

ORDINANCE NO. 326

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A PUBLIC CONTRACT REVIEW BOARD FOR THE CITY OF BROOKINGS AND ESTABLISHING THE POWERS OF SUCH BOARD AND DECLARING AN EMERGENCY

The City of Brookings ordains as follows:

Section 1. Contract Review Board. The Brookings City Council is hereby designated as the local Contract Review Board pursuant to Oregon Revised Statutes 279.035 and relative to contract concerns of this city shall have all of the powers granted to the State Public Contract Review Board.

Section 2. Definitions. Definitions shall be as provided in Oregon Revised Statutes Chapter 279.

Section 3. Competitive Bids; Exemptions. Competitive bids and exemptions shall be as provided in Oregon Revised Statutes 279.015 and Oregon Administrative Rules 127-10-010 to 127-10-160.

Section 4. Bid Rejection. The city or an official designated by the city may reject any bid not in compliance with all prescribed public bidding procedures and requirements and may reject all bids if it is in the public interest to do so.

Section 5. Bidder Disqualification. The city or an official designated by the city may disqualify any person as a bidder on a contract if:

(1) The person does not have sufficient financial ability to perform the contract. Evidence that the person can acquire a surety bond in the amount and type required shall be sufficient to establish financial ability;

(2) The person does not have equipment available to perform the contract;

(3) The person does not have personnel of sufficient experience to perform the contract; or

(4) The person has repeatedly breached contractual obligations to public and private contracting agencies.

Section 6. Appeal of Disqualification. A person who has been disqualified by the board as provided in this section shall:

(1) Within three business days after receipt of notice of disqualification, in writing notify the City Manager and/or Mayor that he wishes to appeal his disqualification.

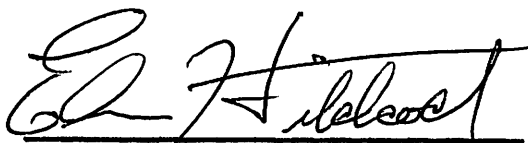
(2) Immediately upon receipt of such written notice of appeal, the City Manager and/or Mayor shall inform the board.

(3) Upon receipt of notice of appeal, the board shall notify the person appealing of the time and place of the hearing.

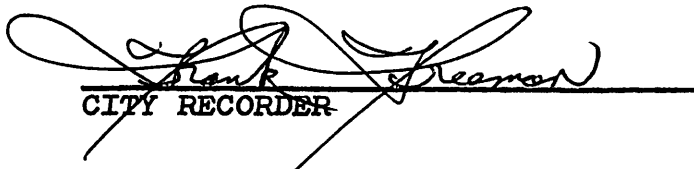
(4) The board shall conduct the hearing according to the provisions of ORS 279.045(3) and decide the appeal within 10 days after receiving the notification and shall set forth in writing the reasons for its decisions.

Section 7. Repeal. Ordinance No. 267 passed by the council and approved by the Mayor on January 27, 1976 is hereby repealed.

PASSED By the Council of the City of Brookings and signed by the Mayor on this 8th day of January 1980.

  
MAYOR

ATTEST:

  
CITY RECORDER

ORDINANCE 326 (2)