

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving an Exemption to Increase the Contract Amount and extend the time period with Thyssenkrupp Elevator Corporation to allow the initiation and completion of a formal solicitation process.

The Multnomah County Board of Commissioners Finds:

- a. The Board is acting as the Multnomah County Public Contract Review Board (PCRB) to review, pursuant to PCRB Rule 47-0800 (1) (d), an exemption request from the Department of County Management, Facilities and Property Management Division (FPM), to increase the time and amount of an existing contract with Thyssenkrupp Elevator Corporation (4600005376).
- b. The County originally awarded a contract with Thyssenkrupp after a competitive solicitation process (RFP P05-8499). The period of the contract was from May 1, 2005 to April 30, 2010. Original contract price was \$1,250,000 in requirements funding.
- c. In late February, 2010, FPM formally requested Purchasing Manager approval to delay the re-procurement for these elevator maintenance services due to a decision to prioritize procurement related activity involving several American Recovery and Reinvestment Act funded capital projects and contracting activity involving the East County Courthouse. FPM applied under the provisions of Purchasing Policy P100 – *Contract Extension Request*, which permits the extension of existing contracts about to lapse when a procurement process is planned or continuing but not yet completed. Exemption FX10-0939 was issued by Purchasing and extended the contract through October 31, 2010 and added an additional \$125,000 in requirements funding.
- d. Subsequent to the initial request for exemption, FPM has requested additional funding of \$54,000 and another three month extension of the contract, from November 1, 2010 to January 31, 2011, citing unforeseen personnel losses and extraordinary workload. Since this request for additional funding and three additional months is in addition to the original six months approved by the Purchasing Manager in Exemption FX10-0939, it is beyond the Purchasing Manager's authority and referred to the Board for consideration.
- e. This exemption request is in accordance with the requirements of Public Contract Review Board Rule 47-0800 – *Contract Amendments*, which provides for Board approval of contract increases that exceed 20% of the original contract and Purchasing Policy P100 – *Contract Extension Request*, which limits the Purchasing Manager's authority to extend existing contracts beyond a six month period.

The Multnomah County Board of Commissioners Resolves:

1. The exemption to increase the amount and time for Contract Number 4600005376 with Thyssenkrupp Elevator Corporation by an additional amount of \$54,000 and an additional three months is approved.

ADOPTED this 28th day of October, 2010.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

HENRY H. LAZENBY, JR., COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John Thomas, Deputy County Attorney

SUBMITTED BY:

Mindy Harris, DCM Director