

Saint Helens School District 502

Code: **DJC**
Adopted: 3/14/05
Readopted: 2/8/10
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. 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 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 persons with disabilities;
6. Public improvement contracts exempted by the LCRB upon finding that the award would not encourage favoritism or substantially diminish competition and would result in substantial cost savings to the contracting agency;
7. Special procurements 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;
8. Emergency contracts;
9. Any other public contract specifically exempted from the code by another provision of law.

The Board will serve as the Local Public Contract Review Board for the district. All district purchasing shall be conducted in accordance with the Board's adopted rules.

The Board acting as its own LCRB adopts the Oregon Attorney General's Public Contract Rules, OAR Chapter 137, Divisions 046 through 049. These rules govern purchasing procedures, and other matters subject to public contracting provisions of law.

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

Where necessary, the Board makes the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made public upon 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.

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.

END OF POLICY

Legal Reference(s):

[ORS Chapters 279A](#), 279B and 279C HB 2867 (2009)
[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 - District Purchasing
DJA - Purchasing Authority
DJCA - Personal Services Contracts
DJG - Vendor Relations
EH - Electronic Data Management
FEF/FEFB - Construction Contracts - Bidding and Awards