

## Contracting

Umatilla County Special Library District (UCSLD) follows the Oregon Model Public Contracting Rules (ORS 279A.065) when purchasing goods and services and for construction projects, subject to the additions or exceptions provided in this policy.

### 1. Local Contract Review Board

Except when otherwise provided in UCSLD policies, the powers and duties of the Local Contract Review Board (LCRB) under the Public Contracting Code shall be exercised and performed by the UCSLD Board of Directors.

### 2. Delegation of Contracting Authority

Unless expressly limited by the Local Contract Review Board or UCSLD policies, all powers and duties given or assigned to contract agencies by the Public Contracting Code may be exercised or performed by the board president, district director, or their designee, including the authority to enter into emergency contract pursuant to ORS 279B.080, "Emergency Procurements."

### 3. Personal Services Contracts

Personal services shall be defined to include those services that require specialized technical, creative, professional, or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment, and for which the quality of the service depends on attributes that are unique to the service provider. Such services shall include, but are not limited to: architects, engineers, surveyors, attorneys, accountants, auditors, computer programmers, artists, designers, performers, and consultants. The district director or their designee shall have the authority to determine whether a particular service is a "personal service" under this definition.

Personal service contracts do not require a competitive bidding process. When screening or selecting a personal service contractor, the UCSLD will consider qualifications, performance history, expertise, knowledge, creativity, and the ability to exercise sound judgment. The selection is based primarily on these factors rather than price.

Unless otherwise provided in this section, contracts for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services shall be awarded according to ORS 279C.110(3) "Selection Procedures for Consultants to Provide Services". A contract for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services may be entered into by direct appointment if such contract is estimated not to exceed \$45,000 in a fiscal year, or if the project described in the contract consists of work that has been substantially described, planned or otherwise previously studied or rendered in an earlier contract with the consultant that was awarded under this policy, and the new contract is a continuation of that project.

**Umatilla County Special Library District**

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#### 4. Small Procurements for Goods and Services up to \$10,000

The library district may award a procurement of goods or services that does not exceed \$10,000 in any manner the contracting agency deems practical or convenient, pursuant to ORS 279B.065 “Small Procurements”.

#### 5. Intermediate Procurement for Goods and Services up to \$150,000

The library district may award a procurement of goods or services between \$10,000 and \$150,000, pursuant to ORS 279B.070, “Intermediate Procurements.” When conducting an intermediate procurement, the library district shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective contractors. The library district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the library district shall make a written record of the effort makes to obtain the quotes or proposals. The library district may award the contract to the contractor whose quote or proposal will best serve the interests of the library, taking into account price as well as considerations including, but not limited to, experience, expertise, product functionality, suitability for a particular purpose and contractor responsibility.

#### 6. Requests for Proposals for Goods and Services over \$150,000

For procurement of goods or services exceeding \$150,000, the library district shall distribute and publish a Request for Proposal (RFP) for competitive bids, pursuant to ORS 279B.060 “Competitive Sealed Proposals.” The Request for Proposal will contain the information required by ORS 279B.060 (2) and will be published as a public notice. The sealed proposals will be opened at the time and date specified in the RFP. The library district will evaluate the proposals and request any necessary additional information from proposers. If and when a choice is made, the library will issue or electronically post the Notice of Intent to Award as described in ORS 279B.135 “Notice of Intent to Award” to each proposer who was evaluated, at least seven days in advance of the contract award to the selected vendor.

7. Sole-Source Procurement When necessary, the district’s Local Contract Review Board, district director, or their designee may award a contract for goods or services without competition if they determine in writing that the goods or services are available from only one source pursuant to ORS 279B.075 “Sole-Source Procurements”.

#### 5. Electronic Advertising

Pursuant to ORS 279C.360 “Requirement for Public Improvement Advertisements” and ORS 279B.055C(4c) “Competitive Sealed Bidding”, electronic advertisement of public contracts in lieu of newspaper publication is authorized when it is cost effective to do so. The board president, district director, or designee shall have the authority to determine when electronic publication is appropriate, and consistent with the district’s public contracting policies.

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