

City Council April 21, 2025 6pm

Newberg Public Safety Building 401 E. Third Street Denise Bacon Community Room

Online: https://us06web.zoom.us/j/89536547180

Public Comment Registration

View Slides

- 1. Call to Order
- 2. Roll Call
- 3. Pledge of Allegiance
- 4. Proclamations
 - 4.1. National Day of Prayer Proclamation
- 5. City Manager Report
 - 5.1. February Statistical Report
- 6. Public Comments
- 7. Continued Business
 - 7.1. Taste Newberg Presentation
- 8. New Business
 - 8.1. Oregon Main Street Presentation
 - a. Oregon Main Street 2024 Annual Report
 - 8.2. Tualatin Valley Fire and Rescue 2025 State of the District Presentation
 - 8.3. Amendment to Purchasing Manual
 - a. Attachment A- Purchasing Manual Redline
- 9. Council Business
 - 9.1. Downtown Beautification
- 10. Adjournment

ADA Statement: Contact the City Recorder's Office for physical or language accommodation at least 2 business days before the meeting. Call (503) 537-1283 or email cityrecorder@newbergoregon.gov. For TTY services please dial 711.

^{*}Indicates supplementary item

REQUEST FOR COUNCIL ACTION



Date Action Requested: April 21, 2025

Order	Ordinance	Resolution	Motion	Information	Proclamation ⊠
Subject: Na	ational Day of Pi	rayer Proclamatio		Staff: Rachel Thomas Department: Admin	
Business Session				Order On Agenda: Proclamations	

Is this item state mandated? Yes \square No \boxtimes

If yes, please cite the state house bill or order that necessitated this action:

Recommendation: Issue a proclamation declaring May 1, 2025 as National Day of Prayer in Newberg.

Executive Summary: The National Day of Prayer is a Public Law established in the United States Congress in 1952 approved by a Joint Resolution and amended by Congress and President Reagan with Public Law 100-307 in 1988, affirming that it is essential for us as a nation to pray and directs the President of the United States to set aside and proclaim the first Thursday of May annually as a National Day of Prayer.

Fiscal Impact: N/A

Council Goals: N/A

PROCLAMATION



WHEREAS, this great republic is a nation of many vibrant faiths, whose founding fathers wisely refused to set one faith above others; and

WHEREAS, our great town and community is made up of many faiths and a rich spirituality; and

WHEREAS, Throughout the history of America we have poured out prayers to the God of hope; in times of crisis and celebration, in prosperity and need, in times of war and peace we have poured out praise to God for all He is, thanks to God for all He has done, confession and pleas for forgiveness when we have parted from His Word and will; and

WHEREAS, From the first prayer of our Continental Congress in 1774, to the opening of every session of the House of Representatives and Senate, and throughout hearts and homes across America, the practice of prayer continues to seek God for guidance, wisdom, power, protection, and provision that has preserved hope and united us as one nation under God; and

WHEREAS, The National Day of Prayer is a Public Law established in the United States Congress in 1952 approved by a Joint Resolution and amended by Congress and President Reagan with Public Law 100-307 in 1988, affirming that it is essential for us as a nation to pray and directs the President of the United States to set aside and proclaim the first Thursday of May annually as a National Day of Prayer; and

WHEREAS, In our city and across America the observance of the National Day of Prayer will be held on Thursday, May 1, 2025, with the theme, "Pour Out to the God of Hope and Be Filled", "Now may the God of hope fill you with all joy and peace in believing, so that you will abound in hope by the power of the Holy Spirit," and

NOW, THEREFORE, IT IS PROCLAIMED, by the Mayor and City Council, and on behalf of the people of the City of Newberg, Oregon, that we declare May 1, 2025 as a Day of Prayer.

Throughout our City and I commend this observance to our citizens and request that prayers be poured out for our City; for our neighbors as we live, serve, work, and learn together that we made be filled with all joy and peace and abound in hope.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on this 21st day of April 2025.

	_
Bill Rosacker, Mayor	

REQUEST FOR COUNCIL ACTION



Date Action Requested: (April 11, 2025)

Order	Ordinance	Resolution	Motion	Information ⊠	Proclamation	
Subject: C	M statistics for F	ebruary 2025		Staff: Will Worthey CM Department: Administration		
Work Session \square Business Session \boxtimes				Order On Agenda: CM report		

Is this item state mandated? Yes \square No \boxtimes

If yes, please cite the state house bill or order that necessitated this action: NA

Recommendation: NA

Executive Summary: The summary of events conducted by city departments in February of 2025.

Fiscal Impact: All were conventionally budgeted items.

Council Goals:

Goal 4: Create and maintain a high level of transparency with our residents in order to build trust.

O1: Expand communication outreach in regard to regular city events and additional involvement with city businesses by the end of 2026.

Newberg CM report

Monthly Statistics to the end of February 2025





Planning: combined planning decisions of all sorts*: 5







^{*} Combined from the Director, Planning Commission and Council



Planning: building permits for housing units: 1

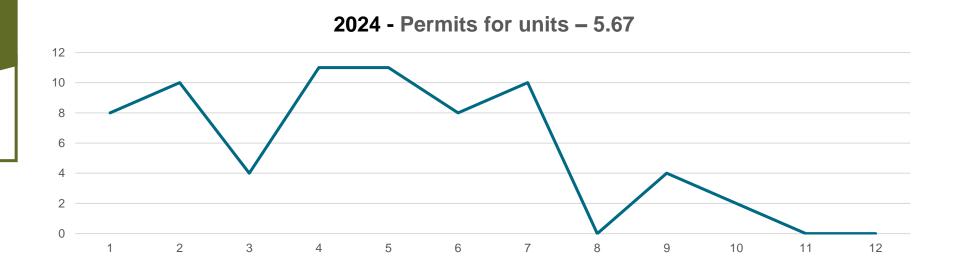
Average 2022

15



Average 2023

7.75

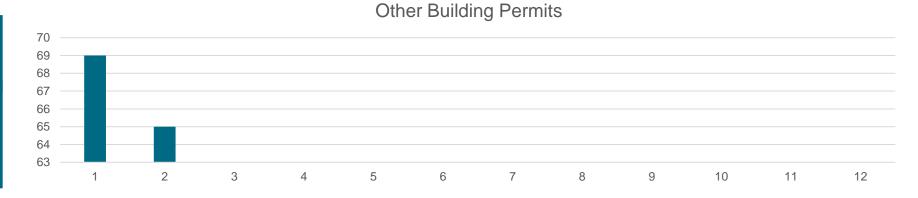




Planning: building permits other types: 65



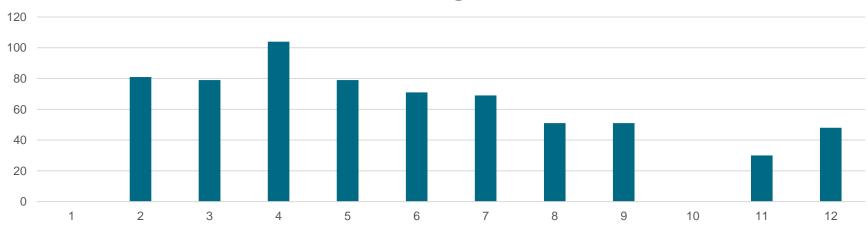
122



Average 2023

101

2024 - Other Building Permits - 55.25





Planning: building inspections: 313



Average 2022

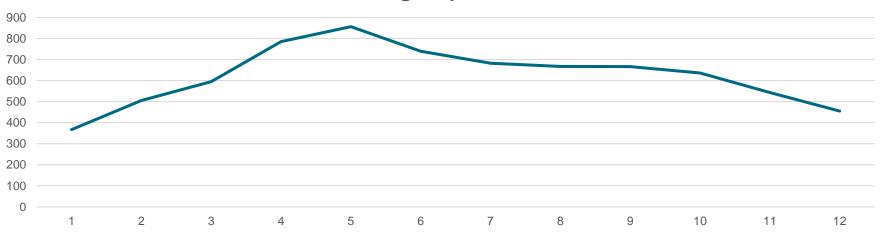
691



Average 2023

728

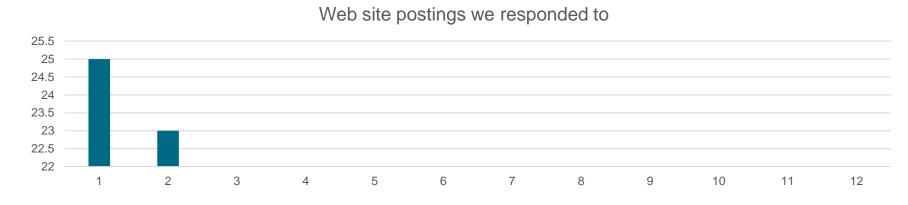
2024 - Building Inspections - 624.67



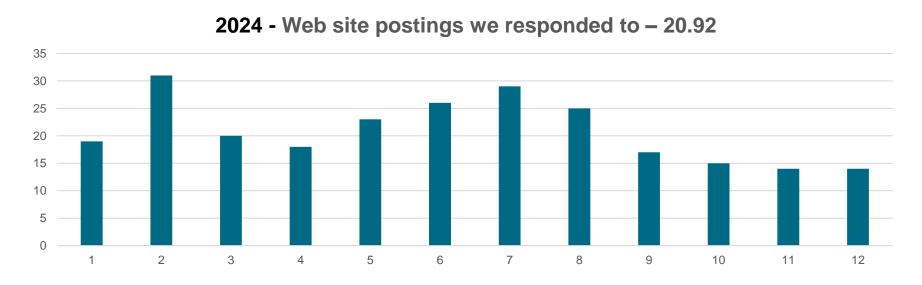


Community Engagement: submission forms through website: 23

Average 2022



Average 2023 24.58

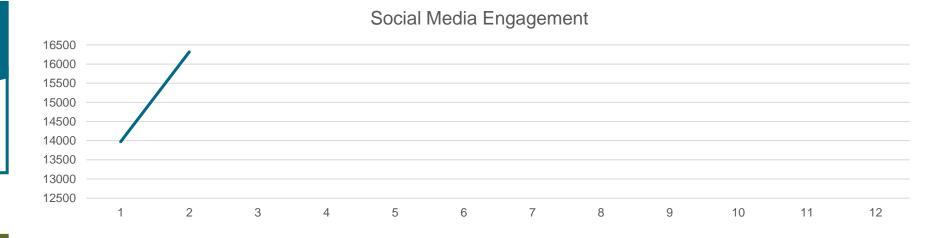




Community Engagement: social media engagement: 16,318

Average 2022

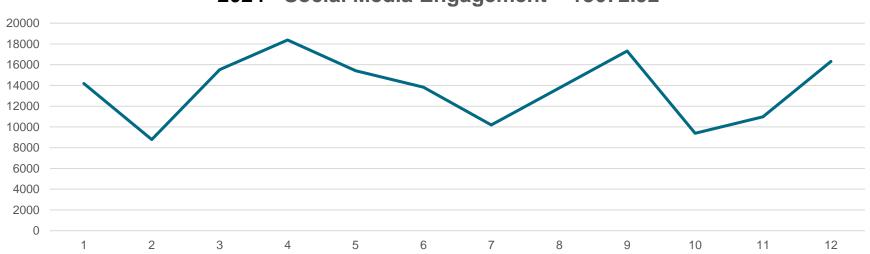
7942.5



Average 2023

7560.8

2024 - Social Media Engagement - 13672.92





Community Engagement: Social followers Facebook 4,397, Other 493, Linkedin 1,023

Average 2022

Facebook

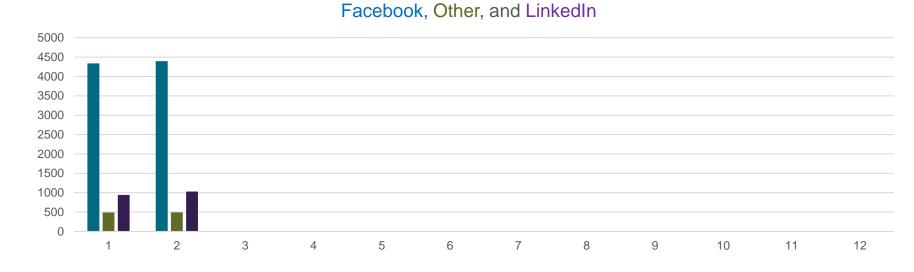
3746

Twitter

415

LinkedIn

253.6



Average 2023

Facebook

3937

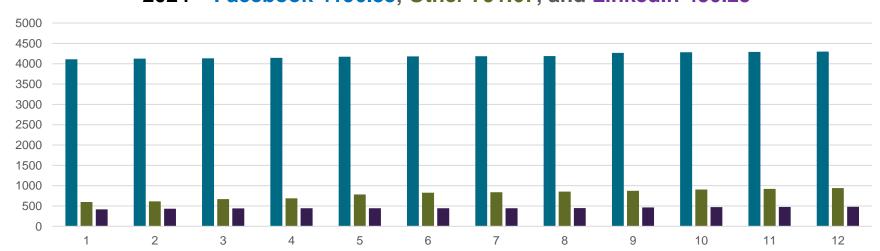
Other

437

LinkedIn

326

2024 - Facebook 4196.83, Other 791.67, and LinkedIn 450.25





City Recorder: Public Records Requests: 11

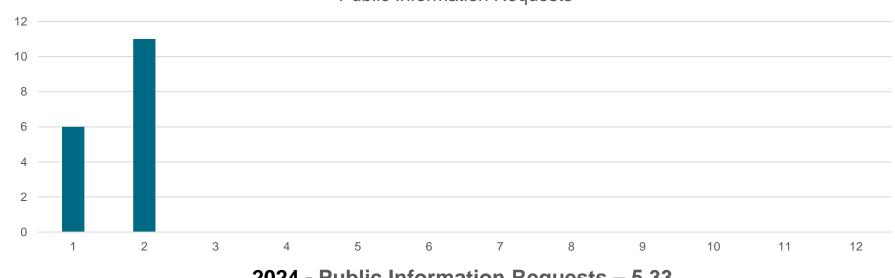
Public Information Requests

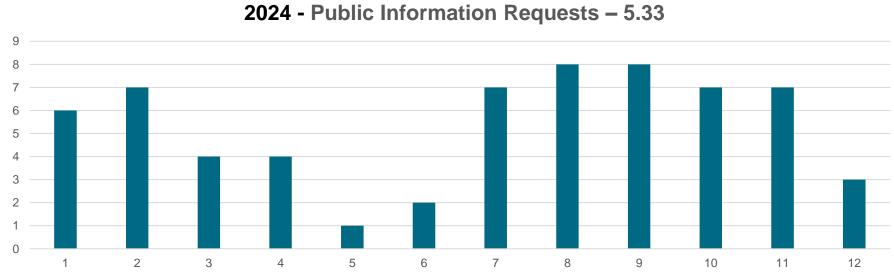
Average 2022

4.5

Average 2023

5.5







Finance: \$1.23 M of payments to accounts payable & \$1.13 M of payroll





Average 2023 AP \$2.56 M Payroll \$1.01 M





Average 2022

Recruitments

5.6

Hires

1.9

Separations

1.6

Claims

2.6

Average 2023

Recruitments

4.17

Hires

1.92

Separations

1.08

Claims

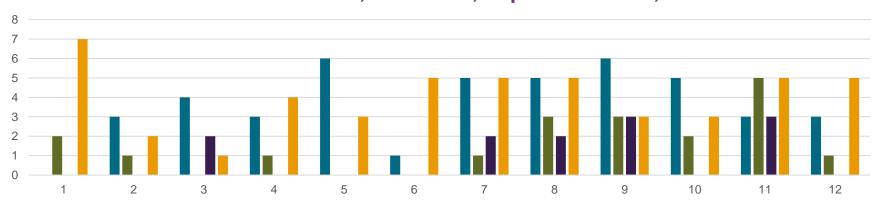
3.33

HR: Recruitments advertised: 3 Hires: 0 Separations: 1, FMLA / ADA / OFLA / workers comp claims: 2

