

NOTICE OF AMENDED DETERMINATION OF PRODUCT SUITABILITY
FROM A QUALIFIED REHABILITATION FACILITY

Before the Chief Procurement Officer, State Procurement Office
State Services Division, Department of Administrative Services,
of the State of Oregon

In the Matter of the Qualified Rehabilitation) AMENDED
Facility, Garten Services, Inc.) DETERMINATION OF
Request for Amendment to SD(c)07/13/2007) SUITABILITY & ORDER,
Recycling Services)

ORS 279.845(2) requires the Department of Administrative Services (DAS) to establish and publish a list of sources or potential sources of products and services produced by qualified non-profit agencies for disabled individuals, which DAS State Procurement Office (DAS/SPO) determines are suitable for procurement by public agencies pursuant to ORS 279A.025(4), 279C.335(c) and ORS 279.835 to 279.850. Qualified Rehabilitation Facilities may request amendments to the original Determination of Suitability as stated in SD(a)02/26/2007, Order (a).

FINDINGS OF FACT

A. Request:

In accordance with OAR 125-055-0020(10)(a), Garten Services, Inc is requesting an amendment to SD(c)07/13/2007, Recycling Services, to include electronic recycling services state-wide. There is no other change to the original Determination of Suitability, SD(c)07/13/2007.

1. Labor Operation: Garten Services, Inc. estimates 347 pounds of collected electronic material will provide work to employ one person with disabilities for an 8 hour workday. There are currently 20 people with disabilities employed providing electronic recycling to the I-5 corridor. The expansion of services state-wide will increase employment opportunities at Garten Services, Inc. and their QRF Partners.
2. Partnerships: Garten Services, Inc. will be partnering with other QRF's around the state. Garten Services, Inc. will provide DAS with copies of partnership agreements.
3. Performance: Garten Services, Inc. partners will be contractually required to adopt and follow all relevant State policies. Garten Services, Inc. will conduct on-site inspections to assure compliance.
4. Delivery: Electronic recycling will be collected at Garten's partners' locations on pallets provided by Garten Services, Inc. and transported in secure vehicles to Garten's North Salem plant. Loaded pallets will be picked-up on a regular schedule. Remote call-ins will be served on a rotating weekly schedule.

Need for Product or Service:

Public Agencies subject to ORS279.850 (1) require services for the recycling of electronic material.

- (a) DAS/SPO will determine pricing per agreement. Pricing will meet the requirements of OAR 125-055-0030, Determination of Price.

CONCLUSIONS

The QRF Coordinator recommends to the Chief Procurement Officer that SD(c) 07/13/2007 be amended to include services state-wide.

ORDER

Garten Services, Inc. request for amendment to SD(c)07/13/2007 is approved to provide electronic recycling services to public agencies subject to ORS 279.850(1) state-wide, provided they can meet the specifications and timelines of the contracting agency.

Notice of Amended Determination of Suitability to expand service state-wide shall constitute a final order under ORS 184.484.

July 1, 2009
Approved for Notice

July 1, 2009

Date of Posting



Dianne Lancaster,
Chief Procurement Officer

State Procurement Office

Department of Administrative Services

July 15, 2009

Effective Date of Listing

C. Protest of Suitability Determination:

A person or entity may protest this amendment in writing by 5:00 p.m. on the 14th calendar day following the Date of Posting. The protest must be received, at DAS/SPO, submitted to the attention of the QRF Coordinator at 1225 Ferry St., SE, U140, Salem, OR 97301-4285. The written protest must demonstrate:

- a. How the listing will adversely affect the person's or entity's ability to compete for public contracts for the product or service proposed to be listed, and,
- b. How the product or service to be listed fails to satisfy the criteria stated in OAR 125-055-0020(3).

If a timely, written protest is received, DAS/SPO will consider the protest and issue a written response to the protest in accordance with OAR 125-055-0020(7). In considering a timely protest, DAS/SPO may request further information and comment from the complaining party and the QRF that submitted the request for Suitability Determination.

DAS/SPO will not consider a protest unless it is in writing and received by 5:00 p.m. on the 14th day following the Date of Listing.