



CENTRAL OREGON  
COMMUNITY COLLEGE  
Board of Directors' Meeting – AGENDA  
Wednesday, June 10, 2026 – 5:45 PM  
Madras Campus, Room 117 / YouTube

TIME**	ITEM	ENC.*	ACTION	PRESENTER
5:45 p.m.				
	I. Call to Order			Skatvold
	II. Native Lands Acknowledgement	2a.1*		Skatvold
	III. Roll Call			Alberg
	IV. Agenda Changes			Skatvold
	V. Public Comment			Alberg
	VI. Consent Agenda***			Skatvold
	1. Regular Meeting Minutes (5.14.25)	6a.1-9*	X	Matthews <sup>A</sup>
	2. Budget Committee Meeting Minutes (5.14.25)	6b.1-4*	X	Matthews <sup>A</sup>
	3. 2026-27 Fiscal Responsibilities		X	LaLonde <sup>A</sup>
	a. Inter-fund Borrowing	6c.1*		
	b. Custodian of Funds/Depository Institutions	6d.1-2*		
	c. Budget Officer/Clerk/Deputy Clerks	6e.1*		
	4. 2025-26 Fiscal Responsibilities		X	LaLonde <sup>A</sup>
	a. Resolution for Appropriation Changes	6f.1-2*		
	VII. Adjourn to Budget Hearing for 2026-27 Budget			Skatvold
	1. Public Comment and Testimony			Alberg
	2. Notice for Supplemental Budget Hearing	7a.1*		LaLonde <sup>A</sup>
	3. Resolution for Supplemental Budget Changes	7b.1*	X	LaLonde <sup>A</sup>
	4. Appropriation Resolution – 2026-27	7c.1-3*	X	LaLonde <sup>A</sup>
	5. Resolution to Impose/Categorize Taxes – 2026-27	7d.1*	X	LaLonde <sup>A</sup>
	6. Resolution to Adopt the 2026-27 Budget	7e.1*	X	LaLonde <sup>A</sup>
	VIII. Adjourn to Contract Review Board Meeting			Skatvold

\* Material to be distributed via e-mail & USPS (as necessary)

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\*\*\* Confirmation of Consent Agenda items submitted by the President. Any item may be moved from the Consent Agenda to Old/New Business by a Board Member asking the Chair to consider the item separately.

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1. Revisions to the Community College Rules of Procurement Policy	8a.1-47	X	LaLonde <sup>A</sup>
<b>IX. Adjourn to Open Session</b>			Skatvold
<b>X. Information Items</b>			
1. Monthly Budget Status	10a.1-4*		LaLonde <sup>A</sup>
2. New Hire Reports	10b.1-2*		Boehme <sup>A</sup>
3. Madras Campus Update			Rodriguez <sup>P</sup>
4. Renewal of Faculty and Staff Appointments	10c.1-5*		Barry <sup>A</sup>
<b>XI. New Business</b>			
1. Administrators' and Confidential Employees' Salary/Wage Adjustment for 2026-27	11a.1*	X	Barry <sup>A</sup>
2. Adult Basic Skills Collective Bargaining Agreement for 2025-28	11b.1-3*	X	Boehme/Barry/ Lenhart <sup>A</sup>
3. Full-time Faculty Rehire Recommendations	11c.1-4*	X	Hamlin <sup>A</sup>
<b>XII. Board of Directors' Operations</b>			
1. Summer Retreat Update			Skatvold
2. Committee Updates			
a. Advocacy Committee			Foote Morgan
b. Policy Review Committee			Craska Cooper
c. President Evaluation Committee			Skatvold
3. Board Member Activities			Board Members
<b>XIII. President's Report</b>			Pereira
<b>XIV. Dates</b>			Skatvold
1. Saturday, June 13 – COCC Commencement – Mazama Field, Bend Campus at 10:00 a.m.			
2. Thursday, June 18 – Policy Review Committee Meeting – 10:00 a.m. via Zoom			
3. Thursday, June 18 – Advocacy Committee Meeting – 11:00 a.m. via Zoom			
4. Friday, June 19 – Closed for Juneteenth			
5. Friday, July 3 – Closed in Observance of Independence Day			
6. Wednesday, July 8 – Board of Directors' Meeting – Boyle Education Center Boardroom, Bend Campus at 5:45 p.m.			
7. Saturday, July 18 – Board of Directors' Retreat – Redmond Campus, Building 3, Room 306 at 9:00 a.m. – 1:00 p.m.			
<b>XV. Adjourn to Executive Session</b>			Skatvold
ORS 192.660 (1)(i) Performance Evaluation of CEO			
ORS 192.660 (2)(d) Labor Negotiations			
ORS 192.660 (2)(f) Information or Records Exempt from Public Inspection			
<b>XVI. Adjourn to Open Session</b>			Skatvold

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XVII. President's Evaluation  
XVIII. Adjourn

Skatvold  
Skatvold

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**Purpose:** To acknowledge someone is to say, “I see you. You are significant.” The purpose of a land acknowledgement is to recognize and pay respect to the original inhabitants of a specific region. It is an opportunity to express gratitude and appreciation to those whose territory you exist in.

### **COCC Land Acknowledgement**

(Condensed Version)

COCC would like to acknowledge that the beautiful land our campuses reside on, are the original homelands of the **Wasq’ú** (Wasco), and the **Wana Lama** (Warm Springs) people. They ceded this land to the US government in the Treaty of 1855. The **Numu** (Paiute) people were forcibly moved to the Warm Springs Indian Reservation starting in 1879. It is also important to note that the Klamath Trail ran north through this region to the great Celilo Falls trading grounds. Descendants of these original people are thriving members of our communities today. We acknowledge and thank the original stewards of this land.