Recruitments, Hires, Seperations, Claims



2024 - Recruitments 3.67, Hires 1.58, Separations 1.00, Claims 4.00



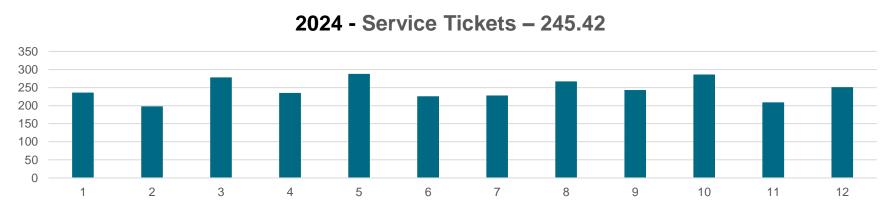


IT resolved 327 service tickets for the city.











IT responded to 1 after hours on-call events.



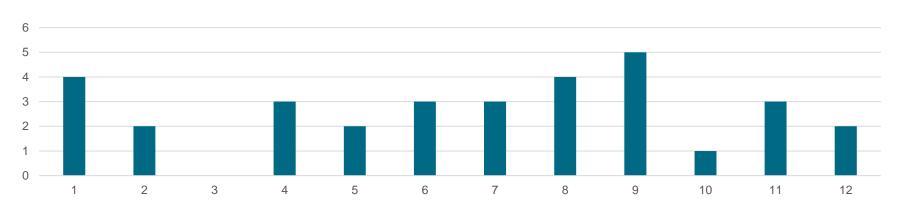
3.6



Average 2023

2.58

2024 - After hours events - 2.67

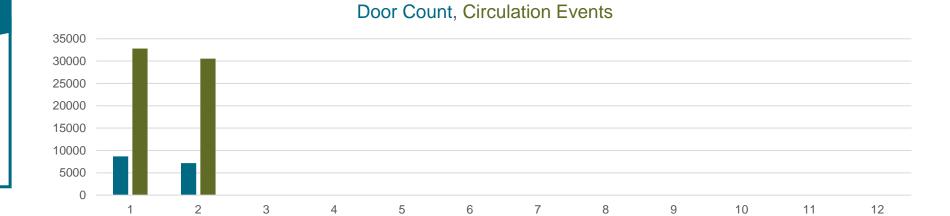




Library Activity: Door count 7,164, Circulation events 30,572

Average 2022

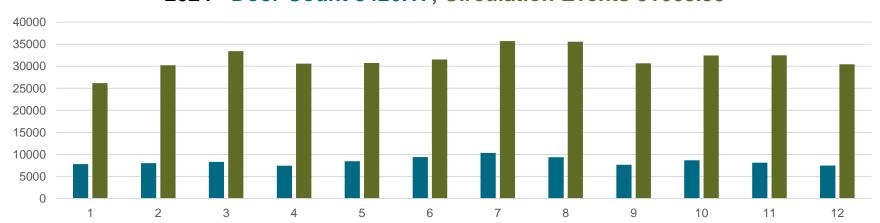
7108
Circulation
Events
23,418



Average 2023

8372
Circulation
Events
25,889

2024 - Door Count 8426.17, Circulation Events 31668.58





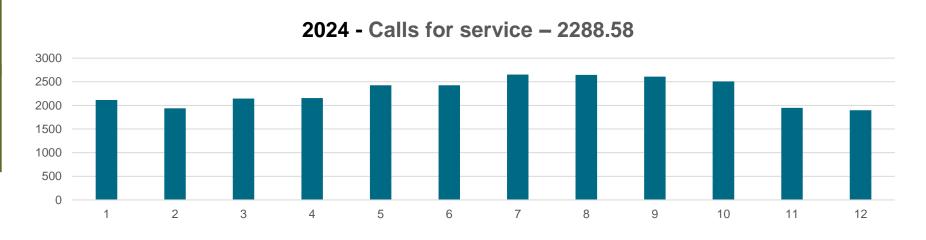
Public Safety: 1,953 – calls for service



2065



Average 2023 2206



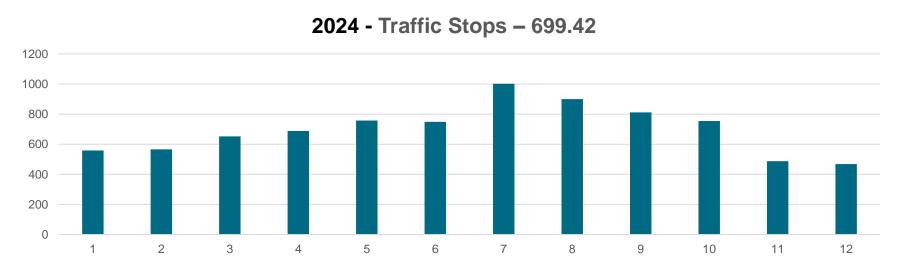


Public Safety: 641– traffic stops











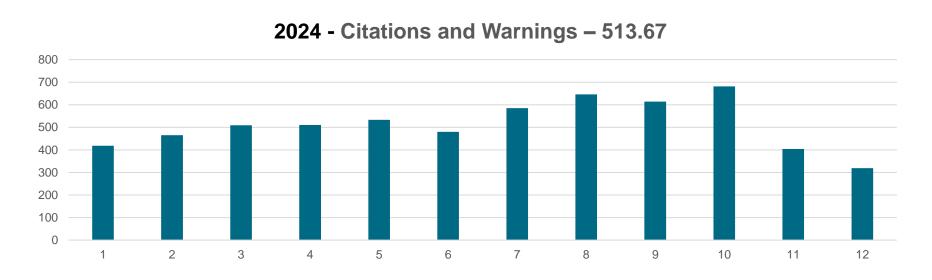
Public Safety: 560 – citations & warnings

Citations and Warnings





Average 2023 433



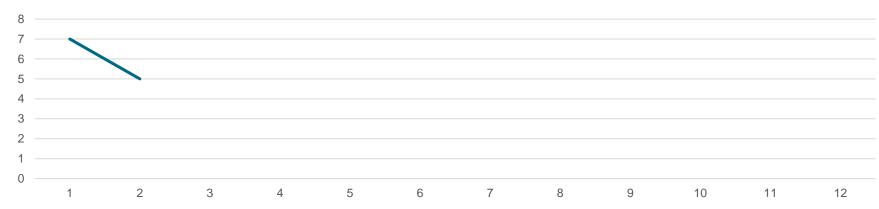


Public Safety: 5 – DUII's

DUIIs

Average 2022

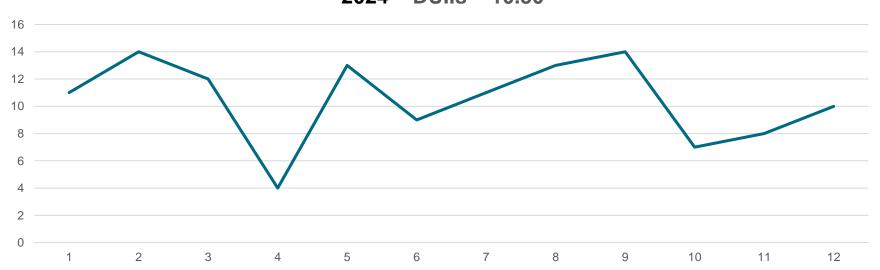
12.1



2024 - DUIIs - 10.50

Average 2023

9.83





Average 2022

911 Calls 817 Non-Emergency Calls 3436

Dispatch: 692 "911" calls & 2,286 non-emergency calls



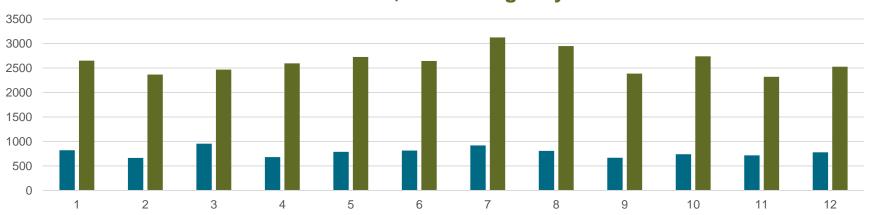


Average 2023

911 Calls 892 Non-Emergency Calls

3214

2024 - 911 calls - 779.67, Non emergency calls - 2623.67





Public Works: water production was 43.6 million gallons,

& 142.9 million gallons (MG) were treated

Average 2022

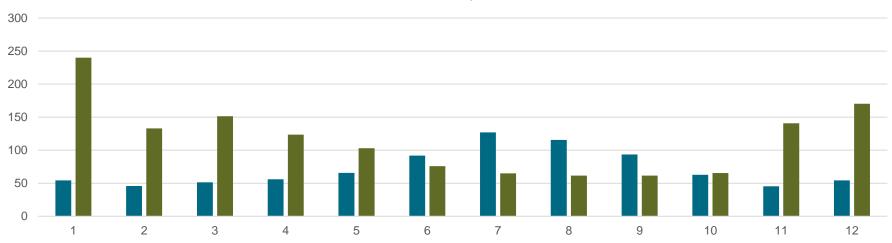
Clean Water 69.45 MG Waste Water 105.46 MG



Average 2023

Clean Water 73.33 MG Waste Water 108.20 MG

2024 - Clean water - 71.89, Waste Water - 115.92





Public Works: 1,507 work orders completed







Average 2023 1677





So that's the totals to the end of February 2025

Relatively light on DUII's and very high wastewater processing in the winter.

Also, an uptick in help ticket activity for IT – moving some desktops to new images and windows 11.

Massive PRR levels severally impacting admin staff time.

Questions?



2024-2025 Taste Newberg Mid Year Review

Leigh Jensen - Executive Director Katie McFall - Deputy Director

Taste Newberg

Tourism as an Economic Driver

Mission Statement:

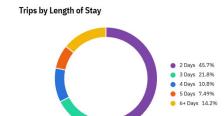
Stimulate a Year-Round Visitor Economy in Newberg

Vision Statement:

Newberg will be widely acknowledged as one of the most extraordinary and distinctive destination in Oregon and a best-in-class tourism resource in Yamhill County.



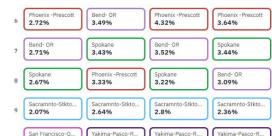
Top Marketing for overnight stays



Average Length of Stay: 4.4 Days

10 1.87%





2.01%

2.19%

Yakima-Pasco-R.,

2.06%





2-Year

Leverage existing assets to drive tourism in shoulder season

- ACTION: Identify which local businesses are most tourism-focused
 - Compile a comprehensive list of tourism partners in Newberg:
 - Lodging
 - Restaurants
 - Wineries
 - Other
- ACTION: Survey and share info on existing assets
- ACTION: Survey and understand local businesses' goals and needs
 - Compile Industry stories and information for PR initiatives

5-Year

Create New OFF-Season Events/Assets

- ACTION: Develop new tourism products
 - Develop 2/3 Destination experiences/events for Newberg.

Marketing & PR

2-Year

Develop & maintain "best-in-category" Marketing & PR plans

- · ACTION: Create award winning website
 - Rebranding of Website, currently under contract – Proposed launch December 2024
- ACTION: Leverage PR to showcase Newberg in a positive light
 - Contract with New PR Company Contracted August 2024
 - o Goal to expand national PR coverage

5-Year

Streamline collection of marketing efforts of tourism businesses

- ACTION: Explore & evaluate the effectiveness of OTIS, and other tourism promotion programs
 - · Measure listing information for accuracy
 - · Assess current marketing material
 - · Research new opportunities

Improve Community & Industry Relationships

- ACTION: Build cross regional destination referral program
 Connect with local regions for more coop opportunities
- ACTION: Engage more tourism related industries to work together on driving tourism
 - Continue to work with local community partners through stable table
 - o Advocate for Newberg at regional and state levels

Industry Relations

5-Year Create Hospitality Training & Awards

- ACTION: Access current statewide efforts for inspiration and potential opportunities
- ACTION: Evaluate Newberg training options with support from the stable table



Stargazing Willamette River Experience

- First year of this experience being offered
- Partnership between NW Jet Boat Charter, Carlton Observatory, and Willamette Riverkeeper
- Pitching this to wide range of media outlets
- First bookable date is in August
- Industry Test Runs next week
 - Hosting Travel Oregon, media outlets, tour operators,
 Willamette Valley Visitors Association, The Allison concierge,
 and content developers



Wheel the World: Accessibility Platform

- Partnership with Travel Oregon and the Willamette Valley Visitors Association
- Accessibility is a niche target audience
- 13 places in our community evaluated
- Marketing campaign and partnership is a goal for this program beginning fall 2025
 - Marketing on Wheel the World, Travel Oregon, and WVVA to amplify messaging





Making travel accessible

Book hotels and find experiences with all the accessibility details you need.



