

Clackamas Education Service District

Code: **DJC**
Adopted: 05/20/09

Bidding Requirements

The Board is the Local Contract Review Board for CESD. Bids or proposals shall be invited on all public contracts, on all purchase, lease or sale of personal property, public works or public improvements or services other than agreements for personal service, in accordance with applicable competitive procurement provisions of Oregon Revised Statutes and adopted public contracting rules.

The Board, acting as its own LCRB, will adopt¹ its own rules of procedure that will govern CESD purchasing. Consequently, the model rules adopted by the Attorney General shall not apply to CESD. CESD's rules may include portions of the *Oregon Attorney General's Public Contracts Manual* OAR Chapter 137, Divisions 046 through 049 in effect at the time this policy is adopted.

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 through 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 CESD and made available on request.

CESD 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 CESD rules to ensure compliance with statutory changes. New rules, as necessary, shall 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

¹Public contracts shall be governed by ORS Chapter 279, 279A, 179B or 279C. Additionally, the Board may, as provided by ORS 279A.065, adopt the Oregon Attorney General's Public Contracts Manual, OAR Chapter 137 governing competitive procurement. The Board may also adopt the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125. The Board may adopt portions of those rules or adopt its own rules. A Board that creates its own LCRB but has not established its own rules of procedure for public contracts is subject to the model rules (OAR Chapter 137) adopted by the Attorney General.

own rules of procedure as permitted under 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.

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 (2008).

Cross Reference(s):

DJ - CESD Purchasing
EH - Electronic Data Management and Retention