CENTRAL OREGON  
COMMUNITY COLLEGE  
Board of Directors' Meeting – MINUTES  
Wednesday, May 13, 2026 – 5:45 PM  
BEC Boardroom / YouTube

TIME**	ITEM	ENC.*	ACTION	PRESENTER
5:45 p.m.	I. Call to Order			Skatvold
	II. Native Lands Acknowledgement	2a.1*		Skatvold
	III. Roll Call			Alberg
	<u>Board and Budget Committee members:</u> Erica Skatvold (Chair), Joe Krenowicz, Laura Craska Cooper, Alan Unger, Erin Merz, Erin Foote Morgan, Jade Mayer, Jim Lanzarotta, Bill Robathan, Brian Bergler, Tobias Colvin, Debi Harr, Bill Hall			
	<u>COCC Staff:</u> Greg Pereira (President), Michael LaLonde, Alicia Moore, Laura Boehme, Zak Boone, Cathleen Knutson, Cindy Lenhart, Jessica Giglio, Andrew Davis, Kyle Matthews, Lucas Alberg			
	<u>Legal counsel:</u> Paul Taylor			
	IV. Agenda Changes			Skatvold
	1. None.			
	V. Adjourned to Budget Committee Meeting at 5:48 p.m.			
	1. Budget Committee Meeting	5a-f*		Mayer
	VI. Adjourned to Open Session at 6:45 p.m.			Skatvold
	VII. Public Comment			Alberg
	1. Faculty Forum members Sara Henson, Emma Chaput, Logan Aisling, Murray Godfrey, Andria Woodell, Susan Miller, Tom Barry, Sarah Baron, and Sean Rule, and former member Becky Plassmann, shared their concerns regarding ongoing contract negotiations between their union and the College. Letters from members Anne Zmislinksi-Seelig, Vaughan Briggs and Hal DeShow were also read aloud.			
	VIII. Consent Agenda***			
	1. Regular Meeting Minutes (4.8.26)	8a.1-8*	X	Matthews <sup>A</sup>
	a. Motion to approve the meeting minutes.			
	i. 1 <sup>st</sup> : Alan Unger			

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- ii. 2<sup>nd</sup>: Laura Craska Cooper
- iii. In favor: Erica Skatvold, Joe Krenowicz, Laura Craska Cooper, Alan Unger, Erin Merz, Erin Foote Morgan
- iv. Opposed or abstained: none

#### IX. Information Items

- |   |          |                             |
|---|----------|-----------------------------|
| 1. Monthly Budget Status  | 9a.1-4*  | LaLonde <sup>A</sup>        |
| a. No questions.  |          |                             |
| 2. New Hire Reports   | 9b.1-2*  | Boehme <sup>A</sup>         |
| a. No questions.  |          |                             |
| 3. Branch Campus Scheduling   | 9c.1-22* | Lenhart/Giglio <sup>P</sup> |
| a. Lenhart and Giglio explained research that was conducted around classes taught at COCC's branch campuses and the students who attend those classes. Their recommendations were as follows:                                 |          |                             |
| i. Build carefully planned schedules for the branch campuses that prioritize Associate of Arts Oregon Transfer courses and Career and Technical Education pre-requisite courses.  |          |                             |
| 1. Craska Cooper asked if Crook County's high school schedules have been taken into account to accommodate dual-enrolled students.  |          |                             |
| a. Lenhart said that COCC has worked with Crook County School District and they would prefer offering College Now courses at their high school campuses. COCC will continue to offer both options to Crook County students.   |          |                             |
| b. Moore asked if this is a matter of the amount of school hours required by Oregon law.  |          |                             |
| c. Lenhart explained that Oregon's high schools' hours are tracked by a system separate from higher education.  |          |                             |
| d. Craska Cooper asked if it would be appropriate for her to be involved in these conversations with the Crook County School District. Lenhart confirmed this.  |          |                             |
| ii. Starting in Fall 2026, establish a minimum enrollment threshold of three students by the cancellation date. The data has shown that a class with three students registered will likely start with five or more attending. |          |                             |
| iii. Actively recruit part-time faculty who are willing to teach at the branch campuses and seek to hire full-time faculty who are based out of the branch campus' communities.   |          |                             |
| 1. Foote Morgan asked if COCC has been proactively recruiting for such roles or waiting for candidates to apply.  |          |                             |
| a. Lenhart said that program directors have made recruiting efforts through their professional networks in branch campus communities. Word-of-mouth recruiting is encouraged.   |          |                             |

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- iv. A Student Support Services workgroup was formed and will develop a strategy for the branch campuses.
  - b. Foote Morgan asked how far students are typically traveling to attend classes at the branch campuses.
    - i. Lenhart said that data on this matter is difficult to compile. A significant number of manufacturing students have been traveling from La Pine to Redmond, and a significant number of nursing students have been traveling from Prineville to Bend.
  - c. Foote Morgan asked if COCC's branch campuses are considered "rural."
    - i. Lenhart said that Madras and Prineville are considered rural, while Redmond's population is rising and will soon not be considered rural. (Bend is not considered rural.)
4. 2023–27 Strategic Plan Update: 9d.1–8\* Lenhart<sup>P</sup>  
Workforce Development
- a. Lenhart reminded the Board that two of the action projects for this strategic goal--the Madras and Redmond campus expansions--were complete and ongoing respectively. The focus of this presentation is on the third project: workforce infrastructure. The three aspects for this charge are as follows:
    - i. Identify or develop a program needs assessment tool.
      - 1. An analysis was conducted by Lightcast and a College report on program demand gaps is in development.
      - 2. Next steps include identifying program demand gaps in context of the 2026 economic impact report, as well as developing metrics and responsibility, and a reporting structure for the 2026–27 academic year.
    - ii. Develop metrics to track COCC's progress in supporting the workforce needs of the College's district. This project is ongoing.
    - iii. Identify who regularly reviews data and makes appropriate recommendations to COCC's Vice President of Academic Affairs. This will be developed next year.
5. Meal of the Year Recap Boone<sup>P</sup>
- a. Boone reported the COCC Foundation has hired Jennifer Soto as their new Accountant. She is currently being trained by Karen Kjemhus–Spahr, who will be retiring on June 30. The final numbers for this report have been delayed for this reason.
  - b. The event raised over \$440,000 for student scholarships (some invoices have not yet been processed). 402 tickets were sold and \$280,000 was raised through paddle raises, silent and live auctions, raffle tickets, and opportunities to spin the prize wheel.
  - c. Dave and Deborah Bourke were the 2026 honorees for their years of support for the Foundation and service on the Board of Trustees.

## X. New Business

- 1. Food Service Solicitation 10a.1–2\* X Davis<sup>A</sup>
  - a. Davis explained that a request for proposal for food service providers is sent out every few years. COCC received two bids from the most recent

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RFP and the selection committee is recommending Sodexo America to continue as the College's provider.

