

February 24, 2005

05-059

APPROVE ADOPTION OF THE PROPOSED COMMUNITY  
COLLEGE RULES OF PROCUREMENT

PREPARED BY: Roger Cardinal, Manager, Procurement & Risk Services

FINANCIAL  
RESPONSIBILITY: Wing-Kit Chung, Associate Vice President, Finance

APPROVED BY: Randy McEwen, Vice President, Administrative Services  
Dr. Preston Pulliams, District President

REPORT: On November 18, 1985, in accordance with ORS 279.055 (2) the Portland Community College Board adopted Resolution #86-53 establishing the College Board of Directors as the Local Contract Review Board (LCRB) for the College. The primary function of the LCRB is the adoption of rules to govern the College's purchasing activities. At that same time the LCRB adopted the then-current Attorney General's Model Public Contract Rules and the Oregon Administrative Rules, Chapter 125, Public Contract Exemptions, as the purchasing rules for the College.

On October 24, 1991, the LCRB, per Resolution #92-40, adopted the August 1990 Attorney Generals' Model Public Contract Rules and Oregon Administrative Rules, Chapter 125, Public Contract Exemptions.

On January 21, 1993, the LCRB, per Resolution #93-81, increased the formal competitive (Bids and RFPs) limit for the purchase of goods, materials, supplies, services (including personal and professional services), and public improvements to \$25,000.

On September 17, 1998, the LCRB, per Resolution #99-020, adopted more updated and the current public contracting rules. A Portland Community College specific set of revised public contracting rules was developed and adopted, rather than continuing to utilize both the State's Administrative and Model rules. The revised rules increased the limit

requiring competitive quotes from \$2,500 to \$5,000, and increased the formal competitive process (for both bid and proposal processes) limit to \$50,000.

On June 24, 2004, the LCRB, per Resolution #04-172, increased the formal competitive process limit for all goods and services to \$100,000.

A revised State Statute, ORS 279 - the Public Contracting Code, becomes law on March 1, 2005. As of that date, all previously adopted rules by all LCRBs are no longer applicable. Each LCRB is required to adopt new rules of procurement to go into effect on March 1, 2005. For that reason, an advisory team of Oregon Community College Purchasing Professionals started meeting regularly in the Spring of 2004 drafting a new set of rules that could be adopted by all Oregon community colleges. These new rules incorporate the majority of the new Oregon Attorney General's Model Public Contract Rules (Oregon Administrative Rules) that also go into effect on March 1, 2005. The LCRB was provided a copy of the draft Community College Rules of Procurement in January 2005. A copy of the final document has been provided to the LCRB, which includes the findings necessary for adoption. There are no substantive changes from the current rules; e.g., no changes in limits requiring either quotes or formal processes.

In order to adopt the proposed new Community College Rules of Procurement, the Board of Directors, acting as the LCRB, must also hold a public hearing. The purpose of the public hearing, which is required by ORS 279, is to take comments on the findings regarding adoption of the rules.

**RECOMMENDATION:**

That the Board, in their capacity as the LCRB and after the public hearing, finds that it is in the best interest of the College to adopt the proposed new Community College Rules of Procurement to be effective March 1, 2005.

Director Williams moved to approve Resolutions 05-52 through 05-056 and 05-058 through 05-061 and it passed unanimously. Resolution 05-057 was removed from the agenda.