

LAKE OSWEGO PUBLIC CONTRACT RULES 2016

Division 47 (LO)

**PUBLIC PROCUREMENTS FOR GOODS OR SERVICES
GENERAL PROVISIONS**

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DIVISION 47

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47-0270 Intermediate Procurements

[Amendment or supplement of Model Rule is shown by “redline” revisions to the text of the rule; new text is shown by double underline, and deleted text is shown by strikethrough.]

(1) Generally. For Procurements of Goods or Services greater the dollar amount stated in [ORS 279B.065](#) and less than or equal to the higher dollar amount stated in [ORS 279B.070](#), the Contracting Authority may Award a Contract as an intermediate Procurement pursuant to ORS 279B.070.

Written Solicitations. For Intermediate Procurements equal to or exceeding \$75,000, a PCO shall use a Written solicitation to obtain quotes, Bids or Proposals.

(2) Negotiations. The PCO may negotiate with a prospective Contractor who offers to provide Goods or Services in response to an intermediate Procurement to clarify its quote or Offer or to effect modifications that will make the quote or Offer more Advantageous to the Contracting Agency.

(3) Amendments. The Contract Agency may amend a Contract Awarded as an intermediate Procurement in accordance with OAR 137-047-0800, but the cumulative amendments shall not increase the total Contract Price to a sum that exceeds the higher dollar amount stated in ORS 279B.100 or one hundred twenty-five percent (125%) of the original Contract price, whichever is greater.

(4) Written Solicitations. For Intermediate Procurements equal to or exceeding \$75,000, a PCO shall use a Written solicitation to obtain quotes, Bids or Proposals.

47-0277(LO) Personal Services Procurements

[This LOPCR is in addition to the Model Rules; it does not revise a Model Rule.]

(1) Generally. A Contract for Personal Services may be awarded without competitive bidding or solicitation of quotations, except as hereafter provided in subsection (4) below. The PCO shall take into account the Selection Factors in subsection 3 below in selecting the Contractor.

(2) Exceptions.

(a) Architectural, engineering, land surveying, transportation planning and photogrammetric mapping and related services - See Division 48. .

(b) If the Contract Price of the Contract for Personal Services is greater than \$100,000, the PCO shall comply with the requirements of subsection (4) below.

(3) Selection Factors. The Contractor shall be selected based on an evaluation of the services needed, the abilities of the contractors, the uniqueness of the service, the general performance of the contractor, cost, residency (see OAR 137-46-0300), and other factors set forth by the PCO. The Contract need not be awarded to the Contractor submitting the least costly proposal. However, if a contract is not awarded to the lowest contractor, the PCO shall prepare and place in the project file a written statement of the reasons for the award.

(4) When the Contract Price of the Contract for Personal Services is in excess of \$100,000 (including any non-discretionary renewal by the City), the PCO shall prepare a Request for Proposal (“RFP”), specifying the nature of the service needed, a detailed description of the work to be performed, the minimum qualifications of contractors and any other relevant information on which a selection can be made. The PCO shall solicit and shall obtain at least

three competitive proposals based on the RFP, unless three proposals are not available. The PCO may place appropriate notices and advertisements in at least one trade magazine and/or newspaper of general circulation.

047-0630 Availability of Award Decisions

[Amendment or supplement of Model Rule is shown by “redline” revisions to the text of the rule; new text is shown by double underline, and deleted text is shown by strikethrough.]

(1) Contract Documents. To the extent required by the Solicitation Document, the Contracting Agency shall deliver to the successful Offeror a Contract, Signed purchase order, Price Agreement, or other Contract documents as applicable.

(2) Availability of Award Decisions. A Person may obtain tabulations of Awarded Bids or evaluation summaries of Proposals ~~for a minimal charge upon payment of the amount charged for production of public records by the Contracting Agency, as specified by resolution in its Master Fee Schedule or other resolution, or by ordinance,~~ in person or by submitting to the Contracting Agency a Written request accompanied by payment. The requesting Person shall provide the Solicitation Document number and enclose a self-addressed, stamped envelope. In addition, the Contracting Agency may make available tabulations of Bids and Proposals through the Electronic Procurement System of the Contracting Agency or the Contracting Agency's website.

(3) Availability of Procurement Files. After notice of intent to Award, the Contracting Agency shall make Procurement files available in accordance with applicable law.