- b. Foote Morgan asked what COCC's annual revenue for food services has been in recent years.
  - i. Davis said it depends on student housing occupancy. He estimated that it has been between \$200,000 and \$300,000.
  - ii. Moore added that the cost of commercial kitchen equipment has also been a factor.
- c. Motion to approve the College President or designee to negotiate and execute a contract for foodservice operations with Sodexo America, LLC, subject to successful contract negotiations and compliance with applicable procurement requirements.
  - i. 1<sup>st</sup>: Erin Foote Morgan
  - ii. 2<sup>nd</sup>: Laura Craska Cooper
  - iii. In favor: Erica Skatvold, Joe Krenowicz, Laura Craska Cooper, Alan Unger, Erin Merz, Erin Foote Morgan
  - iv. Opposed or abstained: none

## XI. Board of Directors' Operations

1. Summer Retreat Update Skatvold
  - a. A date for the retreat still needs to be determined. July 18 is a possibility, but Craska Cooper would not be able to attend.
    - i. Craska Cooper said she would be willing to miss the retreat and follow-up with the Chair when possible.
    - ii. Matthews will follow-up with Jim Porter as he was unable to attend this meeting.
  - b. Skatvold said that the agenda would be to discuss the Board's and the President's goals for the coming year, along with the Board's self-evaluation.
2. Proposed Revisions to Board Policies
  - a. GP 7: Board Planning Cycle, 11a.1-5\* X Craska Cooper<sup>A</sup>  
2<sup>nd</sup> Reading
    - i. Craska Cooper noted that no changes to the proposal have been made since the first reading, but the Board's internal calendar would need to be revised to align with the policy.
    - ii. Motion to approve the proposed revisions to GP 7.
      1. 1<sup>st</sup>: Alan Unger
      2. 2<sup>nd</sup>: Erin Foote Morgan
      3. In favor: Erica Skatvold, Joe Krenowicz, Laura Craska Cooper, Alan Unger, Erin Merz, Erin Foote Morgan
      4. Opposed or abstained: none
  - b. BEP 8: Debt Level and 11b.1-4\* X Craska Cooper/  
LaLonde<sup>A</sup>  
Management, 2<sup>nd</sup> Reading
    - i. Craska Cooper said that the Policy Review Committee proposed changing "the President shall administer the College's debt management activities" to "the President, in collaboration with the Vice President of Finance and Operations (VPFO)..."

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- ii. Another proposed revision from the Committee is language that calls for the Board to keep in mind COCC's credit rating and viability ratio when managing the College's debt. They discussed naming a specific ratio, but determined it would make the policy too rigid.
  - iii. Motion to approve the proposed revisions to BEP 8.
    - 1. 1<sup>st</sup>: Alan Unger
    - 2. 2<sup>nd</sup>: Joe Krenowicz
    - 3. In favor: Erica Skatvold, Joe Krenowicz, Laura Craska Cooper, Alan Unger, Erin Merz, Erin Foote Morgan
    - 4. Opposed or abstained: none
  - c. BEP 9: General Fund Reserve Policy, 2<sup>nd</sup> Reading 11c.1-4\* X Craska Cooper/  
LaLonde<sup>A</sup>
    - i. Craska Cooper said that the Committee proposed, under "Monitoring and Oversight," that the VPFO should give monthly reports to the Board and annual reports to the Budget Committee on the status of COCC's general fund reserve. The Board would also monitor the trajectory of the unreserved fund balance and the number of days of operating funds in the reserve.
    - ii. Motion to approve the proposed revisions to the policy.
      - 1. 1<sup>st</sup>: Erin Foote Morgan
      - 2. 2<sup>nd</sup>: Laura Craska Cooper
      - 3. In favor: Erica Skatvold, Joe Krenowicz, Laura Craska Cooper, Alan Unger, Erin Merz, Erin Foote Morgan
      - 4. Opposed or abstained: none
3. Committee Updates
- a. Advocacy Committee Foote Morgan
    - i. Foote Morgan reported that the Committee has been developing talking points for Board members to use when meeting with community leaders from their respective zones. Board members were encouraged to set up such meetings in the near future.
      - 1. Alberg added that the talking points will be sent out to the Board after some additional review, and the Committee will plan on drafting new talking points every Fall and Spring.
    - ii. Unger asked if the talking points would include remarks around a proposal for a bond that COCC could apply for in 2030. Foote Morgan confirmed this.
    - iii. Unger asked if the Committee would be able to produce a more substantial packet with data on all of COCC's projects.
      - 1. Alberg noted that the initial draft of talking points was much longer and the Committee determined that excessive amounts of data would be less memorable than a few stories on how COCC is impacting people's lives. The College can always provide data for anyone who asks.

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- iv. Krenowicz suggested adding context to any data presented on student enrollment at each of COCC's campuses. Foote Morgan and Alberg concurred.
- b. Policy Review Committee Craska Cooper
  - i. Craska Cooper reported that the Committee is currently reviewing GP 8: Board Code of Conduct. Once GP 8 and two other policies have been reviewed, all of the Board's policies will have been reviewed in the past 2.5 years. The Committee still plans to develop a three-year review cycle.
  - ii. Unger asked if revisions approved in this meeting to BEP 8 or 9 will be addressed in COCC's budget.
    - 1. Craska Cooper said that, according to the revisions approved for BEP 9, if the VPFO reports that the general fund reserve will decrease below 37 days of operational funds, the Board would need to adopt a plan recommended by the VPFO to return the reserve to 37 days of funds. The Board will also receive an update on COCC's budget during their regular meeting each December.
- c. President's Evaluation Committee Skatvold
  - i. Skatvold reported that the Committee met on May 4 to discuss assignments to interview Extended Senior Leadership Team members, as well as community leaders, on Pereira's performance. Pereira has also submitted his self-evaluation, which Skatvold will send to the full Board. Board members were asked to submit their evaluations to Skatvold by the end of next week.
- d. Real Estate Committee Krenowicz
  - i. Krenowicz reported that the Committee met on April 27 and discussed updates from William Smith Properties, Inc. (WSPI) regarding developing projects on COCC's properties in Bend. This included the Veridian apartment complex, which is about 80% occupied, and the Ponderosa Project, which is under due diligence through February 2027.
    - 1. Unger asked if the developer for the Ponderosa Project is waiting for a more favorable real estate market. Krenowicz confirmed this.
  - ii. LaLonde added that WSPI's Vice President Peter McCaffrey informed the Committee that 1,400 apartment units in Bend are entering the market, which is twice as many as any year in the past decade. He presented a number of options to deal with the College's property on the southeast corner of Shevlin Park Road and Mt. Washington Drive in order to not lose any permits or low-income housing tax credits. This may require further investment in the property. Two developers will also be taking over the Outcrop Phase 2 lots. Another development in the Campus Village is making progress, but is currently under NDA.

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## 4. Board Member Activities

## a. Erin Foote Morgan

- i. April 16–17: Regards to Rural Conference
- ii. April 17: Advocacy Committee meeting
- iii. May 5: State of the College address at the Bend campus
- iv. Foote Morgan informed the Board that La Pine High School students, with support from their families and some local businesses, raised \$30,000 for a mobile construction unit for the school's construction course, as well as \$1,800 stipends for each student who participated in the program. The school has received a state grant for the program in the past, but the grant has since run out. The school is grateful for COCC's support.

