

RESOLUTION 05-R-734

A RESOLUTION OF THE CITY OF BROOKINGS ADOPTING PUBLIC CONTRACTING RULES
AND PRESCRIBING RULES OF PROCEDURE FOR PUBLIC CONTRACTING.

WHEREAS, the City of Brookings ("City") is a municipal corporation which is subject to Oregon's public contracting rules; and

WHEREAS, in 2003 the Oregon Legislature substantially revised the Oregon Public Contracting Code, and most of these revisions will take effect March 1, 2005; and

WHEREAS, of March 1, 2005, the City's existing public contracting rules will become void, and the City is required to adopt new public contracting rules consistent with the revised Public Contracting Code; and

WHEREAS, ORS 279A.065(5) provides that a local contracting agency may adopt its own rules of procedure for public contract that:

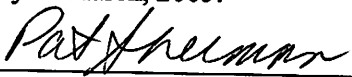
- (A) Specifically state that the model rules adopted by the Attorney General do not apply to the contracting agency; and
- (B) Prescribe the rules of procedure that the contracting agency will use for public contracts, which may include portions of the model rules adopted by the Attorney General;

NOW, THEREFORE, BE IT RESOLVED:

1. That, except as otherwise provided herein, the City hereby adopts the provisions of ORS 279A, 279B and 279C and the Oregon Attorney General's Model Public Contracting Rules ("Model Rules") as the contracting rules for the City, as such Model Rules now exist or are later modified.
2. That the City affirmatively adopts the public contracting rules described in Exhibit A which is attached to this Resolution and incorporated hereby by reference. The Rules described in Exhibit A shall be in addition to, and shall supersede any conflicting provisions in, the Model Rules.
3. That the City shall regularly review changes in the Public Contracting Code and the Model Rules to ensure that the Rules adopted in Exhibit A are consistent with current law.

The foregoing Resolution was duly adopted by the City of Brookings, Oregon on the 14th day of March, 2005. The effective date of this resolution is March 14, 2005.

PASSED by the council and signed by the Mayor this 14th day of March, 2005.



Mayor

ATTEST:

By: 

Paul Hughes, City Recorder

Exhibit A

1. **Public Contracts – City of Brookings Policy.**

- A. **Short Title.** The provisions of Resolution and all rules adopted under this Resolution may be cited as the City of Brookings's Public Contracting Regulations.
- B. **Purpose of Public Contracting Regulations.** It is the policy of the City of Brookings in adopting the Public Contracting Regulations to utilize public contracting practices and methods that maximize the efficient use of public resources and the purchasing power of public funds by:
 - (1) Promoting impartial and open competition;
 - (2) Using solicitation materials that are complete and contain a clear statement of contract specifications and requirements; and
 - (3) Taking full advantage of evolving procurement methods that suit the contracting needs of the City of Brookings as they emerge within various industries.
- C. **Interpretation of Public Contracting Rules.** In furtherance of the purpose of the objectives set forth in subsection B, it is the City of Brookings's intent that the City of Brookings Public Contracting Regulations be interpreted to authorize the full use of all contracting powers and authorities described in ORS Chapters 279A, 279B and 279C.

2. **Public Contracts.** The City Manager or his designee is hereby authorized to issue solicitations and to award contracts for which the contract price does not exceed \$25,000, subject to the following conditions:

- (1) For purchases up to the sum of \$3,000 to purchase needed items without obtaining quotes and to award without any other approval.
- (2) For purchases in excess of \$3,000 and up to \$24,999, the City Manager shall attempt to obtain three oral or written quotes and to award without any other approval.