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Chapter 3.08

CONTRACT REVIEW BOARD

Sections:

- 3.08.010 Designated--Powers generally.
- 3.08.020 Rulemaking authority--Generally.
- 3.08.030 Adoption of rules.
- 3.08.040 Findings required for exemptions.

3.08.010 Designated--Powers generally. A. The board of county commissioners of the county is designated as the local contract review board for the county.

B. Except as provided in ORS 279.019(1) and (2) and the authority to prescribe the standard prequalification application forms in ORS 279.039(1), the local contract review board shall have all the powers granted the State of Oregon Director and Department of General Services under ORS 279.011 to 279.061. (Ord. 84-2-2 §1, 1984)

3.08.020 Rulemaking authority--Generally. The local contract review board (LCRB) shall have rulemaking authority as provided in ORS 279.055. (Ord. 84-2-2 §2(1), 1984)

3.08.030 Adoption of rules. The LCRB shall adopt rules in the following manner:

A. The LCRB shall hold a hearing prior to the adoption, amendment or repeal of any rule.

B. Prior to the hearing, notice shall be given conforming to the requirements of ORS 192.640 (public notice for public meetings).

C. Interested persons shall be given a reasonable opportunity at the hearing to submit data or views.

D. Notwithstanding subsections A through C of this section, in an actual emergency the LCRB may adopt, amend, or suspend a rule upon such notice as is appropriate to the circumstances if it prepares:

1. A statement of its findings that its failure to act promptly will result in serious prejudice to the public interest or the interest of the parties concerned and the specific reasons for its findings of prejudice;
2. A citation of this section or other legal authority relied upon;
3. A statement of the need for the rule and a statement of how the rule is intended to meet the need; and
4. If less than twenty-four hours' notice was given, a description of the emergency.

E. A rule adopted amended or suspended under subsection D of this section is effective only for one hundred eighty days (or less, if an earlier period of time is specified

in the rule). The adoption of a rule under this subsection does not preclude the subsequent adoption of an identical rule under subsections A through C of this section.

F. The LCRB shall file with the county clerk a copy of each rule adopted by it.

G. Each rule is effective upon the date of its adoption if filed with the county clerk within forty-eight hours. If not filed within forty-eight hours, the rule shall become effective on the date of its filing. (Ord. 84-2-2 §2(2), 1984)

3.08.040 Findings required for exemptions. Any rule exempting certain public contracts or classes of public contracts from the requirements of competitive bidding may be made only upon findings of the LCRB that:

A. It is unlikely such exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; and

B. The awarding of public contracts pursuant to the exemption will result in substantial cost savings to the public contracting agency. In making such finding, the director or board may consider the type, cost, amount of the contract, number of persons available to bid and such other factors as may be deemed appropriate. (Ord. 84-2-2 §2(3), 1984)