## b. Erin Merz

- i. March 15: COCC Cascades Chorale concert
- ii. April 9 and May 12: Policy Review Committee meetings
- iii. April 11: COCC Foundation's Meal of the Year fundraiser
- iv. April 16: City Club of Central Oregon Legislative Review
- v. April 16: COCC Math Contest
- vi. April 17: Advocacy Committee Meeting
- vii. April 30: Tour of COCC's facilities at the Deer Ridge Correctional Institution (DRCI)
- viii. April 30: Madras campus expansion grand opening
- ix. May 5: State of the College address at the Bend campus
- x. May 6: Dinner at Elevation restaurant on COCC's Bend campus
- xi. Submitted feedback on the Oregon Community College Association's (OCCA's) DEI charter
- xii. Merz informed the Board that the Self-Evaluation Committee determined that the Board will use the same online survey tool from the previous year to conduct their self-evaluations before the Board's upcoming retreat.

## c. Joe Krenowicz

- i. April 11: COCC Foundation's Meal of the Year fundraiser
- ii. April 27: Real Estate Committee meeting
- iii. April 30: Madras campus expansion grand opening

## d. Laura Craska Cooper

- i. April 9 and May 12: Policy Review Committee meeting
- ii. April 11: COCC Foundation's Meal of the Year fundraiser
- iii. April 19: Meetings with Sen. Ron Wyden, Sen. Jeff Merkley, and Sen. Cliff Bentz in Washington, D.C. regarding support for the Redmond campus expansion

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- iv. April 20: Meeting with Rep. Janelle Bynum in Washington, D.C. regarding support for the Redmond campus expansion
- v. April 27: Real Estate Committee meeting
- vi. April 27: Phone call with Porter
- vii. April 30: Meeting with Skatvold and Porter
- viii. May 4: President Evaluation Committee meeting
- e. Alan Unger
  - i. April 11: COCC Foundation's Meal of the Year fundraiser
  - ii. April 21: Keyes Trust meeting
  - iii. April 27: OCCA Budget Committee meeting
  - iv. April 27: Real Estate Committee meeting
  - v. May 5: State of the College address at the Bend campus
  - vi. May 5: Redmond campus tour with Rep. Bynum
  - vii. May 7: State of the College address at the Redmond campus
  - viii. May 12: Redmond Proficiency Academy graduation ceremony, where he presented four COCC merit scholarships and two Associate of Arts diplomas from COCC's College Now program.
- f. Erica Skatvold
  - i. April 10 and 29 and May 1 and 8: Meetings with Porter and Pereira
  - ii. April 11: COCC Foundation's Meal of the Year fundraiser
  - iii. April 17: Advocacy Committee meeting
  - iv. April 20: Tour of COCC's Aviation facilities with U.S. Secretary of Education Linda McMahon
  - v. April 30: Madras campus expansion grand opening
  - vi. April 30: Meeting with Porter and Craska Cooper
  - vii. May 4: President Evaluation Committee meeting
  - viii. May 5: State of the College address at the Bend campus
  - ix. May 5: Redmond campus tour with Rep. Bynum
  - x. May 6: Meeting with Porter, Pereira and Matthews
  - xi. May 12: Policy Review Committee meeting

## XII. President's Report

Pereira

1. COCC's Marketing and Public Relations (MPR) team won three Paragon Awards, which are the only nationally recognized MPR awards exclusively given to community and technical colleges. Mark Johnson won a gold award in Long-Form Writing, Joanna Larsen won a silver award in Graphic Design for the Meal of the Year invitation, and the COCC Foundation won a bronze award in the Large-Scale category for their annual *Legacies* magazine, which focused on COCC's 75<sup>th</sup> anniversary.
2. As part of COCC's efforts to improve staff communication, every employee now has an email account, including part-time and irregular wage employees. The

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employees' online portal was also updated on May 13 with the most up-to-date College news available on the homepage. A weekly staff newsletter will launch on May 18. These projects came from months of work from MPR, IT Services and Human Resources.

### XIII. Dates

Skatvold

1. Saturday, May 16 – COCC Salmon Bake – Madras Campus at 11:00 a.m. – 3:00 p.m.
2. Tuesday, May 19 – COCC Storm the Stairs Fun Run – Mazama Athletic Field at 5:30 p.m.
3. **Friday, May 22 – Advocacy Committee Meeting – 1:00 p.m. via Zoom**
4. Monday, May 25 – Closed for Memorial Day
5. Thursday, May 28 – Policy Review Committee Meeting – 1:00 p.m. via Zoom
6. Friday, May 29 – President Evaluation Committee Meeting – 12:00 p.m. via Zoom
7. Sunday, May 31 – COCC ANHPI Talent and Tribute Show – 4:00 – 5:30 p.m. in Wille Hall
8. Tuesday, June 9 – DRCI Graduation Ceremony – 1:00 p.m. in the Old Minimum Facility at DRCI
  - a. Unger asked if a background check was needed to attend.
  - b. Pereira said that only an RSVP is needed as the ceremony was moved to a minimum-security space.
9. **Wednesday, June 10 – Board of Directors' Meeting – Madras Campus, Room 117 at 5:45 p.m.**
10. Saturday, June 13 – COCC Commencement Ceremony – Mazama Athletic Field at 10:00 a.m. – 12:00 p.m.

### XIV. Adjourned to Executive Session at 8:54 p.m.

ORS 192.660 section 1, subsection i, Performance Evaluation of CEO

ORS 192.660 section 2, subsection d, Labor Negotiations

ORS 192.660 section 2, subsection f, Information or Records Exempt from Public Inspection

### XV. Adjourn

Skatvold

\* Material to be distributed via e-mail & USPS (as necessary)

\*\* Times listed on the agenda are approximate to assist the Chair of the Board.

\*\*\* Confirmation of Consent Agenda items submitted by the President. Any item may be moved from the Consent Agenda to Old/New Business by a Board Member asking the Chair to consider the item separately.

P - indicates a Presentation will be provided.

A - indicates the presenter is Aavailable for background information if requested.



