

Agenda Item Number 11. B.

LCOG Public Contracting Regulations

Presenter: Bob Swank

Action Recommended: Conduct a Public Hearing and Approve Resolution 2005-4

Background:

The 2003 Legislature enacted a major update of the State Public Contracting laws. The changes require that local governments update their public contracting rules to comply with the new State law. Staff have developed the revised LCOG Public Contracting Regulations for review and approval by the Executive Committee and the LCOG Board. The LCOG Regulations are based on the Model rules adopted by the Attorney General and a model provided by LCOG legal counsel. The major components of the new Regulations follow:

1. The rules are designed to encourage competition, provide cost savings, and give preference to Oregon products and recycled products.
2. Consistent with the recent delegation of more responsibility to the Executive Committee, it is recommended that the LCOG Board designate the Executive Committee as the LCOG Contract Review Board.
3. All of the exemptions listed in the Oregon Public Contracting Code are included, such as contracts between governments and grants.
4. The LCOG Executive Director is designated the purchasing manager and authorized to award all LCOG contracts. The Executive Director may delegate any or all of this responsibility.
5. The regulations define the solicitation methods, both formal and informal, for different classes of contracts, including public improvements, personal services, goods and services, emergency services and surplus property.
6. In all classes the threshold that requires a more formal process has been raised. Purchases under \$5,000 do not require a record of award, and most contracts under \$150,000 only require an informal solicitation process.

The legislation requires that the Board conduct a public hearing prior to adopting the new LCOG Public Contracting Regulations. The Regulations and the findings that support the adoption of the regulations are enclosed.