

BOARD OF EDUCATION

Portland Public Schools
SPECIAL MEETING
April 14, 2015

Board Auditorium

Blanchard Education Service Center
501 N. Dixon Street
Portland, Oregon 97227

***Note:** Those wishing to speak before the School Board should sign the public comment sheet prior to the start of the meeting. No additional speakers will be accepted after the sign-in sheet is removed, but testifiers are welcome to sign up for the next meeting. While the School Board wants to hear from the public, comments must be limited to three minutes. All those testifying must abide by the Board's Rules of Conduct for Board meetings.*

Public comment related to an action item on the agenda will be heard immediately following staff presentation on that issue. Public comment on all other matters will be heard during the "Public Comment" time.

This meeting may be taped and televised by the media.

AGENDA

1. **PUBLIC COMMENT** 7:30 pm
2. **PRESENTATION: ALL HANDS RAISED** 7:50 pm
3. **BUSINESS AGENDA** 8:15 pm
4. **SUPERINTENDENT'S BUDGET MESSAGE** 8:30 pm
5. **ADJOURN** 9:30 pm

Portland Public Schools Nondiscrimination Statement

Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society. The District is committed to equal opportunity and nondiscrimination based on race; national or ethnic origin; color; sex; religion; age; sexual orientation; gender expression or identity; pregnancy; marital status; familial status; economic status or source of income; mental or physical disability or perceived disability; or military service.

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

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Personnel

The Superintendent RECOMMENDS adoption of the following items:

Numbers 5057 and 5058

RESOLUTION No. 5057

Notice of Dismissal

RESOLUTION

On the advice of the Chief Human Resources Officer, the Superintendent recommends that the contract educator listed below be dismissed from employment immediately.

The Board of Education accepts the Superintendent's recommendation and by this resolution dismisses the educator listed below, under the provisions of ORS 342.865(1)(a),(d) and (e). The Human Resources Department is instructed to notify this individual of the Board's decision to dismiss, with an effective date of April 15, 2015.

Employee ID
004000

S. Murray

RESOLUTION No. 5058

Notice of Dismissal

RESOLUTION

On the advice of the Chief Human Resources Officer, the Superintendent recommends that the contract educator listed below be dismissed from employment immediately.

The Board of Education accepts the Superintendent's recommendation and by this resolution dismisses the educator listed below, under the provisions of ORS 342.865(1)(a),(d),(e) and (g). The Human Resources Department is instructed to notify of the Board's decision to dismiss, with an effective date of April 15, 2015.

Employee ID
015034

S. Murray

Purchases, Bids, Contracts

The Superintendent RECOMMENDS adoption of the following items:

Numbers 5059 and 5060

RESOLUTION No. 5059

Revenue Contracts that Exceed \$25,000 Limit 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”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$25,000 per contractor 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 agreements in a form approved by General Counsel for the District.

NEW REVENUE CONTRACTS

No New Revenue Contracts

NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
State of Oregon Infrastructure Finance Authority	3/4/2015 through 3/4/2017	Intergovernmental Agreement – Revenue IGA/R 61680	Funding for Franklin High School Seismic Rehabilitation Program (SRGP Grant).	\$1,337,218	C. Sylvester Fund 438 Dept. 5597 Project J0197

AMENDMENTS TO EXISTING REVENUE CONTRACTS

No Amendments to Existing Revenue Contracts

Y. Awwad

RESOLUTION No. 5060

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 agreements in a form approved by General Counsel for the District.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Mythics	4/15/2015	Purchase Order PO 124535	PeopleSoft Enterprise Benefits Administration & Recruiting Solutions software, licenses and support.	\$249,106	J. Klein Fund 407 Dept. 5581 Project A1010
Office Depot, Inc., dba Office Max	1/5/2015 through 1/4/2017	Cooperative Agreement COA 61585	Provide office supplies on an as-needed basis via PPS Private Marketplace for District-wide use.	In excess of \$250,000	Y. Awwad Various Chartfields
Metro Office Solutions	1/5/2015 through 1/4/2017	Cooperative Agreement COA 61677	Provide office supplies on an as-needed basis via PPS Private Marketplace for District-wide use.	In excess of \$250,000	Y. Awwad Various Chartfields
Staples Contract & Commercial, Inc., operating as Staples Advantage	1/5/2015 through 1/4/2017	Cooperative Agreement COA 61685	Provide office supplies on an as-needed basis via PPS Private Marketplace for District-wide use.	In excess of \$250,000	Y. Awwad Various Chartfields
All Lines Leasing	7/1/2015 through 6/30/2020	Personal Services PS 61691	Equipment Lease through Fresno SD/US Communities cooperative contract.	\$1,625,178	T. Magliano Fund 101 Dept. 5593
Payne Construction, Inc.	4/19/2015 through 12/31/2016	Construction C XXXXX	Ainsworth : Reroof, seismic upgrades, ADA, elevator. Woodlawn: ADA, elevator. ITB-C 2014-1867	\$3,271,169	C. Sylvester Fund 451 Depts. 1132, 1294 Projects DC207, DC307, DC407
Baldwin General Contracting, Inc.	4/19/2015 through 12/31/2015	Construction C XXXXX	Hayhurst: Reroof, seismic upgrades, science classroom remodels. Stephenson: Reroof, seismic. ITB-C 2014-1868	\$1,920,80	C. Sylvester Fund 451 Depts.1160, 1190 Projects DC207, DC307, DB107

