

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Section 2.37.120 of Title *
2.37, Contracting, of the Deschutes County Code; * ORDINANCE NO. 2023-026
Emergency Adoption. *

WHEREAS, the Deschutes County Code (DCC) contains rules and regulations duly enacted through ordinance by Deschutes County and the Deschutes County Board of Commissioners; and

WHEREAS, from time-to-time the need arises to make amendments, including new enactments to the DCC; and

WHEREAS, staff from Facilities, Administration, and Legal have from time to time identified a need to amend DCC 2.37 to reflect either state law changes or revisions appropriate for county operations; and

WHEREAS, the Board of County Commissioners of Deschutes County considered this matter at a duly noticed public hearing during the Board meeting on December 13, 2023, and determined that Section 2.37.120 of Title 2.37 should be amended; now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. AMENDMENT. DCC 2.37.120 is amended to read as described in Exhibit “A,” attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 2. ADOPTION. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist; this Ordinance takes effect on January 1, 2024.

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Dated this _____ of _____, 2023

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DeBONE, Chair

PATTI ADAIR, Vice Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner

Date of 1st Reading: 13th day of December, 2023.

Date of 2nd Reading: 13th day of December, 2023.

Commissioner

Yes

No

Record of Adoption Vote

Abstained

Excused

Patti Adair

Phil Chang

Anthony DeBone

Effective date: 1st day of January, 2024.

EXHIBIT A

(To Ordinance No. 2023-026)

2.37.120 Notice Of Intent To Award; Notice To Proceed And Contract Administration

- A. At least seven (7) days before the award of a public contract, unless the Purchasing Agent or the Board determines that seven days is impractical, the Purchasing Agent shall post on the county's website or provide each bidder or proposer notice of the county's intent to award a contract. This subsection does not apply to a contract awarded as a small procurement under ORS 279B.065, an intermediate procurement under ORS 279B.070, a sole-source procurement under ORS 279B.075, an emergency procurement under ORS 279B.080 or a special procurement under ORS 279B.085.
- B. Unless a timely protest is received and after issuing notice in accordance with subsection A of this section, if required, the Purchasing Agent shall prepare a contract in accordance with the contractor selection results and furnish same for the contractor's execution.
- C. After the contractor has executed the contract and furnished bonds, if required, and proofs of insurance the Purchasing Agent shall execute the contract, if within the Purchasing Agent's authority, or submit same to the Board for approval.
- D. If the Notice of Intent to Award provides that the contract may be processed administratively and/or without further action by the Board, no additional Board action shall be required.
- D-E. If not proceeding pursuant to D above, should ~~if~~ the Board approves the contract, it shall adopt an order or otherwise authorize the Purchasing Agent or County Administrator to execute the contract and to approve change orders within the scope of 2.37.080.B.9 or amendments within the scope of the project for which the contract has been prepared.
- E-F. The contractor shall not begin work under the contract until the contract is fully executed and in the case of public works contracts the county has issued and delivered a Notice to Proceed.
- F-G. For purchases of goods the county may indicate in the solicitation that the selected contractor will be issued a purchase order, which refers to 2.37.150 for required contract terms.

HISTORY

Adopted by Ord. [2005-010](#) §1 on 2/28/2005

Amended by Ord. [2008-023](#) §1 on 11/23/2008

Amended by Ord. [2023-026](#) §1 on 12/13/2023