Find your next accessible adventure



Top wheelchair-accessible, all-inclusive resorts



Sail Alaska's glaciers on an accessible cruise

Embark on an accessible laurency from



Save on your next trip! Low prices and big opportunities on accesible trins



South African Safari group tour March 22 to April 2 2025



Travel Oregon, Recreation Ready Program

- Riverfront Re-Imagined
- Project Goal: is to develop a water trail access point that can provide recreation access to a regional water trail network near the confluence of both the Willamette and Yamhill Rivers that is accessible by all skill levels based on river conditions.
- Steering Committee: City of Newberg, Yamhill County Parks, Chehalem Park and Recreation Department
- 4 Communities in Oregon selected to participate in the program



APRIL 23

9:00-11:00 AM | Chehalem Cultural Center | 415 E Sheridan St., Newberg, OR (Hybrid Option Available) 5:00-7:00 PM | Stoller Wine Bar | 106 S Center St., Newberg, OR

Travel Oregon, in partnership with Taste Newberg, and local steering committee from Yamhill County, City of Newberg and Chehalem Parks & Recreation Department, invite you to a community gathering to learn about a new project, A Riverfront Reimagined. We'll share the preliminary project concept, answer your questions and gather your feedback-plus, you can enjoy food and drinks on us!

About A Riverfront Reimagined:

This exciting concept aims to create a water trail access point, designed to accommodate all skill levels, offering recreational entry to a regional water trail network near the confluence of the Willamette and Yamhill Rivers.



bit.ly/riverfrontreimagined

TASTENEW BERG

For questions, contact:

Katie McFall, Taste Newberg Katie@TasteNewberg.com Nastassja Olson, Travel Oregon Staj@TravelOregon.com

This gathering is part of Recreation Ready, a Travel Oregon program designed to support rural communities in developing outdoor recreation visitor experiences that drive economic prosperity, respect natural environments, and increase access and equity.





Yamhill County Recreation Map

- Collaboration between tourism entities in Yamhill County, Travel Oregon, Willamette Valley Visitors Association
- Outdoor Recreation is a main marketing pillar for the State of Oregon
- Our destination is looking to grow in it's offerings and information to visitors coming to our destination
 - More to do, plan to stay longer
- Distributed through certified folders, which is a collateral distribution plan for outside of market visitors

Website Launch



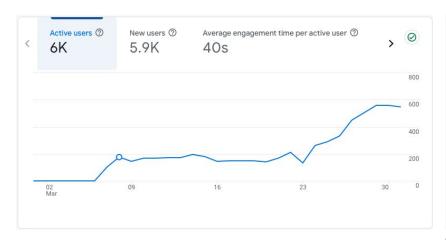






Marketing Report (March 2025)

Search and Meta Campaigns were activated in March leading to a surge in new users.



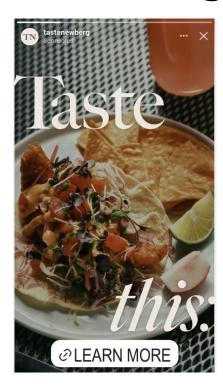
The blend of paid search and social along with quality organic search results boosted these site visits.

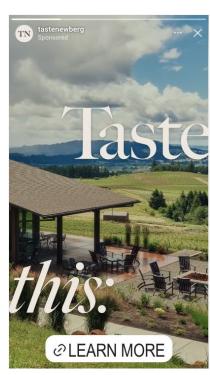




Here are the top-performing pages for March.

Marketing Report (March 2025)





Current spring creatives are delivering strong results on the Meta platform:

CTR (Click-Through-Rate): 3.02%

CPC (Cost-Per-Click): \$0.51

Clicks: 2,459

Taste Newberg is exceeding industry benchmarks with a significantly higher CTR and lower CPC!

> **Benchmarks** CTR: 0.90% **CPC: \$0.63**

Public Relations Wins

Traditional Media Placements

- Newberg, OR: An Eco-Friendly Journey In Willamette Valley Wine Country, Forbes.com
 - Audience Reach: 517.828 UVM
- KOIN AM Extra: "Elements of Chardonnay" Appearance Promoting Oregon Chardonnay Celebration
 - Audience Reach 1,014,853 UVM
- MSN: Wine Wednesday: Oregon Chardonnay takes center stage at weekend festival
 - Audience Reach: 167,483,588 UVM
- Yahoo: Wine Wednesday: Oregon Chardonnay takes center stage at weekend festival
 - Audience Reach: 201,930,772
- Hello Rose City: <u>Truffle Market Featuring Javier Santos</u>
 - Audience Reach: 1,179,436
- 12 Perfect Destinations for a Long Weekend in Oregon, World Atlas
 - Audience Reach: 3,321,366 UVM

Sample of Generated Stories



"In Newberg, sustainable food and wine tell the story of our way of life and respect for the land," said Leigh Jensen, Executive Director, Taste Newberg, "From organic vineyards to farm-to-table dining, our community thrives on preserving the beautiful Willamette Valley while sharing exceptional culinary and wine experiences with our visitors."

Leigh Jensen, Executive Director, Taste Newben

with innovative eco-friendly practices that demonstrate their commitment to and biodynamic farming methods, emphasizing soil health, water conservation, and oevond their vinevards. They invite visitors to participate in workshops and tours that illustrate the intricacies of sustainable farming and the importance of environmental stewardship. This holistic approach fosters a deeper connection between wine lovers and the land that nourishes their favorite wines, cultivating a shared sense of responsibility for the future

Chef Javier Santos gives us a preview of A Taste of Truffle Market



Public Relations Wins

Traditional Media Placements

- Story about new Performing Arts Wing at Chehalem Cultural Center, 1859 Oregon's magazine (in print)
- Newberg Trip Planner, 1859 Oregon's Magazine (in print)
- Oregon Wine and Why we Insist on Sipping It, The Insider Mag (in print only)



Public Relations Wins

Influencer Placements

- Newberg/OCC carousel post , Carolyn Covington, American Wine Girl
 - Newberg/OCC Reel (1) Carolyn Covington , American Wine Girl
 - Newberg/OCC Reel (2) Carolyn Covington, American Wine Girl
 - O The Ultimate Guide to WV Blog Post, Carolyn Covington
 - o "The American Wine GirlTM," in 2018. Through her platform, she shares wine recommendations, travel experiences, and lifestyle content, aiming to demystify wine and inspire others to explore it without intimidation. Audience Reach: 118k followers
- Newberg Reel, Lorena Gutierrez (Woods), Lorena Wine Diary
- Anthology Reel (Dundee), Lorena Wine Diary
- <u>Truffle Hunting carousel Post</u>, Lorena Wine Diary
 - Media Profile: Lorena Gutierrez, known online as "Lorena Wine Diary," is a wine, food, and travel influencer based in San Diego..
 Audience Reach: 111K

Generated stories



Here you'll find wine recommendations, introductions to wine regions around the world, travel guides, recipes, home projects and more.

Wineries to Visit near Newberg, OR in the Willamette Valley

The Willamette Valley is famous for its Pinot Noir, but the regions diverse climate also makes it home exceptional Chardonnay, sparkling wines, and more. Here are some must-visit wineries in the area:

BALSALL CREEK WINERY

<u>Bistall Creek</u> is a family-owned uninquest located in the Chehatem AVA. They speciative in sustainable faming practices and crafting equilate Pinct Noir, Chardonnay, and a handful of other unique whose. Balsall Creek currently has 20 acres planted with a beautiful new tasting room situated on a hillistic evertooking their vines. They are also one of the few winnies that has a small flood menu, so it is a great place to get a tasting and lunch or small bited. The Pinct Noir and Chardonnay are must-fries, but we also really enjoyed their sparking but, aligoté, and prior timounie.

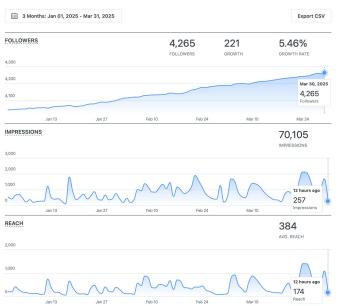






Vineyards and views at Balsall Creek

Social Media Engagement



Best Performing Posts

Quickly see which 5 posts have the best engagement from the last 30 posts, in the last 3 months. ? Follower count and engagement rate will only show for posts published through Later.

Note: Reels are not included.







	ENGAGEMENT
101	LIKES
5	COMMENTS
N/A	POST CLICKS



ENGAGEMENT	
13.74%	
LIKES	11
COMMENTS	
POST CLICKS	N/



le le al e le allede y	and the same
ENGAGEMENT	
11.68%	
LIKES	6
COMMENTS	
POST CLICKS	N/



1	
ENGAGEMENT	
10.37%	
LIKES	95
COMMENTS	•
POST CLICKS	N/A

Industry Relations





Budget Document

Budget Summary	 24 - 2025 ual Budget	2024 - 2025 YTD Budget		
Beginning Balance	\$ 5,015	\$	5,015	
Revenues				
City of Newberg (TLT Funds)	\$ 461,115	\$	408,958	
Interest - CDs, City Interest	\$ 240	\$	7,988	
Other Income - Reserve - Grants	\$ 71,100	\$	92,616	
Total Revenue	\$ 532,455	\$	509,562	
Payroll Expenses	\$ 199,757	\$	148,502	
General Operations	\$ 20,077	\$	18,535	
Marketing Expenses	\$ 312,621	\$	238,089	
Total Expenses	\$ 532,455	\$	405,126	
Net Income	\$ 5,015	\$	109,451	

Industry Engagement

























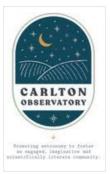


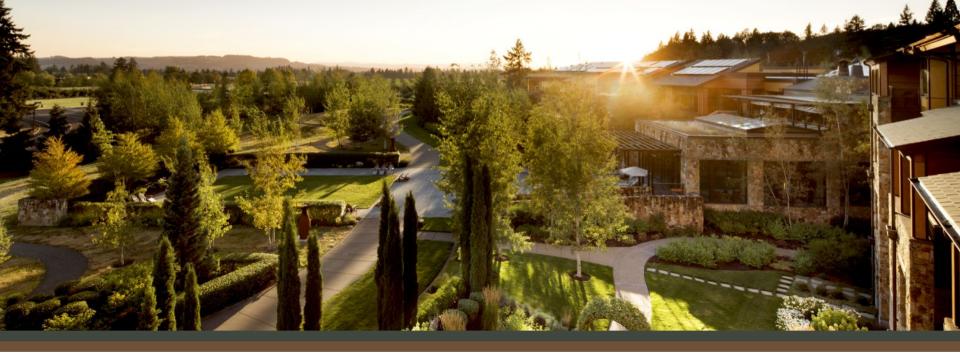












TASTE NEWBERG

OREGON

Oregon Main Street Overview

Main Street =
Place-based
Economic
Development



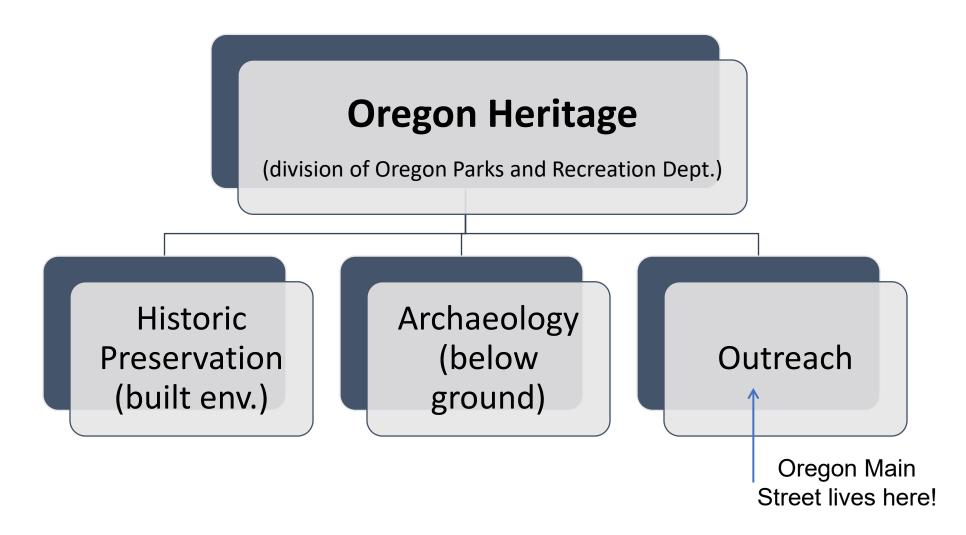


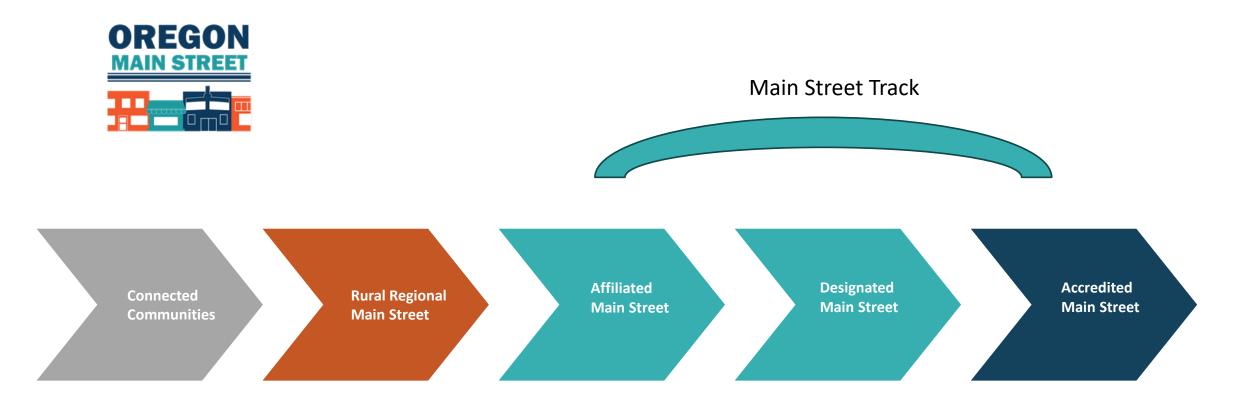


Oregon Main Street strengthens community networks, bolsters the economy, generates fiscal impacts, and fosters social connections throughout the state.



Where is Oregon Main Street housed?