2600 NW College Way  
 Bend, OR 97703  
 cocc.edu

## COCC Budget Committee Meeting Minutes

Wednesday, May 13, 2026

5:45 pm

Boyle Education Center Boardroom/YouTube

	<u>EXHIBIT</u>	<u>ACTION</u>	<u>PRESENTER</u>
I. Called to Order at 5:48 p.m.			Mayer
II. Consent Agenda			
a. April 8, 2026 Meeting Minutes	5b.1-4	X	Matthews
i. Motion to approve the minutes.			
1. 1 <sup>st</sup> : Laura Craska Cooper			
2. 2 <sup>nd</sup> : Alan Unger			
3. In favor: Erica Skatvold, Joe Krenowicz, Laura Craska Coper, Alan Unger, Erin Merz, Erin Foote Morgan, Jade Mayer, Jim Lanzarotta, Bill Robathan, Brian Bergler, Tobias Colvin, Debi Harr, Bill Hall			
III. 2026-27 Proposed Non-General Fund Budget			LaLonde
a. Non-General Fund Budgets	5c.1-28		
b. Presentation	5d.1-37		
i. LaLonde distributed a revised version of his presentation as there were some minor changes after the original version was sent out on May 8.			
1. As an update from the previous Committee meeting, LaLonde showed that COCC had changed from the eighth to the sixth least expensive community college in Oregon after some of the colleges updated their tuition and fees.			
2. At the previous meeting, a Committee member asked if COCC had ever compared its annual tuition and fees to the median household income of the counties that the College serves. LaLonde compiled this information for all of Oregon's community colleges and showed how COCC compares. He calculated the tuition and fees for 36 credits, divided by the median household income for each college service area. The average came out as 7.81%, and COCC is at 6.1%. In order for COCC's tuition and fees to reach the average, COCC could increase its tuition by \$33 (about 25%) per credit, but this was not a recommendation.			

- a. Robathan noted that median household incomes will vary by county. He estimated it to be \$60,00 in Jefferson County and \$90,000 in Deschutes County, so the costs of higher education may be more difficult for the average Jefferson County resident.
3. For financial projections, the inflation rate for medical costs per FTE were actually 6.1% in the projections, but incorrect on the utilization slide for the 2027 fiscal year. As such, this did not impact the proposed 2026-27 budget projections.
4. The projected savings of \$2.5 million from the Madras capital projects were also changed to \$1.7 million due to some additional invoices from the general contractor and other items that were not captured previously. In order to correct for this, an additional \$800,000 will be transferred from COCC's capital project fund to the General Fund.
5. Robathan asked how LaLonde's analysis might consider enrollment declines and the national debt.
  - a. LaLonde said that those things are taken into consideration, though it is difficult to predict how enrollment will change and what the federal government will do. COCC has been impacted by three cancelled or discontinued federal grants in the past year. Building the College's reserves back up to 60 days in operational funds would help with both. The proposed budget assumes a 2% increase in enrollment at COCC each year, which LaLonde suggested to be conservative based on the growth of COCC's programs.
6. Lanzarotta suggested examining the potential financial impacts of enrollment being higher or lower than expected.
  - a. LaLonde noted that a sensitivity analysis was performed when creating the reserve policy, but it should be included in future budget presentations.
- ii. LaLonde explained COCC's nine non-general funds. Each sub-fund has a purpose and is designed to follow local budget law and government accounting standards. During the fiscal year, if a program associated with a non-general fund wants to spend money beyond their appropriation, the College may need to ask the Board for approval to do so.
- iii. LaLonde distributed a revised slide for the Debt Service Fund to show how much money is outstanding from each debt.
  1. Craska Cooper asked if COCC has sufficient revenue to pay the debt service for Wickiup Residence Hall. LaLonde confirmed this.
  2. Mayer asked when the College's S&P rating be updated or affirmed.
    - a. LaLonde said it was updated last year with no changes. He expected a more substantial update will take place next year.
  3. Lanzarotta asked if anyone from COCC has done an analysis for how much of the College's budget can be committed toward debt service.

- a. LaLonde said that COCC hired Piper Sandler, Inc. to conduct such an analysis.
- iv. Foote Morgan asked if the planned renovations for the Coats Campus Center were included in the budget for the Capital Projects Fund.
  - 1. Alicia Moore said that employees from the Equity and Well-Being department will be relocated from Coats and three other buildings to Ochoco Hall, which will be renovated through a federal grant. LaLonde confirmed that funds were appropriated for the Coats Campus Center remodel.
- v. Foote Morgan asked where revenue from the Outcrop Phase 2 lots would be transferred to.
  - 1. LaLonde said those funds would be transferred to the General Fund, primarily to reimburse for deferred maintenance.
- vi. Lanzarotta asked how the College's Reserve Fund budget compares to an anticipated spike in Oregon's Public Employee Retirement System (PERS) costs when the side accounts go away in 2028.
  - 1. LaLonde said that the actuaries are still working on it, but he expected to learn more soon.
- vii. Foote Morgan asked what the budget is for faculty sabbaticals and professional development from the Auxiliary Fund.
  - 1. Cathleen Knutson said that sabbaticals are normally budgeted for seven quarterly terms, and professional development is budgeted for about \$600 per full-time faculty member, as well as a separate budget for part-time faculty.
- viii. Compared to the previous fiscal year, the most significant changes were seen in COCC's general fund. This included a decrease of \$14.4 million in transfers out due to the completion of the Madras campus expansion, an increase in salaries of \$2 million, an increase in payroll assessment of \$1.4 million, and an increase in software license costs of \$240,000. The total for all funds proposed saw a decrease of about \$22.2 million from the previous fiscal year.
- ix. Lanzarotta asked if there is a plan to present to the Board on allocating funds for a match from Oregon's Higher Education Coordinating Commission (HECC) to pay for deferred maintenance expenses.
  - 1. LaLonde recalled presenting such a plan at a recent regular Board meeting or Real Estate Committee meeting. He listed all of the proposed deferred maintenance projects, which were ranked and categorized by how each project was expected to be funded.
- x. Brian Bergler asked what options are available for COCC to allocate \$8 million to match with HECC.
  - 1. LaLonde said the College could increase tuition, sell excess property, and transfer funds from the Enterprise Fund and Capital Projects Fund. COCC will also see annual revenue from sales of its Outcrop properties.
- xi. Robathan asked whether there is a concern about COCC's reserve decreasing to 10% and if there is a plan to respond. He also asked whether the reserve could be increased to 90 days of operational funds, or if it is not necessary

1. Craska Cooper explained that the Policy Review Committee has been discussing revisions to COCC's reserve policy and a second reading of proposed revisions is scheduled for the Board meeting after this Committee's meeting. The Board will be receiving monthly reports from the Vice President of Finance and Operations on the status of the reserve. According to the policy's proposed revisions, if the reserve has less than 60 days of operational funds, College administration must create a three-year plan, for Board Approval, to return the ending general fund balance to 60 days of operating expenditures. If the reserve decreases below 37 days, administration must create a plan within 60 days, for Board approval, to increase the general fund ending balance to 37 days of operating expenditures.
  2. LaLonde added that Oregon's other community college reserve policies range from 5 to 50%, and he estimated that most of them are 10%.
- xii. Robathan asked what excess property COCC could sell if needed.
1. LaLonde said those properties are primarily non-adjacent lots that the College does not plan to utilize in the future. The Board would need to declare a property to be non-essential before it can be sold.

