

RESOLUTION NO. 92-R-539

A RESOLUTION ADOPTING A PROCUREMENT POLICY FOR THE CITY OF BROOKINGS.

BE IT RESOLVED AS FOLLOWS:

A. Purchases and Contracts for Equipment, Materials and Supplies Involving No Personal Services

- (1) The City Manager, or other qualified individuals so delegated by the City Manager, shall make purchases not to exceed \$500 in the open market using small purchase procedures (including petty cash and blanket purchase agreements) after such inquiry as necessary to ensure that the price obtained is the most advantageous to the City of Brookings. The City Manager shall adopt a procedure for audit of the petty cash fund to eliminate abuse and misuse. Specific use of the petty cash fund should be defined by the City Manager.**
- (2) For purchases and contracts involving a single project and a dollar amount from \$500 to \$25,000, the City Manager or his/her delegate shall use competitive quotes and invite offers orally, by telephone, or in writing. A file shall be kept with an abstract of invitations made and offers received. No contractor may be awarded in the aggregate within a fiscal year contracts in excess of \$30,000 without competitive bidding. To be binding on the City of Brookings all contracts less than \$3,000 shall be in writing and executed by the City Manager; all contracts over \$3,000 shall be in writing and executed by the City Council.**
- (3) For purchases and contracts in excess of \$25,000, the City Manager or his/her delegate shall use formal advertising methods soliciting sealed bids (unless otherwise justified). All bid advertisements shall comply with the statutory requirements prescribed in ORS 279.025. All bid advertisements shall contain the phrase "Equal Opportunity Employer". The City Council shall after a recommendation from the City Manager, award the contract to the appropriate party or reject all bids.**

(4) The City of Brookings shall endeavor to enter into intergovernmental agreements if appropriate, enabling the City of Brookings to use State and local purchasing contracts, and request that the contracting agency note in the applicable contracts that use by the City of Brookings is authorized.

(5) All procurement of equipment, materials, and supplies involving no personal services shall be documented.

B. Competitive Bidding. Purchases and contracts for the construction, maintenance and repair of City of Brookings property shall be by a competitive bidding process (as defined by Oregon Statutes, Chapter 279) unless the City Manager determines that the awarding of the contract without competitive bidding is in the public interest and the following conditions are met:

(1) The amount of the contract does not exceed \$3,000 and is for a single project.

For purchases and contracts involving a dollar amount not to exceed \$500, the City Manager may use purchase orders or other appropriate small purchase procedures as the City Manager deems appropriate.

(2) When the amount of the contract is more than \$500 but less than \$3,000, the City Manager or his/her delegate shall obtain a minimum of three competitive quotes. The City of Brookings shall keep a written record of the source and the amount of the quotations. If three quotes are not available, a lesser number will suffice provided that a written record is made of the effort to obtain the quotes.


C. Contract Price Amendments. Subject to the dollar limitations specified in paragraph A(2) above, the City Manager or the city council are authorized to amend the original contract amount up to but not to exceed 10 percent of the original contracting price. However, if the original contract was awarded through the competitive bidding process and a fixed unit price was established, the City Manager may amend the contract amount without regard to the 10 percent limit if the originally established unit price is maintained.

- D. Bidding/Non-Bidding Guidelines.** For purchases specified in paragraphs A(2), A(3) and B. of this policy statement, lack of competitive quotes or competitive bidding is permissible only when specified under Oregon Administrative Rules Chapter 125, Division 300 through 360. In addition, if an award on any contract over \$10,000 is made without competitive bidding or competitive quotes, a written report of such award, together with a statement justifying the lack of competition shall be made by the City Manager and presented to the City Council. When there is competitive bidding, the award shall be made to the lowest responsible bidder (qualified under ORS 279.029 and 279.037) who meets the bid package requirements.
- E. Equal Access to Contract Opportunities With the City.** In all publications of the city seeking competitive bids, the city shall include the statement that, "Women and minority owned businesses are encouraged to respond."
- F. Written Procedures.** The City Manager shall establish written procedures to carry out and ensure compliance with the above procurement policy. Citations to ORS statutes herein regarding State laws are not to be construed as a general adoption by the City of Brookings of State purchasing law. Therefore, the requirements stated in the ORS citations noted above may be waived by the City Manager for a good cause.
- G. Conflict of Interest.** No employee, officer or agent of the City of Brookings shall participate in the selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:
- (1) The employee, officer or agent;
 - (2) Any member of his immediate family;
 - (3) His or her partner; or

- (4) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

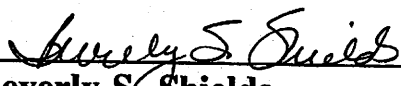
The City's officers, employees or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements.

PASSED by the council and signed by the mayor this 10th day
of August, 1992.



Fred Hummel
Mayor

ATTEST:



Beverly S. Shields
City Recorder