OMS Tiered Approach



Increasing Your Main A Guide to Turning Supporters











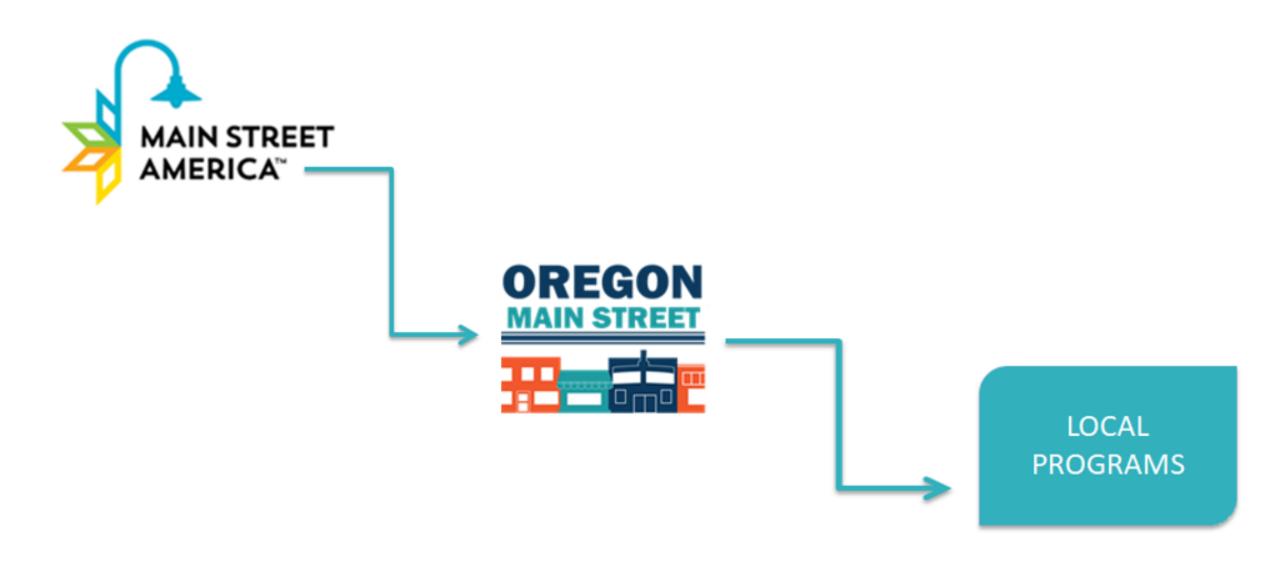


OMS Benefits

- Networking: Mornings on Main, OMS listserv, Quarterly Meetings
- Education: Conference, Workshops, **Training**
- Technical Assistance
- Historic Surveys
- Assessments: Program Evaluations, Progress Visits, Community Assessments
- Planning: Board Retreats, Strategic **Planning**
- Resource Center: Publications, Sample Documents

www.oregonmainstreet.org

National - State - Local



How Main Street Works

- Comprehensive Approach
- Grassroots & Community Driven
- Asset Based
- Time Tested
- Adaptable Methodology

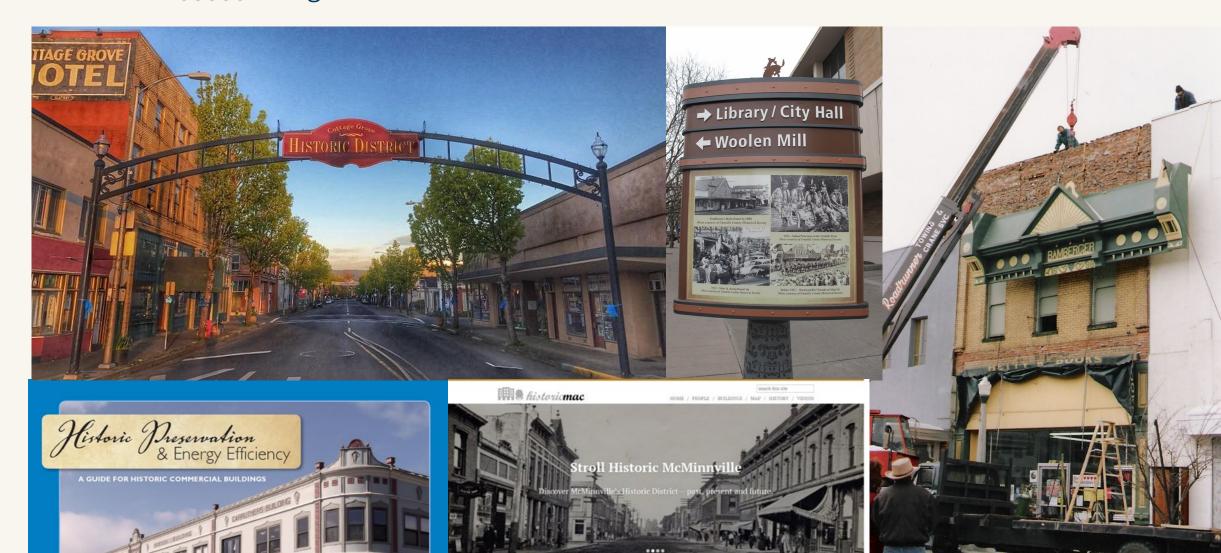


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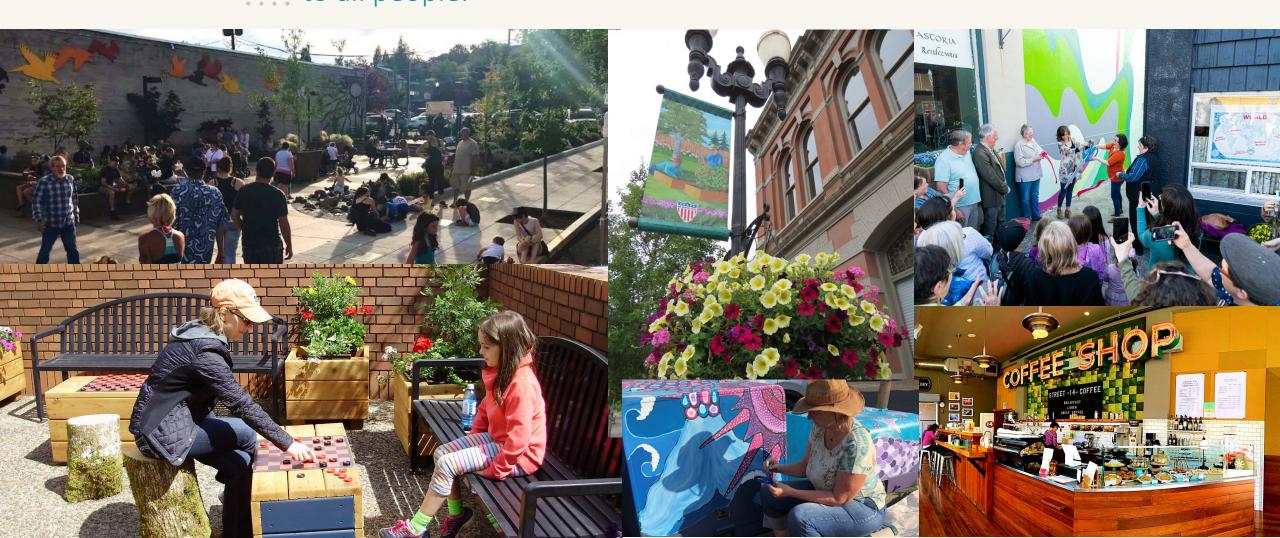
Historic Preservation

Preserving the charm, beauty, and character of Oregon's historic downtowns.





** Placemaking and Public Realm Creating quality places that are inviting and attractive to all people.





Tourism and Customer Attraction

Celebrating community culture and bringing more people to experience Oregon's downtowns.



Economic Development and Resiliency
Supporting small and local business

Supporting small and local businesses in Oregon's downtowns while creating pathways for new businesses.





Strengthening networks and partnerships towards the collective visions for the future.



Revitalization Stats

- 2010-2023 Stats:
- \$256,544,325 million in private sector improvements
- \$197,166,841 million in public sector improvements
- 755 net new businesses
- 238 business expansions
- 231 business acquisition
- 5,762 net new jobs
- 1,959 building rehab projects
- 341,312 volunteer hours
- \$173,810.00 average budget





Photos: Albany Downtown Association



The most important and lasting characteristic of Oregon's Main Streets may be the impact you have on your community.

More Information

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Message from the State Coordinator

Sheri Stuart, Oregon Main Street Program Coordinator



It feels like 2024 was a turning point for communities participating in the Oregon Main Street Network. I had a chance to be on the road and met with the board, staff, and volunteers of local organizations. I am energized by the high level of enthusiasm and the broad range of activities that are bringing about substantial, positive changes in historic downtowns across the state.

Just a few of the things we heard from our Network or experienced while on the road:

- Gold Beach Main Street secured funding for a larger office space which they renovated into a beautiful and inviting space which is serving as a gathering spot and encouraging people to drop in and get involved. In addition, they have a diverse staffing team to support the work of the organization and work alongside their amazing board members.
- The Wallowa County Chamber of Commerce took over the Rural Regional hub role for their area after getting a solid start under the Northeast Oregon Economic Development District. With the placement of community coordinators in each of the three participating communities, energy is high, and momentum is building for community improvements.
- **Baker City Downtown** saw a huge increase in events and activities partly attributed to securing TLT funding from the County for marketing. In addition, BCD has done a fantastic job in securing grants for building improvement projects in downtown including Diamonds in the Rough, Preserving Oregon, and Oregon Main Street Revitalization Grant.
- North Bend Main Street and the McMinnville Downtown Association were both recipients of the T-Mobile Community Challenge grant, as well as a project in downtown Baker City.

Overall, we are seeing communities back to pre-pandemic levels of events and activities, deeper partnerships, stronger budgets, the impacts of the Oregon Main Street Revitalization grant in spurring investment, and improved business mix leading to the enhanced vibrancy and walkability of downtowns across the state.

2024

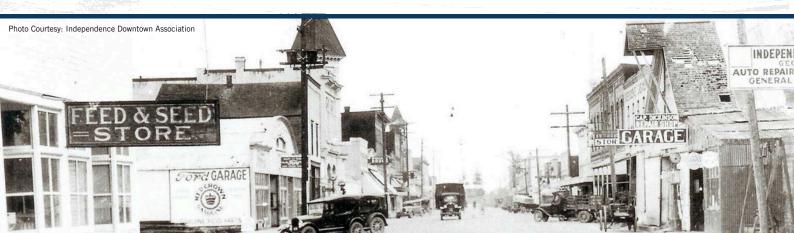
Main Street Revitalization Grant Spotlight: Chiloquin's HIRVI Building

Restoration of the HIRVI Building has long been considered the key to inspiring much needed future investment and economic development in downtown Chiloquin. While the building is structurally sound with great bones, it was sitting as an empty shell ready to be completed and brought back to life. In her letter of support for this project, Kaili Pecnick, a longtime resident and downtown business manager, noted, "The restoration of the HIRVI Building will never be forgotten. The opening of an abandoned building will be life changing for this community." With the support of a \$200,000 Oregon Main Street Revitalization Grant in 2022, the HIRVI Restoration project addressed both exterior and interior needs. At the outset, Chiloquin Visions in Progress introduced the project to the community. Now nearing completion, the restoration of the HIRVI Building is a key component of Chiloquin's efforts to create a stable and thriving downtown. The community was invited back to see the progress on the building in November. The restoration will provide 8,000 square feet of commercial and office space, enabling up to 10 new businesses and generating an estimated 21 jobs, improving employment opportunities for residents once fully occupied.



Ten years in, the OMSRG continues to makes a huge impacts in local communities.

- 59 communities improved
- 92 buildings improved
- 101 housing units added
- a minimum of 12 vacant buildings filled
- 5 intentional ADA improvements
- 7 structure re-enforcement projects
- 31 facade restoration projects



Community Highlight I Albany Downtown Association's Volunteer Appreciation

The Albany Downtown Association (ADA) was the recipient of one of Oregon Main Street's Operation Grants offered to Accredited and Designated Main Street Communities intended to help strengthen operations and support organizations in achieving their goals.

ADA used some of their grant funds to enhance their volunteer recognition efforts during their 2024 Excellence in Downtown Albany Awards. 54% of attendees at the event were volunteers including board and committee members, hanging basket volunteers, flag volunteers, parade volunteers, and their WAHS intern. Recognition included overall volunteer acknowledgment and the annual Volunteer of the Year award. Additionally, volunteers were encouraged to bring a +1 to the event. When departing, all volunteers were encouraged to select a curated SugarHeroes Candy Bar candy jar from a table; the candy assortment in each was as unique as the volunteers. These appreciation gifts were a big hit, and it was fun watching the volunteers peek at various options until they found their favorite candy combination. 47% of the volunteers who attended did so for the first time. Beyond the event, volunteers were recognized in Downtown Albany Newsletter which is in both print and published on ADA's website Facebook page.



Oregon Main Street Goals/Services:

Here's what we are doing to meet our OMS goals!

Ensure organizational advancement of Main Street communities based on local priorities.

- Supported operational efforts in Main Street Track communities through mini grants.
- Facilitated strategic planning efforts in 4 communities and conducted board retreats as requested.
- Conducted 4 local program evaluations, 9 progress visits, one community assessment, and organizational visits upon request.

Increase awareness of Main Street impact

- Invited to present at the Oregon Mayor's Association Conference.
- Presented at City CLG Commission Meetings.
- OPB Think Out Loud segment.
- Incorporated Impact of Oregon Main Street study into City Council presentations.

Strengthen Historic Character Focus

- Joint CLG-Main Street Preservation Workshop.
- · Promoted use of recorded webinars.
- · Connected communities with grant opportunities.

Create structure that is healthy, impactful, and sustainable

- · OPRD Rulesmaking Process for OMS.
- Hosted 47 check-in calls with Accredited, Designated, and Affiliated Main Street members.
- Provided 3 Board Institutes.
- Provided 3 new executive director orientations.
- Hosted 3 network meetings and trainings.

Engage Partners

- Invited partners to share at Mornings on Main and the OMS Conference.
- Supported Washington Main Street's PLACES conference.
- Continued economic vitality partnership with RDI.
- Received both virtual and in-person digital training for small businesses through support from Main Street America.
- Participated in Travel Oregon's Central Oregon Destination & Engagement Tours.

Our 2024 Communities

Total Communities: 110
Accredited: 8 | Designated: 7 | Affiliated: 27
Rural Regional: 12 (2 hubs)
Connected Communities: 56

New Towns by Tier in 2024

Affiliated: Forest Grove, Cascade Locks
Designated: Tigard
Connected: Drain, Grants Pass, Newport





ABOUT OREGON MAIN STREET

Oregon Main Street (OMS)

is part of Heritage Programs in Oregon Parks and Recreation Department. OMS is designed to assist with the revitalization of traditional downtowns and historic commercial districts, promote economic development, and encourage historic preservation. The program uses an approach that advocates a return to community self-reliance, local empowerment, and the rebuilding of central business districts based on their assets, unique architecture, personal service, local ownership and entrepreneurship, and sense of community.

OMS coordinates resources and provides technical assistance based on the Main Street Approach™ to communities that are working in historically relevant business district settings and that meet certain threshold criteria. Oregon Main Street provides assistance to all communities whether they are just beginning to explore options for their downtown or seeking national recognition as an accredited Main Street™ town.



