



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-3308 FAX (503) 988-3093

Email: mult.chair@co.multnomah.or.us

Maria Rojo de Steffey, Commission Dist. 1

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5220 FAX (503) 988-5440

Email: district1@co.multnomah.or.us

Jeff Cogen, Commission Dist. 2

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5219 FAX (503) 988-5440

Email: district2@co.multnomah.or.us

Lisa Naito, Commission Dist. 3

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5217 FAX (503) 988-5262

Email: district3@co.multnomah.or.us

Lonnie Roberts, Commission Dist. 4

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5213 FAX (503) 988-5262

Email: lonnie.j.roberts@co.multnomah.or.us

On-line Streaming Media, View Board Meetings
www.co.multnomah.or.us/cc/live_broadcast.shtml

On-line Agendas & Agenda Packet Material
www.co.multnomah.or.us/cc/agenda.shtml

Americans with Disabilities Act Notice: If you need this agenda in an alternate format, or wish to participate in a Board Meeting, please call the Board Clerk (503) 988-3277, or the City/County Information Center TDD number (503) 823-6868, for information on available services and accessibility.

APRIL 3 & 5, 2007 BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Tuesday Executive Session
Pg 2	9:30 a.m. Tuesday Briefing on Streams of Offenders in the Criminal Justice System
Pg 2	1:30 p.m. Tuesday Transportation Briefing
Pg 3	9:00 a.m. Thursday Audit Presentation
Pg 3	9:15 a.m. Thursday Proclaiming Child Abuse Prevention Month
Pg 3	9:30 a.m. Thursday Public Comment
Pg 3	9:30 a.m. Thursday Health Department Trans Fat Strategic Plan Report to the Board
Pg 4	10:30 a.m. Thursday Electronic Health Record Implementation Update
Pg 4	11:00 a.m. Thursday Public Health Awareness Week and Public Health Heroes Celebration

Thursday meetings of the Multnomah County Board of Commissioners are cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:30 AM, (LIVE) Channel 30
Saturday, 10:00 AM, Channel 29
Sunday, 11:00 AM, Channel 30
Tuesday, 8:00 PM, Channel 29

Produced through MetroEast Community Media
(503) 667-8848, ext. 332 for further info
or: <http://www.mctv.org>

Tuesday, April 3, 2007 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-30 MINUTES REQUESTED.
-

Tuesday, April 3, 2007 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

- B-1 Briefing on Streams of Offenders in the Criminal Justice System. Presented by District Attorney Mike Schrunk, Sheriff Bernie Giusto, Judge Dale Koch, Chief Rosie Sizer, Chief Carla Piluso, Metro Public Defender Director Jim Hennings, Gayle Burrows, Steve Liday, Bill Farver and Invited Others. 2 HOURS REQUESTED.
-

Tuesday, April 3, 2007 - 1:30 PM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

- B-2 Briefing on Transportation Finance and the 223rd Railroad Undercrossing Project. Presented by Cecilia Johnson, Ed Abrahamson, Kim Peoples, Ian Cannon and Jerry Elliott. 90 MINUTES REQUESTED.

Thursday, April 5, 2007 - 9:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

REGULAR AGENDA

AUDITOR'S OFFICE - 9:00 AM

- R-1 Program Offer Performance Measure Audit - Pilot Project. Presented by LaVonne Griffin-Valade. 15 MINUTES REQUESTED.

NON-DEPARTMENTAL - 9:15 AM

- R-2 PROCLAMATION Proclaiming April 2007 Child Abuse Prevention Month in Multnomah County, Oregon

DEPARTMENT OF HEALTH - 9:20 AM

- R-3 NOTICE OF INTENT to Apply for Grant Funding through CareOregon's Care Support and System Innovation Program
- R-4 NOTICE OF INTENT to Apply for Grant Funding from the Northwest Health Foundation to Support Optimization of Electronic Health Records

PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

DEPARTMENT OF HEALTH - 9:30 AM

- R-5 Report of the Multnomah County Health Department on a strategic plan to educate the public about the health hazards associated with consuming artificial trans fats; and regarding the disclosure of trans fats served in restaurants; and to involve the local school districts in the public outreach process regarding trans fats in foods served in school cafeterias. Presented by Lillian Shirley, Director, Multnomah County Health Dept.; Gary Oxman, M.D., M.P.H., Multnomah County Health Officer; Debe Nagy-Nero, Director of Quality Assurance, Nutrition and Safety, Burgerville; Meir Stampfer, M.D., Dr. P.H., Professor of Nutrition and Epidemiology,

Department of Epidemiology, Harvard School of Public Health; and Invited Others. 60 MINUTES REQUESTED.

- R-6 Electronic Health Record Implementation Update, Financing Plan and Primary Care Financial Forecast. Presented by Lillian Shirley, Vanetta Abdellatif, Wendy Lear and Susan Kirchoff. 30 MINUTES REQUESTED.
- R-7 PROCLAMATION Proclaiming April 2nd through April 8th, 2007 Public Health Awareness Week in Multnomah County, Oregon; and Presentation of Multnomah County's Seventh Annual Public Health Heroes Celebration. Presented by Lillian Shirley and Invited Others. 60 MINUTES REQUESTED. Brief reception to follow.



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 04/03/07
Agenda Item #: E-1
Est. Start Time: 9:00 AM
Date Submitted: 03/27/07

Agenda Title: Executive Session Pursuant to ORS 192.660(2)(d),(e)and/or(h)

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: April 3, 2007
Amount of Time Needed: 15-30 minutes
Department: Non-Departmental
Division: County Attorney
Contact(s): Agnes Sowle
Phone: 503 988-3138 **Ext.** 83138 **I/O Address:** 503/500
Presenter(s): Agnes Sowle and Invited Others

General Information

1. What action are you requesting from the Board?

No final decision will be made in the Executive Session.

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.

Only representatives of the news media and designated staff are allowed to attend. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session.

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

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

ORS 192.660(2)(d),(e)and/or(h)

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

Required Signature

Elected Official or
Department/
Agency Director:

Date: 03/27/07



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 04/03/07
Agenda Item #: B-1
Est. Start Time: 9:30 AM
Date Submitted: 03/19/07

Agenda Title: Briefing on Streams of Offenders in the Criminal Justice System

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	April 3, 2007	Amount of Time Needed:	2 hours
Department:	Dept. of Community Justice	Division:	Director's Office
Contact(s):	Robb Freda-Cowie		
Phone:	503 988-5820	Ext.:	85820
	I/O Address:		503/250
Presenter(s):	District Attorney Mike Schrunk, Sheriff Bernie Giusto, Judge Dale Koch, Chief Rosie Sizer, Chief Carla Piluso, Metro Public Defender Director Jim Hennings, Gayle Burrows, Steve Liday, Bill Farver and Invited Others		

General Information

1. What action are you requesting from the Board?

Briefing on the flow of offenders through the county justice system, how the system prioritizes resources, how system partners work together, what is working well in the local justice system and what gaps have emerged in recent years.

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

This briefing will demonstrate how Multnomah County's criminal justice system operates, from the point of arrest to jail to post-conviction supervision, and much of what occurs in between.

There are many different players in the justice system that are responsible for protecting the public, delivering justice, restoring victims and communities and lowering the risk that offenders will commit further crimes. Not only is each agency responsible for carrying out its assigned mission, it is also responsible for working effectively with other agencies.

This principle has been highlighted in recent years as result of state and local budget reductions. Reductions or closures of indigent defense, jail beds, misdemeanor probation supervision and work release and other alternatives to incarceration have had detrimental, and often unintended, down-

stream effects that have impaired the entire justice system's ability to function in an effective and efficient way.

As a result of these cuts, our local justice system has had to prioritize its interventions. Resource limitations have forced the justice system to limit its ability to respond to many low-level nuisance offenses, and to focus instead on chronic property and person offenses. This means that we may not be able to prevent some offenders from escalating their criminal activity.

This briefing will begin with a brief skit that will follow one offender from her arrest, through her court proceedings, to her post-prison supervision, highlighting the functions of the different agencies that she interacts with and the different ways that the justice system responds to high, medium and low-risk offenders.

After the skit, local safety system leaders will briefly present their observations about what is working in our justice system, and the challenges we still face.

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

N/A

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

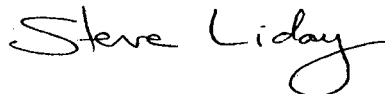
N/A

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

N/A

Required Signatures

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



Date: March 19, 2007

Steve Liday

BOGSTAD Deborah L

From: LIDAY Steve G
Sent: Wednesday, March 28, 2007 8:51 AM
To: GAIDOS Chad M; pbmcox@portland.police.org; pbcdobson@portlandpolice.org; rsixer@portlandpolice.org; SHERIFF; SCHRUNK Michael D; MARCY Scott; AAB Larry A; NEBURKA Julie Z; Jean.K.MAURER@ojd.state.or.us; dale.r.koch@ojd.state.or.us; BRAY Doug; FARVER Bill; DARGAN Karyne A; jim@mpdlaw.com; BURROW Gayle F; piluso@ci.gresham.or.us; McVAY John S; UPTON Karla; WARNKE Dane
Cc: SCHNELL Dana L; FREDA-COWIE Robb; BOGSTAD Deborah L
Subject: Streams of offenders e-mail

"Actors"

Here is the revised script, based on our walk through last Thursday. Please take a close look at your portion to make sure it is accurate and if there is any additional information you need to add or change. If you do make revisions, please send a copy to myself and Robb Freda-Cowie so that we can update the final version.

his presentation is similar to one presented to the state legislature each session. Our goal in this briefing is to:

- Walk county commissioners through our criminal justice system from the point of arrest through post-prison supervision;
- Illustrate how each part of our justice system is dependent on all others and
- Highlight what works well in our system and the gaps/challenges we face as a result of recent budget cuts.

While we do have two hours scheduled for the briefing, which will be quite a long meeting; it will also be necessary to stay within the allotted times or we will run out of the time for some other portions of the briefing – including the important time where Board members can ask questions.

Agenda:

Introduction (10 minutes): Introduce Board members to the 'streams of offenders' concept and provide context for following presentations. *Presenter: District Attorney Michael Schrunk*

How the Justice System Operates (skit – 30 minutes): This skit follows a medium-risk offender from arrest through each step of the justice system. At each stop between arrest and parole, a representative of each system component will briefly (3 minutes or less) explain their function. We also want to discuss the alternative paths for high and low-risk offenders at each step along the system. *Narrator: Steve Liday, DCJ and presenters from each representative agency.*

- Arrest (Portland Police)
- Jail booking (Sheriff)
- Recognizance screening (DCJ)
- Jail (Sheriff)
- Corrections health (Health Department)
- Court (Judge)
- Pre-trial supervision (DCJ)
- Prosecution (District Attorney's Office)
- Defense (Metro Public Defender)
- Parole/Probation (DCJ)

What Works/Gaps in the System (Total - 1 hour): This round-table discussion will provide an opportunity for local justice system leaders to tell the Board about:

- 1) The challenges our system/agencies face are more than five years of budget reductions and
- 2) What we're doing well despite these challenges. Each participant will have five minutes to present, followed by Q/A with the Board.

This will actually occur in two stages with the following Presenters:

3/28/2007

30 minutes: Group 1: *Chief Rosie Sizer, Chief Carla Piluso, Metro Public Defender Director Jim Hennings, Judge Dale Koch*

30 minutes: Group 2: *DA Mike Schrunk, Sheriff Bernie Giusto,, DCJ Interim Director Steve Liday and Health Department Manager Gayle Burrow*

10 minutes: Bill Farver will close with a brief discussion of the Safety Plan proposal that would conduct a comprehensive assessment of the local public safety system, describe gaps in the system, and recommend how services could be offered to provide a balanced and integrated continuum that conforms to national best practices.

