



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-5 DATE 11/18/2010  
LYNDA BROWN, BOARD CLERK

### Board Clerk Use Only

Meeting Date: 11/18/2010  
Agenda Item #: R-5  
Est. Start Time: 10:15 am

**Agenda Title:** Intermediate Exemption from Competitive Procurement Notification for the purchase of fuel from Jubitz Corporation.

*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:** 11/18/10 **Amount of Time Needed:** 5 Minutes  
**Department:** Department of County Management **Division:** FREDS  
**Contact(s):** Garret Vanderzanden  
**Phone:** 503.988.6564 **Ext.** 86564 **I/O Address:** 374/1/MTLMGT  
**Presenter Name(s) & Title(s):** Garret Vanderzanden, Finance Manager  
Brian Smith, Finance Manager

## General Information

### 1. What action are you requesting from the Board?

Pursuant to County PCRB Rule 47-0285, Special Procurements, we are requesting that the Board grant an exemption in the amount of \$150,000 to extend the current contract with Jubitz Corporation to allow time for procurement number P11-10354 to be completed.

### 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.

Multnomah County's FREDS Division utilizes Jubitz Corporation for the purchase of fuel across the County using Jubitz's Cardlock system. Until June of 2010 these purchases were executed using the City of Portland's contract with Jubitz Corporation which contained cooperative purchasing language.

The City of Portland was contacted by FREDS in May of 2010 for an update on the Jubitz contract. FREDS was informed that the City would not be renewing their contract with Jubitz and would allow it to expire at the end of June 2010. FREDS procurement staff then began researching alternative cooperative contracts. FREDS contacted Purchasing in June to begin a bid process in order to establish a new contract after discovering no cooperative contracts existed in the Portland area.

Agenda Placement Request  
Submit to Board Clerk

Bid B11-10290 was created and opened on 08/20/10 and closed on 09/14/10, with 2 bidders responding. Intent to award was provided on 09/15/10. Multiple protests followed concerning pricing contained within the bids. After consulting the County Attorney regarding the protests the decision was made to cancel the bid on 10/25/10.

FREDS received 2 exemptions from Purchasing to extend the current contract with Jubitz Corporation:

- o Intermediate Exemption IE 11-2411, valid 07/01/10 thru 09/30/10, in the amount of \$150,000
- o Intermediate Exemption IE 11-2445 valid 10/01/10 thru 11/30/10, in the amount of \$100,000

These exemptions were intended to allow for adequate time for the bid and contract process to be completed. Due to the bid cancellation the current exemption will sunset before a new contract is in place.

FREDS is seeking an additional exemption through February 2011 in the amount of \$150,000 to continue utilizing Jubitz Corporation for the purchase of fuel. Jubitz Corporation is honoring the pricing of the previous City of Portland contract. Purchasing and FREDS are in the process of creating a new bid and anticipate that a contract will be awarded in January 2011. We anticipate having the new contract in place and in use in February 2011.

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

No fiscal impact is expected as current fuel prices are within expected budgeted amounts.

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

N/A.

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

N/A.

---

**Required Signature**

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

*Mindy Harris*

**Date: 11/10/10**

---

**Agenda Placement Request  
Submit to Board Clerk**

**INTERMEDIATE / INFORMAL SPECIAL PROCUREMENT & EXEMPTION REQUEST FORM**  
*For dollar limits under the various rules and administrative procedures see this link: [THRESHOLDS](#)*

**Note:** Save this form to your hard drive and then e-mail it as an attachment to the "Exemption Request" mailbox (it will automatically route to CPCA for approval). For authorization purposes, include the approving Program/Division Manager as a cc in the address of your e-mail request. Enter all applicable requested information on form to avoid processing delays. See instructions at this link: [EXEMPTION INSTRUCTIONS](#)