Main Street America™ is a program of the National Main Street Center. What sets Main Street America™ apart is the powerful network: the unique combination of grassroots dedication to comprehensively improving quality of life at the local level; integral support and expertise provided by Coordinating Programs at the city, county, and state level; and leadership and direction from the NMSC. Main Street America™ is also a special mark of distinction. It is a seal, recognizing that participating programs, organizations, and communities are part of a national movement with a proven track record for celebrating community character, preserving local history, and generating impressive economic returns.



The Main Street Approach™ is an asset-based economic development strategy. It is a comprehensive, incremental approach to sustain and enhance historic downtowns and traditional commercial neighborhoods based on the district's unique heritage and attributes. Main Street organizations are locally driven, funded, organized, and run.



Photo Courtesy: Milton-Freewater Downtown Alliance





Annual Statistical Highlights

Building Rehab Projects 2024: 293+

Cumulative: 2269+

Private Investment

2024: \$24,083,542+ Cumulative: \$284,213,828+

Public Investment

2024: 89,278,929+ Cumulative: \$286,945,770+

Net New Jobs 2024: 1652+

Cumulative: 7436+

Volunteer Hours

2024: 33,987+

Cumulative: 377,697+

Net New Businesses

2024: 168+ Cumulative: 921+

Business Expansions

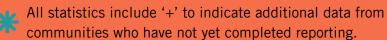
2024: 18+

Cumulative: 252+

Business Acquisition

2024: 41+

Cumulative: 273+







TOPICS

Wildfire Deployments

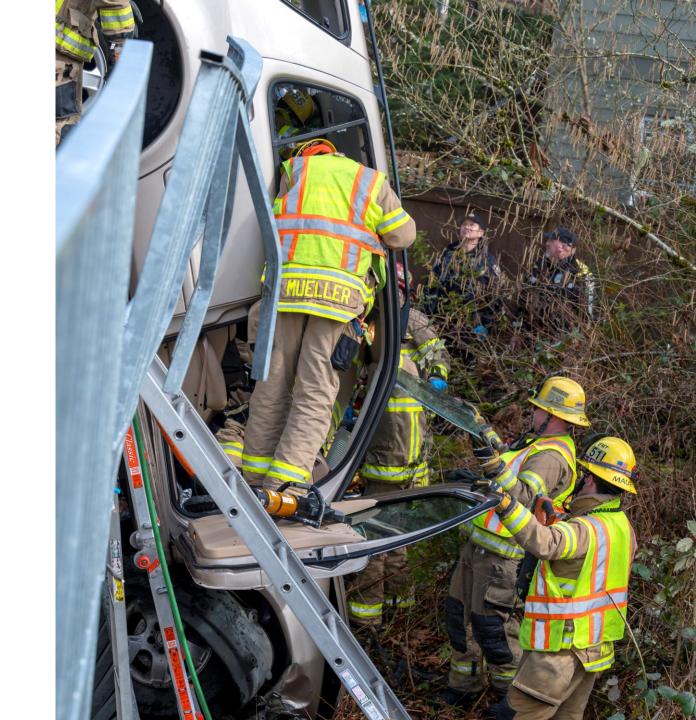
2024 Response Snapshot

Emergency Medical Services

2024 Local Option Levy

Recruitment

Bond & Capital Projects



Wildfire Deployments





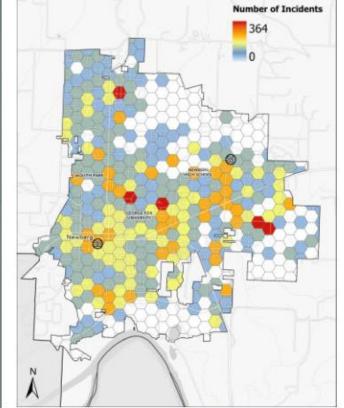
Newberg

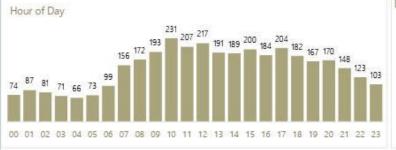
3,588 Incidents Year to Date Incident Snapshot through 4Q | 01/01/2024 - 12/31/2024

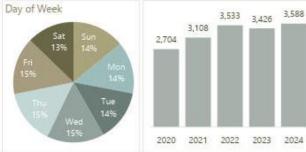
City of Newberg

Incident counts within city boundary

Fire & Re	scue	Tota	Incidents	3,588			
EMS	FIRE	HAZARD	SERVICE	GOOD INTENT	FALSE ALARM	NATURAL CONDITION	OTHER
*	4	3	KA	Po	0	Y	000
			Dispato	hed As			
3,001	256	23	302	0	0	0	6
83.6%	7.1%	0.6%	8.4%	0.0%	0.0%	0.0%	0.2%
		SG (1)	Situatio	n Found		is si	
2,973	50	54	133	204	174	0	0
82.9%	1.4%	1.5%	3.7%	5.7%	4.8%	0.0%	0.0%
			Incident Sub	-Categories			
命	1			1	*	A*A	
Structure Fires	Cooking Fires	Vehicle Fires	Vegetation Fires	Other Fires	Critical Patients*	MVC with Injury	MVC Unknown Injury
9	7	2	22	10	836	82	14
Structure Residential 7	Fire Types Commercial 2				seizure, breathing	cardiac arrest, ches problem, drownin ry arrest, or trauma hicle crash.	g, respiratory





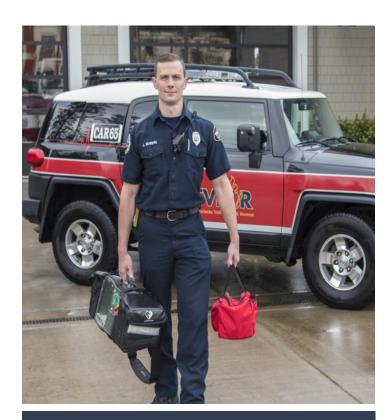




Data Filters: no test, information, interfacility transports, or mobile health care incidents.

Incident data gathered geospatially based on city boundary.

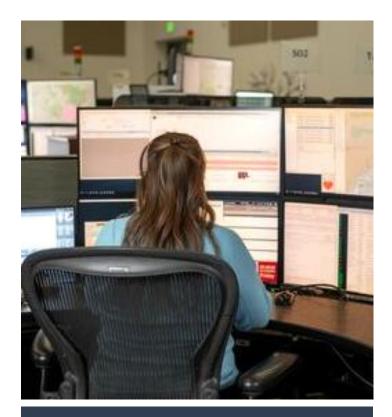
Emergency Medical Services



Advanced Practice Community Paramedic



Advanced Resource Medic & Dispatch Health



Nurse Navigation

Local
Option
Levy
Update



Recruitment





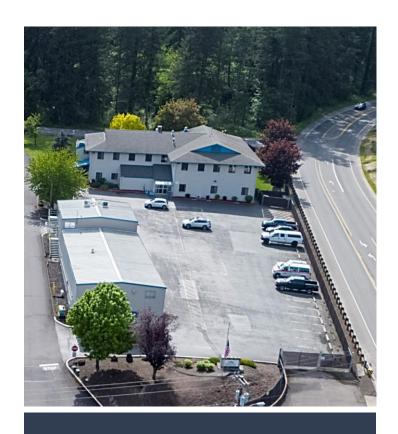
Bond & Capital Projects



STATION 35



STATION 20 & 22



TRAINING CENTER







2024 YEAR IN REVIEW VIDEO

REQUEST FOR COUNCIL ACTION



Date Action Requested: (April 21, 2025)

Order \square Ordinance \square Resolution \boxtimes Motion \square No. 2025-3969	Information □
Subject: Resolution for slight wording change around purchase orders in 2022 Updated Purchase Manual.	Staff: Kady Strode Department: Finance File No.
Business Session	Order On Agenda: New Business
Hearing Type: N/A	

Recommendation: Adopt Resolution No. 2025-3969.

Executive Summary: Finance is implementing AP Automation which is a new feature of our existing ERP finance system. Under this new setup, it will change when a "purchase order" is issued. Under our current setup, a purchase order is issued for all purchases, which is how the system generates items to be paid. With the new AP Automation, a purchase order will only be required for purchases above \$10,000. For purchases under \$10,000, it will flow through "invoice processing" and will still require the same signatures as previously but will not be referred to in a technical sense as a purchase order.

Due to this change in our software, the Purchasing Manual will need to have wording updates for those purchases under \$10,000, removing the word "purchase order" from them.

See Attachment A for the redlined version of all instances of wording changes.

Fiscal Impact: None

Strategic Assessment: We must align our policies and procedures to our current practices.

RESOLUTION No. 2025-3969



A Resolution for slight wording change around purchase orders in 2022 Updated Purchase Manual.

Recitals:

- 1. WHEREAS, Purchase Orders are referenced in the 2022 Updated Purchasing Manual necessary for any and all purchases because that is how our ERP finance system generates for accounts payable currently.
- 2. WHEREAS, the Finance Department is implementing AP Automation which is a new feature within the existing ERP finance system and it will change how a purchase order is generated. A purchase order will only be generated for purchases above \$10,000, whereas purchases less than \$10,000 will be issued "invoice approval" in a similar approval manner.
- 3. WHEREAS, our polices and procedures should align with current practices.

	pective Date of this resolution is the day after the adoption date, which is: April 22, 202 ppted by the City Council of Newberg, Oregon, this 21st day of April, 2025.					
Rachel Thomas, City Recorder Attest by the Mayor this	_ day of April, 2025.					
Bill Rosacker, Mayor						

PURCHASING POLICY AND PROCEDURES

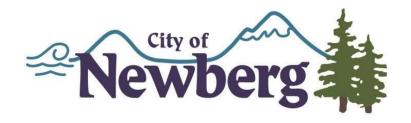


Table of Contents

1.	In	troduction	1
	1.1	Purpose	1
	1.2	Interpretation of Purchasing Policy	1
	1.3	Specific Provisions' Precedence over General Provisions.	1
	1.4	Conflict with Federal Statutes and Regulations.	1
2.	Sc	cope	1
3.	A	uthority	2
4.	Lo	ocal Preference	2
5.	M	IWESB	2
6.	R	esponsibility Overview	3
(5.1	Requesting Department's Responsibilities:	3
(5.2	Vendor's Responsibilities:	3
(5.3	Finance Department's Responsibilities:	3
(5.4	City Legal Counsel's Responsibilities:	3
(5.5	City Manager's Responsibilities:	4
(6.6	City Council Responsibilities:	4
7.	Pι	urchasing Thresholds	4
8.	Pι	urchasing Goods and/or Services	5
:	8.1	Direct Purchases (Less than or Equal to \$1,000)	5
:	8.2	Small Procurements (More than \$1,000 and less than or equal to \$10,000)	5
:	8.3	Intermediate Procurements (More than \$10,000 and less than or equal to \$150,000)	6
:	8.4	Large Procurements (More than \$150,000)	7
9.	Pι	urchasing Personal Services	7
9	9.1	Requests for Qualifications (Optional)	8
9	9.2	Direct Selection	8
9	9.3	Informal Written Solicitations (Less than \$100,000)	9
9	9.4	Formal Solicitation - Requests for Proposals (More than \$100,000).	11
10		Purchasing Professional Services	12
	10.1	Direct Appointment (Less than \$100,000)	12
	10.2	Informal Solicitations (\$100,000 or more and less than \$250,000)	14
	10.3	Formal Solicitation (Greater than \$250,000)	16

11. Pu	blic Improvements	18
11.1	Informal Solicitation (Less than \$100,000)	19
11.2	Formal Solicitations (More than \$100,000)	20
12. Ex	cceptions to Competitive Procurement Requirements	22
12.1	Sole Source Procurements (Other than Public Improvements)	24
12.2	Special Procurements	24
12.3	Contracts	25
12.4	Emergency Procurements.	26
12.5	Cooperative Procurement Contracts.	27
12.6	Public Improvements Exempt from Competitive Bidding Requirements	27

1. Introduction

1.1 Purpose

This policy governs contracts entered into and purchases made by the City of Newberg ("City"). It is the policy of the City to utilize public contracting and purchasing practices that maximize the efficient use of City resources and the purchasing power of City funds by:

- 1. Promoting impartial and open competition,
- Using solicitation materials that are complete and contain a clear statement of contract specifications and requirements; and,
- 3. Taking full advantage of evolving procurement methods that suit the purchasing needs of the City as they emerge in various industries.

1.2 Interpretation of Purchasing Policy

Procurement responsibilities for the City are established in this document in accordance with the requirements of the City's Municipal Code, Ordinance No 2005-2618 and Oregon State Revised Statutes Chapters 279A, 279B, and 279C (the "Public Contracting Code") and the Attorney General's Model Public Contracting Policies ("Model Policies").

- It is the City's intent that this policy be interpreted to authorize the full use of all contracting and purchasing powers described in ORS Chapters 279A, 279B and 279C.
- 2. The Model Policies adopted under ORS 279A.065 shall apply to the contracts and purchases of the City to the extent they do not conflict with the policies and regulations adopted by the City.
- In the event of a conflict between any provisions of this policy and the Model Policies, the provisions of this policy shall prevail.

1.3 Specific Provisions' Precedence over General Provisions.

In the event of a conflict between the provisions of this policy, the more specific provision shall take precedence over the more general provision.

1.4 Conflict with Federal Statutes and Regulations.

Except as otherwise expressly provided in ORS Chapters 279A, 279B and/or 279C, applicable federal statutes and regulations govern when federal funds are involved.

2. Scope

These purchasing policies apply to all City departments. All City purchases are subject to the authority of City of Newberg Public Contracting Policies, the policies and ordinances of City of Newberg and the laws of the State of Oregon.

3. Authority

The City Council comprises the Local Contract Review Board for the City. It has determined the policies for the City's public contracts and personal service agreements. Public contracts include any purchase, lease or sale of real or personal property, public improvements or services other than agreements exclusively for personal service. The City follows its public contracting rules codified in NMC Chapter 3.25 as well as the Public Contracting Code and the Attorney General's Model Public Contract Policies which include:

ORS 279A	General Provisions
ORS 279B	Public Procurements
ORS 279C	Public Improvements
Division 46	Provisions Related to Public Contracting
Division 47	Procurements for Goods or Services
Division 48	Consultant Selection: Architectural, Engineering and Land Surveying Services and
	Related Services Contracts
Division 49	Provisions Related to Public Contracts for Construction Services

Copies of these policies are available at https://www.codepublishing.com/OR/Newberg/.