Please let me know if you have any questions about this agenda. For each of the participants in the skit, if you wouldn't mind letting me know that you received the script and are fine with the final version or have changes.

We had talked meeting here at the Multnomah Building, Board Room, @ 9:00am on Tuesday, April 3. I would actually ask that we meet @8:45am to give us time to do another quick run through. This is a rare opportunity to have so many of the major parts of our system together at one time with opportunity to inform the Board and our partners of the complexity and integration of the criminal justice.

Thank you for your participation in this informative event!

Steve

Streams of Offenders Script

Steve Liday (Narrator)

Introduction:

Today we want to present to you the case of the *State of Oregon v. Methamphetamine Mary*. This case will show you how Multnomah County's criminal justice system operates, from the point of arrest to jail to post-conviction supervision, and all stops in between.

- Along the way, you will see that there are many different players in this system that are responsible for protecting the public, delivering justice, restoring victims and communities and lowering the risk that offenders will commit further crimes.
- You'll also see that different kinds of offenders progress through the system. Some are people who made a bad choice, but are unlikely to re-offend. Some are chronic lawbreakers who pose a risk to property and diminish the community's quality of life. Others pose a serious threat to our physical safety.
- The justice system is responsible for holding each of these offenders accountable, but the reality of resource limitations have forced us to limit our ability to respond to many lower priority types of offenses.
- During this presentation, I also hope you'll see that no part of the system operates independently from the others. If one part of the system lacks the resources to do its job well, then other parts of the system will face problems.
- This skit greatly simplifies all the possible outcomes and decision-points within this very complex system. For a more complete view of all the complicated interactions of the justice system, the Sheriff's Office has prepared this chart to illustrate how offenders flow among our various agencies.
- You will probably have lots of questions for our participants. In the interests of time, let's hold those until the end.
- So let's begin. It is a dark and stormy Portland night. Portland Police Officer [name] is on patrol when he is called to a nearby apartment building, where a neighbor has reported some suspicious activity.

Officer [name] approaches the location and sees Meth Mary [Julie Neburka] climbing out a back window with a stereo.

Portland Police Officer

Interaction: *Officer says Stop! You're under arrest! He briefly questions Meth Mary and demonstrates how he interacts with a suspect.*

Direct address to County Commissioners:

- My job is to provide street-level law enforcement. Each shift, I respond to # to # of calls. These calls can involve everything from domestic disputes to shots fired. The city of Portland employs # officers. We are funded by city general funds.
- In this case, I have learned that this is not Meth Mary's residence and I received permission to search her truck. Inside I find a large amount of electronics, jewelry and other valuables.
- I take Meth Mary into custody and bring her downtown to the justice center where I hand her over to the corrections deputies with the Multnomah County Sheriff's Office. Then I sit down and do my paperwork.
- In this case, I have found that Meth Mary had an unlicensed gun in her truck, along with some methamphetamine. I am charging her with burglary I, unlawful possession of a firearm, identity theft and possession of stolen property. I prepare police reports, which I forward to the DA's office for review the following morning.

Corrections Deputy

Interaction: *Deputy welcomes Officer and Meth Mary to the jail, removes cuffs and briefly explains to Meth Mary how she will be processed.*

Direct address to County Commissioners:

- I am a corrections deputy with the Sheriff's Office. I make sure that inmates are held safely and securely in Multnomah County jails.
- Currently, the Sheriff operates two jails – the Multnomah County Detention Center, located in downtown Portland and Inverness Jail. At the jail, we hold # inmates per year who are awaiting a court appearance, being held until trial is complete, being held as a sentence or while awaiting transfer to state prison after conviction, or are being held as part of a parole or probation violation sanction.
- Jail costs are primarily funded out of county general funds (?%). Our county jails also receive \$ in state SB 1145 community corrections funds. We also have a contract with the federal government to rent beds to hold foreign nationals who are awaiting deportation.

- Once an inmate is brought to the jail, they are booked – i.e., fingerprinted and photographed by a Portland Police unit based in the jail, checked for local and national warrants and entered into the Sheriff's database.

Interaction: *OK Meth Mary, let's go get fingerprinted and mugged.*

Steve Liday

- Now, let's see if *Meth Mary* is going to get out of jail tonight, or if she'll have to stay locked up until she can see a judge. Her next stop is Recog, which is operated inside the jail by the Department of Community Justice.

Corrections Deputy takes Meth Mary to Recog.

Recog Corrections Tech

Interaction: *Recog tech asks Mary two or three of questions from the Recog instrument.*

Direct address to County Commissioners:

- I am a corrections technician with DCJ's Recog unit. Our job is to interview defendants within four hours of their admission to the jail and identify which defendants should be held in jail until their first court appearance, and which ones can be released on their own recognizance.
- We perform this recognizance release function on behalf of the courts, under judicial authority. This is not Matrix release, which is a tool the Sheriff uses under his authority to manage the population housed in the jail.
- This function helps protect public safety by diverting from the jail defendants who pose limited safety or flight risk, which frees up valuable jail beds to hold more dangerous offenders.
- Each year, we screen approximately 16,000 defendants and release approximately 5,000 on recognizance, using criteria developed jointly by the courts, DA, Sheriff, defense and DCJ. These criteria include: criminal history, parole and probation compliance, stability in the community and threats to victim safety.
- Recog is a local function and is supported by county general fund.

Steve Liday

- Based on her prior criminal record, her failure to appear in court on previous charges and an open warrant on a drug possession case last year, Recog tells the jail to hold Meth Mary until she can see a judge, which must happen within 48 hours.

Corrections Deputy

Interaction: *Deputy again takes control of Mary*

Direct address to County Commissioners:

- Mary will stay in the booking area of the jail until we have determined where to hold her.
- We sort inmates who are housed at the jail based on the security threat they pose. We also have special housing for mentally ill inmates and female inmates, along with an infirmary.
- When jail beds are short, we may be forced to do emergency population releases, or matrix. Each inmate is given a score that is based on his or her current offense charge and information gathered in the Recog interview. Then we release the lowest scoring inmates so that we can hold ones with higher scores.

Steve Liday

Tonight, Mary is not so lucky – there are enough rooms at the inn. But before she can go to her cell, she is given a health screening by Corrections Health staff. Corrections Health also provides on-site medical care to jail inmates and staff.

Corrections Health Nurse

Interaction: *Introduces herself to Mary and asks two or three basic health screening questions.*

Direct address to County Commissioners:

- I am a Corrections Health nurse based at the Multnomah County Detention Center. When Mary is arrested and brought to jail, a registered nurse from corrections health will see her to see if she has any potentially contagious illnesses or if she is unstable and dangerous to herself, other inmates or corrections officers.
- I also respond when an inmate is sick or injured and I evaluate and monitor inmates who present indications of mental illness or a risk of suicide. I am also responsible for administering medications, including psychotropic medications to mentally ill inmates.
- [# nurses, # cases responded to, etc.]
- The 8th and 14th amendment of the constitution obligate the government to provide health care to inmates. Corrections Health is a local responsibility and is funded by county general fund.

Steve Liday

Meth Mary is held in custody until her initial court appearance, which is usually the next day. At this time, she is introduced to three people whose roles are fundamental to our justice system's promise of a fair trial to every citizen: a judge, a prosecutor and her defense attorney. These people will have a significant role in determining whether Meth Mary regains her liberty and how she will face legal consequences for her actions in this case.

Today, her case is before Judge Maurer.

Interaction:

Judge Maurer: *This is the matter of State of Oregon v. Methamphetamine Mary. I am Judge Maurer, welcome to my court. Methamphetamine Mary, these are very serious charges you're facing. Today we need to know how you plead?*

(Meth Mary confers with Defense Attorney.) **Meth Mary:** *I plead not guilty.*

Judge Maurer: *Our next step is to decide whether you will stay in jail during the course of your trial, or if you will be released.*

What is the District Attorney's office recommendation?

(Assistant DA and Defense Attorney make brief arguments – DA's office recommends jail, and defense recommends release. Each side cites a specific factor from the case to support their position.)

Judge Maurer: *I am going to release you to the supervision of the Pre-trial Services Program, which is operated by the Department of Community Justice. I am instructing you to follow their orders as a condition of your release – if you don't, you will be taken back to jail.*

Judge Maurer turns to Commissioners.

Judge Maurer

Direct address to County Commissioners:

- I am Judge Maurer and am one of # judges in Multnomah County who presides over criminal and civil cases.
- Each year, Multnomah County courts hear # of misdemeanor and felony cases.
- The first step in the trial process is to hold an arraignment, where the defendant offers a plea of guilt or innocence, the judge makes a decision about whether the defendant should be held in jail to await trial or if she should be released on bail, on pre-trial

supervision or on her own recognizance. In this case, Meth Mary pleads innocent and I set a trial date of # months in the future.

- In a serious criminal case like Meth Mary's, I would likely ask DCJ's pre-trial supervision program to review Meth Mary's case and recommend whether she should be released from jail and placed on pre-trial supervision until her criminal case is resolved, or if she should be held in jail. Based on their recommendation – and the input of the district attorney and the defense attorney – I may then choose to release her onto pre-trial supervision in the community.

Assistant District Attorney

Direct address to County Commissioners:

- I am [name] and I am an assistant district attorney in the Multnomah County District Attorney's office. Each year our office reviews approximately 32,000 cases, with a staff of nearly 230 attorneys, investigators and support staff.
- My job is to prosecute serious felony cases, including gun offenses and residential burglaries. We have other units that specialize in cases involving violent offenses, domestic violence, drugs, gangs, property crimes, misdemeanor and quality of life crimes, as well as pre-trial, Grand Jury and extradition cases.
- In a case like this, we will review the charges for which the police officer arrested Meth Mary. We may make some changes based on whether we think that there is legal sufficiency to sustain those charges, or we may seek lesser or more serious offenses.
- In cases like this, we work very closely with police to prepare the case for prosecution and trial. Our investigators will gather evidence. I will talk to victims and witnesses, arrange for expert testimony, research the law and prepare the case so that we can win a conviction.
- A case like Meth Mary's may take many days of preparation before we even walk into the courtroom. At any one time, prosecutors like me may be juggling dozens of cases.
- Funding for prosecution is almost entirely supported by the county general fund. In the past a small part of prosecution costs were supported by the state, but this funding was eliminated in 2003.

Defense Attorney

Direct address to County Commissioners:

- I am [name] and I am a defense attorney with Metropolitan Public Defenders. My job is to represent Meth Mary and other indigent defendants and ensure that their constitutional and legal rights to a fair and speedy trial are protected.

- Our system is based on the presumption of innocence, but this fundamental tenet of our justice system is meaningless if defendant do not receive quality representation. Like my counterpart in the DA's office, I will review the evidence, the testimony and the law so that I can defend my client and her rights as vigorously as possible.
- At Metro, we defend approximately # of defendants per year. Our attorneys carry # of cases at a time. [additional information?]
- Like everyone else in the justice system, I do not want to see my clients coming back. Our office supports drug courts and other evidence based practices that will keep our clients from getting in trouble and will reduce crime in our community.
- Indigent defense is funded by state. When indigent defense suffered budget cuts in 2003, courts across the state were forced to close one day a week, which resulted in tremendous backlog of cases, delayed trials and led to many cases being dismissed.

Steve Liday

Meth Mary's trial is scheduled, and both the prosecutors and the defense prepare their cases. After examining the evidence and weighing the likely outcome, the district attorney and the defense attorney agree to a plea arrangement, which averts a trial. Meth Mary returns to court for sentencing.