#### IV. Budget Approval

- a. Resolution to Approve the 2026-27 Budget 5e.1 X LaLonde
- i. Robathan asked if the proposed tax rate is an increase from the previous fiscal year.
    1. LaLonde said that it is the same tax rate from the previous year.
  - ii. Motion to approve COCC's proposed budget expenditures for fiscal year 2026-27 in the aggregate amount of \$138,151,079 (total of all funds) and the permanent tax rate of \$0.6204 per thousand of assessed value be levied against all assessed property in support of the General Fund. It is further resolved that a tax of \$3,331,032 be approved for the Debt Service Fund for the purpose of satisfying the required debt service of voter approved general obligation bonds issued by the district.
    1. 1<sup>st</sup>: Jim Lanzarotta
    2. 2<sup>nd</sup>: Bill Hall
    3. In favor: Erica Skatvold, Joe Krenowicz, Laura Craska Coper, Alan Unger, Erin Merz, Erin Foote Morgan, Jade Mayer, Jim Lanzarotta, Bill Robathan, Brian Bergler, Tobias Colvin, Debi Harr, Bill Hall
    4. Opposed or abstained: none

V. Adjourned at 6:45 p.m.

Mayer



## Central Oregon Community College Board of Directors: Resolution

---

<b>Subject</b>	Approve inter-fund borrowing between various programs and grants of the College for 2026-27.
<b>Strategic Plan Connection</b>	College Sustainability – COCC creates processes and systems to foster high-quality and operationally sustainable work, learning, and natural environments.
<b>Prepared By</b>	Cathleen Knutson, Controller

### A. Background

The College is the grantee on a number of programs and grants, which are funded on a cost reimbursement basis. That is, after the expenditures are made, the College is reimbursed by the grantor. Between the time of the expenditure and reimbursement, the College advances money to the various programs and grants.

This resolution authorizes short-term inter-fund borrowing for the purposes described above. All such inter-fund borrowings shall be repaid by the end of the fiscal year, and no interest shall be charged.

### B. Options

- 1) Approve inter-fund borrowing.
- 2) Do not approve inter-fund borrowing.

### C. Timing

This is an item, which needs annual affirmation by the Board of Directors. For inter-fund borrowing to occur in Fiscal Year 2026-27, this resolution will need to be approved before July 1, 2026.

### D. Budget Impact

N/A

### E. Proposed Resolution

Be it resolved that the Central Oregon Community College Board of Directors do hereby authorize inter-fund borrowing between the various programs and grants of the College for the period July 1, 2026 through June 30, 2027.



## Central Oregon Community College Board of Directors: Resolution

<b>Subject</b>	Designate custodians of funds and financial institutions for 2026-27
<b>Strategic Plan Connection</b>	College Sustainability – COCC creates processes and systems to foster high-quality and operationally sustainable work, learning, and natural environments.
<b>Prepared By</b>	Cathleen Knutson, Controller

### A. Background

Oregon law stipulates that each year the Board of Directors designate custodians of funds and financial institutions, which can serve as depositories for District funds. It is recommended that Greg Pereira, Alicia Moore, and Michael Lalonde be designated as custodian of funds, and that the Board approves the use of a facsimile signature (check signing machine) on District checks. All checks over \$20,000 will also require the countersignature of one of the custodians. Any custodian initiating a check over \$20,000 requires a countersignature from another approved custodian. It is further recommended the following institutions be so designated as depository institutions for the 2026-27 fiscal year:

Bank of America*	Bend and Redmond branches
Columbia Bank*	Bend, Redmond and Madras branches
Local Government Investment Pool	State of Oregon Treasury Department
Umpqua Bank*	Bend and Redmond branches
US Bank*	Bend, Redmond, Sisters, Prineville, LaPine, Madras, and Portland (Main Office) branches
Chase Bank*	Bend, Redmond and Prineville branches
Wells Fargo Bank*	Bend, Redmond, Prineville, Sisters, Madras, and Portland (Main Office) branches
First Interstate Bank*	Bend, Redmond, Prineville, Madras, Sisters, and Sunriver branches

\* Member of FDIC

\*\*Member of NCUA

**B. Options**

- 1) Approve custodians of funds and depositories of District funds.
- 2) Approve other custodians of funds and depositories of District funds.

**C. Timing**

Approval before July 1, 2026 is required.

**D. Budget Impact**

N/A

**E. Proposed Resolution**

Be it resolved that the Central Oregon Community College Board of Directors do hereby approve Greg Pereira, Alicia Moore, and Michael Lalonde as custodian of funds, and the financial institutions identified in section A as depositories of District funds.



## Central Oregon Community College Board of Directors: Resolution

---

<b>Subject</b>	Approve Budget Officer, Clerk and Deputy Clerks for 2026-27
<b>Strategic Plan Connection</b>	College Sustainability – COCC creates processes and systems to foster high-quality and operationally sustainable work, learning, and natural environments.
<b>Prepared By</b>	Cathleen Knutson, Controller

### A. Background

Each year it is necessary for the Board of Directors to designate the Budget Officer, Clerk and Deputy Clerk of the District. It is their responsibility to carry out Board policy and oversee the day-to-day legal and fiscal affairs of the District.

- ✓ It is recommended that Greg Pereira be the designated Budget Officer and Clerk of the District for the period of July 1, 2026 through June 30, 2027.
- ✓ It is recommended that Alicia Moore, Michael Lalonde, Annemarie Hamlin, Laura Boehme, and Zak Boone, be designated Deputy Clerks for the period July 1, 2026 through June 30, 2027.

### B. Options

- 1) Approve the Budget Officer, Clerk and Deputy Clerks.
- 2) Approve other persons as the Budget Officer, Clerk and Deputy Clerks.

### C. Timing

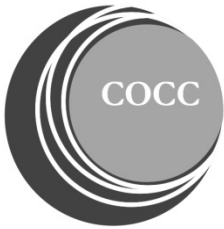
The Budget Officer, Clerk and Deputy Clerk must be designated by July 1, 2026.

### D. Budget Impact

N/A

### E. Proposed Resolution

Be it resolved that the Central Oregon Community College Board of Directors do hereby designate Greg Pereira as Budget Officer and Clerk, Alicia Moore, Michael Lalonde, Annemarie Hamlin, Laura Boehme, and Zak Boone, the designated Deputy Clerks for the period July 1, 2026 through June 30, 2027.



