

West Linn-Wilsonville School District 3J

Code: DJC
Readopted: 4/3/23

Bidding Requirements

The Board is the Local Contract Review Board (LCRB) for the district. All public contracts shall be invited in accordance with applicable competitive procurement provisions of Oregon Revised Statutes and adopted public contracting rules.

The Board, acting as its own LCRB,) adopts¹ the *Oregon Attorney General's Model Public Contract Rules*, Oregon Administrative Rule (OAR) Chapter 137, Divisions 046 through 049 in effect at the time this policy is adopted and subsequent modifications to the Rules.

Should the district use the construction manager/general contractor alternative contracting methodology, the district shall procure the construction manager/general contractor services in accordance with model rules the Attorney General adopts under ORS 279A.065(3).

Additionally, the Board may include as part of its rules portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246-249 in effect at the time this policy is adopted.

Where necessary, the Board will make the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The Board recognizes that a public contracting agency that has not established its own rules of procedure as permitted under ORS 279A.065 (5) is subject to the model rules adopted by the Attorney General, including all modifications to the model rules that the Attorney General may adopt.

The Board, acting as the LCRB, may enact a resolution that authorizes the district to designate a public improvement as a community benefit contract per the requirements included in ORS 279C.300 to 279C.470.

Contracts designated as a community benefit contract shall:

- Be estimated to exceed \$2 million dollars; and,
- Be subject to Oregon prevailing wage requirements²; and,
- Require the contractor to make “employer-paid, family health insurance” available to workers employed in Apprenticeable Occupations³ on the project site; and,
- Require the contractor to provide apprenticeship training; and
- Require the contractor to provide a minimum twenty percent apprenticeship utilization for Apprenticeable Occupations on the project site; and,
- Require the contractor to engage in good faith recruitment of minority, women and service-disabled veteran workers for Apprenticeable Occupations on the project.

Procurements estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process described in ORS 279B.

END OF POLICY

¹Public Contracts shall be governed by ORS Chapter 279, 279A, 279B, or 279C. Additionally, the Board may, as provided by ORS 279A.065, adopt the *Oregon Attorney General's Model Public Contract Rules*, OAR Chapter 137 governing purchasing/bid procedures. The Board may also adopt the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125. The Board may adopt portions of those rules or adopt its own rules. A Board that has not established its own rules of procedure for public contracts is subject to the model rules (OAR 137) adopted by the Attorney General.

²See ORS 279C.800 to 279C.870 for the definition of "prevailing rate of wage" and for prevailing wage requirements.

³"Apprenticeable Occupations" is defined in ORS 660.010.

Legal Reference(s):

[ORS Chapters 279A, 279B and 279C](#) [OAR Chapter 125](#), Divisions 246-249

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES MANUAL.

Cross Reference(s):

DJ - District Purchasing
DJCA - Personal Services Contracts
DJG - Vendor Relations