Judge Maurer

Direct address to County Commissioners:

Oregon has in place statutory guidelines that determine how long a convicted offender will be sentenced to prison, based on the seriousness of the crimes and the defendant's prior conviction history. In some cases, a defendant with a minor record might receive probation, while a defendant who committed the same crime may receive time behind bars.

Judges can depart from these guidelines and impose a different sentence, based on certain factors.

Under sentencing guidelines, all offenders who go to prison receive a mandatory period of post-prison supervision following their release.

Interaction: (Turning to Meth Mary) *In the past, in a case like yours, I might be willing to sentence you to an alternative to incarceration like work release, the Forest Project or the River Rock residential treatment program. But these alternative programs were eliminated due to budget cuts over the past four years.*

Therefore, based on these charges, and your prior non-person felony record, I sentence you to 41 months in state prison, with three years of post-prison supervision.

Steve Liday

Meth Mary returns to the jail, while she awaits transfer to state prison. (Corrections Deputy takes her back to the jail.)

This usually takes a couple of weeks. Approximately three and a half years later, she is released from prison. Because her crimes occurred in Multnomah County, she is placed on post-prison supervision with the county's Department of Community Justice.

Parole and probation officer

Interaction: *Introduces himself to Meth Mary, reviews two – three conditions, briefly talks about supervision goals and issues reporting instructions.*

Direct address to County Commissioners:

- I am [name]. I am a parole and probation officer with the Department of Community Justice. My job is to supervise adult offenders who are on probation or who have returned from prison.
- DCJ supervises over 9,000 offenders. Our mission is to protect the public by reducing the risk that these offenders will re-offend. We do this by enforcing law-abiding behavior and linking offenders to treatment, employment, housing and other services that will change their behavior.
- I have about 60 high and medium-risk offenders on my caseload, which includes offenders who have been convicted of a variety of crimes, from drug sale to assault. We also have specialized supervision units for gang members, sex offenders, psychopaths, offenders who are pregnant or parenting, mentally ill offenders, African-American offenders who are at high-risk of re-entering the justice system and female offenders.
- DCJ's transitional services unit will contact Meth Mary before she is released from prison to begin planning her re-entry to the community.
- Once I receive her case, I will assess her risk to re-offend and her potential to act violently, using validated evaluation instruments. I also assess the problems in her life that drive her criminal activity and my case plan will focus my supervision on those issues. In her case, it appears that she has an untreated methamphetamine addiction – one of my top priorities will be to get her into treatment after her release.
- I will maintain close contact with Meth Mary through home and office visits and contacts with her family and employer and other people she associates with, and I will get progress reports from her treatment provider. If she has police contact, I will be automatically alerted. She will be frequently drug-tested.

- If Meth Mary violates her supervision conditions, I have some sanction options at my disposal to hold her accountable, from community service, to electronic monitoring to day reporting to jail.
- Along with drug treatment, I can also refer Meth Mary to programs inside and outside our department that address her educational and employment problems, her anti-social attitudes and poor decision-making and other issues that are contributing to her criminal behavior.
- More than 70% of felony offenders remain felony conviction-free three years after their release from prison. Felony supervision is funded by a combination of state SB 1145 funds and county general fund.

Steve Liday

As you've seen in this case, our county's criminal justice system partners work closely together and depend on one another – if one of us cannot function, none of us can. While our criminal justice system, along with all county services, have endured six years of budget reductions, we have focused our priorities, increased our collaboration and continued to integrate strategies and practices that evidence tells us will produce the best outcomes for the citizens of Multnomah County.

In this case, Meth Mary completes her post-prison supervision without significant violations. Along the way, she also finishes drug treatment and receives a GED.

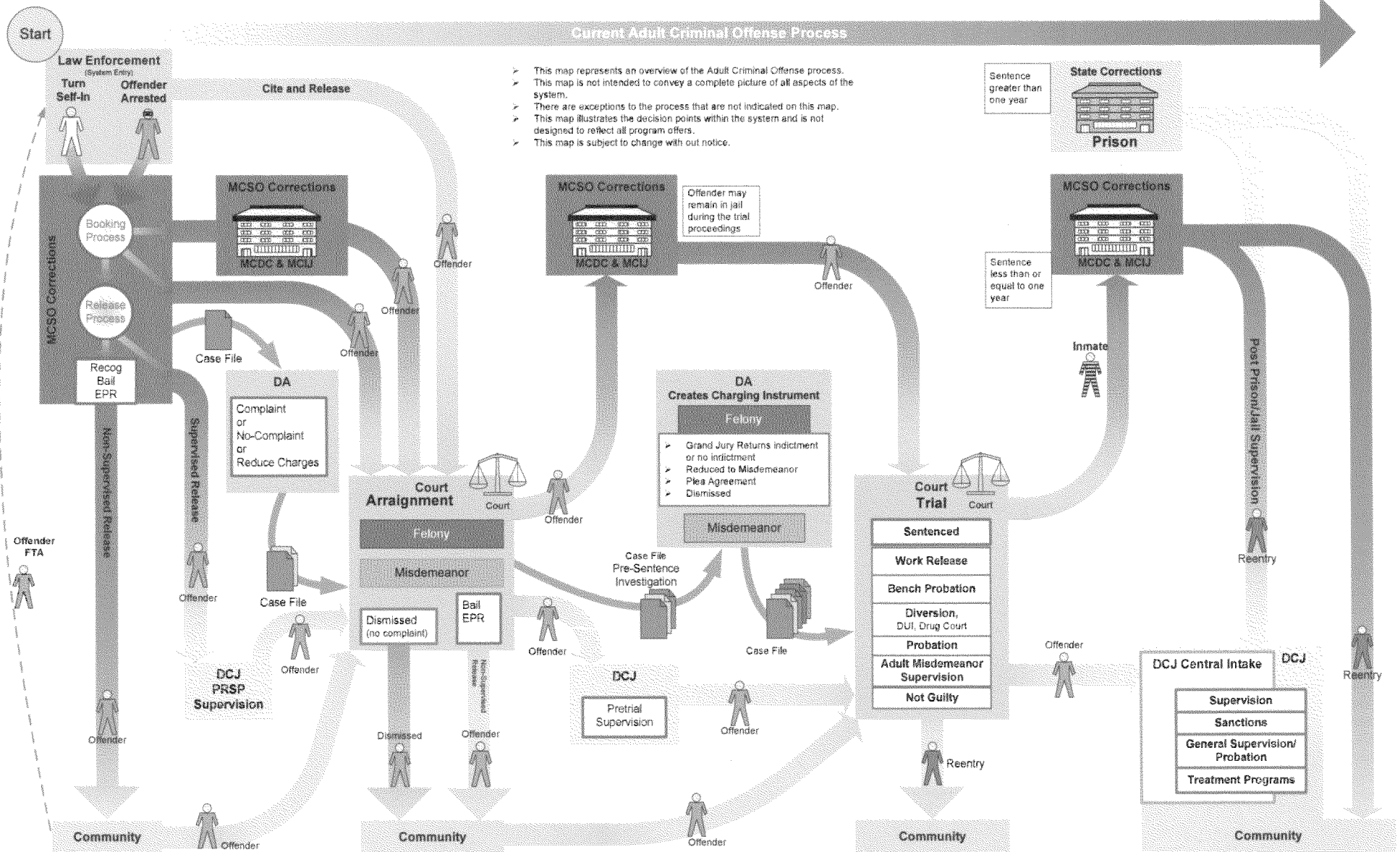
(Turns to address Meth Mary) *Congratulations Meth Mary, you are free to resume your life as a free and productive citizen and all of us hope we will never have to see you again in our professional capacities!*

Multnomah County



February 7, 2007


Current Adult Criminal Offense Process

- This map represents an overview of the Adult Criminal Offense process.
- This map is not intended to convey a complete picture of all aspects of the system.
- There are exceptions to the process that are not indicated on this map.
- This map illustrates the decision points within the system and is not designed to reflect all program offers.
- This map is subject to change with out notice.

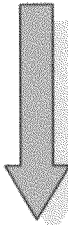


Department of Community Justice
Adult Community Supervision and Treatment Programs

(High Level) Violent Person Crime	Law Enforcement Arrest	Pretrial Detain	District Attorney Prosecution	Courts Adjudication	Corrections Prison	Parole/Probation (Supervision, Sanctions, Services)
						
(Medium Level) Property, Theft, Drug Crimes	Law Enforcement Arrest/ Citation	Pretrial Release or Detain	District Attorney Prosecution	Courts Adjudication	Corrections Prison/Jail	Parole/Probation (Supervision, Sanctions, Services)
						
(Low Level) Misdemeanor, Traffic, DUI	Law Enforcement Arrest/ Citation	Pretrial Release or Detain	District Attorney Prosecution	Courts Adjudication	Corrections Jail	Parole/Probation (Supervision, Sanctions, Services)

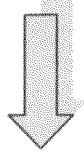
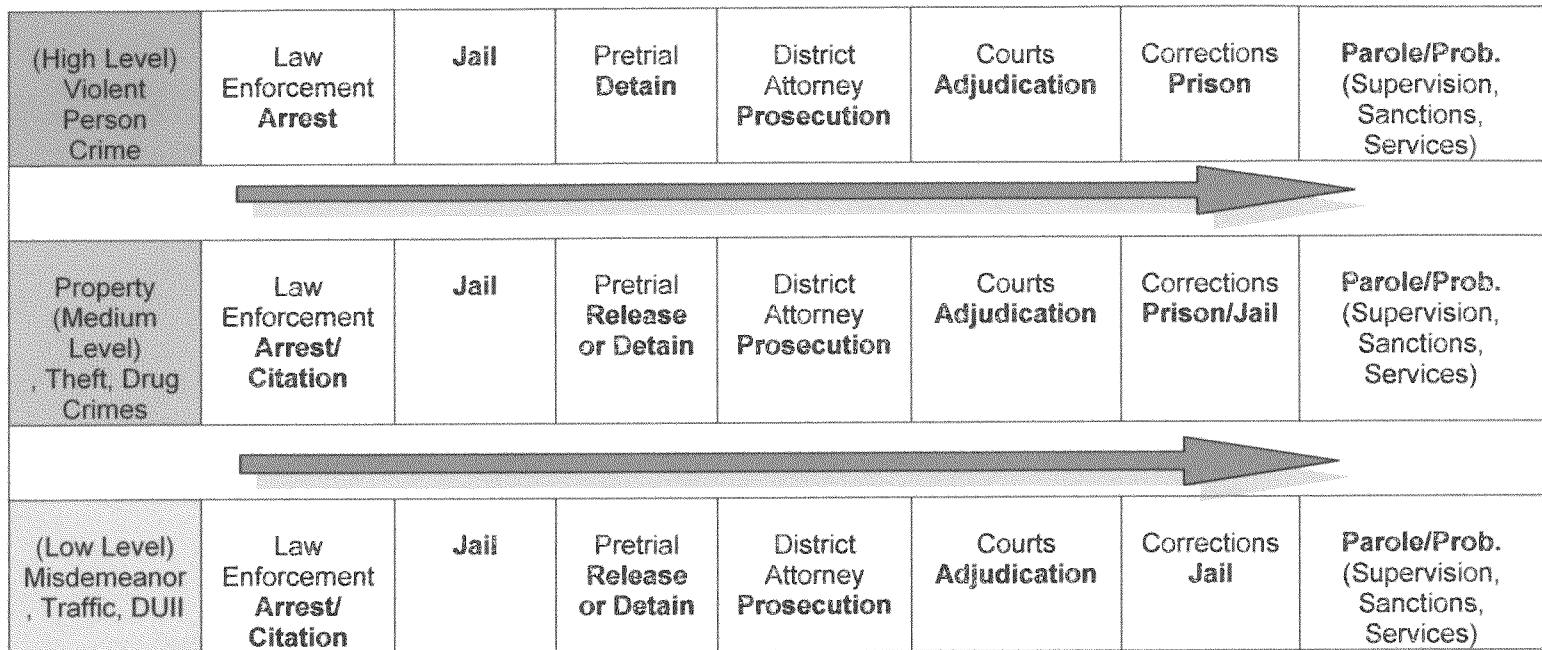
 **Pretrial Services**

