**Portland Public Schools**

**OFFICE OF PURCHASING & CONTRACTING**

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3421 / Fax: (503) 916-3109

Mailing Address: P. O. Box 3107 / 97208-3107



**Date:**

**To:** Superintendent Kimberlee Armstrong

**From:**

**Via:** Emily Courtnage, Director of Purchasing & Contracting

**Cc:** Deborah Kafoury, Chief of Staff

 Myong Leigh, Interim Chief Financial Officer

 Dan Jung, Chief Operating Officer

Joe Crelier, Director of Risk Management

Tom Odgers, Director of Facilities Maintenance

Frank Leavitt, Director of Facilities Operations and Warehouse

**Subject**: Emergency Declaration

This is to notify you that pursuant to PPS Contracting Rule PPS-46-0110 (28), Name of department is declaring an emergency because describe emergency situation. Add further explanation of the need for emergency declaration. How does this situation meet the unforeseen and risk of loss requirements below?

Our declaration is due to emergency circumstances that require prompt execution of a public contract.

The situation qualifies as an Emergency because the situation:

1. Could not have been reasonably foreseen;
2. Creates a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
3. Requires prompt execution of a contract to remedy the condition.

Department name anticipates the costs not to exceed estimated maximum cost.

[If the resulting Emergency Contract is a construction contract subject to PPS-49-0150:]

[ ]  Pursuant to PPS-49-0150, the District hereby waives the requirement of furnishing a performance bond and payment bond for the Emergency Contract.

We have confirmed that this Emergency Declaration is in compliance with statute: ORS 279C.320(1), ORS 279B.080, and our Public Contracting Rules: PPS-46-0110 (28), PPS-47-0280, and/or PPS-49-0150.

**AD 8.50.105**

**XIII. Emergency Public Contracting**

(1) “Emergency” means circumstances that:

a) Could not have been reasonably foreseen;

b) Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and

c) Require prompt execution of a contract to remedy the condition.

(2) Emergency Declaration: The Superintendent’s designee may declare that emergency circumstances exist that require prompt execution of a public contract.

a) The declaration shall be made in writing in a memorandum to the Superintendent describing the circumstances (as shown in XIII(1) above).

b) A copy shall be issued to the Program Director of Purchasing & Contracting.

c) The emergency declaration memorandum, public contract, and associated documentation shall be kept on file as a public record.

(3) Designees authorized to declare an emergency as per PPS-46-0110 (29):

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| **Position Title** | **Scope/Maximum Dollar Value** |
| Superintendent | Unlimited |
| Deputy Superintendent of Business and Operations | Unlimited |
| Chief Financial Officer | Unlimited |
| Chief Operating Officer | Unlimited |
| Facilities and Asset Management and Office of School Modernization Senior Directors and Directors | Up to $500,000 |