4. Local Preference

When possible, the purchasing manager shall use solicitation documents and evaluation criteria that: Give preference to goods and services that have been manufactured or produced in the State of Oregon if price, fitness, availability and quality are otherwise equal, and give preference to goods that are certified to be made from recycled or refurbished products when such goods are available and meet specifications.

For purposes of awarding a public contract, the purchasing manager shall give preference to goods or services that have been manufactured or produced in Yamhill County if (a) price, fitness, availability, and quality are otherwise equal and (b) application of the preferences stated in the paragraph above, and any other preferences required by the Oregon Public Contracting Code are not applicable.

5. MWESB

In accordance with ORS 279A.100 and OAR 125-246-0200, the purchasing manager may limit competition for a public contract estimated to cost \$50,000 or less to contracting entities owned or controlled by a Certification Office for Business Inclusion and Diversity ("COBID")-certified or minority-owned, woman-owned, service-disable veteran owed, or emerging small business ("MWESB") business. When making a direct award of contract or seeking responses to a solicitation for an intermediate procurement, staff is encouraged to review the COBID Certification Directory for firms in the category of work being solicited.

6. Responsibility Overview

6.1 Requesting Department's Responsibilities:

- Verify funds are available for the expenditure and within budget authority with authorization to expend by the Department Supervisor or Department Head.
- Purchases made with procurement card (P-card) must be made within cardholders authorized limit and in accordance with the City's Purchasing Card policy.
- Prepare and provide required documentation for authorization to purchase the goods or services.
- Inspect materials when received or verify that services were provided. Assure goods are what
 was ordered, are in visually working order and undamaged. Provide proof of receipt.

6.2 Vendor's Responsibilities:

Before issuing payment under any contract, the City must make sure all vendors (including contractors and consultants):

- Attach to the contract a public liability insurance policy listing the City as an additional insured
 to the policy.
- Attach to the contract proof of Workers Compensation insurance for all subject workers and contractors.
- Possess a business license issued by the City of Newberg, if the vendor is located within or
 performs services inside Newberg's city limits. Vendors and contractors who sell goods or
 services to the City that do not exceed \$500 need not possess a business license from the City of
 Newberg.

6.3 Finance Department's Responsibilities:

- Support City departments in the procurement process including providing training, as necessary.
- Maintain a functional procurement process including a system for authorization of purchases, timely payment of vendors, and accurate accounting for costs of goods and services.
- Administer the City's Procurement Card (P-Card) process including maintaining a current policy and procedures.
- Maintain and verify records for all vendors, including up to date W-9 forms, business licenses, and insurance coverages.

6.4 City Legal Counsel's Responsibilities:

- Support City departments in the procurement process.
- Provide timely contract review and interpretations of purchasing requirements, terms, and conditions.

6.5 City Manager's Responsibilities:

- The City Manager shall be the purchasing manager for the City and is hereby authorized to issue all solicitations and to award all City contracts for which the contract price does not exceed one-hundred thousand dollars (\$100,000) and the proposed expenditure is included in the current fiscal year budget. The purchasing manager shall hear all solicitation and award protests.
- City Manager may delegate and sub-delegate any or all purchasing duties by written directive.
- Whenever the Oregon State Legislative Assembly enacts laws that cause the Attorney General to
 modify its Model Policies, the City Manager shall review and recommend to the City Council
 any modifications required to ensure compliance with statutory changes.

6.6 City Council Responsibilities:

The City Council is designated as the local contract review board for the City and has all the rights, powers, and authorities necessary to carry out the provisions of these Policies, the Public Contracting Code, and/or the AG Model Policies.

7. Purchasing Thresholds

As the City's Purchasing Manager, the City Manager delegates purchasing authorities for the City as follows:

Type of Purchase ¹	Total Purchase Amount	Process	PO Required?	Signing Authority	Documentation Required
Goods and Services	\$0 up to \$999	Direct Purchase	No	N/A	None
	\$1,000 to \$9,999	Small Procurements	Yes No	Department Head or Department Head's designee ²	Basis of selection and/or documentation of verbal quotes
	\$10,000 - \$149,999	Intermediate Procurements	Yes	Department Head (up to \$50,000) City Manager (up to \$100,000) City Council (above \$100,000)	Written quotes
	\$150,000 and above	Large Procurements	Yes	City Council	Formal solicitation documents
Personal Services (Actuaries, Financial Advisors, Legal Counsel, Interpreters, etc.)	See Personal Services Rules \$0 - \$9,999 \$10,000- \$75,000	Direct Selection	Yes- No Yes	Department Head	Basis of selection and/or documentation of quotes
	\$0- \$9,999 \$10,000- \$149,999	Informal Solicitation	YesNo Yes	City Manager	Written quotes
	\$150,000 and above	Formal Solicitation	Yes	City Council	Formal solicitation documents

¹ These processes represented within this table are considered standard procurement types. Other procurement processes exist where 4885-2129-4084.3

City of Newberg
Purchasing Policies and Procedures
there is an allowable exception to competitive bidding rules. These processes are described in detail here.

² Designee appointments must be reviewed and updated (or renewed) annually.

Type of Purchase ¹	Total Purchase Amount	Process	PO Required?	Signing Authority	Documentation Required
Professional Services (A/E, Land Surveying, and	\$0- <u>\$9,999</u> <u>\$10,000-</u> \$99,999	Direct Selection	No Yes	Department Head (up to \$50,000) City Manager (up to \$100,000)	Basis of selection and/or documentation of quotes
Related Services)	\$100,000 - \$249,999	Informal Solicitation	Yes	City Council	Written quotes
	\$250,000 and above	Formal Solicitation	Yes	City Council	Formal solicitation documents
Public Improvements	\$0-\$4,999	Direct Selection	¥esNo	Department Head	Basis of selection and/or documentation of quotes
	\$5,000 - <u>\$9,999</u> <u>\$10,0000</u> - \$99,999	Informal Solicitation	No Yes	City Manager	Written quotes
	\$100,000 and above	Formal Solicitation	Yes	City Council	Formal solicitation documents

Oregon's Public Contracting Code states that a contracting agency cannot artificially divide or fragment a procurement so as to qualify for a particular type of procurement (see e.g., ORS 279B.065(2)). This prohibits breaking a purchase into "component units" (e.g., separate hoses from a power washer to get the price below the purchasing limit).

8. Purchasing Goods and/or Services

Goods and/or services includes the purchase of supplies, equipment, materials, and any personal property, including any tangible, intangible, and intellectual property and rights and licenses in relation thereto, and services, other than personal services and professional services as defined within this policy.

8.1 Direct Purchases (Less than or Equal to \$1,000):

Contracts or purchases of goods or services with a contract price less than \$1,000 can be purchased directly by authorized personnel and are not subject to competitive bidding or public notice requirements.

Documentation required: None Invoice

8.2 Small Procurements (More than \$1,000 and less than or equal to \$10,000):

Contracts or purchases of goods or services with a contract price greater than \$1,000 and less than or equal to \$10,000 are small procurements. Small procurements are not subject to competitive purchasing requirements and no public notice is required.

For small procurements of goods or services, the purchaser may use any procurement method the
purchaser deems practical or convenient, including informal verbal quotes, direct negotiation or
direct award. Purchasers conducting small procurements should select vendors that provide the
most advantageous terms for the City, taking into account price, experience, expertise,
functionality, suitability, and other relevant factors.

- 2. Vendors selected should meet all vendor requirements.
- 3. A small procurement contract awarded may be amended to exceed \$10,000 only in accordance with OAR 137-047-0800, provided that the cumulative amendments do not increase the total contract price by more than ten percent (10%) of the original contract price. An amendment that increases the original contract by more than ten percent (10%) requires City Manager approval.
- 4. <u>Documentation required</u>:
 - a. Purchase Order

b.a. Description of selection method and/or documentation of verbal quotes

8.3 Intermediate Procurements (More than \$10,000 and less than or equal to \$150,000): Contracts for goods or services with a contract price greater than \$10,000 and less than or equal to \$150,000 are intermediate procurements.

- 1. Intermediate procurements shall be by informal written solicitation (minimum of three (3) written quotes). If the purchaser determines three (3) qualified providers are not reasonably available, fewer shall suffice if the reasons and efforts made to obtain proposals are documented in the procurement file.
- The purchaser may negotiate with an offeror to clarify an informal written solicitation, or to make modifications that will make the quote, proposal or solicitation acceptable or more advantageous to the City.
- 3. If a contract is awarded, the award shall be made to the offeror whose informal written solicitation will best serve the interests of the City, taking into account price or any other relevant considerations, including but not limited to, experience, expertise, product functionality, suitability for a particular purpose, delivery and contractor responsibility.
- 4. Intermediate procurement contracts may be amended if the cumulative amendments do not increase the total contract price by more than ten percent (10%) of the original contract price and only in accordance with OAR 137-047-0800. An amendment that increases the original contract by more than ten percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).
- 5. Documentation required:
 - a. Purchase order
 - Authority for the purchasing transaction and basis for using the intermediate procurement process
 - c. Written quote sheet

City of Newberg Purchasing Policies and Procedures

- d. Copies of all quotes received (at least three are required; but if three were not reasonably available then the procurement file must include a description of how purchaser tried to obtain the quotes and reason(s) that minimum three were not obtained)
- e. Evaluation of quotes (e.g., scoring sheets, evaluation criteria, selection considerations)
- f. Copy of contract document (signed by all parties)
- g. Any amendments or addenda to the contract (signed by all parties)
- h. Copy of minutes indicating Council approval, if applicable

8.4 Large Procurements (More than \$150,000):

Contracts for goods or services with a contract price greater than \$150,000 are large procurements.

 The purchaser shall use competitive sealed bidding as set forth in ORS 279B.055, or competitive sealed proposals as set forth in ORS 279B.060.

2. <u>Documentation required:</u>

- a. Purchase order
- Authority for the purchasing transaction and basis for using the large procurement process
- c. Copy of request for bids/proposals
- d. Copies of bids/proposals received
- e. Evaluation of bids (must include scoring criteria and scoring sheets)
- f. Copy of public notice of the solicitation
- g. Copy of notice of intent to award
- h. Copy of contract document (signed by all parties)
- i. Any amendments or addenda to the contract (signed by all parties)
- j. Copy of minutes indicating Council approval
- k. Protests received (if any) and City response

9. Purchasing Personal Services

Personal services are services other than professional services that require specialized skill, knowledge, and resources in the application of technical or scientific expertise or in the exercise of professional, artistic, or

management discretion or judgment, and for which the quality of services depends on attributes that are unique to the services provider.

9.1 Requests for Qualifications (Optional)

At the purchaser's discretion, a request for qualifications may be used to determine whether competition exists to perform the needed personal services or to establish a non-binding list of qualified contractors for individual negotiation, informal written solicitations, or requests for proposals.

- A request for qualifications shall describe the particular type of personal services that will be sought, the qualifications the contractor must have to be considered, and the evaluation factors and their relative importance.
- 2. A request for qualifications may require information including, but not limited to:
 - a. The contractor's capability to perform the required personal services;
 - b. The number of experienced personnel available to perform the required personal services;
 - c. The specific qualifications and experience of personnel;
 - d. A list of similar personal services the contractor has completed;
 - e. References concerning past performance;
 - f. Contractor responsibility; and
 - g. Any other information necessary to evaluate the contractor's qualifications.
- A voluntary or mandatory qualifications pre-submission meeting may be held for all interested contractors to discuss the proposed personal services. The request for qualifications shall include the date, time and location of the meeting.
- 4. Unless the responses to a request for qualifications establish that competition does not exist, the request for qualifications is canceled, or all responses to the request for qualifications are rejected, and all respondents who meet the qualifications set forth in the request for qualifications shall receive notice of any required personal services and have an opportunity to submit a proposal in response to request for proposals.

9.2 Direct Selection

Personal services may be procured through direct selection in the following circumstances, provided that the services to be provided are within a budgetary appropriation or approved by City Council:

1. The contract price is not more than \$75,000, provided that the chosen contractor is prequalified.

City of Newberg Purchasing Policies and Procedures

- The nature of the work is not project-driven but requires an ongoing, long-term relationship of knowledge and trust. Examples of such work include insurance brokerage/agent of record services, medical services, and audit services.
- 3. The contractor possesses unique knowledge, expertise, or both, in a specialized service area, making competition impractical. Such services can include, but are not limited to, education services, staff coaching, and community relations.
- 4. A contract for which a non-City funding source, e.g., a grant or federal, state, or city contract, identifies the contractor in the funding award or makes a funding award conditioned upon services being performed by a specific contractor. The following must be documented to the procurement file: the name of the external funding source; the background on how the funding source selected the contractor; and a copy of the funder's document naming the contractor.
- 5. The contract is entered into pursuant to an emergency (see Emergency Procurements).
- 6. The contract is for interim staff or temporary staffing services.
- 7. The contract is for legal services. For the purposes of this section, "legal services" means attorney and paralegal services for transactional work, litigation, investigations, advice, reports, and other services requiring legal advice or work by an attorney, and includes all related costs or fees.
- 8. Personal services contracts procured by direct negotiation pursuant to this section may be amended, provided the amendment is within the scope of the original contract and the cumulative amount of the amendments does not increase the total contract price by more than ten percent (10%) of the original contract price. An amendment that increases the original contract by more than 10 percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).

9. <u>Documentation required</u>:

- Purchase order (if over \$9,999\$1,000), authority for the purchasing transaction and basis for using the direct selection process.
- b. Documentation of the method used for the procurement. For example: a copy of the solicitation document (if any); list of prospective suppliers/contractors who were notified of the procurement opportunity; record of all negotiations and communications regarding the procurement; and a general basis for making the final selection.
- c. Contract (signed by all parties).
- d. Any amendments or addenda to the contract (signed by all parties).

9.3 Informal Written Solicitations (Less than \$150,000)

An informal written solicitation process may be used for personal services when the contract price is less than \$150,000.

