

Brookings-Harbor School District 17C

Code: **DJC**
Adopted: 7/21/97
Revised/Readopted: 10/22/03; 1/15/13; 6/17/15
Orig. Code(s): DJC

Bidding Requirements

The Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended. All purchases, lease or sale of personal property, public improvements or services other than agreements for personal service shall be based upon competitive bids on proposals except:

1. Contracts made with other public agencies or the federal government;
2. Contracts made with qualified nonprofit agencies providing employment opportunities for disabled individuals;
3. Contracts exempted by the Local Contract Review Board (LCRB) following approval of findings that such exemption will result in cost savings and it is unlikely that the exemption will encourage favoritism or substantially diminish competition;
4. Any contract for supplies or materials if the total value is less than \$2,500;
5. Insurance and service contracts as provided by law;
6. Contracts between public agencies utilizing an existing solicitation or current requirement contract of one of the public agencies that is a party to the contract as provided by law.

The Board will serve as the LCRB for the district. All district purchasing shall be conducted in accordance with the Board's adopted rules. A copy of the Board's policy or resolution so designating the district shall be filed with the South Coast Education Service District. The Board, acting as its own LCRB, adopts the *Oregon Attorney General's Model Public Contract Rules* OAR Chapter 137, Divisions 046 through 049, in effect at the time this policy is adopted. These rules govern purchasing procedures and other matters subject to competitive procurement provisions of law.

The district shall procure the construction manager/general contractor services in accordance with model rules the Attorney General adopts under ORS 279A.065(3).

Additionally, the Board may include as part of its rules portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246-249 in effect at the time this policy is adopted.

Where necessary, the Board has made the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district shall review its rules each time the Attorney General adopts a modification of the model rules, as required by ORS 279A.065 (5)(b), to determine whether any modifications need to be made to district rules to ensure compliance with statutory changes. Modifications will be made only following review by the district's legal counsel. New rules, as necessary, will be adopted by the Board. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required. The Board recognizes that a public contracting agency that has not established its own rules of procedure as required by ORS 279A.065 (5) is subject to the model rules adopted by the Attorney General, including all modifications to the model rules that the Attorney General may adopt.

Public contracts, if awarded, will be awarded to the lowest, responsive and responsible bidder or the best, responsive and responsible proposer consistent with solicitation document provisions. The Board may reject in whole or in part, any bid or proposal not in compliance with all prescribed procedures and requirements and may reject for good cause any bid or proposal upon a written finding that it is in the public interest to do so. Such findings shall conform with criteria as specified by the *Oregon Attorney General's Model Contract Rules Manual*.

Opportunities will be provided to all responsible suppliers to do business with the district. Special efforts will be made by the district to encourage businesses in the Brookings-Harbor community to submit quotes and bids on materials, equipment, supplies and services as appropriate. The business manager will develop and maintain lists of potential vendors for various types of materials, equipment, supplies and services. Such lists may be used to develop a mailing list for distribution of specifications and solicitations for bids or proposals. Any supplier may be included in the list upon written request.

Procurements estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process described in ORS 279B.

Records of bids, proposals and specifications will be kept in the district administration office and will conform with Oregon Revised Statutes and applicable provisions of the *Oregon Attorney General's Model Contract Rules Manual*.

END OF POLICY

Legal Reference(s):

[ORS Chapters 279A, 279B and 279C](#) [OAR Chapter 125](#), Divisions 246-249

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES MANUAL.

Cross Reference(s):

DJ - District Purchasing
DJCA - Personal Services Contracts
DJG - Vendor Relations
EH - Data Management
FEF/FEFB - Construction Contracts - Bidding and Awards