



City of Wilsonville

City Council Work Session: May 6, 2024
Update to Wilsonville's Public Contracting
Code and its Procurement Program

Prior Work on this Project

- Work sessions & other discussion
 - February 22
 - March 18
 - April 1



Background

- Pre-2005 Public Contracting Laws in ORS 279
- 2003 – State overhaul of public contracting laws
- 2005 – Public contracting laws go into effect
 - ORS 279A, 279B, and 279C
 - OAR 137-046, 137-047, 137-048, 137-049



Background

- 2005 – Wilsonville adopts new local public contracting code, generally follows state
 - No significant revisions since 2005
- 2022 – Staff started to identify beneficial updates



Reasons to Update City Code & Program

- Request for standards from auditors
- Outdated exemptions
- Implicit conflicts
- Repetition of language from state statutes:
Eliminate duplicative language
- Inflation (60% since 2005 using CPI)
- Updates to state statutes
- Address ambiguities



High-level Summary of Approach

- Continue to follow “Model Rules”
- Streamline provisions in code; shift some provisions into administrative rules
 - Exemptions
 - Surplus property
 - Bid rejection/disqualification
- Reduce barriers for businesses



Changes to Administrative Authority

- Council's authority required for...
 - Contracts (\$250,000 or more)
 - IGAs (\$100,000 or more)
 - Contract amendments and change orders (25% or more of "Original Contract Value," also \$250,000 or more)
- City Manager authority up to these levels, subject to budget authority



Preview: Administrative Rules

- Reporting requirement (quarterly)
- Expanded exemption:
 - Computer hardware/software
- New exemption:
 - National Citizen Survey
 - Environmental stewardship programs
 - Public art
- Professional services (more flexibility up to \$100,000)



Timeline

- Code updates
 - First reading & public hearing: May 6
 - Second reading: May 20
- Administrative rules
 - First reading: June 17
- New manual
 - Ready for use by staff: July 1