	High	Med	Low
50026A Adult Pretrial Supervision Prog			
50026B Adult Pretrial Supv Enhanced			
50027A Adult Recog Program			
50027B Adult Recog Expedited Release			
50028 Adult Electronic Monitoring			

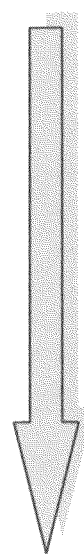
 **Community Supervision**

	High	Med	Low
50033 Adult Field Services – Felony Supervision			
50034A Adult Field Services – Misdemeanor Supervision			
50034B Adult Field Services – Misdemeanor Restoration			
50035 Adult Domestic Violence/Deferred Sentencing			
50036 Adult Family Supervision Unit			
50037 Adult Sex Offender Treatment and Management			
50038A Adult High Risk Drug Unit			

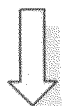
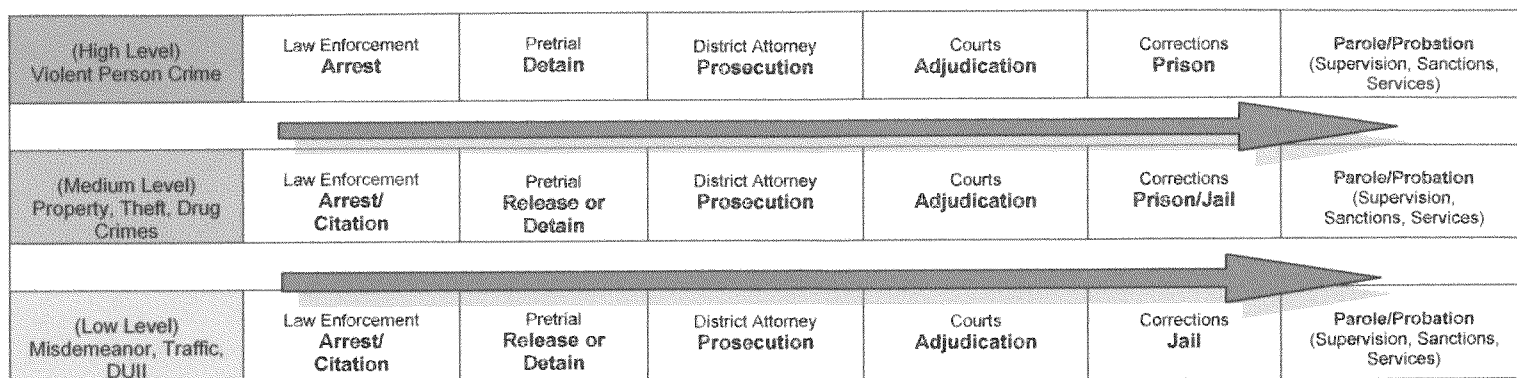
MCSO Streams Of Offenders



Law Enforcement Services	High	Med	Low
60042 River Patrol			
60043 Detectives			
60044 Special Investigations			
60045 County-wide Services			
60027A School Resource Officers			
60030 Tri-Met Transit Police			
60031 East County Gang Task Force			
60032 Human Trafficking Task Force			
60033 Metro Services			
60040 Patrol East			
60041 Patrol West			



Streams of Offenders



Current Status

Adult Trial Units	High	Med	Low
15008 Felony Trial Unit A-Property			
15009 Felony Trial Unit B-Drugs and Vice			
15010 Felony Trial Unit C- Gangs, Robbery, weapons			
15011 Felony Trial Unit D-Violent Person Crimes			
15012 Felony Pre-Trial			
15015 Domestic Violence			
15016 Child Abuse Team-MDT			
15017 Misdemeanor Trial, Intake, Community Court			
15018 Neighborhood DA			
Juvenile Trial Unit			
15014			

Proposed FY2007/2008

Adult Trial Units	High	Med	Low
15008 Felony Trial Unit A-Property			
15009 Felony Trial Unit B-Drugs and Vice			
15010 Felony Trial Unit C- Gangs, Robbery, weapons			



**MULTNOMAH COUNTY
CHAIR'S OFFICE**

**REQUEST FOR COMPETITIVE PROPOSAL QUOTES (CPQ)
FOR**

Public Safety Plan

[Insert Date of Release]

PROPOSALS DUE: [Insert Due Date - allow three weeks]

Proposals by email

Submit Proposals to the Attention of:
Multnomah County Chair's Office
Attention Bill Farver
Chief Operating Officer
501 SE Hawthorne Blvd., Suite 600
Telephone: (503) 988-3308
E-mail: bill.farver@co.multnomah.or.us

Refer Questions in Writing to:
Multnomah County Chair's Office
Attention: Bill Farver
Chief Operating Officer
501 SE Hawthorne Blvd., Suite 600
Telephone: (503) 988-3308
E-mail: bill farver@co.multnomah.or.us

The last day for questions regarding this solicitation is **[Insert Date]**.

PROPOSER REPRESENTATIONS AND CERTIFICATIONS

FAILURE OF THE OFFEROR TO COMPLETE AND SIGN THIS FORM MAY RESULT IN REJECTION OF THE SUBMITTED OFFER

The undersigned, having full knowledge of the specifications for the goods or services specified herein, offers and agrees that this offer shall be irrevocable for at least 30 calendar days after the date offers are due, and if accepted, to furnish any and/or all goods or services as described herein at the prices offered and within the time specified.

PROPOSER NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____ FAX NUMBER: _____ WEB SITE: _____

TAXPAYER ID NUMBER: _____ DATE/STATE OF INCORPORATION: _____

BUSINESS DESIGNATION: ☐ Corporation ☐ Sole Proprietor ☐ Partnership ☐ S Corporation
☐ Non-Profit ☐ Government ☐ Other _____

MWESB CERTIFICATION: Number _____ ☐ Minority-Owned ☐ Woman-Owned ☐ Emerging, Small ☐ N/A

OFFEROR IS EEO CERTIFIED (through the City of Portland, OR): ____ No ____ Yes Expiration Date _____

ASSURANCES - The Proposer attests that:

1. The person signing this offer has the authority to submit an offer and to represent Offeror in all phases of this procurement process;
2. The information provided herein is true and accurate;
3. The Proposer is a resident proposer, as described in ORS 279A.120, of the State of _____, (insert State) and has not discriminated against any minority, women, or emerging small business enterprises in obtaining any required subcontracts, in accordance with ORS 279A.110.

"Resident bidder" means a bidder that has paid unemployment taxes or income taxes in this state during the 12 calendar months immediately preceding submission of the bid, has a business address in this state and has stated in the bid whether the bidder is a "resident bidder". ORS 279A.120 (1) (b)

4. Any false statement may disqualify this offer from further consideration or be cause of contract termination;
5. The Proposer will notify the Department Contracts Officer within 30 days of any change in the information provided on this form.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS - The Offeror certifies to the best of its knowledge and belief that neither it nor any of its principals:

1. Are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from submitting bids or proposals by any federal, state or local entity, department or agency;
2. Have within a five-year period preceding the date of this certification been convicted of fraud or any other criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are presently indicted for or otherwise criminally charged with commission of any of the offenses enumerated in paragraph 2. of this certification;
4. Have, within a five-year period preceding the date of this certification had a judgment entered against contractor or its principals arising out of the performance of a public or private contract;
5. Have pending in any state or federal court any litigation in which there is a claim against contractor or any of its principals arising out of the performance of a public or private contract; and
6. Have within a five-year period preceding the date of this certification had one or more public contracts (federal, state, or local) terminated for any reason related to contract performance.

Where Offeror is unable to certify to any of the statements in this certification, Proposer shall attach an explanation to their offer. The inability to certify to all of the statements shall not necessarily preclude Proposer from award of a contract under this procurement.

SIGNATURE OF AUTHORIZED PERSON

Signature _____ Date _____

Print Name & Title _____

Contact Person for this procurement: _____

Phone _____ Email _____

**MULTNOMAH COUNTY
CHAIR'S OFFICE**

**Request for Competitive Proposal Quotes (CPQ)
For
Public Safety Plan**

INTRODUCTION

Multnomah County is Oregon's smallest and largest county – smallest in size (465 square miles) and largest in population (680,000). Mostly urban, with over 50 percent of the population living in the state's largest city, Portland, the county seat. The county includes the cities of Gresham, Troutdale, Fairview, Maywood Park and Wood Village, and rural land, stretching from Sauvie Island farms to the Columbia River Gorge.

As the second largest unit of local government in the state, the county coordinates with federal, state, and local government to provide the best services to its citizens. Services range from maintaining several hundred miles of county arterial roads and bridges to operating a network of primary health care clinics serving low income and medically indigent county residents. The county is also responsible for courts, juvenile and adult jails, probation and parole, community corrections, aging and disability services, mental health, libraries, elections, assessment and taxation, animal, and vector services.

The existing adult public safety system consists of several components provided by Multnomah County and the Cities within the County:

The Multnomah County Department of Community Justice promotes public safety and strives to reduce recidivism among juvenile and adult offenders through a balance of supervision, services, and sanctions. The Multnomah County District Attorney's Office upholds the laws of the State of Oregon, administers policies and programs aimed at improving community safety, protecting victims of crime, and enforcing consequences for criminal behavior. Multnomah County Sheriff's Office (MCSO) provides civil, corrections, and a full-range of law enforcement services in Multnomah County. The MCSO strives to provide exemplary service for a safe and livable community. Law enforcement services are provided by or contracted for by the cities of Portland, Gresham, Wood Village, Troutdale, Fairview, and Maywood Park.

A single provider is sought to compose a comprehensive Multnomah County Public Safety Plan as described in the following "Scope of Services":

SCOPE OF SERVICES

Overview

A. The Multnomah County public safety plan will consist of the following:

1. description of the continuum of services that constitute the existing adult public safety system
2. volume of work in each area of the continuum
3. resources devoted to each area and projected capacity
4. existing performance measures in each area
5. existing performance measures that indicate how well areas work in collaboration
6. existing overall system performance measures ("marquee" measures)
7. recommendations for improving the overall effectiveness of the system

B. From the basis established in "A" above, the plan will:

1. describe gaps in the continuum of services and inefficiencies and imbalances in the system
2. compare performance of elements of the system with comparable districts
3. recommend more consistent and informative performance measures where applicable
4. describe expected impacts on the system of investments or divestments in the system
5. recommend system improvements to improve the effectiveness of current resources

C. In sum, the County desires a Public Safety Plan that will describe:

1. public safety services currently offered in Multnomah County, including areas such as city policing services, not directly provided by Multnomah County
2. how services should be offered to provide a balanced, integrated continuum of services
3. how the system can maximize capacity and promote fairness and effectiveness by working more seamlessly
4. whether the current services conform to national best practices

Areas To Be Covered

A. The Multnomah County public safety plan will include (but may not be limited to):

1. crime prevention services
2. law enforcement services provided by cities and the County
3. diversion alternatives
4. prosecution services
5. court services (including specialized diversion services)
6. detention and jail services
7. *sentencing alternatives*
8. pretrial and post trial supervision and probation services
9. treatment services
10. crime victim advocacy and related services

Available Materials

In spite of recent budget reductions, Multnomah County continues to have one of the best public safety systems in the country. Some of the data and performance measures to support this planning may already exist within public safety departments within the cities and county. Current materials – plans, budgets, program offers, systems mapping – should be reviewed to and used when applicable. However, the current measures are not fully integrated into a single systematic approach.