## Central Oregon Community College Board of Directors: Resolution

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<b>Subject:</b>	Approval of fiscal year 2025-26 Budget Appropriation Resolution
<b>Strategic Plan Connection:</b>	College Sustainability – COCC creates processes and systems to foster high-quality and operationally sustainable work, learning, and natural environments.
<b>Prepared By</b>	Cathleen Knutson, Controller

### A. Background

After July 1 when a local government is operating within the adopted budget for the current fiscal year, changes in appropriated expenditures are sometimes necessary. Appropriations may be increased due to an occurrence or condition that was not known at the time the budget was prepared. The changes included in the resolution do not require increased funding.

### B. Options

- 1) Approve the proposed resolution
- 2) Do not approve the proposed resolution

### C. Timing

Approval of the 2025-26 appropriation change is requested at this time. Approval will allow the College to remain in full compliance with Oregon Budget Law and meet the appropriation requirements of the College.

### D. Budget Impact

There are no changes to the 2025-26 fiscal year ending fund balances as the proposed increases in object class appropriation are equal to decreases within the same fund. The total revised changes in appropriation are provided below:

- Special Revenue Fund: Revised Federal Grant \$608,000 increase
- Special Revenue Fund: Revised Other Grant \$800,000 increase
- Special Revenue Fund: Revised State Grant \$21,000 increase
- Special Revenue Fund: Revised Contracts \$71,000 increase
- Special Revenue Fund: Revised New Programs \$1,500,000 decrease
  
- Debt Service Fund: Revised Materials and Services \$100 increase
- Debt Service Fund: Revised Interest \$100 decrease
  
- Internal Service Fund: Revised Materials and Services \$1000 increase
- Internal Service Fund: Revised Capital Outlay \$1000 decrease
  
- Auxiliary Fund: Revised Revolving Activities \$100,000 increase
- Auxiliary Fund: Revised Non-General Fund Instruction \$100,000 decrease



Board Meeting Date: June 10, 2026

Exhibit No.: 6f.2

Approval: \_\_\_\_\_

Motion: \_\_\_\_\_

**E. Proposed Resolution**

Be it resolved that the Central Oregon Community College Board of Directors hereby approve the changes to the 2025-26 fiscal year budget as identified in the Appropriation Resolution.

- For supplemental budgets proposing a change in any fund's expenditures by more than 10 percent.

A public hearing on a proposed supplemental budget for \_\_\_\_\_, for the  
(District name)  
current fiscal year, will be held at \_\_\_\_\_.  
(Location)

The hearing will take place on \_\_\_\_\_ at \_\_\_\_\_  
(Date)  a.m.  p.m.  
(Time)

The purpose of the hearing is to discuss the supplemental budget with interested persons.

A copy of the supplemental budget document may be inspected or obtained on or after \_\_\_\_\_  
(Date)  a.m.  a.m.  
at \_\_\_\_\_, between the hours of \_\_\_\_\_ and \_\_\_\_\_  
(Location)  p.m. and  p.m.

**SUMMARY OF PROPOSED BUDGET CHANGES**  
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED

FUND: \_\_\_\_\_

	Resource	Amount	Expenditure—indicate Org. unit / Prog. & Activity, and Object class.	Amount
1.	_____	_____	1. _____	_____
2.	_____	_____	2. _____	_____
3.	_____	_____	3. _____	_____
	<b>Revised Total Fund Resources</b>		<b>Revised Total Fund Requirements</b>	

Explanation of change(s):  
\_\_\_\_\_  
\_\_\_\_\_

FUND: \_\_\_\_\_

	Resource	Amount	Expenditure—indicate Org. unit / Prog. & Activity, and Object class.	Amount
1.	_____	_____	1. _____	_____
2.	_____	_____	2. _____	_____
3.	_____	_____	3. _____	_____
	<b>Revised Total Fund Resources</b>		<b>Revised Total Fund Requirements</b>	

Explanation of change(s):  
\_\_\_\_\_  
\_\_\_\_\_



## Central Oregon Community College Board of Directors: Resolution

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<b>Subject:</b>	Approval of fiscal year 2025-26 Supplemental Budget Resolution
<b>Strategic Plan Connection:</b>	College Sustainability – COCC creates processes and systems to foster high-quality and operationally sustainable work, learning, and natural environments.
<b>Prepared By</b>	Cathleen Knutson, Controller

### A. Background

After July 1 when a local government is operating within the adopted budget for the current fiscal year, changes in appropriated expenditures are sometimes necessary. Appropriations may be increased due to an occurrence or condition that was not known at the time the budget was prepared. A supplemental budget is required to pay additional expenditures and spend additional revenue.

The proposed change in the Special Revenue Fund is a result of additional grants and contracts added during the fiscal year. A significant number of these state and private grant awards are focused on the development of the Madras expansion, as well as student programs.

### B. Options

- 1) Approve the proposed Supplemental Budget
- 2) Do not approve the proposed Supplemental Budget

### C. Timing

Approval of the 2025-26 appropriation change is requested at this time. Approval will allow the College to remain in full compliance with Oregon Budget Law and meet the appropriation requirements of the College.

### D. Budget Impact

There are no changes to the 2025-26 fiscal year ending fund balances as the proposed increases in expenditure are equal to increases in resources. The total revised changes in appropriation are provided below:

- Special Revenue Fund: Revised State Grant Revenue \$2,000,000 increase
- Special Revenue Fund: Revised State Grant Materials/Services \$2,000,000 increase

### E. Proposed Resolution

Be it resolved that the Central Oregon Community College Board of Directors hereby approve the changes to the 2025-26 fiscal year budget as identified in the Supplemental Budget Resolution.



## Central Oregon Community College Board of Directors: Resolution

<b>Subject</b>	Make Appropriations for Fiscal Year 2026-27 Budget
<b>Strategic Plan Connection</b>	<b>College Sustainability – COCC creates processes and systems to foster high-quality and operationally sustainable work, learning and natural environments.</b>
<b>Prepared By</b>	Cathleen Knutson, Controller

### A. Background

Appropriations provide local government with legal spending authority throughout the fiscal year. Separate appropriations are required for each fund in which you have budgeted expenditures [ORS 294.456(3)]. The resolution making appropriations must identify the appropriations by object classifications, which correspond to the expenditures categories in the budget.