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- 1. An informal written solicitation shall solicit proposals from at least three (3) qualified providers. If the purchaser determines three (3) qualified providers are not reasonably available, fewer shall suffice if the reasons and efforts made to obtain proposals are documented in the procurement file. Regardless of the number of proposals received, written confirmation of solicitation attempts and responses with contractor names and addresses must be maintained in the procurement file.
- 2. The solicitation document shall include:
 - a. The date, time and place that proposals are due;
 - b. A description of personal services sought, or the project to be undertaken;
 - Any statement of the time period for which quotes must remain firm, irrevocable, valid
 and binding on the offeror. If no time is stated in the solicitation document, the period
 shall be thirty (30) days;
 - d. Any required contract terms or conditions; and
 - e. Any required quote form or format.
- 3. The informal selection process is intended to be competitive. Selection and ranking of quotes may be based criteria including but not limited to the following:
 - a. Capability to perform the personal services required;
 - Experienced staff available to perform the personal services required, including the proposer's recent, current and projected workloads;
 - c. Performance history;
 - d. Approach and philosophy used in providing personal services;
 - e. Fees or costs;
 - Geographic proximity to the project or the area where the services are to be performed; and
 - g. Work volume previously awarded by the City, with the object of effecting an equitable distribution of contracts among qualified contractors. But distribution must not violate the policy of selecting the most highly qualified contractor to perform the services at a fair and reasonable price.
- 4. Personal services contracts procured by informal written solicitations pursuant to this section may be amended, provided the amendment is within the scope of the original contract and the cumulative amount of the amendments does not increase the total contract price by more than ten percent (10%) of the original contract price. An amendment that increases the original contract

by more than 10 percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).

5. Documentation required:

- a. Purchase order (If over \$9,999)-
- Authority for the purchasing transaction and basis for using the intermediate procurement process.
- c. Copy of quote document (e.g., request for quotes/proposals/qualifications, invitations to bid).
- d. Copies of all quotes received.
- e. Evaluation of quotes (e.g., scoring sheets, evaluation criteria, selection considerations).
- f. Copy of contract document (signed by all parties).
- g. Any amendments or addenda to the contract (signed by all parties).
- h. Copy of minutes indicating Council approval, if applicable

9.4 Formal Solicitation - Requests for Proposals (More than \$150,000).

A formal request for proposals or bids shall be used to procure personal services when the contract price is \$150,000 or more.

 The purchaser shall use competitive sealed bidding as set forth in ORS 279B.055, or competitive sealed proposals as set forth in ORS 279B.060.

2. <u>Documentation required</u>:

- a. Purchase order
- b. Authority for the purchasing transaction and basis for using the large procurement process
- c. Copy of request for bids/proposals
- d. Copies of bids/proposals received
- e. Evaluation of bids (must include scoring criteria and scoring sheets)
- f. Copy of public notice of the solicitation
- g. Copy of notice of intent to award
- h. Copy of contract document (signed by all parties)

- i. Any amendments or addenda to the contract (signed by all parties)
- j. Copy of minutes indicating Council approval
- k. Protests received (if any) and City response

10. Purchasing Professional Services

Professional Services includes architectural, engineering, land surveying, photogrammetric, transportation planning, or services related to the planning, design, engineering, or oversight of public improvement projects such as:

- Landscape architectural services;
- Facilities planning services;
- Energy planning services;
- Space planning services;
- Environmental impact studies;
- Hazardous substances or hazardous waste or toxic substances testing services;
- Wetland delineation studies;
- Wetland mitigation services;
- Native American studies:
- Historical research services;
- Endangered species studies;
- Rare plant studies;
- Biological services;
- Archaeological services;
- Cost estimating services;
- · Appraising services;
- Material testing services;
- Mechanical system balancing services;
- Commissioning services;
- Project management services;
- Construction management services and owner's representative service; and/or
- Land use planning services.

10.1 Direct Appointment (Less than \$100,000)

The City may enter into a contract directly with a consultant providing professional services without following the selection procedures set forth elsewhere in these Policies if:

- 1. The City finds that an emergency exists (see Emergency Procurements); or
- 2. The total estimated fee to be paid under the Contract does not exceed \$100,000; or

- 3. Where a Project is being continued, as more particularly described below, and where the estimated fee will not exceed \$250,000, and the professional services to be performed under the contract meet the following requirements:
 - a. The services consist of or are related to professional services that have been substantially described, planned or otherwise previously studied under an earlier contract with the same consultant and are rendered for the same project as the professional services rendered under the earlier contract;
 - b. The estimated fee to be made under the contract does not exceed \$250,000; and
 - c. The City used a formal selection procedure applicable to the selection of the consultant at the time of original selection to select the consultant for the earlier contract; or
- 4. Where a Project is being continued, as more particularly described below, and where the total estimated fee is expected to exceed \$250,000, the professional services to be performed under the contract meet the following requirements:
 - a. The services consist of or are related to professional services that have been substantially described, planned or otherwise previously studied under an earlier contract with the same consultant and are rendered for the same project as the professional services rendered under the earlier contract;
 - The City used a formal selection procedure applicable to selection of the consultant at the time of original selection to select the consultant for the earlier contract; and
 - c. The City makes written findings that entering into a contract with the consultant, whether in the form of an amendment to an existing contract or a separate contract for the additional scope of services, will:
 - Promote efficient use of public funds and resources and result in substantial cost savings to the City; and,
 - Protect the integrity of the public contracting process and the competitive nature of the procurement by not encouraging favoritism or substantially diminishing competition in the award of the contract.
- 5. The City may select a consultant for a contract under this section from the following sources:
 - A list of consultants the City creates under OAR 137-048-0120 (List of Interested Consultants; Performance Record);
 - Another contracting agency's list of consultants that the contracting agency has created under OAR 137-048-0120 (List of Interested Consultants; Performance Record), with written consent of that contracting agency; or
 - c. All consultants offering the required professional services that the City reasonably

can identify under the circumstances.

- 6. The City shall direct negotiations with a consultant selected under this section toward obtaining written agreement on:
 - a. The specific scope of the professional services to be provided by the consultant.
 - b. The consultant's performance obligations and performance schedule;
 - c. Payment methodology and a maximum amount payable to the consultant for the professional services required under the contract that is fair and reasonable to the City as determined solely by the City, taking into account the value, scope, complexity and nature of the professional services; and
 - d. Any other provisions the City believes to be in the City's best interest to negotiate.

10.2 Informal Solicitations (\$100,000 or more and less than \$250,000)

An informal written solicitation process may be used for professional services when the contract price is less than \$250,000.

- An informal written solicitation shall solicit quotes from at least five (5) prospective Consultants.
 If the purchaser determines five (5) prospective Consultants are not reasonably available, fewer shall suffice if the reasons and efforts to locate available qualified providers are documented in the procurement file. Prospective Consultants must be drawn from the sources listed under Section 9.1.4 above.
- 2. The solicitation document shall include:
 - The date, time and place that proposals are due and other directions for submitting proposals;
 - b. The anticipated contract performance schedule;
 - A description of the project for which professional will be required under the resulting contract;
 - d. Conditions or limitations, if any, that may constrain the selected Consultant's ability to provide additional services related to the project, including construction services;
 - e. Criteria upon which the most qualified Consultant will be selected;
 - f. A statement that proposers responding to the RFP do so solely at their expense, and the City is not responsible for any proposer expenses associated with the RFP;
 - g. A statement directing proposers to the protest procedures set forth in OAR 137-048;
 - h. A sample form of contract; and

- i. Any required quote form or format.
- 3. Selection and ranking of quotes may be based on the following criteria:
 - a. Capability to perform the personal services required;
 - Experienced staff available to perform the personal services required, including the proposer's recent, current and projected workloads;
 - c. Performance history;
 - d. Approach and philosophy used in providing personal services;
 - Geographic proximity to the project or the area where the services are to be performed;
 and
 - f. Such other factors deemed appropriate, including a desire to ensure an equitable distribution of work among highly qualified contractors.
- 4. Professional services contracts procured by informal written solicitations pursuant to this section may be amended, provided the amendment is within the scope of the original contract and the cumulative amount of the amendments does not increase the total contract price by more than ten percent (10%) over the original contract price. An amendment that increases the original contract by more than 10 percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).
- 5. <u>Documentation required</u>:
 - a. Purchase order (if over \$9,999).
 - Authority for the purchasing transaction and basis for using the informal solicitation process.
 - Copy of quote document (e.g., request for quotes/proposals/qualifications, invitations to bid).
 - d. Copies of all quotes received.
 - e. Evaluation of quotes (e.g., scoring sheets, evaluation criteria, selection considerations).
 - f. Copy of contract document (signed by all parties).
 - g. Any amendments or addenda to the contract (signed by all parties).
 - h. Copy of minutes indicating Council approval, if applicable

10.3 Formal Solicitation (Greater than \$250,000).

A request for proposals shall be used to procure personal services when the contract price is \$250,000 or more.

- 1. Request for Proposal. The request for proposal shall include:
 - a. Notice of any pre-offer conference, including:
 - i. The time, date and location;
 - ii. Whether attendance at the pre-offer conference is mandatory or voluntary; and
 - iii. A provision that statements made by representatives of the City at the pre-offer conference are not binding unless confirmed by written addendum.
 - The form and instructions for submission of proposals, including the location where
 proposals must be submitted, the date and time by which proposals must be received and
 any other special information, e.g., whether proposals may be submitted by electronic
 means;
 - c. The name and title of the person designated for the receipt of proposals and the person designated as the contact person for the procurement, if different;
 - d. A date, time and place that pre-qualification applications, if any, must be filed and the classes of work, if any, for which proposers must be pre-qualified;
 - e. A statement that the City may cancel the procurement or reject any or all proposals;
 - f. The date, time and place of opening;
 - g. The office where the request for proposals may be reviewed;
 - h. A description of the professional services to be procured, the project for which the City is seeking the professional services, the estimated project cost, the estimated time period during which the project is to be completed, the estimated time period in which professional services sought will be performed, and other general background information:
 - The RFP evaluation process and the criteria which will be used to select the most qualified proposer, including the weights, points or other classifications applicable to each criterion. If the City does not indicate the applicable number of points, weights or other classifications, then each criterion is of equal value.;
 - j. Conditions or limitations, if any, that may constrain or prohibit the selected consultant's ability to provide additional services related to the project, including but not limited to construction services;

- Whether interviews are possible and if so, the weight, points or other classifications applicable to the potential interview;
- 1. Reservation of the right to seek clarifications of each proposal;
- m. Reservation of the right to reject any or all proposals and reservation of the right to cancel
 the solicitation at any time if doing either would be in the public interest as determined by
 the City;
- n. A statement that proposers responding to the solicitation do so solely at their expense, and City is not responsible for any proposer expenses associated with the solicitation;
- If more than one tier of competitive evaluation will be used, a description of the process under which the proposals will be evaluated in the subsequent tiers;
- p. If contracts will be awarded to more than one professional services contractor, an identification of how the City will determine the number of contracts to be awarded, or that the manner will be left to the City's discretion at time of award;
- q. If contracts will be awarded to more than one professional services contractor, the criteria to be used to choose from the multiple contracts when acquiring professional services shall be identified;
- The anticipated schedule, deadlines, evaluation process and protest process, including a statement directing proposers to the protest procedures set forth in OAR 137-048;
- s. A form of sample contract;
- a. A request for any information the City deems reasonably necessary to permit the City to evaluate, rank and select the most qualified proposer to perform the professional services described in the solicitation;
- The form and amount of any proposal security deemed reasonable and prudent to protect the City's interests;
- v. All required contract terms and conditions, including the statutorily required provisions in ORS 279B.220, 279B.230 and 279B.235; and
- Any terms and conditions authorized for negotiation and reservation of the right to negotiate a final contract that is in the best interest of the City.
- 2. The purchaser shall provide public notice of a request for proposals for professional services that includes a brief description of the project, the professional services the City seeks, how and where proposers may obtain a copy of the solicitation, and the deadline for submitting a proposal or response to the solicitation.

- a. Public notice shall be given not less than twenty-one (21) days prior to closing for the request for proposals/bids, unless the purchaser determines that a shorter interval is in the public's interest, or a shorter interval will not substantially affect competition.
- b. The purchaser shall document the specific reasons for the shorter public notice period in the procurement file.
- 3. Professional services contracts procured by requests for proposals pursuant to this section may be amended, provided the amendment is within the scope of the original contract and the cumulative amount of the amendments does not increase the total contract price by more than ten percent (10%) over the original contract price. An amendment that increases the original contract by more than 10 percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).

4. <u>Documentation required</u>:

- a. Purchase order
- Authority for the purchasing transaction and basis for using the formal solicitation procurement process.
- c. Copy of request for proposals.
- d. Copies of proposals received
- e. Evaluation of proposals (must include scoring criteria and scoring sheets).
- f. Copy of newspaper notice of the solicitation.
- g. Copy of notice of intent to award.
- h. Copy of contract document (signed by all parties).
- i. Any amendments or addenda to the contract (signed by all parties).
- j. Copy of minutes indicating Council approval.
- k. Protests received (if any) and City response.

11. Public Improvements

A Public Improvement is a project for construction, reconstruction, or major renovation on real property, by or for the City. A public improvement does not include projects for which no funds of the City are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or emergency work, minor alteration, or ordinary repair or maintenance necessary to preserve a public improvement.

11.1 Informal Solicitation (Less than \$100,000)

An informal written solicitation process may be used for public improvement contracts when the contract price is less than \$100,000.

- 1. An informal written solicitation shall solicit quotes from at least three (3) qualified contractors. If the City determines three (3) qualified providers are not reasonably available, fewer shall suffice if the reasons and efforts made to obtain quotes are documented in the procurement file.
- 2. The solicitation document shall include:
 - a. The date, time and place that quotes are due;
 - b. A description of public improvement sought, or the project to be undertaken;
 - Any statement of the time period for which quotes must remain firm, irrevocable, valid
 and binding on the offeror. If no time is stated in the solicitation document, the period
 shall be thirty (30) days;
 - d. Selection criteria to be utilized in selecting a contractor and, if criteria are not of equal value, their relative value or ranking;
 - e. Any required contract terms or conditions; and
 - f. Any required quote form or format.
- 3. Selection and ranking of quotes may be based on the following criteria:
 - a. Capability to perform the public improvement required;
 - Experienced staff available to perform the public improvement required, including the proposer's recent, current and projected workloads;
 - c. Performance history;
 - d. Fees or costs;
 - Geographic proximity to the project or the area where the public improvements are to be performed; and
 - f. Such other factors deemed appropriate, including a desire to ensure an equitable distribution of work among highly qualified contractors.
- 4. Public improvement contracts procured by informal written solicitations pursuant to this section may be amended, provided the amendment is within the scope of the original contract and the cumulative amount of the amendments does not increase the total contract price by more than ten percent (10%) over the original contract price. An amendment that increases the original contract by more than 10 percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).

5. Documentation required:

- a. Purchase order (if over \$9,999).
- Authority for the purchasing transaction and basis for using the informal solicitation process.
- Copy of quote document (e.g., request for quotes/proposals/qualifications, invitations to bid).
- d. Copies of all quotes received.
- e. Evaluation of quotes (e.g., scoring sheets, evaluation criteria, selection considerations).
- f. Copy of contract document (signed by all parties).
- g. Any amendments or addenda to the contract (signed by all parties).
- h. Copy of minutes indicating Council approval, if applicable

11.2 Formal Solicitations (More than \$100,000)

Public improvements over \$100,000 shall be procured through a formal solicitation process.