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No New IGAs

AMENDMENTS TO EXISTING CONTRACTS

No New Amendments

Y. Awwad

Other Matters Requiring Board Approval

The Superintendent RECOMMENDS adoption of the following item:

Number 5061

RESOLUTION No. 5061

Minutes

The following minutes are offered for adoption:

March 30, 2015



Board of Education Informational Report

MEMORANDUM

Date: April 8, 2015
To: Members of the Board of Education
Cc: Carole Smith, Yousef Awwad, and David Wynde
From: Emily Courtnage, Program Director, Purchasing & Contracting
Subject: Equity in Public Purchasing and Contracting Update

This Memorandum provides an overview and update on the Portland Public Schools Equity in Public Purchasing and Contracting Policy and related Administrative Directives, initiatives, and outcomes.

The Board adopted the Equity in Public Purchasing and Contracting Policy 8.50.095-P (“EPPC Policy”) on July 16, 2012. In the EPPC Policy, the Board set out the following goals: (1) The District will provide purchasing and contracting opportunities to small business that have been historically under-utilized, including businesses owned by people of color and women; (2) The District will ensure apprenticeship opportunities in the construction trades and will promote construction employment opportunities for people of color and women; and (3) The District will continue to provide career learning opportunities for students, providing them exposure to various potential career paths. The Policy provides that the District will achieve these objectives through three major initiatives: Business Equity, Contractor Workforce Equity, and Career Learning Equity. Further, the Board directed the Superintendent “to develop an action plan for implementation of this policy, with clear accountability and metrics, including resourcing, which will result in measurable results on a regular basis toward achieving these objectives.”

In furtherance of the EPPC Policy, the District (including the Purchasing & Contracting, Office of School Modernization, Facilities and Asset Management, and Career Pathways departments) researched the work of other public agencies, sought input from community stakeholders, and worked collaboratively to develop the following Administrative Directives and related initiatives.

I. Business Equity

1. Business Equity Administrative Directive

The Business Equity Administrative Directive 8.50.096-AD (“Business Equity AD”) was approved on September 23, 2013. Key provisions of the Business Equity AD include:

- An aspirational goal of 18% for the participation of Minority-Owned Businesses, Women-Owned Businesses, and/or Emerging Small Businesses (MWESBs) in Division 48 and Division 49 services. Division 48 services include architecture, engineering, land

surveying, photogrammetric mapping, transportation planning, and related services. Division 49 services are public improvement (construction) services. An MWESB business is one certified as such by the Oregon Office of Minority, Women, and Emerging Small Business.

- The District will actively participate in regular meetings of local minority-owned, women-owned, and small business advocacy organizations, trade shows, trade fairs, and similar events.
- The District will notify MWESB vendors of District informal and formal solicitations and contracting opportunities.
- The District will include cultural responsiveness, diversity policies, and/or company MWESB utilization history as part of the evaluation criteria in Requests for Proposals (RFPs) when subcontractors may be utilized.
- For purchases below formal solicitation thresholds, the District will actively seek participation of MWESB vendors. Departments will seek one or more of the required quotes for intermediate and informal purchases of Division 48 and 49 services from certified MWESB firms.

