

4-76

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

An Ordinance Creating a Local	)	
Contract Review Board;	)	
Allowing for the Appointment of	)	No. <u>76-2</u>
a Public Contracting Officer;	)	
Creating Rules and Procedures for	)	LOCAL CONTRACT
Contracts Entered into by the	)	REVIEW BOARD
County; and Repealing Existing	)	ORDINANCE
Ordinances in Conflict Herewith.	)	

WHEREAS, ORS 203.035 gives the governing body of a county authority to enact ordinances effective over matters of county concern; and

WHEREAS, ORS 279.055 gives any county authority to adopt an ordinance creating a Local Contract Review Board; now, therefore

THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON ORDAIN AS FOLLOWS:

Section 1. LOCAL CONTRACT REVIEW BOARD. The Board of County Commissioners for Columbia County, Oregon is hereby designated as the Local Contract Review Board. The Local Contract Review Board shall have authority to adopt such rules and regulations, as may be allowed under the law of the State of Oregon, which are necessary for the implementation of Chapter 771, Oregon Laws of 1975.

Section 2. PUBLIC CONTRACTING OFFICER. The Local Contract

Review Board may appoint a Public Contracting Officer to serve at the pleasure of said Board. The duration of the appointment shall be established by resolution of said Board.

Section 3. RULES AND PROCEDURES. The Local Contract Review Board shall promulgate rules and procedures to control the method and manner of local public contract letting. Said rules and procedures may be adopted by resolution of the Board and may be amended thereafter in the same manner. In no case shall any amendment be allowed to act retroactively upon any matter, that at the time of the amendment, is pending for hearing or which the time for appeal has not yet run.

Section 4. ILLEGALITY. Any provision of this ordinance inconsistent with rules and procedures adopted hereunder, pursuant to Section 3 hereof, shall, unless illegal by statute, supersede said rules. Any rule or section hereunder declared hereafter by a Court of competent jurisdiction to be invalid for any reason whatsoever shall not thereby void this ordinance in its entirety nor shall said decision void any rules hereunder except the specific one declared invalid.

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Section 5. EMERGENCY. An emergency is hereby declared to exist and this ordinance shall take effect upon its passage.

Enacted this 21 day of April, 1976.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Lusia Salvey  
Recording Secretary

Joe Foshaug  
Chairman

Read in full: Apr. 21, 1976

Chas. Horn  
Commissioner

Read -- Title only: Apr. 21, 1976

Vote:

Jack Minkoff  
Commissioner

Chairman Foshaug  aye  
 nay

Commissioner Minkoff  aye  
 nay

Commissioner Horn  aye  
 nay

PUBLIC CONTRACT RULES AND REGULATIONS

I. Items exempt from competitive bid:

- A. Contracts with public agencies
- B. Personal service contracts, e.g. county counsel
- C. Contracts under \$10,000.
- D. Contracts for price regulated items
- E. Allocated petroleum products
- F. Copyrighted materials
- G. Advertising contracts
- H. Investment contracts
- I. Requirements contracts
- J. Single seller or price of product required
- X K. Data processing contracts -- conditions:
  - 1. Solicitation of price proposals from known vendors (written or oral solicitations are acceptable.)
  - 2. Most competitive offer must be accepted.
  - 3. Written report to Board (if price over \$5,000) by department seeking this exemption.
- L. Insurance contracts
- M. Contract amendments, e.g. unanticipated additional costs -- conditions:
  - 1. The underlying contract must provide for a binding obligation on the parties on a manner in which such contingencies will be handled.
  - 2. The amended contract does not substantially alter the scope of the project, or
  - 3. If the amended contract does substantially alter the scope of the project -- excess costs will not exceed 10% of initial contract.
- N. Equipment Maintenance
- O. Asphaltic concrete and rock
- P. Bids obtained by the State for asphaltic concrete and rock
- Q. Sale of personal property -- conditions:
  - 1. All laws relating to such sales must be followed, e.g. sale of seized automobiles.
  - 2. Value of property does not exceed \$500, or
  - 3. Competitive bidding would not be appropriate.

II. Other exemptions -- Local Contract Review Board may exempt other contracts:

- A. Resolution to do so by Board
- B. Hearing -- public notice, 7 days before -- FINDINGS:
  - 1. Lack of bids will not result in favoritism.

2. Lack of bids will not diminish competition in awarding the contract.

3. There will be a substantial cost savings.

III. Emergency contracts

A. Hearing -- majority vote

B. Resolution (written), with findings