

BOARD OF EDUCATION
SCHOOL DISTRICT NO. 1J, MULTNOMAH COUNTY, OREGON

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April 9, 2019

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Purchases, Bids, Contracts

Resolution Number 5865

RESOLUTION No. 5865

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

RECITAL

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
2KG Contractors	TBD	Construction *CXXXXX	Hayhurst SRGP Seismic Upgrades ITB-C 2019-2557	\$3,184,000	C. Hertz Fund 455 Project DS006
2KG Contractors	TBD	Construction *CXXXXX	Rigler Health and Safety Upgrades, including new roof with fall protection, new elevator, and other ADA upgrades. ITB-C 2019-2559	\$7,217,000	C. Hertz Fund 455 Project DS006
Point Monitor	TBD	Construction *CXXXXX	East Side Fire Alarm Upgrades. Full system fire alarm upgrades at Da Vinci, Lee, and Green Thumb sites. ITB-C 2019-2554	\$645,200	C. Hertz Fund 455 Project DS003
Point Monitor	TBD	Construction *CXXXXX	West Side Fire Alarm Upgrades. Full system fire alarm upgrades at West Sylvan, Ainsworth Annex, and Maplewood. ITB-C 2019-2553	\$595,310	C. Hertz Fund 455 Project DS003

* Contracts are in negotiation and not finalized at this time. Staff seeks advanced authorization for these contracts pursuant to the Purchasing & Contracting Delegation of Authority Administrative Directive, 8.50.105-AD, Section X(4): “The District may seek an ‘advanced authorization’ from the PPS Board of Education for any contract upon the approval of the Director of Purchasing & Contracting. The cost of the contract shall be a ‘Not to Exceed’ amount. Once the Board has approved it, no further authorization for the contract is required, providing the contract value remains at or below the ‘Not to Exceed’ amount.”

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Oregon City School District	7/1/18 through 6/30/19	Intergovernmental Agreement IGA 67714	Columbia Regional Program and Oregon City School District will partner to deliver regional services to eligible individuals with Autism Spectrum Disorder.	\$159,444	Y. Curtis Fund 205 Dept. 5433 Grant G1700

AMENDMENTS TO EXISTING CONTRACTS

No new amendments

Other Matters Requiring Board Approval

Resolution Numbers 5866 and 5867

RESOLUTION No. 5866

Agreement for Restatement of 403(b) Plan Document

RECITALS

- A. The Treasury Department of the United States published Final 403(b) Regulations in the Federal Registry on July 23, 2007, which required a written 403(b) Plan Document which Multnomah County School District 1J- Portland Public Schools (the "Employer"), adopted on November 25, 2008.
- B. The IRS created a 403(b) Pre-Approved 403(b) Plan program designed to provide employers assurance their plan documents meet IRC Section 403(b) requirements and provided updated sample language for the drafting of the plan documents. To participate in the pre-approved plan program, employers must restate their plan documents to a pre-approved plan no later than 3/31/2020.
- C. The Pre-Approved 403(b) Plan Document remedies issues in the initial Model Plan Language and conforms the 403(b) Plan with applicable law and regulations, including:
 - Allowing loan amounts that do not exceed the lesser of: (1) \$10,000 or (2) 100% of the account balance.
 - Clarifying rules for distribution of Employer Contributions.
 - Active Reservist distribution rules.
 - PPA, WRERA, and the Heart Act.
 - 403(b) pre-approved plan program requirements (i.e., new 415(c) participant annual notification requirements).
- D. The Pre-Approved 403(b) Plan Document maintains the optional features currently offered under the Employer's 403(b) Plan, and therefore does not impact the operation of the Plan.

RESOLUTION

- 1. Multnomah County School District 1J- Portland Public Schools, acting under the authority of its Board of Directors, hereby adopts the **Pre-Approved 403(b) Plan Document** found on the Employer's dedicated section of the Carruth Compliance Consulting website at www.ncompliance.com, which describes the policies, administrative responsibilities, and applicable limitations that apply to the Employer's 403(b) Plan.
- 2. The Plan Administrator may amend any or all portions of said Pre-Approved Plan Document from time to time as required by changes in applicable law, IRS guidance, and/or Employer policy. Substantive changes in Plan policies and optional features should be reported to the Board, but Board approval is not required.

I, _____, do hereby certify that the above and foregoing was unanimously adopted by the Board at its meeting held on the _____ day of _____, _____.

Signature Title

WITNESSED by: _____
Signature Name

RESOLUTION No. 5867

Minutes

The following minutes are offered for adoption:

April 2, 2019