2. Business Equity Initiatives and Practices

In an effort to increase the percentage of District contracting dollars going to MWESB firms, the District has taken the following steps:

a. Good Faith Effort Requirement in Formal Construction Solicitations

In the spring of 2013, the District began requiring all Bidders on construction projects solicited by Invitation to Bid (ITB) to seek bids from MWESB subcontractors for all work that will not be self-performed. The Good Faith Effort program requires the Bidder to solicit bids from a minimum of three certified MWESB subcontractors for each division of work identified in the solicitation. Bidders must submit proof of such outreach on the bid due date on the Good Faith Effort Contact Log or else bids will be deemed nonresponsive.

b. Evaluation Criteria in Formal Requests for Proposals

In mid-2013, the District began incorporating in its RFP evaluation criteria for projects in which subcontractors likely will be utilized the Proposer's MWESB outreach efforts, diversity plan, and history of MWESB utilization. Such evaluation criteria have been included in all Division 48 and 49 RFPs, including the Construction Manager/ General Contractor (CM/GC) solicitations for the Roosevelt and Franklin High School modernization projects. RFP evaluators award points for a Proposer's demonstration of a history of successful partnering with MWESB firms and a comprehensive plan for MWESB outreach and utilization.

c. MWESB Inclusion in Intermediate and Informal Procurements

The District's Facilities and Asset Management and Office of School Modernization departments typically seek between one and three of three required quotes for intermediate (i.e., below formal procurement threshold) Division 49 services and at least one of five required informal proposals for Division 48 services from certified MWESB firms, as per the Administrative Directive, unless no eligible MWESB firms exist for a particular scope of work.

The Oregon MWESB certification program and database of certified firms is currently oriented toward construction, architecture, engineering, landscaping, and related services providers and

not toward the types of Division 46 (personal services) and 47 (goods and services) contractors that the District commonly utilizes (e.g., services provided by nonprofit organizations, providers of mentoring or educational services, software and implementation services, and nutritional products). For this reason, District departments are not required to seek at least one quote from certified MWESB firms, but departments are strongly encouraged to reach out to minority-owned, women-owned, and/or emerging small businesses in their solicitations for Division 46 and 47 services.

d. Outreach to MWESB Businesses and Community Engagement

Since 2012, the Purchasing & Contracting department has had a full time staff member (“Manager, Equity in Public Purchasing and Contracting Policy”) devoted to outreach to MWESB firms, participation in MWESB advocacy organizations, advertising PPS contracting opportunities at MWESB organization meetings and in MWESB newspapers, seeking community stakeholder input and engagement, and furthering the EPPC Policy objectives.

The EPPC Manager’s outreach and engagement activities include but are not limited to:

- Engaging in one-on-one meetings as requested by firms interested in discussing District contracting opportunities and processes;
- Serving on the Business Diversity Institute (BDI) Executive Board (a non-profit organization providing training and education to MWESB firms and public agency diversity practitioners);
- Attending meetings and engaging with the Oregon Association of Minority Entrepreneurs (OAME) (a non-profit organization promoting and developing entrepreneurship and economic development for ethnic minorities);
- Engaging with other MWESB advocacy organizations to build awareness of District contracting opportunities;
- Partnering with other public agencies that have programs aimed at increasing utilization of MWESB firms;
- Facilitating District participation in local trade shows, trade fairs, and similar events designed to bring together public agencies and MWESB vendors;
- Increasing District contracting-related website presence with easily accessible information and relevant resources for MWESB firms;
- Outreach to MWESB firms through the Oregon Office of Minority, Women, and Emerging Small Business Certification Database;
- Outreach to current and previous PPS vendors to promote Oregon MWESB Certification registration by eligible firms; and
- Forming the Equity in Contracting Advisory Committee to engage stakeholders and seek feedback on PPS policies and practices (see below).

3. Business Equity Outcomes

Prior to the implementation of MWESB utilization tracking software (see below), the District has been unable to reliably or cost-effectively track the percentage of contract dollars paid to certified MWESB firms, at the prime or subcontractor level, across all District contracts and/or departments. However, the Office of School Modernization has manually tracked such utilization for Bond-funded Division 48 and 49 contracts, relying on data submitted by contractors on monthly invoices. OSM’s data indicates that, since inception of the 2012 Capital

Bond program, 18.9% of spending on Division 48 services (architecture, engineering, and related services) has been paid to MWESB firms, for a total of over \$2.55 million. Thus, with respect to Bond-related Division 48 expenditures, the District is exceeding its aspirational goal. OSM's data further indicates that 5.6% of Bond-funded spending on Division 49 services (construction) has been paid to MWESB firms, for a total of over \$1.51 million. Based on the CM/GCs' utilization history, projections, and outreach efforts, OSM fully expects Division 49 MWESB spending (both dollars expended and percentage of total) to increase once the Franklin and Roosevelt High School construction phases are fully underway.