<b>1. DATE OF REQUEST</b> 11/08/2010 <b>DEPARTMENT:</b> Dept. of County Management <b>DIVISION:</b> FREDS	<b>CONTACT PERSON</b> Claudia Arvidson <b>CONTACT PHONE</b> X 85068 <b>DIVISION/PROGRAM MANAGER</b> Richard Swift
<b>2. VENDOR NAME</b> Jubitz	<b>VENDOR NUMBER</b> 28375
<b>3. EXEMPTION AMOUNT</b> \$ 150,000	<input type="checkbox"/> New, Annual Amount <input checked="" type="checkbox"/> New, Lump Sum Amount <input type="checkbox"/> New, One-Time Purchase <input type="checkbox"/> New, Price Agreement (Requirements) Amount <input type="checkbox"/> Change (Amount of exemption amendment)
<b>4. REQUESTED TIME PERIOD</b> Start Date 12/01/2010 End Date 02/28/2011	
<b>PURPOSE OF REQUEST</b>	
5. <input type="checkbox"/> New Contract	Contract Number [Enter Number]      Start Date [Insert Date] End Date [Insert Date]
6. <input checked="" type="checkbox"/> New Purchase Order	Requisition Number 10050257      Date 12/01/2010
7. <input type="checkbox"/> Amendment to existing Exemption	Exemption Number [Enter Number]      Start Date [Insert Date] End Date [Insert Date]
<input type="checkbox"/> Contract Amendment	Contract Number [Enter Number]      Start Date [Insert Date] End Date [Insert Date]
<input type="checkbox"/> Purchase Order Change Order	Purchase Order Number [Enter Number]      Date [Insert Date]

**8. DESCRIPTION:** For the purchase of fuel accessing the Jubitz Pacific Pride Network.

**9. FINDINGS SUPPORTING REQUEST:** P-100 Exemption Request. ITB B11-10290 was created and opened on 08/20/10 and closed on 09/14/10, with 2 bidders responding. Intent to award was provided on 09/15/10. Multiple protests followed concerning pricing contained within the bids. After consulting the County Attorney regarding the protests the decision was made to cancel the bid on 10/25/10. FREDS received 2 exemptions from Purchasing to extend the current contract with Jubitz Corporation:

- o Intermediate Exemption IE 11-2411, valid 07/01/10 thru 09/30/10, in the amount of \$150,000
- o Intermediate Exemption IE 11-2445 valid 10/01/10 thru 11/30/10, in the amount of \$100,000

These exemptions were intended to allow for adequate time for the bid and contract process to be completed. Due to the bid cancellation the current exemption will sunset before a new contract is in place.

FREDS is seeking an additional exemption through February 2011 in the amount of \$150,000 to continue utilizing Jubitz Corporation for the purchase of fuel. Jubitz Corporation is honoring the pricing of the previous City of Portland contract. Purchasing and FREDS are in the process of creating a new bid and anticipate that a contract will be awarded in January 2011. We anticipate having the new contract in place and in use in February 2011.

**10. AUTHORITY FOR REQUEST** (Check one and select rule)

PCR B Rule      47-0285 Special Procurement  
 Products and Non-Personal (Professional) Services

**OR**

PUR 1 Administrative Rule      [Choose One]  
 Personal (Professional) Services

11.  **SOLE-SOURCE PROCUREMENT** (Indicate market research below):

<b>VENDOR ONE</b> [Insert Name]	Contact Date [Insert Date]
Contact Person [Insert Name]	Contacted by [Choose One]
Results [Insert Information - field will expand]	

<b>VENDOR TWO</b> [Insert Name]	Contact Date [Insert Date]
Contact Person [Insert Name]	Contacted by [Choose One]
Results [Insert Information - field will expand]	

<b>VENDOR THREE</b> [Insert Name]	Contact Date [Insert Date]
Contact Person [Insert Name]	Contacted by [Choose One]
Results [Insert Information - field will expand]	

12. **ADDITIONAL REMARKS:** [Insert Information - field will expand]