Gaps analysis should consider best practice programs, that had documented success, which may have been eliminated because of recent budget reductions. The Citizen Crime Commission granted Portland State University funds to analyze public safety data to determine where inefficiencies arise in the system. That data can be used in the development of the plan.

The investment portion of the plan will be modeled *in part after the type of work done by* the Washington State Institute for Public Policy and the Oregon Criminal Justice Commission. Specifically, the Washington State Institute produced a research study on Evidence Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates, that documented the cost effectiveness of different investments in the criminal justice system. A similar documentation of cost effectiveness of local investments would be desirable.

Review, Implementation and Monitoring

The Plan will be developed so that decision makers can use it to determine the appropriate overall level of public safety services and the balance between the elements. For example, an increase or decrease in overall policing services could be linked to the corresponding work flow increases or decreases in the balance of the system. The plan will be reviewed and approved by the Local Public Safety Coordinating Council (LPSCC) and become a central planning and budgeting tool for local governments and a powerful motivator to encourage cross jurisdictional planning in Multnomah County.

The Project Coordinator will report to the Chair. Daily operational questions will be directed to the Chief Operating Officer. The Project Coordinator will be responsible for meeting agreed upon timelines and reporting to, or arranging reports to, the Chair, Board of County Commissioners, and Local Public Safety Coordinating Council.

Performance Measures

OUTPUT

The public safety plan is ready for review by the Local Public Safety Coordinating Council (LPSCC) in October, 2007.

OUTCOME

The public safety plan is used by local governments in their budget decision making process for FY09. The public safety plan is regularly monitored by the LPSCC and helps form the basis of the performance measures for Multnomah County's new performance monitoring system – Mult Stat.

METHOD OF AWARD

It is Multnomah County's intent to contract with a single, responsive, responsible Contractor who has met the requirements contained in this Competitive Proposal Quote (CPQ), received the highest final score on their Proposal response, and with whom the County has completed successful contract Negotiations. Proposals will be evaluated in accordance with the process detailed in this CPQ.

ESTIMATED PURCHASES

Multnomah County anticipates spending more than \$5,000 and less than \$150,000 for the services described in this CPQ.

METHOD OF CONTRACTING

Multnomah County will enter into a services contract with the awarded proposer. A sample Multnomah County services contract is attached for your review. If you have concerns, questions or exceptions regarding the attached contract please submit them in writing as a separate memo attached to your proposal.

TERM OF CONTRACT

Multnomah County will enter into a contract term of eight (8) months or less for the performance of the services described in this CPQ. The start date of the contract will be established upon completion of successful negotiations.

CONTRACT NEGOTIATIONS

Contract Negotiations shall be directed towards obtaining a written agreement between Multnomah County and the Contractor that is fair and reasonable to the County, and consistent with the County's stated requirements and the Proposer's Proposal. The County may, at its option, choose to negotiate general contract terms and conditions, proposed pricing, implementation schedules, the length of the contract, and other items at the County's discretion. The County is most interested in and reserves the right to negotiate a final contract that is in the best interest of the County.

MINIMUM PROPOSAL SUBMITTAL REQUIREMENTS

At the time of proposal, Proposers must have a minimum of 3 years experience providing services similar to those outlined in this solicitation. This experience should be documented clearly in the two page introduction (this submittal will be a Pass/Fail requirement) specified below in the Proposal Questions and Scoring section of this solicitation.

At the time of contracting, Proposer and staff assigned to this project may be requested to submit to a Multnomah County Sheriff's Office security background check as outlined in the section marked SECURITY and must provide evidence of the insurances required by Multnomah County.

INSURANCE REQUIREMENTS

Refer to "Exhibit 2, Multnomah County Services Contract, Insurance Requirements" and apply the following:

1. Workers' Compensation or proof of exemption (as stated in Exhibit 2).
2. Commercial General Liability, with minimum limits of \$1 million with a \$2 million aggregate.
3. Professional Liability with minimum limits of \$1 million with a \$2 million aggregate.
4. Commercial Auto Liability with minimum limits of \$1 million.
5. The additional requirements that are stated in Exhibit 2.

SECURITY

A security background check may be requested for contractor employees who will be providing services to the County.

Certain County databases and facilities contain information confidential to the County and the individuals it serves. Any publication or use of County data that is already not a matter of public record beyond the scope of the contracted services will result in the immediate disqualification of the responsible Contractor, and possible criminal charges.

County facilities have various levels of entry and exit security. Contractors and Contractor's personnel will be notified of any specific procedures required. Failure to follow these procedures may result in the responsible Contractor being considered in breach of contract.

PRE-PROPOSAL CONFERENCE

There is NO pre-proposal conference planned for this procurement.

EVALUATION PROCESS FOR WRITTEN RESPONSE AND OPTIONAL ORAL EVALUATION

Each evaluator shall independently assign a score to each evaluation criterion based on the written proposals. Criteria scores will then be summed. If Multnomah County does not elect to have an oral evaluation, the award will be given to the highest scoring proposal based on the written proposals.

If it is determined to be in the best interest of the County, an oral evaluation will be scheduled. The Proposers with the highest scores (*not more than 100*) will be invited to an oral evaluation with the evaluation committee. The same criteria used to evaluate the written proposals will be used to evaluate the finalists during the oral evaluation. No additions, deletions or substitutions may be made to proposals during the oral evaluations that cannot be viewed as clarification.

After the oral evaluation, each evaluator shall independently assign a score to each evaluation criterion and the criteria scores for the oral evaluation will be summed. The oral evaluation scores and the written evaluation scores will be summed resulting in a final score. The award will be given to the proposal having the highest final score.

PROPOSAL QUESTIONS & SCORING

TOTAL SCORING/POSSIBLE SCORE: 100 POINTS

1. **(Pass/Fail)** Provide a two page introduction to your firm/organization, including a history, general areas of experience, and any background you think will help us in evaluating your proposal.

2. **(50 Points)** Provide your company/organization's plan for performing the services described in this solicitation that includes a logical plan of proceeding, sound methodology which features key elements, or areas of focus that you will review to complete such a plan. Please outline what you see as the key challenges of such a plan. Also please provide your plan for engaging local management and elected officials in the activities described in the Scope of Services. Provide Resumes/background summaries on your proposed team members and specifically highlight those qualifications/experiences that you believe make them particularly well suited to produce this plan. Provide a proposed timeline (as Attachment A to your proposal response) that is reasonable and meets the scope of services and appears to be achievable with the resources identified by the Proposer.

(Limit – 5 pages, Attachment A – 2 pages; resumes/background summaries do not count as part of the 5 page limit)

Evaluation Criteria:

- *Provider offers a complete and logical plan of proceeding, which appears to meet all major requirements:*
- *A reasonable timeline is provided, meets the requirements of the scope of services and appears to be achievable with the resources identified by the Proposer.*
- *Methodology proposed is sound, complete and appears to include all of the key elements that make up the plan.*
- *Key factors or areas of focus identified include all logical ones and demonstrate prior experience with similar plans.*
- *Resumes or Background summaries of key staff are provided and specific qualifications/experiences that are highly relevant to this effort are identified.*
- *Plan addresses engaging local management and elected officials. Proposer demonstrates knowledge and understanding of Multnomah County's public safety system.*

3. **(30 Points)** -- Provide a recent history of your experience with jobs of a similar nature and describe how these recent experiences qualify you to provide these requested services. (NOTE: Recent is defined as in the last three years) As Attachment B to your proposal, provide us with a reference contact point for each job offered as experience (limit to most current three jobs). What unique experiences/capability do you have that makes you the "best" overall selection for this service? What experience do you have working in the Greater Portland Metro Area, State of Oregon, or the Western United States? **(Limit 3 Pages, Attachment B – 1 Page)**

Evaluation Criteria:

- *Provider has verifiable experience in working in the public safety environment on jobs of a similar nature as described in this solicitation.*
- *Contacted references indicate a general satisfaction with the job performed, completion on time, and a willingness to use the Provider again.*
- *Provider is able to specifically identify and articulate what special qualities, skills and experiences they possess that makes them a strong fit for our requirements and suggests a high likelihood of successfully meeting our needs.*
- *Local area/State experience is extensive and suggests familiarity with some of the current local issues and considerations that will impact on this plan outcome.*

4. (20 Points) – Provide, as Attachment C to your proposal, a proposed budget to complete this plan. Include both direct costs as well as any overheads. Identify any travel costs and for the purposes of this effort, assume we will compare those travel costs to the Federal Joint Travel Regulations limitations on per diem and travel to determine reasonableness. Include costs for all supplies and any special charges or costs you will expect to be paid for. Ensure you include the levels and salaries/hourly costs of all staff that will be involved in this effort. Costs will be subject to negotiations, however, no costs that were not originally included in the proposal will be allowed by the Program. Include an estimate of the number of hours you will need to accomplish the plan, and explain what factors you assume and outline those assumptions clearly in your budget. **(Attachment C – No page limit)**

Evaluation Criteria:

- *A proposed budget is provided as Attachment C.*
- *Budget appears to be well thought out, complete and includes descriptions of items of a sufficient detail to assess their reasonableness.*
- *Estimates appear to be reasonable and budget assumptions are clearly articulated.*

CHECKLIST

- _____ Completed Proposers Representations and Certifications form (Pass/Fail)
- _____ Introduction to your firm/organization (2-page, Pass/Fail)
- _____ Responses to the questions (8 page limit)
- _____ Attachment A (2 page limit)
- _____ Attachment B (1 page limit)
- _____ Attachment C (no limit on number of pages)

INSTRUCTIONS TO PROPOSERS

A. SPECIAL CONDITIONS Where special conditions are written in the Competitive Proposal Quote, these special conditions shall take precedence over any conditions listed under the "Contract Terms and Conditions".

B. COST OF PROPOSAL QUOTE Responses to this Competitive Proposal Quote do not commit the County to pay any costs incurred by any offeror in the submission of a proposal quote, in making necessary studies or designs for the preparation thereof, or for procuring or contracting for the services to be furnished under the Competitive Proposal Quote. The Offeror assumes the sole risk and responsibility for all expenses connected with the preparation of its proposal.

C. CLARIFICATION OF SPECIFICATIONS Any Offeror requiring clarification of information must submit specific questions in writing to the contact person named on the cover sheet of this CPQ.

D. ADDENDUM Any change to this CPQ shall be made by written addendum. The county is not responsible for any explanation, clarification or approval made or given in any manner except addendum.

E. CANCELLATION Multnomah County reserves the right to cancel this CPQ solicitation or award of the contract any time before execution of the contract by both parties if cancellation is deemed to be in Multnomah County's best interest. In no event shall Multnomah County have any liability for the cancellation of award.

F. REJECTION OF PROPOSAL QUOTES Multnomah County reserves the right to reject any or all responses to this Competitive Proposal Quote.

G. LATE PROPOSAL QUOTES Quotes received after the scheduled closing date for filing will be returned to the offeror unopened.

H. DISPUTES In case of any doubt or differences of opinions as to the items or service to be furnished hereunder, or the interpretation of the provisions of the CPQ, the decision of Multnomah County shall be final and binding upon all parties.

I. CLARIFICATION OF RESPONSES Multnomah County reserves the right to request clarification of any item in a firm's proposal or to request additional information necessary to properly evaluate a particular proposal. All requests for clarification and responses shall be in writing. Except for requests and responses related to a clarification necessary to evaluate whether a proposal has met minimum requirements, all requests for clarification and responses shall be provided to each evaluation committee member.