4. Next Steps

a. Implementation of MWESB Utilization Tracking System

In mid-2014, the District issued a Request for Information followed by a Request for Proposals for an MWESB utilization tracking system that will integrate with our enterprise resource planning software, PeopleSoft, and the Oregon MWESB certification database to automate the tracking of District contract dollars spent on MWESB firms. As a result of the RFP process, the District signed a five year contract with B2GNow for MWESB utilization tracking software. Implementation and integration with PeopleSoft is underway. The software will enable accurate and timely reporting of the percentage of District contract dollars spent on certified MWESB firms, whether at the prime or subcontractor level, for all Division 48 and 49 contracts initiated after implementation.

b. Advisory Committee

Purchasing & Contracting's newly created Equity in Contracting Advisory Committee will serve to engage stakeholders, gather input and feedback, and provide the District with perspectives on its purchasing and contracting policies and processes from a diverse group of business owners. Committee members consist of minority business owners from Asian Pacific American Chamber of Commerce, Oregon Native American Chamber, Metropolitan Contractor Improvement Partnership, as well as businesspersons of diverse ethnicities, women, and emerging small businesses. The Advisory Committee met for the first time on March 18, 2015 and will meet quarterly going forward.

II. Workforce Equity

1. Workforce Equity Administrative Directive

The Contractor Workforce Equity Administrative Directive 8.50.097-AD ("Workforce Equity AD") was approved on September 23, 2013. The Workforce Equity AD applies to District public improvement (construction) contracts over \$200,000. For those contracts, the prime contractor and any subcontractor with a subcontract greater than \$100,000 "shall ensure that a minimum of 20% of labor hours in each apprenticeable trade" is performed by state-registered apprentices, with the goal of creating a workforce "that reflects the diversity of the Portland metropolitan area."

2. Workforce Equity Program Administration

In January 2014, the District contracted with the City of Portland, which already had an established Workforce Training and Hiring Program with dedicated staff, for assistance with Workforce Equity program administration and compliance. The District anticipates continuing to contract with the City for program administration assistance in the next fiscal year.

Pursuant to the District's contract with the City and to the program specifications adapted for District use and included in all applicable construction contracts greater than \$200,000, prime contractors and eligible subcontractors must:

- Ensure that a minimum of 20% of labor hours in each apprenticeable trade is worked by state registered apprentices, if working in excess of 300 hours in any given trade, and without exceeding mandated apprentice ratios;
- Strive to meet the diversity goals of employing women and minorities (both journey and apprentice level workers) and make efforts to employ a workforce that reflects the City's diversity; and
- Submit monthly employment reports to the City's Contract Compliance Specialist documenting the contractor's efforts to obtain apprentices as well as actual apprentice hours and workforce diversity.

The Purchasing & Contracting, Facilities and Asset Management, and Office of School Modernization departments work closely with the City's Contract Compliance Specialist to ensure clear communication of program requirements and expectations to contractors and to review contractor compliance status and remedial action.

3. Workforce Equity Outcomes

Since program inception in 2014, nearly 28% of all labor hours in apprenticeable trades on eligible District construction contracts and subcontracts have been worked by state certified apprentices. Minorities account for approximately 26% of the total hours worked by both journey level workers and apprentices on those construction projects, while women account for 2% of those hours. Staff anticipates that the program will continue to be successful and meet or exceed the 20% apprenticeship goal for large construction projects.

III. Career Learning

1. Career Learning Administrative Directive

The Career Learning Administrative Directive 8.50.098-AD ("Career Learning AD") was approved on October 23, 2013. The Career Learning AD applies to District contracts valued at \$100,000 or greater and requires District contractors to register on the District's approved Career Learning database tool and offer two or more specified career learning opportunities for District students. Career Learning opportunities include guest speakers, worksite visits, job shadows, informational interviews, career fairs, mock interviews, externships, and project-based learning activities.

2. Career Learning Implementation

The District has included Career Learning requirements and program specifications in all Division 48 and 49 contracts of \$100,000 or greater since late 2013. Those specifications currently require contractors to:

- Register on the District's approved Career Learning database tool and offer at least two Career Learning opportunities (or at least four, for contracts over \$1,000,000);
- Prior to contract execution, submit proof of such registration and report Career Learning opportunities offered;
- Coordinate with the District's Career Pathways department and high school Career Coordinators to plan, schedule, and conduct events;

- Participate in the Northwest Youth Careers Expo as an exhibitor every year during the active term of the contract; and
- Provide written reports on completed activities.

3. Career Learning Outcomes

Since program inception, District contractors have contributed over 650 hours of career learning programming to over 8,000 students. Our contractors have hosted summer interns and job shadows and have participated in the Architects in School Program, Franklin Construction Day, Northwest Youth Careers Expo, Cleveland Career Fair, the American Institute of Architects Design Slam, and Grant's Freshman Community Career Day, among other programs. Staff from Purchasing & Contracting, Career Pathways, Facilities and Asset Management, and the Office of School Modernization will continue to collaborate on contract specifications and program process details so that the program will continue to flourish.