

OREGON PROCUREMENT CODE

Fiscal Year End: June 30

1. **Prequalifications:** Prequalifications are selectively enacted depending on the type of goods/services needed.
 - a. **279B.120.1** → A contracting agency may prequalify prospective bidders or proposers to submit bids or proposals for public contracts to provide particular types of goods or services. The method of submitting prequalification applications, the information required in order to be prequalified and the forms to be used for submitting prequalification information shall be determined by the contracting agency unless otherwise prescribed by rule adopted by the Director of the Oregon Department of Administrative Services or the local contract review board.
2. **Auto-drop:** None.
3. **Life Cycle Costing (LCC):** Evaluations based on LCC are allowed if stated in the ITB.
 - a. **279B.055.6.a** → The contracting agency shall evaluate all bids that are received before the time and date indicated for bid opening in the invitation to bid. The contracting agency shall evaluate the bids based on the requirements set forth in the invitation to bid. The requirements may include, in addition to the information described in subsection (2) of this section, criteria to determine minimum acceptability, such as inspection, testing, quality and suitability for intended use or purpose. Criteria that will affect the bid price and will be considered in evaluation for award including, but not limited to, discounts, transportation costs and total costs of ownership or operation of a product over the life of the product must be objectively measurable. The invitation to bid must set forth the evaluation criteria to be used. No criteria may be used in a bid evaluation that are not set forth in the invitation to bid or in a qualified products list maintained under ORS 279B.115. The contracting agency may not consider for award bids received after the time and date indicated for bid opening in the invitation to bid. The contracting agency may retain bids or copies of bids received after the bid time and date indicated in the invitation to bid.
4. **Piggybacking:** Allowed.
 - a. **279A.205.1** → A contracting agency may participate in, sponsor, conduct or administer a joint cooperative procurement for the procurement of any goods, services or public improvements.
5. **Recycle Preferences:** Items made from recycled materials are given a 5% price preference.
 - a. **279A.125.1** → Notwithstanding provisions of law requiring a contracting agency to award a contract to the lowest responsible bidder or best proposer or provider of a quotation and subject to subsection (2) of this section, a contracting agency charged with the procurement of goods for any public use shall give preference to the procurement of goods manufactured from recycled materials.
 - b. **279A.125.2** → A contracting agency shall give preference to goods that are certified to be made from recycled materials if:
 - i. The recycled product is available;

- ii. The recycled product meets applicable standards;
- iii. The recycled product can be substituted for a comparable nonrecycled product; and
- iv. The recycled product's costs do not exceed the costs of nonrecycled products by more than five percent, or a higher percentage if a written determination is made by the contracting agency

<http://www.leg.state.or.us/ors/279a.html>

6. **Minority/Small/Disadvantaged Business Enterprise preferences:** None.

7. **Cooperative Purchasing**

National IPA

The City of Tucson, AZ has awarded a national cooperative purchasing agreement available to agencies through National Intergovernmental Purchasing Alliance (National IPA). Visit the National IPA website for state specific information

<http://www.nationalipa.org/statutes.html>

National Joint Powers Alliance (NJPA)

NJPA currently supports over 100 national contracts for products and services that are available to local governmental agencies and other not for profit entities. Additional information can be found by visiting NJPA's State Procurement Resources web site.

<http://www.njpacoop.org/national-cooperative-contract-solutions/legal-authority/>

***Oregon Revised Statutes Chapter 279A: <http://www.leg.state.or.us/ors/279a.html>

***Oregon Revised Statutes Chapter 279B: <http://www.leg.state.or.us/ors/279b.html>