J. CONFIDENTIALITY Multnomah County is subject to the Oregon Revised Statutes relating to public records (ORS 192.001-192.530). The CPQ herein states that the following CPQ materials shall be submitted in confidence, shall remain confidential, and are exempt from disclosure to the extent allowed by law:

1. Historical financial information of the proposing firm or entity and;
2. Materials related to the background investigation of the firm conducted under the CPQ process.

All pages containing the above information shall be marked "confidential" and segregated in the following manner:

- a. It shall be clearly marked in bulk and on each page of the confidential document.
- b. It shall be kept separate from the other CPQ documents in a separate envelope or package.
- c. Where this specification conflicts with other formatting and response instruction specifications, this specification shall prevail.
- d. Where such conflict (in C above) occurs, the Offeror is instructed to respond with the following: "Refer to confidential information enclosed."
- e. This statement (in D above) shall be inserted in the place where the requested information was to have been placed.

Proposers who desire that additional information be treated as confidential must mark those pages as "confidential," cite a specific statutory basis for the exemption, and the reasons why the public interest would be served by the confidentiality. ***The entire CPQ cannot be marked confidential. Should a CPQ be submitted in this manner, no portion of it can be held as confidential unless that portion is segregated in the above manner and meets the above criteria?***

Multnomah County will evaluate all such requests. Should a legal challenge occur regarding a specific Offeror's request for confidentiality, it shall be the Proposer's responsibility to defend such challenges. The County reserves the right to disclose part or all of the information determined not to meet the exemptions in ORS 192.501-502; to determine additional information confidential on an individual basis; or, determine confidential additional categories of information applicable to all submittals.

K. PUBLICITY Any publicity giving reference to this project, whether in the form of press releases, brochures, photographic coverage, or verbal announcement, shall be done only after prior approval of Multnomah County.

L. CONFLICT OF INTEREST An Offeror filing a proposal thereby certifies that no officer, agent or employee of the County who has a pecuniary interest in this Competitive Proposal Quote has participated in the contract negotiations on the part of the County, that the proposal is made in good faith without fraud, collusion or connection of any kind with any other Offeror of the same call for proposals, and that the Offeror is competing solely in its own behalf without connection with or obligation to, any undisclosed person or firm.

M. COLLUSION An Offeror, submitting a proposal hereby certifies that no officer, agent, or employee of Multnomah County has a financial interest in this proposal; that the proposal is made in good faith without fraud, collusion, or connection of any kind with any other Proposer and that the Proposer is competing solely on its own behalf without connection with, or obligation to, any undisclosed person or firm.

N. M/W/ESB PARTICIPATION Multnomah County strongly encourages the participation of Minority, Women and Emerging Small Businesses in this and all County projects, programs and services.

O. EEO CERTIFICATION REQUIREMENT PCRB Rule 60-0040 (1) requires that all contractors furnishing goods and services to the County in excess of \$75,000 must be certified as an **Equal Opportunity Employer**. The County has a contract with the City of Portland for the certification process. Contact City of Portland, Bureau of Purchases, Contract Development Division, for the EEO certification application or on the World Wide Web at <http://cityofportland.ebidsystems.com> or by phone at (503) 823-6855 for certification information. The County will not execute a contract with any contractor that fails to become certified.

P. REFERENCES The County reserves the right to investigate references including customers other than those listed in Offeror's submission. Investigation may include past performance of any Offeror with respect to its successful performance of similar projects, compliance with specifications and contractual obligations, its completion or delivery of a project on schedule, and its lawful payment of employees and workers.

SPECIAL CONTRACT TERMS AND CONDITIONS

[NOTE: This section is reserved for special terms and conditions specific to this solicitation and should not repeat terms and conditions included in an attached sample contract. Listed below are examples of terms and conditions that may not be included in particular sample contracts. Delete this section if it does not apply or if all terms and conditions are covered in an attached sample contract.]

The following Special Terms and Conditions will be included in any Contract awarded as a result of this CPQ.

A. AFFIRMATIVE ACTION PLAN The successful Proposer may be required as a condition of execution of the contract to submit a copy of its Affirmative Action Plan if the contract under this Competitive Proposal Quote is greater than \$75,000 or if the Offeror has 50 employees or more.

B. AMERICANS WITH DISABILITIES ACT Offeror must comply with all applicable requirements of federal and state civil rights law and rehabilitation statutes.

C. OMB CIRCULAR A-133 "If contractor is determined by the County to be a sub-recipient of federal funds passed through the County, the contractor must submit an annual federal compliance audit in conformity with the OMB Circular A-133, which applies the Federal Single Audit Act of 1984, Public Law 98-502, to nonprofit organizations."

D. RECYCLABLE/RECYCLED PRODUCTS Contractors shall use recyclable products and products that contain recycled content to the maximum extent economically feasible in the performance of the Contract Work set forth in this document.

[Insert Sample Contract here].



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 04/03/07
Agenda Item #: B-2
Est. Start Time: 1:30 PM
Date Submitted: 03/27/07

Agenda Title: **Briefing on Transportation Finance and the 223rd Railroad Undercrossing Project**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: April 3, 2007 Amount of Time Needed: 90 minutes
Department: Community Services Division: Transportation
Contact(s): Cecilia Johnson
Phone: (503) 988-5880 Ext. X85880 I/O Address: 455/224
Presenter(s): Cecilia Johnson, Ed Abrahamson, Kim Peoples, Ian Cannon & Jerry Elliott

General Information

1. What action are you requesting from the Board?

This is a briefing to provide information to the Board in preparation for a resolution to borrow funds from the Oregon Transportation Infrastructure Fund on April 19.

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.

The Board will be provided information concerning the County's transportation assets and the current and long range outlook for the Transportation Program. On April 19 a resolution will be brought before the Board to proceed with a loan of \$3.2 million for the 223rd Railroad Undercrossing project. The purpose of this briefing is to insure the Board is clearly informed of the fiscal context in which the project is being constructed when making the decision to borrow the funds to complete this project.

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

Current funding for the Transportation program is not sufficient to maintain the current level of services and preserve County transportation assets. The loan for the 223rd Railroad Undercrossing project will provide \$3.2 million for this project in FY08. Principle repayment begins in FY10 and will be approximately \$350K per year for 15 years. The briefing will explain the plan for repayment

of the loan and the fiscal condition of the County's transportation program in detail.

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

None as a direct result of this briefing.

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

None

Required Signature

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

A handwritten signature in cursive script, reading "M. Cecilia Johnson". The signature is written in dark ink and is positioned above a horizontal line.

Date: 03/27/07

Briefing to BCC

Transportation Funding and 223rd Railroad Undercrossing

April 3, 2007

Briefing Goals

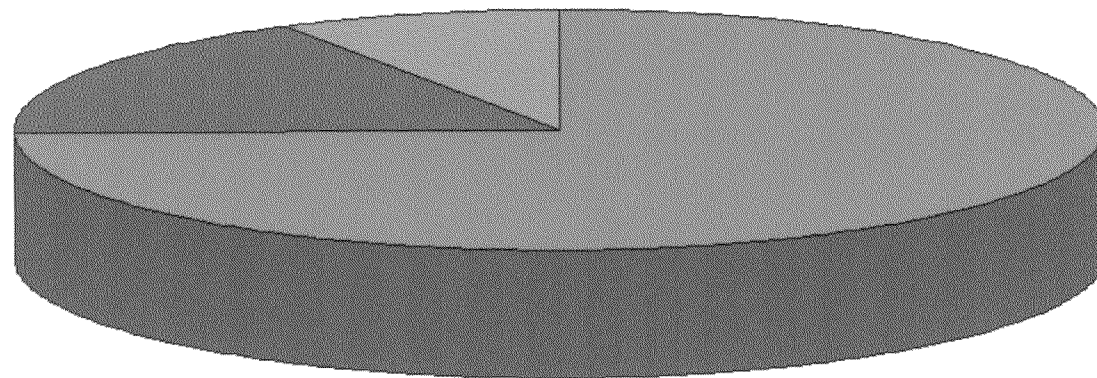
- Provide the Board with the information needed to understand the transportation financial picture
- Receive direction from the Board regarding borrowing money for the 223rd Avenue Railroad Undercrossing Project

Program Overview

- Part of the regional transportation system
- Nearly 300 miles of county roads
- 6 Willamette River Bridges

Sources of Revenue

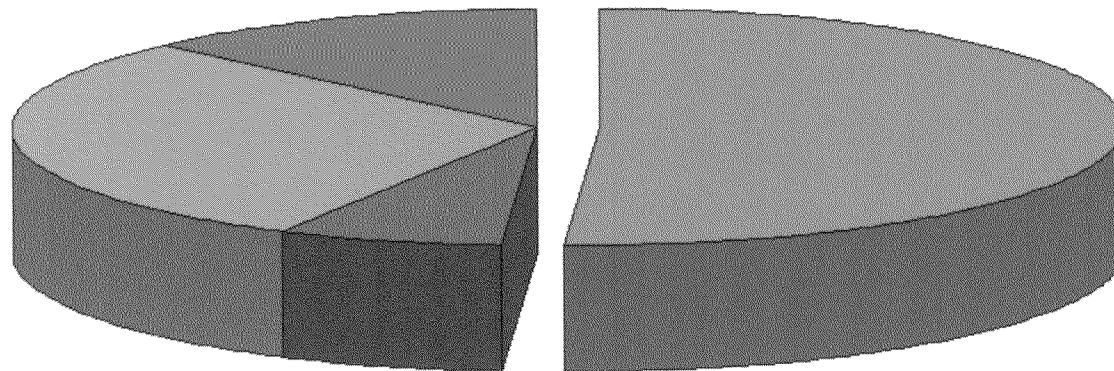
FY 2006 Transportation Fund Revenue - Total \$41.4 Million



- \$30.9M - 75% State Motor Vehicle Sharing
- \$7.1M - 17% County Gas Tax
- \$3.4M - 8% All Other Sources

Expenditures

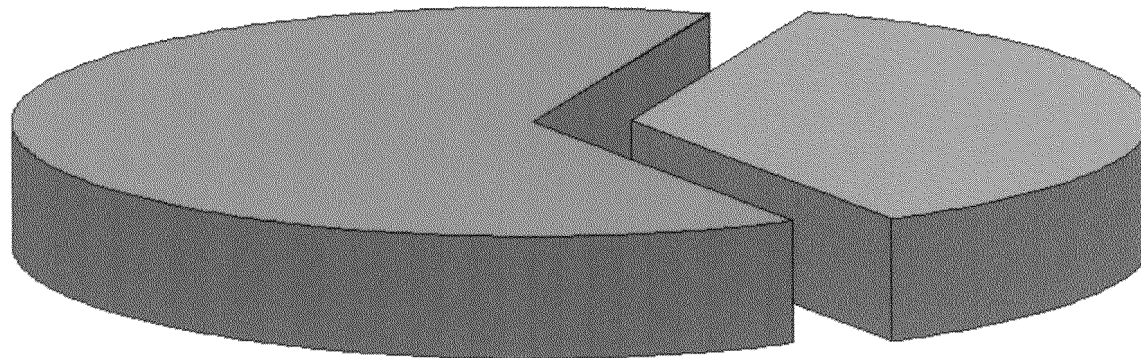
FY 2006 Transportation Fund Expenditures by Program Area Total \$41.4 Million



- \$21.2M - 51% Payments to City of Portland
- \$2.8M - 7% Payment to City of Gresham
- \$12.2M - 29% Road Services
- \$5.3M - 10% Bridge & Bike/Pedestrian Programs

