



## ADMINISTRATIVE POLICIES

<b>SECTION:</b>	<b>900 – Purchasing</b>	<b>POLICY #:</b>	<b>901</b>
<b>TITLE:</b>	<b>Public Contracting Rules</b>	<b>PROCEDURE #:</b>	<b>901-A</b>
		<b>ORDER #:</b>	<b>08-147</b>
<b>DEPT:</b>	<b>Business Services</b>	<b>DIVISION:</b>	<b>Finance</b>
<b>ADOPTED:</b>	<b>4/84</b>	<b>REVIEWED:</b>	<b>1/10</b>
		<b>REVISED:</b>	<b>1/10</b>

**PURPOSE:** To establish public contracting and purchasing rules and regulations for Marion County.

**AUTHORITY:** The Marion County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the county under ORS 203.010, 203.035 and 203.111.

The Marion County Board of Commissioners expresses the governing body’s formal, organizational position of fundamental issues or specific repetitive situations through formally adopted, written policy statements. The policy statements serve as guides to decision making for both elected and appointed officials on the conduct of county business.

The Administrative Policies and Procedures Manual of the Board of Commissioners outlines the forms and process through which the board takes official action on administrative policy, and is the official record of county administrative policy.

### Statutory References

ORS Chapter 279A, Chapter 279B, and Chapter 279C became effective on March 1, 2005. Together these chapters constitute Oregon’s Public Contracting Code.

The Oregon Attorney General’s Model Rules, filed on September 1, 2004, are identified in OAR Chapter 137, Divisions 46, 47, 48 and 49. The model rules are created for use by all public contracting agencies governing public contracting under the public contracting code. Local government agencies are required to adopt the Attorney General’s Model Rules or their own public contracting code.

### County References

The Marion County Public Contracting Rules are adopted by the local Contract Review Board pursuant to authority set forth in ORS Chapter 279A. The board adopted rules and opted out of the Model Rules

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by adopting Ordinance No. 1211, effective March 1, 2005. On January 27, 2010, revisions to the rules were adopted by Ordinance #1299.

**APPLICABILITY:** All county departments.

**GENERAL POLICY:** This policy establishes a sound and responsive public contracting system based on public contracting code for the purchase of all goods and/or services required to conduct the county's business.

**POLICY GUIDELINES:**

1. Responsibilities: The Board of Commissioners acting as the Marion County Contract Review Board has delegated authority for purchasing and contracting as outlined in Section 10 of the Marion County Public Contracting Rules.

The Finance Department shall establish procedures and standards for all Marion County departments to follow. The Finance Department shall implement, educate and interpret rules, policies and procedures and will coordinate and monitor purchases and contracts for compliance to adopted policies and procedures.

All Marion County departments will be subject to this policy and the adopted Marion County Public Contracting Rules referenced under County References above.

In enacting the Public Contracting Code, a sound and responsive public contracting system should:

- Simplify, clarify and modernize procurement practices to reflect the market place and industry standards.
- Instill public confidence through ethical and fair dealings, honesty, and good faith between the County and the business community.
- Promote efficient use of local government resources while maximizing the economic investment in public contracting in Marion County.
- Allow impartial and open competition protecting the integrity of the public contracting process and competitive nature of public procurement.
- Provide a public contracting structure that can take full advantage of evolving procurement methods as they emerge, while preserving competitive bidding as the standard for public improvement contracts.

2. Exceptions: Exceptions may only be granted by the Marion County Contract Review Board.

3. Implementation: All County departments and other agencies identifying the Marion County Board of Commissioners as their local contract review board will follow the policies and

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procedures as outlined in the Marion County Public Contracting Rules, effective on March 1, 2005, as adopted by Ordinance No. 1211 and further revised by adopted Ordinance No. 1299 on January 27, 2010.

4. Periodic Review: Periodic review will be conducted every two years by Finance.