

October 17, 2014

14-043

GRANT EXCEPTION TO PERSONAL SERVICE
CONTRACT RULES TO PERMIT DIRECT
NEGOTIATION OF CONTRACT FOR COLLEGE-
WIDE SECURITY CONSULTING WITH SPARLING,
INC.

PREPARED BY: Kathy Kiaunis, Bond Finance Manager

FINANCIAL
RESPONSIBILITY: Linda Degman, Director, Bond Program

APPROVED BY: Wing-Kit Chung, Vice President, Administrative
Services
Randy McEwen, Vice-President
Dr. Jeremy Brown, President

REPORT: Funding is included in the 2008 Bond Program to upgrade access control and security cameras in critical areas in existing buildings throughout the district. In 2010, Sparling, Inc. was selected through a competitive RFP process to develop college-wide standards for Construction Specifications Institute (CSI) Division 27 specifications including telecom rooms, backbone cabling and infrastructure, wireless, CATV and audio/video. The design teams at each campus for the Bond construction projects have used these specifications. The contract value was \$20,000, which is less than the amount required for Board authorization, therefore it was not brought to the Board for approval.

Division 27 and 28 are linked in that the infrastructure, telecom rooms and associated equipment need to accommodate the Division 28 work. The originally intent was to hire Sparling, Inc. to complete the standards for both divisions of work, however, it quickly became apparent that the Division 28 standards was going to be much more involved, include many more stakeholders, and take more time. It was decided at that time to move forward with Division 27 and defer the work for Division 28 until more information was gathered internally.

Subsequently, the College hired Sparling, Inc. to provide specifications for CSI Division 28 including security camera, access control and intrusion detection infrastructure, and to design a pilot implementation project at the Cascade Campus.

Sparling, Inc. is also serving as a sub-consultant on the campus design teams in order to facilitate the implementation the college's security requirements for new construction projects and major building renovations throughout the college.

At this time, it is desired to identify the critical projects in existing buildings at the remaining campuses and centers, develop budgets, prepare documentation and complete the projects in coordination with the CM/GC's working at the Campuses. Locations for this work include Sylvania, Rock Creek, Southeast, and Portland Metro Workforce Training Center. It also includes the areas at Cascade Campus not previously addressed. Staff recommends selecting Sparling for this work, by granting an exemption to the competitive process.

A contract for consulting services is a "personal services contract" within the meaning of College Contract Rule ("CCR").250(1). CCR.250 requires a formal or informal competitive solicitation process for personal services contracts over \$5,000. The amount of the contract, including reimbursables, for services to develop plans to upgrade existing electronic security systems throughout the district is \$70,000. The second phase of the work includes development of construction documents, bidding/permitting and construction administration, at a cost of \$110,000.

ORS 279B.085(1)(b) allows the Board of Directors, acting as the Local Contract Review Board to enter into a contract specific special procurement on a one-time basis for a special project. Under Section (2) College submits for approval these circumstances that justify the use of a special procurement under the standards set forth in subsection (4) demonstrating that the use of this special procurement as described in the request is unlikely to encourage favoritism and substantially promotes the public interest in a manner that could not

practicably be realized by complying with standard procurement requirements. If approved College will under Section (5) provide Public notice of the approval of this special procurement.

Sparling, Inc. has unique knowledge and understanding of the College's security needs and requirements, and technical expertise related to electronic systems. The desire to assess the security needs college-wide, develop budgets, and complete the projects concurrently with other construction on the campuses creates a short timeline to begin this work. It is in the best interest of the College to avoid delay and proceed with this consulting and technical assistance. Staff therefore requests an exception to the competitive bidding requirement.

RECOMMENDATION: That the Portland Community College Board, acting as the Local Contract Review Board, grant an exception to the College Contracting Rules to waive the requirements for competitive solicitation and authorize the President to negotiate and enter into a personal services contract for security consulting with Sparling, Inc. in the amount of \$180,000. Funding will be from the 2008 Bond Fund.