20 Year Revenue Gap

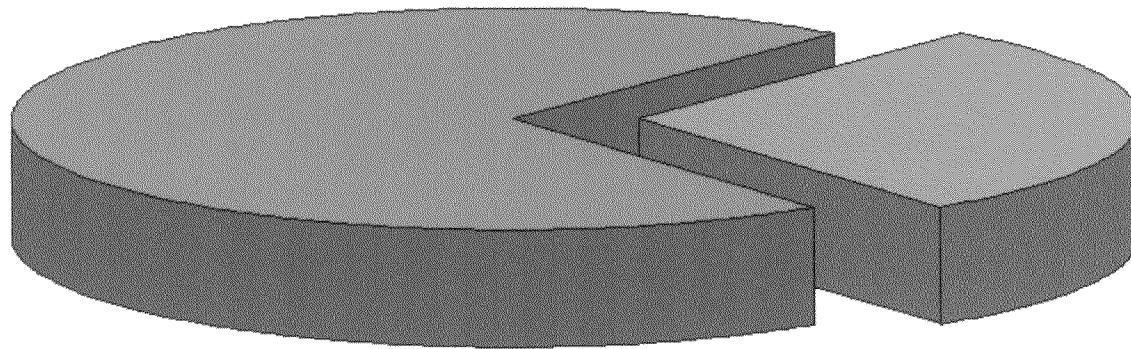
**Road Services
Total Need is \$515 Million**



■ **\$187M - 36% Anticipated Funds**
■ **\$328M - 64% Unfunded Program**

20 Year Revenue Gap

**Willamette River Bridges
Total Need is \$456 Million**



- \$131M - 29% Anticipated Funding
- \$325M - 71% Unfunded Plan

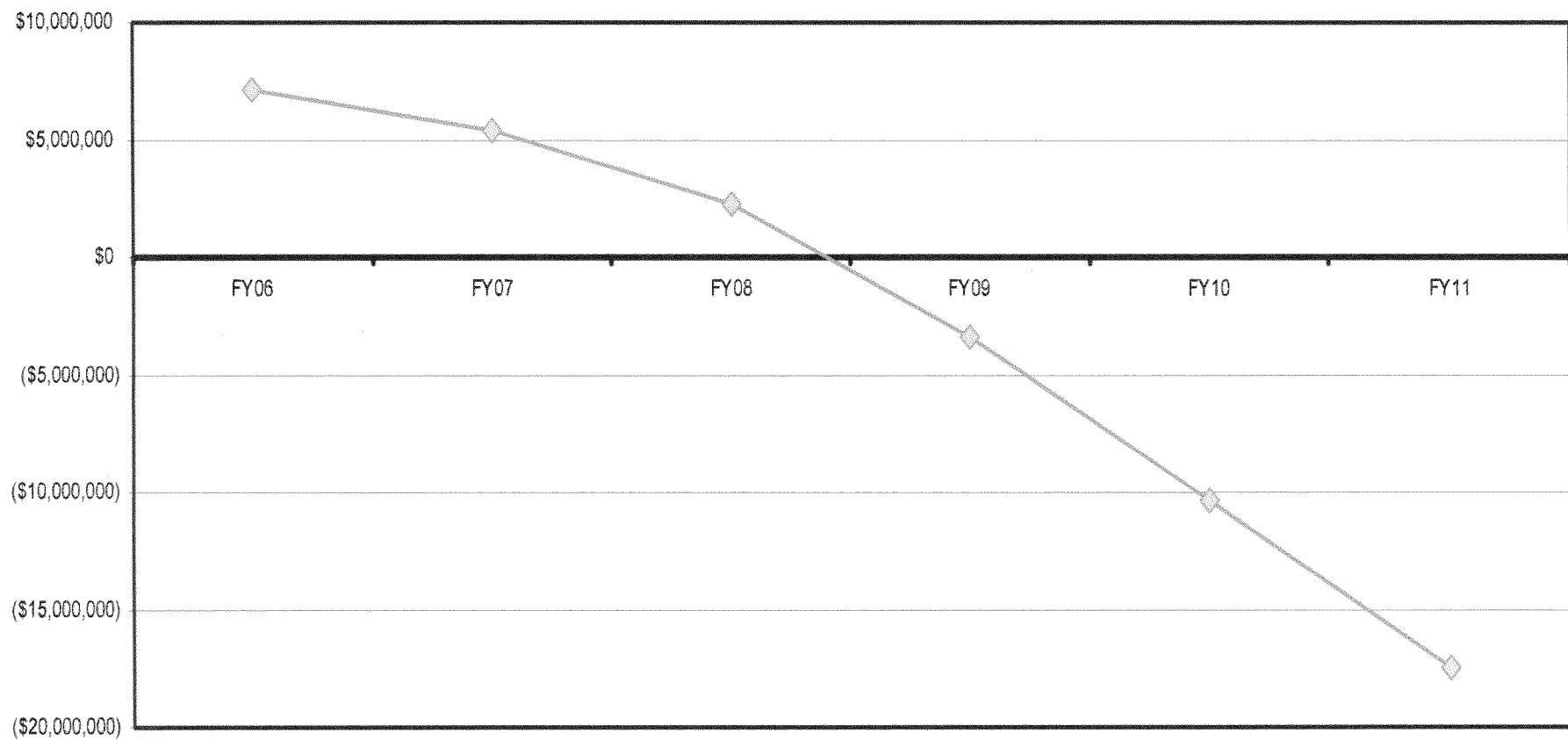
20 Year Revenue Gap

Summary of All Transportation

Program	Need	Funding	Unfunded
Road Services	\$515M	\$187M	\$328M
Willamette River Bridges	\$456M	\$131M	\$325M
Totals	\$971M	\$318M	\$653M

Transportation Fund Forecast

Assumes Current Level of Service



Challenges

- No increase in state gas tax since 1993
- No increase in county gas tax since the inception of the tax in the early 1970's
- Inflation
- Dramatic increase in construction material costs
- No longer a growth county

Strategies

- Strategic Planning in FY08
- Reduce Services
 - Reduce planned capital improvement projects and related staff
 - Reduce Maintenance, Operations and related staff
- Bring in New Revenue
 - State
 - Regional
 - County

Outlook

- At current funding levels, we cannot afford to maintain the existing transportation infrastructure
- Current funding will not allow for the implementation of the Transportation Capital Improvement Plan
- No County Funds available to leverage State or Federal funds

223rd Ave Railroad Undercrossing



223rd Project - Description

- Widen 223rd Ave to address safety and access issues
 - Substandard design
 - Near a school, regional park and transit
 - Industrial park
- Replace the Railroad Undercrossing
 - Owned by Railroad
 - Project not wanted by the Railroad

223rd Project - Finances

- Total Project Cost - \$6.6 million
- Sources of Funds
 - \$3.3 million in Federal funds now
 - \$3.2 million OTIB loan
 - \$1.0 million Federal funds coming (use to payback loan)
- Timing
 - We need to deposit our portion of the project cost with ODOT before we advertise this June

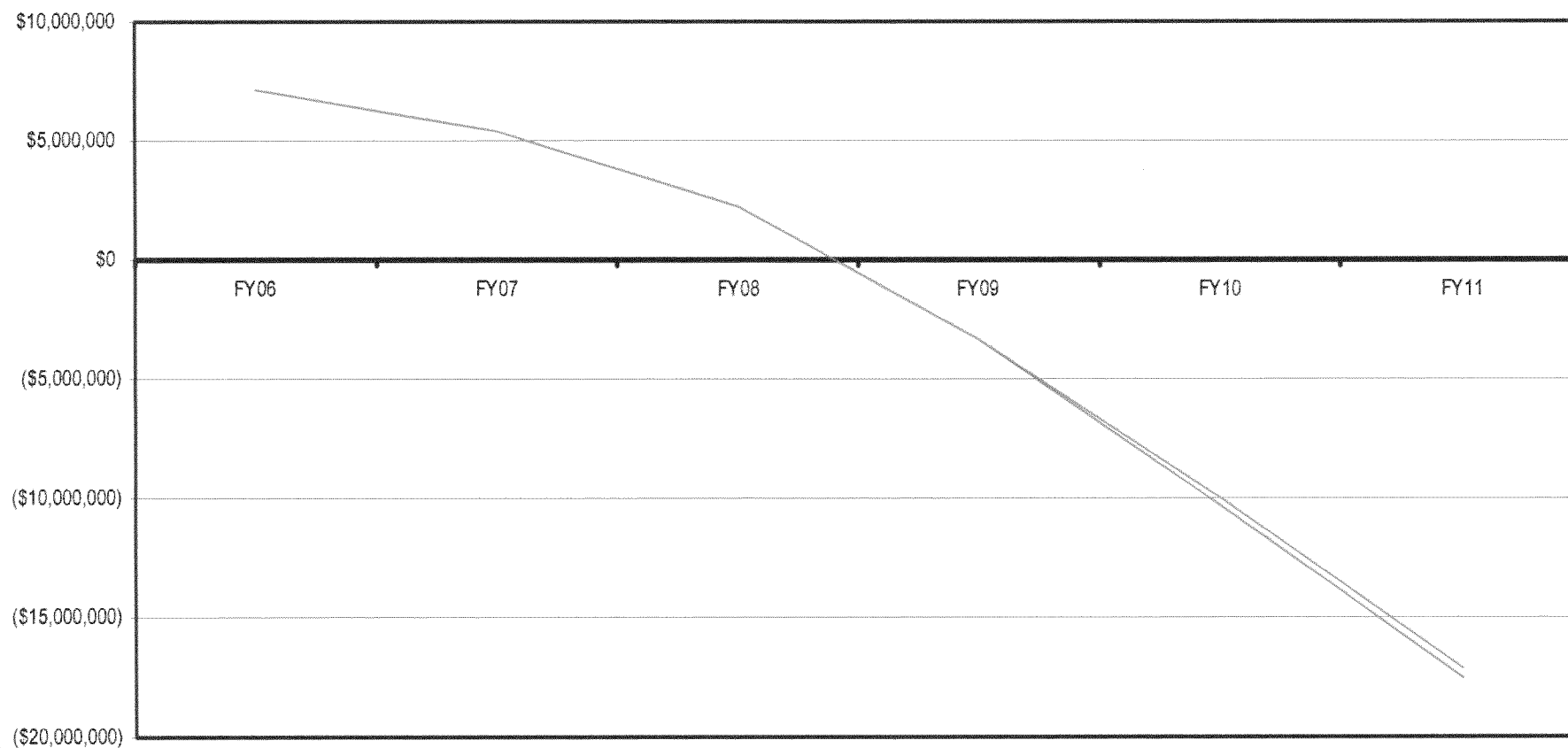
223rd Project - Risks

- Costs and Risk of not constructing the project
 - Safety concerns
 - Regional and local priority
 - Funds already invested
 - Credibility
- Risks associated with the Railroad
 - Short Term – during construction window
 - Long Term – after construction

223rd Project – Current Status

- Design is complete
- Actively working with ODOT, Railroad, County Attorney and consultants to resolve remaining issues
- Steel for bridge has been purchased
- Final details being resolved to advertise in June
- Site work begins this fall
- Will be complete by the end of FY08

Transportation Fund Balance With and Without 223rd Loan



Decision Point

- How can we pay back this loan?
 - Road Services will continue to receive about \$10 million per year in revenue
 - The program will be adjusted to match revenues
 - Loan repayments beginning in FY10 are about 3% of the annual budget
- Do we move forward with the resolution for the loan?

The Oregonian
FRIDAY, MARCH 23, 2007

BUSINESS

BUSINESS EDITOR: BEN SANTARRIS • 503-221-8542
BENSANTARRIS@NEWS.OREGONIAN.COM

2M

COMPANIES. MARKETS. CONSUMERS.

Business leaders: Keep traffic moving

Transportation | Oregon's lawmakers are urged to spend an extra \$350 million a year on highways

By JAMES MAYER
THE OREGONIAN

Business leaders on Thursday called for spending \$350 million more annually on Oregon highways to prevent the state's economy from becoming a "prisoner of congestion."

