

**Procurement Guidelines**

1. Contract Approval

- a. All procurement contracts, other than those for public improvements, that are reasonably estimated to exceed \$150,000 (including any with the potential for amendments or change orders that may cause the total amount to exceed this amount) shall be presented to the Board for approval. The same policy shall apply to contracts for public improvements, except that the dollar limit shall be \$100,000:
  - (1) The Board consent agenda is maintained by the district office. The district office shall seek information from all administrators and department supervisors on a monthly basis for any contracts to be included on the consent agenda.
  - (2) Contracts for public improvements shall additionally include a “report” to be enclosed with the consent agenda. The superintendent or designee shall maintain the report content.
  - (3) The district may seek an “advanced authorization” for any contract; the cost of the contract shall be an estimated total amount. No further authorization for the contract is required.

2. Superintendent Designated Authority to Obligate the District

- a. The superintendent shall annually designate the following positions authorized to electronically approve and/or sign contracts that obligate the district that are awarded as a result of any public procurement type. These contracts include, but are not limited to: purchase orders, construction contracts, trade service contracts and personal services contracts; but not emergency contracts. The following table indicates the positions and amounts:

<b>Position Title</b>	<b>Contract Amount</b>
Business Manager/Deputy Clerk	Unlimited
School Administrator	\$5,000
Superintendent	Unlimited
Maintenance Supervisor	\$10,000

- b. The superintendent shall annually designate the following positions authorized to electronically approve and/or sign contract amendments or change orders of any existing contract and to any dollar amount, except for Direct and Intermediate Procurements (ORS 279B) where these positions may only approve up to 50 percent of the original contract price.

Amendments or change orders shall be pursuant to paragraph 9. These positions may also sign project work authorizations for the amounts indicated. The amounts are aggregate, per contract, per contract term:

<b>Position Title</b>	<b>Contract Amount</b>
Business Manager/Deputy Clerk	Unlimited
Superintendent	Unlimited
District designee(s) assigned to 2016 Bond Program, for bond contracts only	\$25,000
Consultant Project Manager or Consultant Owner's Representative (but not A/E), for 2016 bond contracts only	\$10,000
Maintenance Manager/Supervisor, 2016 bond contracts only	\$10,000

### 3. Contract Amendments and Change Orders

An amendment or change order is a written agreement changing or extending the terms and/or conditions of an existing contract by introducing, canceling or changing details, but leaving the general purpose of the contract intact. The district may amend contracts for goods and/or services, including contracts for personal services, without additional competition or Board authorization, provided the change is within the above context, and otherwise complies with all state requirements and district policy and rule. Although there is no requirement to report individual changes to the Board, regardless of dollar amount, the superintendent will endeavor to discuss changes with the Board leadership concerning major contract amendments or change orders (dollar-wise and/or content-wise), prior to execution of the change.

### 4. Emergency Public Contracting

a. "Emergency" means circumstances that:

- (1) Could not have been reasonably foreseen;
- (2) Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
- (3) Require prompt execution of a contract to remedy the condition.

b. Emergency Declaration

The superintendent or designee may declare that emergency circumstances exist that requires prompt execution of a public contract.

- (1) The declaration shall be made in writing, in a memorandum to the superintendent describing the circumstances, as per the above, and pursuant to state procurement rules, where applicable.
- (2) A copy shall be issued to the business manager/deputy clerk.
- (3) The emergency declaration memorandum, public contract and associated documentation shall be kept on file as a public record.
- (4) Report to the Board all emergency contracts that exceed \$150,000 at the earliest opportunity.

c. Designees authorized to make an emergency declaration:

- (1) Superintendent or business manager/deputy clerk; or
- (2) Maintenance manager/supervisor - up to \$25,000.

- d. Contract authority for an emergency declaration:
  - (1) Superintendent or designee - No limit; or
  - (2) Maintenance manager/supervisor - up to \$25,000

- e. Emergency Procurement

The procurement of goods and services in response to the Emergency Declaration shall be in accordance with ORS 279B.080, the Attorney General's Model Rules OAR 137-047-0280 and OAR 137-049-0150.

- 5. Protest Resolution Regarding Solicitations

- a. Except where specifically required by the Attorney General Model Rules, the superintendent or business manager/deputy clerk shall have the authority to resolve protests submitted by persons for:
  - (1) Exemptions and special procurements;
  - (2) Solicitation process and documents;
  - (3) Notice of intent to award and notice of award to a contract; or
  - (4) All other contract related protests.
- b. An adversely affected or aggrieved person must exhaust all avenues of administrative review and relief before seeking judicial review of the districts protest decision.