- 1. Invitations to bid must include the following information:
 - a. Identification of the public improvement project, including the character of the work, and applicable plans, specifications and other contract documents;
 - b. Notice of any pre-bid conference, including the time, date, and location of any pre-bid conference; whether attendance will be voluntary or mandatory; and that statements made by the City's representatives at the conference are not binding upon the City unless confirmed by written addendum;
 - The deadline for submitting mandatory prequalification applications and the class or classes of work for which bidders must be prequalified if prequalification is a requirement;
 - d. Instructions and information concerning the form and submission of bids, including the address of the office to which bids must be delivered, any bid or proposal security requirements, and any other required information or special information (e.g., whether bids may be submitted by electronic means);
 - e. Time and date by which the bids must be received.
 - f. The time, date, and place of bid opening;
 - g. The time and date of closing after which the City will not accept bids;

- h. The office where the specifications for the work may be reviewed;
- A statement that each bidder to an ITB must identify whether the bidder is a "resident bidder" as defined in ORS 279A.120;
- Name and title of the person designated to receive bids and the contact person for the procurement, if different.
- k. If the contract resulting from a solicitation will be a contract for a Public Work subject to ORS 279C.800 to 279C.870 or the Davis-Bacon Act (40 U.S.C. 3141 to 3148), a statement that no bid will be received or considered by the City unless the bid contains a statement by the bidder as a part of its bid that "Contractor agrees to be bound by and will comply with the provisions of 279C.838, 279C.840 or 40 U.S.C. 3141 to 3148."
- A statement that the City will not receive or consider a bid for a Public Improvement Contract unless the bidder is registered with the Construction Contractors Board, or is licensed by the State Landscape Contractors Board, as specified in OAR 137-049-0230;
- m. Whether a Contractor or a subcontractor under the Contract must be licensed under ORS 468A.720 regarding asbestos abatement projects;
- n. Contractor's certification of nondiscrimination in obtaining required subcontractors in accordance with ORS 279A.110(4). (See OAR 137-049-0440(3));
- o. How the City will notify bidders of addenda and how the City will make addenda available (See OAR 137-049-0250); and
- When applicable, instructions and forms regarding First-Tier Subcontractor Disclosure requirements, as set forth in OAR 137-049-0360;
- q. A statement that the City may reject any Offer not in compliance with all prescribed Public Contracting procedures and requirements, including the requirement to demonstrate the bidder's responsibility under ORS 279C.375(3)(b), and may reject for good cause all bids after finding that doing so is in the public interest;
- The anticipated solicitation schedule, deadlines, protest process and evaluation process, if any;
- s. Evaluation criteria, including the relative value applicable to each criterion, that the City will use to determine the responsible bidder with the lowest responsive bid (where Award is based solely on price) or the responsible proposer or proposers with the best responsive proposal or proposals (where use of competitive proposals is authorized under ORS 279C.335 and OAR 137-049-0620), along with the process the City will use to determine acceptability of the work;

- t. If the solicitation document is an Invitation to Bid, any special price evaluation factors in the solicitation document. Examples of such factors include, but are not limited to, conversion costs, transportation cost, volume weighing, trade-in allowances, cash discounts, depreciation allowances, cartage penalties, and ownership or life-cycle cost formulas. Price evaluation factors need not be precise predictors of actual future costs; but, to the extent possible, such evaluation factors shall be objective, reasonable estimates based upon information the City has available concerning future use;
- If the solicitation document is a request for proposals, the Contracting Agency shall refer to the additional requirements of OAR 137-049-0650; and
- v. All contract terms and conditions.
- 2. A public notice may be provided in any manner deemed reasonably prudent considering the nature of the procurement. Public notice may be published on the City's website, through an electronic procurement system, in a newspaper of general circulation in the area where the contract is to be performed. For construction contracts over \$125,000, the City shall publish at least once in a newspaper of general circulation in the area where the contract is to be performed.
- 3. The City shall evaluate all bids received before the time and date indicated for bid opening. The City may not consider for award any bids received after the time and date indicated for bid opening. All applicable preferences shall be applied in evaluating the bids. Bids shall be evaluated on the requirements and criteria set forth in the invitation to bid. No criteria may be used in the evaluation that were not set forth in the invitation to bid.
- 4. At least 7 calendar days before the award, the City shall provide written notice of its intent to award a contract to all bidders. A shorter notice period may be established, provided that the specific reasons for the shorter notice period are documented in the procurement file.
- 5. The City's award shall not be final until the later of either the expiration of the protest period following the notice of intent to award pursuant to OAR 137-049-0395, or after the City provides written responses to all timely-filed protests denying the protests and affirming the award.
- 6. Public improvement contracts procured by informal solicitation pursuant to this section may be amended, provided the amendment is within the scope of the original contract and the cumulative amount of the amendments does not increase the total contract price by more than ten percent (10%) over the original contract price. An amendment that increases the original contract by more than 10 percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).

11.3 Bonding

Bonds for public improvement projects must be obtained in accordance with the following requirements:

- 1. Bid Security. Except as otherwise exempted, the solicitations for all contracts that include the construction of a public improvement and for which the estimated contract price will exceed \$100,000 shall require bid security. For bridges and other transportation projects, bid security is required if the estimated contract price exceeds \$50,000. Bid security for a request for proposal may be based on the city's estimated contract price. The security may not exceed 10 percent of the amount bid for the contract.
- 2. Performance Bonds. Before executing a contract for more than \$100,000 that includes the construction of a public improvement, the contractor must deliver a performance bond in an amount equal to the full contract price conditioned on the faithful performance of the contract in accordance with the plans, specifications and conditions of the contract. For bridges and other transportation projects, the performance bond described in this Section is required if the estimated contract price exceeds \$50,000. The performance bond must be solely for the protection of the city and any public agency that is providing funding for the project for which the contract was awarded. The Department Head or their designee may permit the successful offeror to submit a cashier's check or certified check in lieu of all or a portion of the required performance bond.
- 3. Payment Bonds. Before executing a contract for more than \$100,000 that includes the construction of a public improvement, the contractor must deliver a payment bond equal to the full contract price, solely for the protection of claimants under ORS 279C.600. For bridges and other transportation projects, the payment bond described in this Section is required if the estimated contract price exceeds \$50,000.
- 4. Design-Build Contracts. If the public improvement contract is with a single person to provide both design and construction of a public improvement, the obligation of the performance bond for the faithful performance of the contract must also be for the preparation and completion of the design and related services covered under the contract.
- 5. Construction Manager/General Contractor Contracts. If the public improvement contract is with a single person to provide construction manager and general contractor services, in which a guaranteed maximum price may be established by an amendment authorizing construction period services following preconstruction period services, the contractor shall provide the bonds required by subsections 1 and 2 of this section upon execution of an amendment establishing the guaranteed maximum price. The city shall also require the contractor to provide bonds equal to the value of construction services authorized by any early work amendment in advance of the guaranteed maximum price amendment. Such bonds must be provided before construction starts.
- 6. Emergencies. In cases of emergency, or when the interest or property of the city probably would suffer material injury by delay or other cause, the requirement of furnishing a good and sufficient performance bond and a good and sufficient payment bond for the faithful performance of any public improvement contract may be excused, if a declaration of such emergency is issued by City Council.

12. Exceptions to Competitive Procurement Requirements

In certain circumstances, exceptions to competitive procurement requirements may be granted through the City Council acting as the City's Contract Review Board. Departments will be required to show justification for any exemption request, receive approval from the Council as documented in the minutes, and provide proper documentation for the City's procurement files.

12.1 Sole Source Procurements (Other than Public Improvements)

A contract may be awarded as a sole-source procurement without competition pursuant to this section.

- Before a sole-source contract may be awarded, the purchaser shall make written findings that the goods or services are available from only one source, based on one or more of the following criteria:
 - a. The efficient use of existing goods or services, personal services or professional services requires the acquisition of compatible goods or services that are available from only one source:
 - The goods or services available from only one source and required for the exchange of software or data with other public or private agencies;
 - The goods or services are available from only one source, and are needed for use in a
 pilot or an experimental project; or
 - d. Other facts or circumstances exist that support the conclusion that the goods or services are available from only one source.
- 2. To the extent reasonably practical, contract terms advantageous to the City shall be negotiated with the sole source provider.
- 3. The City shall publish notice of any determination that the sole source selection method will be used in a manner similar to public notice of competitive sealed bids for goods and services not less than ten (10) days prior to the date a sole source contract will be awarded. The notice shall describe the goods or services to be procured, identify the prospective contractor and include the date and time when, and place where, protests of the use of a sole source selection method must be filed.

12.2 Special Procurements.

In its capacity as contract review board for the City, the City Council, upon its own initiative or upon request, may create special selection, evaluation and award procedures for, or may exempt from competition, the award of a specific contract or class of contracts for goods and services as provided in this section.

 The approval of a special solicitation method or exemption from competition must be based upon a record before the City Council that contains the following:

- The nature of the contract or class of contracts for which the special solicitation or exemption is requested;
- b. The estimated contract price or cost of the project, if relevant;
- Findings to support the reason that approval of the request would be unlikely to
 encourage favoritism or diminish competition for the public contract or class of public
 contracts;
- d. Findings to support the substantial cost savings, enhancement in quality or performance, or other public benefit anticipated by the proposed selection method or exemption from competitive solicitation, or findings to support that the approval would otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the solicitation requirements that would otherwise be applicable under these regulations;
- e. A description of the proposed alternative contracting methods to be employed; and
- f. The estimated date by which it would be necessary to let the contract(s).
- In determining a special selection method, the City Council may consider the type, cost, amount of the contract or class of contracts, number of persons available to make offers, and such other factors as it may deem appropriate.
- 3. The City shall publish notice of any approval of a special procurement in a manner similar to public notice of competitive sealed bids for goods and services not less than seven (7) days prior to the date a sole source contract will be awarded. The notice shall describe the goods or services to be procured, identify the prospective contractor and include the date and time when, and place where, protests of the use of a sole source selection method must be filed.

12.3 Contracts

The following classes of contracts may be awarded in any manner that the City Manager deems appropriate to the City's needs, including by direct appointment or purchase. Except where otherwise provided, the City Manager shall make a record of the method of award.

- Contract amendments shall not be considered to be separate contracts if made in accordance with these policies.
- Contracts for the acquisition of materials entitled to copyright, including but not limited to, works of art and design, literature and music, or materials even if not entitled to copyright, purchased for use as library lending materials.
- Contracts for equipment repair or overhauling, provided the service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing.

- 4. Contracts for the purchase of items for which prices or selection of suppliers are regulated by a governmental authority.
- Contracts or arrangements for the sale or other disposal of abandoned property or other personal property not owned by the City.
- 6. Contracts for the purchase of specialty goods by the City for resale to consumers.
- Sponsorship agreements, under which the City receives a gift or donation in exchange for recognition of the donor.
- 8. Contracts for the disposal of structures located on City-owned property.
- Contracts that are being renewed in accordance with their terms are not considered to be newly issued contracts and are not subject to competitive procurement procedures.
- 10. Contracts for a single period of one (1) year or less, for the temporary extension or renewal of an expiring and non-renewable, or recently expired, contract, other than a contract for public improvements or professional services unless otherwise permitted under OAR 137-048-0310.
- 11. License agreements and other contracts the City may negotiate and enter into for the temporary use of City-owned property, subject to the following requirements:
 - a. The contract must result from an unsolicited proposal to the City based on the unique attributes of the property or the unique needs of the proposer;
 - b. The proposed use of the property must be consistent with the City's use of the property and the public interest; and
 - c. The City reserves the right to terminate the contract without penalty, if the City determines that the contract is no longer consistent with the City's present or planned use of the property or the public interest.
- 12. The City Manager may contract for the purchase of used property by negotiation if such property is suitable for the City's needs and can be purchased for a lower cost than substantially similar new property.
 - For this purpose, the cost of used property shall be based upon the life-cycle cost of the property over the period for which the property will be used by the City.
 - b. The City Manager shall record the findings that support the purchase.
- Contracts for the purchase of steam, power, heat, water, telecommunications services, and other utilities.

12.4 Emergency Procurements.

When the purchaser determines that immediate execution of a contract within the purchaser's authority is necessary to prevent **substantial damage or injury to persons or property**, and with the approval of

the City Manager or the City Manager's duly appointed designee, the purchaser may execute the contract without competitive selection and award or City Council approval, but, where time permits, competitive quotes should be sought from at least three (3) providers.

- When the purchaser enters into an emergency contract, the purchaser shall, as soon as possible in light of the emergency circumstances, document the nature of the emergency, the method used for selection of the particular contractor, and the reason why the selection method was deemed in the best interest of the City and the public.
- The purchaser shall also notify the City Council of the facts and circumstances surrounding the emergency execution of the contract.

12.5 Cooperative Procurement Contracts.

Cooperative procurements may be made without competitive solicitation as provided in the Public Contracting Code.

- 1. Suggested website to obtain quotes: "Oregon Buys" The State of Oregon Contracts website offers solicitation research and advertisement to help get the best cost quote for your goods, services and public improvements. Website: https://oregonbuys.gov/bso/ In order to use this site, you will be assigned a login and password along with helpful guidelines to obtain the quotes for your request. Vendors offer their services through this site.
- The City currently has a subscription to Gov Spend (formerly Smart Procure). This site allows
 you to request quotes on products and services and see what product and pricing other cities,
 counties or companies have purchased and from which vendor. To view the video go to:
 https://help.govspend.com/support/home
- The City also has cooperative procurement arrangements with the following entities: Sourcewell; Houston Galveston Area Council ("HGAC"), and the Oregon Cooperative Procurement Program

12.6 Public Improvements Exempt from Competitive Bidding Requirements:

Specific exemptions to competitive bidding requirements are available for public improvement projects that meet the following criteria, and complete the required processes for exemption, within the Model Rules:

- Projects that are unlikely to promote favoritism, and result in substantial cost savings (ORS 279C.335, OAR 137-049-0630, OAR 137-049-0620)
- Energy Saving Performance Contracts (ORS 279C.335, OAR 137-049-0620, OAR 137-049-0630, OAR 137-049-0680)
- 3. Design/Build Contracting (ORS 279C.335, OAR 137-049-0630, OAR 137-049-0670)
- Construction Manager/General Contractor Projects (ORS 279C.335, ORS 279C.337, OAR 137-049-0630, OAR 137-049-0690)