



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

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## Personnel



Purchases, Bids, Contracts

The Superintendent RECOMMENDS adoption of the following items:

**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 ("Au



**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

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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-

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

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.