The Oregon Business Council and the Portland Business Alliance re-

leased a statewide cost of congestion study, an expansion of a 2005 congestion study in the Portland area that increased awareness of freight issues in the region.

The new study concluded that easing congestion by 2025 would benefit the state's economy by \$1.7 billion a year in travel time savings.

Steve Clark, president of the Pamplin Media Group and board member of the Portland Business Alliance, said business leaders hope the new study will push the Legislature to make a major investment in highways. Clark said the two business groups would pre-

sent a financing plan to lawmakers in about three weeks.

The state's 24-cents-a-gallon gas tax has not been increased since 1993. The last time legislators voted on a gas-tax increase was in 1987.

"The resources are needed now," said Duncan Wyse, president of the Oregon Business Council.

The political reality is that it won't happen this legislative session, said Sen. Rick Metsger, D-Welches, chairman of the Senate Transportation Committee.

Metsger is touting a plan to use the interim between sessions to build political support for a gas tax package to

pay for large projects that currently have no funding source, such as the Sunrise Corridor project or the Newberg-Dundee bypass.

For now, Metsger proposed establishing a \$20 license plate fee. Revenue from the fee would generate about \$200 million for congestion relief projects.

The new congestion study details how businesses throughout Oregon — not just in the Portland area — are hurt by congestion. Anderson Hay and Grain Inc. ships straw from Aurora by truck to Portland and Tacoma ports for export to Korea and Japan. If conges-

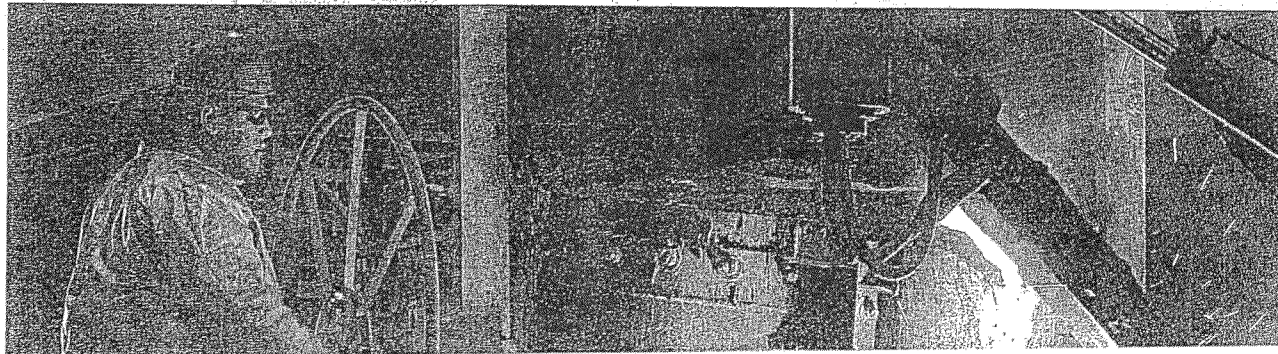
tion on Interstate 5 causes trucks to miss a 4 p.m. port deadline, the shipment is put one week behind schedule.

The 2005 cost of congestion study, sponsored by Metro and the Port of Portland, estimated that even after all of the construction projects currently on the books are built, cars and trucks will still experience about 50 million hours of delay a year by 2025. The statewide figure from the 2007 study is more than six times that amount, or about 336 million hours of delay a year.

James Mayer: 503-294-4109;
jimmayer@news.oregonian.com

Nike sales slouch in U.S. market

Third quarter | Despite



THE OPINION OF THE OREGONIAN EDITORIAL BOARD

Step on it, Oregon

An important study illuminates the crucial link between the state transportation system and our economy

When you're idling in traffic, you can look at your watch (or your dashboard) and figure out how much time you're wasting. And, as you sit there fuming, you're only too keenly aware that time is money.

But few of us then proceed to pull out our calculators. We have no idea how much time our state, as a whole, is wasting in traffic each year, or how much money our economy, as a whole, is losing as a result of this terrible waste of time.

Now we know. In a groundbreaking study in 2005, the Metro regional government and a coalition of business groups documented

One out of five jobs in Oregon (400,000 in all) is directly related to transportation or heavily reliant on it.

what they called the "Cost of Congestion" for the Portland area. A fascinating follow-up, released last week, shows how congestion will keep multiplying across our state, with resulting economic penalties stretching far into the future, unless the state gets

serious about carefully targeted transportation investments.

Although we can't eliminate congestion, shrewd transportation improvements, by 2025, could save \$1.7 billion a year in travel time costs. This study is particularly timely, since Oregon legislators have been quietly discussing a possible gas tax increase to pay for road improvements.

Any tax increase is a touchy subject, but this one is long overdue. It's time now for lawmakers to produce a plan to make a much-needed investment in the state's transportation system.

It's true, of course, that every state's economic strength correlates, to some extent, with the strength of its transportation sys-

tem. Snarls in the latter invariably create some problems in the former. Yet Oregon's transportation weaknesses pose an unusually serious economic threat.

As the study notes, one of Oregon's primary economic assets is its geographic position as a "sea" and air gateway, as well as a rail and highway hub." As a result, a huge variety of freight-related industries has developed here. These depend on truck travel — and reliable truck travel, in turn, depends on a good transportation system.

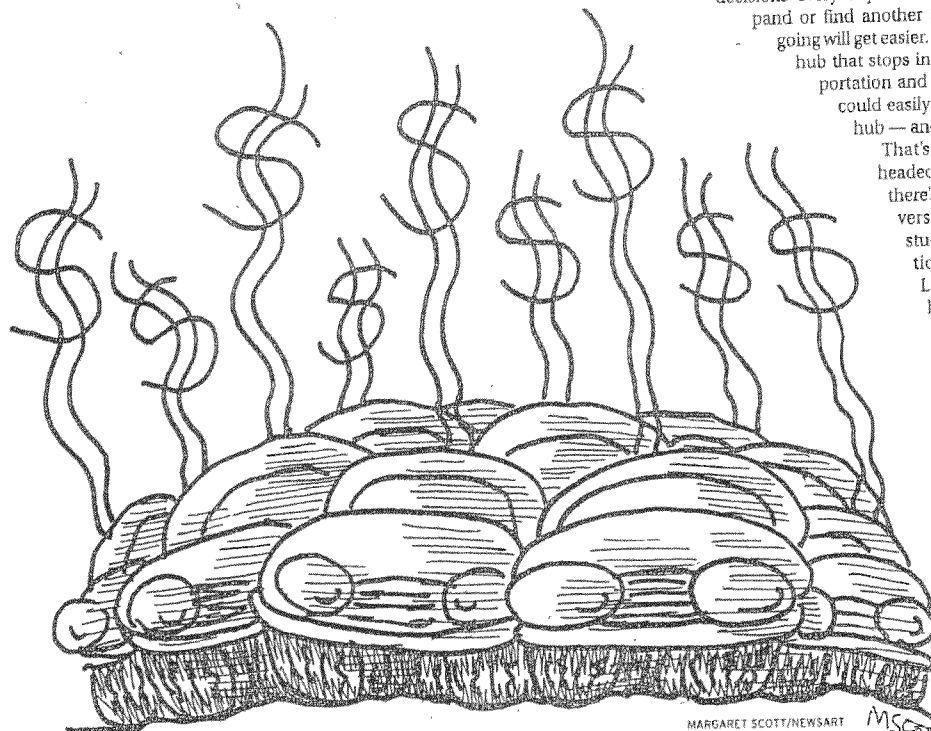
Far from cutting down on truck traffic, the Internet has actually increased it. Plus, our shipping, rail and air freight industries require trucks for their deliveries, too. Over the next few decades, it's estimated that the value of freight moved in the state will more than double, from \$530 billion to \$1.3 trillion, with trucks hauling an increasingly large percentage of it.

The question is whether our transportation system can keep pace with this demand. And, in truth, Oregon hasn't really tried to

keep pace. What these two congestion studies offer is a logical starting point. The need for transportation improvements is overwhelming, but Oregon must start evaluating such improvements more strategically. Instead of asking which ones are needed, the state should be asking which ones will yield the greatest economic benefits. That should be decisive.

One out of five jobs in Oregon (400,000 in all) is directly related to transportation or heavily reliant on it. Companies here make decisions every day about whether to expand or find another state, where the going will get easier. A transportation hub that stops investing in transportation and slows to a crawl could easily turn into an ex-hub — and a has-been.

That's where we're headed right now, but there's still time to reverse course. This study is a call to action. The Oregon Legislature should heed the call.



MARGARET SCOTT/NEWSART

MSC

For highways, time to act now

Mounting urban congestion and rural road problems throughout Oregon are conspiring to substantially harm the state's economic future and its prized quality of life. A report released last week says that without significant and strategic investments in Oregon's transportation system, by 2025 statewide travel delays will exceed 300 million hours annually, costing \$1.7 billion per year and 16,000 jobs.

The report was prepared by the Boston-based Economic Development Research Group as part of the 2007 Oregon Business Plan. It follows on the heels of a Portland-area

cost-of-congestion study released 16 months ago.

The report also describes the critical connection between the Oregon economy and effective transportation — more than one in five jobs in the state are either transportation-dependent or transportation-reliant. It describes how Oregon's transportation system is an economic connection to the rest of the nation and the world.

And it forecasts that the value of freight moved in Oregon will increase from \$530 billion in 2000 to \$1.3 trillion in 2030 — more than 85 percent of which will be carried in trucks.

Economy needs attention

The report arrives at a critical time and should serve to both inform and provide an immediate call to action for Oregon Gov. Ted Kulongoski and the state Legislature. Since opening the session, state leaders have considered many issues, including education funding, health care for young Oregonians and a rainy-day fund to protect the state budget.

But we think insufficient focus has been placed on immediately investing in Oregon's economic future. And this in a state that relies on the economy to generate income taxes to pay for most state programs and public education.

Business leaders across Oregon (led by a group co-chaired by Steve Clark, president of the Portland Tribune) are calling on state leaders to expand their attention. Lawmakers must not leave Salem without first addressing the state's economic quality of life by approving a comprehensive increase in highway funding.

The last time the Oregon Legislature successfully increased the state's gasoline tax was in 1987. At that time, it allowed for phased increases that ended in 1993.

Don't put off discussion

Raising taxes is difficult for any politician. But we think the task is made easier if the debate focuses on funding economic outcomes and achieving public benefits. To that end, a handful of legislators quietly have been discussing a transportation system investment strategy.

Last week, state Sen. Rick Metsger outlined a package that would use revenues from a new state license plate to provide additional funds for projects of statewide significance.

Metsger, a Democrat who represents parts of Clackamas, Hood River and eastern Multnomah counties, also favors taking some state highway savings and giving them to needy rural counties. And he supports an in-depth interim examination of transportation in preparation for the 2009 legislative session.

Metsger's ideas are a beginning, but they are insufficient.

Metsger's plan does not fully recognize that Oregon's entire transportation system, including city and county roads, is behind and falling apart.

The decaying transportation system needs help now, not in 2009. The governor and legislators this session should heed the transportation study released last week by agreeing to increase transportation funding. Only then should the Legislature create an interim joint legislative, business and citizens committee to consider the future.

Portland Tribune editorial board

The Tribune publishes editorials on local and regional issues every Tuesday and Friday.

■ Steve Clark — president, Portland Tribune and Community Newspapers Inc.

503-546-0714; steveclark@portlandtribune.com

■ Dwight Jaynes — executive editor, Portland Tribune

503-546-5151; dwightjaynes@portlandtribune.com

■ Mark Garber — vice president, Community Newspapers Inc.

503-492-5130; mgarber@commnewspapers.com