



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: 12/8/21

Department: Finance Agenda Planning Date: 12/2/21 Time required: 5

Audio/Visual aids

Contact: Justin Ford Phone: 503-566-3910

Department Head Signature:

TITLE

Board Order requesting the use of a Special Procurement for Bank of America (BofA) to provide Corporate Procurement Card Services (p-card).

Issue, Description & Background

The County's p-card program services are used primarily for the purchase of goods, payment of low-dollar transactions (currently under \$1,000), and for travel expenses. The County currently has over 200 p-cards amongst the departments. The County's average annual spend is \$1,900,000.

In September of 2020, the City of Portland, on behalf of the consortium, issued an amendment to extend the services through December 31, 2021.

Also, in 2020, the City of Portland conducted an RFP once again for corporate p-card services. The awarded proposer for the agreement was US Bank. Upon award/execution of contract, the implementation process (from BofA to US Bank) for the City of Portland is one year.

Upon discussions with multiple departments (Finance, Treasury and Information Technology (IT)), it was determined that the County didn't have the capacity to change corporate p-card providers during 2021. IT has manually created interfaces/platforms that bridged the transfer of BofA Works transaction data over to ORACLE via a County created customized platform, WebApps. The customized WebApps platform is the only efficient mode for corporate p-card transactions to successfully transfer BofA Works data into the County's ORACLE system for batching invoices, assigning appropriate costing, and image attachments for monthly bill payments. Integration with ORACLE via outside applications has been found to be very difficult, which is why the expertise of IT was required to build the platform early on and continue to hone over the years.

Due to COVID-19 along with staff turnover throughout departments of impact, the County has chosen to request use of Special Procurement to allow BofA to continue providing corporate p-card services without interruption or lapse of services.

Financial Impacts:

There are no costs for the use of Bank of America's p-card services. Bank of America issues a rebate annually, over the past 3 years the rebate averages between \$26,000 - \$29,000 each year which is applied to the general fund.

Impacts to Department & External Agencies

The corporate procurement card services are used County-wide for low dollar purchases within the departments.

Options for Consideration:

- 1. Approve the Request for Special Procurement
2. Deny the Request for Special Procurement
3. Take no action at this time



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## Board Session Agenda Review Form

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Recommendation:

Finance Dept. recommends approval of Special Procurement

List of attachments:

BOC Agenda Form, Board Order and Special Procurement Justification

Presenter:

Camber Schlag

*Copies of completed paperwork sent to the following: (Include names and e-mail addresses.)*

Copies to:

jwford@co.marion.or.us

BEFORE THE BOARD OF  
COMMISSIONERS FOR MARION  
COUNTY, OREGON

In the matter of granting a Contract-Specific )  
Special Procurement exemption for Bank of )  
America to provide Corporate Procurement )  
Card Services pursuant to the Marion County )  
Public Contracting Rules )

ORDER NO. \_\_\_\_\_

This matter came before the Marion County Board of Commissioners, acting as the Marion County Contract Review Board (Board), on at its regularly scheduled public meeting on Wednesday, December 8, 2021.

WHEREAS, the board finds that Marion County Finance Department, pursuant to Section 20-285, which provides for the use of alternative contracting methods as may be directed by the Board of Commissioners under ORS 279B.085; and

WHEREAS, Section 20-285 allows the Board to direct the use of alternative contracting methods as an exception to the prescribed public contracting practices in Oregon and its use must be justified in accordance with public contracting code and Marion County Public Contracting Rules; and

WHEREAS, the County's corporate procurement card program services are used primarily for the purchase of goods, payment of low-dollar transactions (currently under \$1000), and for travel expenses; and

WHEREAS, the County receives incoming funds via rebates associated to use of services which are applied to the general fund; and

WHEREAS, as demonstrated in the findings, attached as Exhibit A, contracting with Bank of America for corporate procurement card services will allow successful continuation of services to County staff, will not encourage favoritism or will not substantially diminish competition; and

IT IS HEREBY ORDERED that the Board adopts the findings attached hereto as Exhibit A and grants a Contract-Specific Special Procurement exemption to allow the use of agreement for corporate procurement card services beginning January 1, 2022 through December 31, 2027.

DATED this 8th day of December 2021.

