

Klamath County School District

Code: **DJC**
Adopted: 2/18/10
Readopted: 4/17/12; 7/18/13; 1/08/15
Orig. Code(s): DJC

Bidding Requirements

The Board will serve as the Local Contract Review Board (LCRB) for the district. All district purchasing will be conducted in accordance with the Board's adopted rules.¹

The Board, acting as its own LCRB, adopts² 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. Provided, that the Board may adopt its own rules by written policy; and, where that has occurred, the adopted policy of the Board shall govern over the *Oregon Attorney General's Model Public Contract Rules*.

The Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended. All public contracts for goods or services shall be based upon applicable competitive procurement provisions of Oregon Revised Statutes and adopted public contracting rules except:

1. Contracts between contracting agencies or between contracting agencies and the federal government;
2. Insurance and services contracts as provided for under state law;
3. Contracts for the procurement or distribution of textbooks;
4. Energy savings performance contracts;
5. Contracts made with qualified nonprofit agencies providing employment opportunities for disabled individuals;
6. Public improvement contracts exempted by the LCRB upon findings that the award would not encourage favoritism or substantially diminish competition and would result in substantial cost savings and other substantial benefits to the contracting agency;
7. Special procurement exempted by the LCRB upon findings that the award would not encourage favoritism or substantially diminish competition and would result in substantial cost savings to the contracting agency;

¹The Board may contract with another public agency to serve as its LCRB.

²Public Contracts shall be governed by ORS Chapter 279, 279A, 279B and 279C. Additionally, the Board may, as provided by ORS 279A.065, adopt the Oregon Attorney General's Model Public Contract Rules, OAR Chapter 137 governing purchasing/bid procedures. 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 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.

8. Emergency contracts;
9. Any other public contract specifically exempted from the code by another provision or law.

Additionally, the Board includes as part of its rules 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. 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.

Opportunity will be provided to all responsible suppliers to do business with the district. The business manager will develop and maintain lists of potential vendors for various types of materials, equipment and supplies. 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 request.

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

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
EH - Electronic Data Management
FEF/FEFB - Construction Contracts