

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 19-04-30-02

IN THE MATTER OF AMENDING LANE MANUAL
CHAPTER 20 TO UPDATE RULES AND
POLICIES PERTAINING TO PUBLIC
CONTRACTING

The Board of County Commissioners of Lane County ORDERS as follows:

1. Lane Manual Chapter 20 is amended by removing, substituting and adding the following sections. Said sections are attached as Exhibit A and incorporated herein by this reference.

REMOVE THESE SECTIONS

INSERT THESE SECTIONS

NONE

20.280

2. The authority granted in Lane Manual Chapter 20, Section 20.280 shall be effective immediately upon execution of this Order.
3. If any section, subsection, sentence, clause, phrase or portion of this Order or the referenced Lane Manual provisions are, for any reason, held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion is to be deemed a separate, distinct, and independent provision, and such holding will not affect the validity of the remaining portions.

ADOPTED this 30th day of April, 2019.



Peter Sorenson, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 4/22/2019 Lane County



OFFICE OF LEGAL COUNSEL

20.280 Disposal of Recyclable and Nonrecyclable Waste Materials.

The County may sell, pay for disposal of, or contract for the sale or disposal of waste materials without competitive selection when necessary to dispose of waste materials received at County solid waste or Public Works facilities in a timely manner, provided that:

(1) The County has encouraged competition by researching potential purchasers or receivers and making formal or informal solicitations for such services,

(2) The County has been unable to either obtain competitive offers or to identify purchasers or receivers willing to enter into a term contract with the County, and

(3) The Director of the Department of Public Works has approved the method for selection of a purchaser, receiver, or contractor for the type of material that is in the best interests of the County. Such methods may include, but are not limited to, selection of the only known purchaser or receiver within a commercial reasonable distance, comparative one-time price quotes, response time, and direct negotiation.

CONDITIONAL EXEMPTIONS FROM COMPETITIVE SELECTION

20.310 Small Procurements.

(1) Where possible, selection of a vendor for small procurements should be made by competitive selection, unless impracticable. However, the County may award a contract for goods or services without competitive selection, provided that:

(a) For public improvement projects, the amount does not exceed \$5,000 or 3 years in length, pursuant to ORS 279C.335.

(b) For all other small procurements, the amount does not exceed \$10,000 or 3 years in length.

(2) No contract may be considered a small procurement under this rule if it is a component of a larger purchase, set of purchases, or project, all taking place in one year, and which when taken together as a whole would exceed \$10,000 in contract amount.

(Revised by Order No. 15-09-01-05, Effective 10-15-15)

20.315 Sole Source Contracts.

The County may award a contract for goods or services without competitive selection, when there is only one source for goods or services, or a class of goods or services of the quality required by the County, providing that:

(1) The County makes a reasonable effort to identify and notify any potential offerors regarding the intended purchase or project. Such efforts may include, but are not limited to: direct vendor contacts, requests for information, requests for letters of interest, or requests for qualifications. If the County intends to make multiple purchases of the product or services over a period of time, that information must be included in any information given to potential offerors.

(2) A sole source determination is made based on written findings, pursuant to ORS 279B.075(2). Authority to make the determination is granted to:

(a) For contracts not greater than \$50,000, to the Department directors or their designees.

(b) For contracts not greater than \$100,000, to the County Administrator, based upon proposed written findings prepared by the Department, along with such other information as the Administrator may require.

(c) For contracts in excess of \$100,000, public notice of the proposed determination must be published electronically on the website designated by the County for advertisements for bids or through another public notice placed so as to be reasonably able to reach potential offeror of such goods