MARION COUNTY BOARD OF COMMISSIONERS

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Chair

Original: Finance Contracts  
Cc: BOC

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Commissioner

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Commissioner

Attachments:  
Exhibit A – Request for Special Procurement

**REQUEST FOR SPECIAL PROCUREMENT  
FI1035-21**

**Date of Request:** November 30, 2021

**Department Name:** Finance

**Department Contact Name:** Justin Ford

**Type of Request:**      Class Special Procurement  
                           Contract-specific Special Procurement

**Time Period Requested:**   From: January 1, 2022  
  To: December 31, 2027

**Total Estimated Cost:** \$100,000.00+ in Incoming Funds via Rebates

**Title: Supplies and/or Services to be Acquired:**

*Corporate Procurement Card (P-Card) Services through Bank of America (BoFA)*

**Request, Background and Proposed Contracting Procedure:**

**a. Request:**

*The Finance Dept. requests use of a Special Procurement Justification to enter into an agreement with BoFA for corporate p-card services for a multi-year agreement.*

**b. Background:**

*The County's p-card program services are used primarily for the purchase of goods, payment of low-dollar transactions (currently under \$1,000), and for travel expenses. The County currently has over 200 p-cards amongst the departments. The County's average annual spend is \$1,900,000. BoFA issues a rebate annually, over the past 3 years the rebate averages between \$26,000 to \$29,000 each year which is applied to the general fund.*

*In 2004, the City of Portland conducted a Request for Proposal (RFP) for corporate p-card services with the intent of allowing other government agencies the opportunity to use their services agreement via the formation of a consortium. The awarded proposer as a result of the RFP for corporate p-card services was Bank of America. At this time, the County joined the consortium, along with many other Oregon governmental agencies, to have BoFA provide its corporate p-card services.*

*In 2009, the City of Portland, on behalf of the consortium, conducted another RFP. Again, BoFA was awarded the agreement for continuing to provide corporate p-card services.*

*In 2016, the City of Portland, on behalf of the consortium, issued an amendment to the BoFA agreement to extend the services through December 31, 2020.*

*In September of 2020, the City of Portland, on behalf of the consortium, issued an amendment to extend the services through December 31, 2021.*

*Also, in 2020, the City of Portland conducted an RFP once again for corporate p-card services. The awarded proposer for the agreement was US Bank. Upon award/execution of contract, the implementation process (from BofA to US Bank) for the City of Portland is one year.*

*Upon discussions with multiple departments (Finance, Treasury and Information Technology (IT)), it was determined that the County didn't have the capacity to change corporate p-card providers during 2021. IT has manually created interfaces/platforms that bridged the transfer of BofA Works transaction data over to ORACLE via a County created customized platform, WebApps. The customized WebApps platform is the only efficient mode for corporate p-card transactions to successfully transfer BofA Works data into the County's ORACLE system for batching invoices, assigning appropriate costing, and image attachments for monthly bill payments. Integration with ORACLE via outside applications has been found to be very difficult, which is why the expertise of IT was required to build the platform early on and continue to hone over the years.*

*Due to COVID-19 along with staff turnover throughout departments of impact, the County has chosen to request use of Special Procurement to allow BofA to continue providing corporate p-card services without interruption or lapse of services.*

**c. Proposed Contracting Procedure:**

*The Finance Dept. is requesting use of a direct award to BofA for the requested services.*

**Justification for use of Special Procurement:** Describe the circumstances that justify the use of a Special Procurement.

*The Finance Dept. would like to enter into contract with BofA to continue the efficient utilization of existing services. With the customization required from IT over the years to allow the successful transfer of BofA Works data to the County's ORACLE system and lack of staff capacity to implement a new system, the Finance Dept. feels the circumstances justify the use of the Special Procurement. BofA has offered all consortium members an identical contract to continue services, this allows Marion County to receive the same rebate rate and same fee schedule.*

**Findings to Satisfy the Required Standards:** This proposed special procurement:

\_\_\_\_\_ (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because:

*N/A*

**and**

\_\_\_\_\_ (b)(i) will result in substantial cost savings to the contracting agency or to the public because:

*N/A*

**or**

X (b)(ii) will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the requirements of ORS 279B.055, 279B.060, 279B.065, or 279B.070, or any rules adopted thereunder because:

*The Finance Dept. has found that its in the best interest of the public for the County to enter into an agreement with BofA for its corporate p-card services. The use of the Special Procurement will allow the County to execute an agreement with a proven provider without interruption or lapse in services. The agreement with BofA will also not divert resources of an understaffed workforce from other projects throughout the County.*

If there are questions regarding this Special Procurement, please submit questions via email to [jwford@co.marion.or.us](mailto:jwford@co.marion.or.us).