jurgemeyer, Royal Forbes and invited guests

General Information

1. What action are you requesting from the Board?

Acting as the Public Contract Review Board (PCRB) and in accordance with the requirements of PCRB rule 47-0275; approve a *Sole Source Procurement* resulting in a contract with Siemens Building Technologies, Inc (Siemens) for the continuing support of the existing County Building Automation Systems (BAS) based upon the following provisions:

- Public Contracting Board Rule 47-0275 allows the County to award a contract for goods and services without competitive selection when the PCRB determines that the particular goods or services are available from only one source. The supplies and services subject to this procurement are only available from Siemens.
- If the value of the procurement exceeds \$150,000, the Board of County Commissioners must act as the PCRB to determine whether to use a Sole Source Procurement process based upon written Findings.
- The proposed contract will provide **only professional consultation, technical support and replacement parts** for the existing County Building Automation Systems over another five (5) year term (plus allowable extensions, if any). Major additions and expansions of the existing BAS for new buildings or major remodeling projects, are not included in this Sole Source Procurement Exemption request and shall be procured by fair and open competition(s).

- The original procurement of the Siemens' BAS was a fair and open competition held in 1989. Since then, four Multnomah County Commissioners have reviewed the contract and voted to exempt the contract from competitive procurement and extend it for five years based PCRB rule 47-0275. The system has been extended to include over 40 County facilities and is currently being installed into the East County Courthouse under construction.

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

Refer to proposed Findings, attached as Exhibit 1.

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

This new limited scope of service is reflected in the substantially reduced exemption request estimated at \$936,000, having been reduced from \$2,029,000 in the expiring contract extension. Funds have already been allocated in the Facilities & Property Management (FPM) Division budget. No additional funds are required.

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

Refer to proposed Findings, attached as Exhibit 1, which identifies PCRB rules for which this exemption request is in compliance.

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

The rules concerning Sole Source Procurement explicitly require provisions for public notification and comment:

- In accordance with the requirements of PCRB rule 47-0275, Purchasing will post on its website that the supplies and services subject to this procurement are only available from Siemens.
- PCRB rules require that all protests be submitted within a seven (7) day period following any Notice of Intent to Award; interested persons or organizations may protest the determination that this is a Sole-Source Procurement and exhaust all possible remedies in accordance with PCRB Rule 47-0710..

Required Signature

**Elected Official or
Department/
Agency Director:**

Mindy Harris

Date: 6/2/11