

## **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 substantial cost savings and it is unlikely that the exemption will encourage favoritism or substantially diminish competition;
- 4 A contract for products, services or supplies if the value is less than \$5,000;
- 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 county governing body.

The Board, acting as its own LCRB, will adopt the Oregon Attorney General's Model Public Contract Rules OAR Chapter 137, Division 030, Public Procurement Rules, and Division 040, Public Improvement Contracts in effect at the time this policy is adopted. These rules govern purchasing procedures, advertisements, awarding of contracts, retainage, claims, liens, bid security, payment, performance bonds and other matters subject to competitive procurement provisions of law. The Board may modify such rules as deemed appropriate. Modifications will be made only following review by the district's legal counsel.

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.

Opportunity will be provided to all responsible suppliers to do business with the district. To this end the district 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 Statute and applicable provisions of the Oregon Attorney General's Model Contract Rules Manual.

The Board will adopt the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 300-360 in effect at the time this policy is adopted, and, where necessary, 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.

END OF POLICY

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**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 (2004).

**Cross Reference(s):**

DJ - District Purchasing  
FEF/FEFB - Construction Contracts - Bidding and Awards