#### GENERAL FUND

Instruction and Instructional Support	\$ 36,635,227	
Student Services	8,605,241	
College Support Services	8,902,451	
Campus Services	8,876,623	
Information Technology Services	8,372,458	
Financial Aid	235,000	
Contingency	1,000,000	
<b>Total General Fund</b>		<b>\$ 72,627,000</b>

#### GENERAL OBLIGATION DEBT SERVICE FUND

Principal	\$ 2,880,000	
Interest	514,600	
<b>Total General Obligation Debt Service Fund</b>		<b>\$ 3,394,600</b>

#### OTHER DEBT SERVICE FUND

Principal	\$ 2,335,000	
Interest	539,465	
Materials and Services	1,000	
<b>Total Debt Service Fund</b>		<b>\$ 2,875,465</b>

#### CAPITAL PROJECTS FUND

Materials and Services	\$ 634,220	
Capital Outlay	8,916,542	
Transfers Out	3,684,000	
<b>Total Capital Projects Fund</b>		<b>\$ 13,234,762</b>

**ENTERPRISE FUND**

Personnel Services	\$ 993,765	
Materials and Services	2,853,102	
Capital Outlay	296,000	
Transfers Out	<u>1,568,545</u>	
<b>Total Enterprise Fund</b>		<b>\$ 5,711,412</b>

**INTERNAL SERVICE FUND**

Materials and Services	\$ 98,000	
Capital Outlay	<u>1,000</u>	
<b>Total Internal Service Fund</b>		<b>\$ 99,000</b>

**RESERVE FUND**

Transfers Out	\$ 11,230	
<b>Total Reserve Fund</b>		<b>\$ 11,230</b>

**SPECIAL REVENUE FUND**

Federal Grant Programs	\$ 2,580,776	
State Grant Programs	1,948,749	
Other Grant Programs	620,876	
Contracts	285,341	
New Programs	<u>1,500,000</u>	
<b>Total Special Revenue Fund</b>		<b>\$ 6,935,742</b>

**AUXILIARY FUND**

Self-Sustaining Activities	\$ 3,105,447	
Non-General Fund Instruction	5,733,869	
Revolving Activities	1,175,732	
Contractual & Administrative Provisions	<u>984,995</u>	
<b>Total Auxiliary Fund</b>		<b>\$ 11,000,043</b>

**FINANCIAL AID FUND**

Federal Programs	\$ 12,536,000	
State Programs	6,915,000	
Institutional Programs	2,680,000	
Other Programs	<u>60,825</u>	
<b>Total Financial Aid Fund</b>		<b>\$ 22,191,825</b>

**TRUST & AGENCY FUND**

Materials and Services	\$ 70,000	
<b>Total Trust &amp; Agency Fund</b>		<b>\$ 70,000</b>

<b>Total Budget Appropriation</b>		<b><u>\$ 138,151,079</u></b>
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**B. Options**

- 1) Make Appropriations at this time.
- 2) Do not Make Appropriations at this time.

**C. Timing**

Making Appropriations must be completed before July 1, 2026 for the College to continue its operations.

**D. Budget Impact**

N/A

**E. Proposed Resolution**

Be it resolved that the Central Oregon Community College Board of Directors do hereby make appropriations in the amounts, expenditure categories, and funds as detail above in section A totaling \$138,151,079.



## Central Oregon Community College Board of Directors: Resolution

---

<b>Subject</b>	Impose and Categorize taxes for Fiscal Year 2026-27
<b>Strategic Plan Connection</b>	College Sustainability – COCC creates processes and systems to foster high quality and operationally sustainable work, learning and natural environments.
<b>Prepared By</b>	Cathleen Knutson, Controller

### A. Background

The governing body must declare through resolution the Measure 5 limitation category of each of its taxes [ORS 294.456]. This resolution is the basis for the certification of the tax limitation category that is submitted to the assessor on the Form ED-50.

	<u>Subject to the Education Limits</u>	<u>Excluded from Measure 5 Limits</u>
Permanent Rate	\$0.6204 / \$1,000	
General Obligation Bonds		\$3,331,032

### B. Options

- 1) Impose and categorize taxes at this time.
- 2) Do not impose and categorize taxes at this time.

### C. Timing

The taxes must be imposed and categorized before July 1, 2026 for the College to continue its operations.

### D. Budget Impact

N/A

### E. Proposed Resolution

Be it resolved that the Central Oregon Community College Board of Directors do hereby impose and categorize the taxes provided in the 2026-27 adopted budget at the rate of \$0.6204 per \$1,000 of assessed value for operations, and in the amount of \$3,331,032 for voter approved general obligation bonds debt service for the fiscal year 2026-27. These taxes are imposed and categorized upon the assessed value of all taxable property within the district.



## Central Oregon Community College Board of Directors: Resolution

---

<b>Subject</b>	Adopt Fiscal Year 2026-27 Budget
<b>Strategic Plan Connection</b>	<b>College Sustainability – COCC creates processes and systems to foster high-quality and operationally sustainable work, learning and natural environments.</b>
<b>Prepared By</b>	Michael LaLonde, Vice President of Finance and Operations

### A. Background

The Budget Committee discussions for the 2026-27 budget focused on enrollment challenges in Higher Education, competitive tuition rates, state funding, increasing costs, deferred maintenance, capital outlay, budget increases/decreases vs prior year, long-term financial planning and the College's reserve ratio. The budget was developed to maintain accessibility and affordability for our students, while strategically using grant funds in fiscal year 2026-27. The College will be monitoring the State's biennium appropriation for the Community College Support Fund (CCSF), and student enrollment levels taking any budgetary actions required. No changes are proposed to the budget approved by the Central Oregon Community College Budget Committee on May 13, 2026. The Board of Directors has the power to adjust the resources and expenditures as approved by the Budget Committee. However, the governing body's power to change the approved budget is limited. The Board can reduce or even eliminate expenditures in a fund, but expenditures cannot be increased in a fund by more than 10 percent. In addition, the Board cannot increase the property tax rate or amount approved by the Budget Committee. If the governing body wants to exceed either of these limits, it must publish a revised financial summary and budget hearing notice, and hold another budget hearing [ORS 294.435].

### B. Options

- 1) Adopt the budget at this time.
- 2) Do not adopt the budget at this time.

### C. Timing

The budget must be adopted before July 1, 2026 for the College to continue its operations.

### D. Budget Impact

No changes to the proposed 2026-27 budget.

### E. Proposed Resolution

Be it resolved that the Central Oregon Community College Board of Directors do hereby adopt the Budget for fiscal year 2026-27 in the aggregate amount of \$138,151,079 (total of all funds) approved by the Budget Committee on May 13, 2026.

Board Resolution Attachment: Approval of CCRP Updates

*Document comments Key: AAM = Angie Anderson-May, COCC; CT = Legal Consult*

# **COMMUNITY COLLEGE RULES OF PROCUREMENT**

**EFFECTIVE JANUARY 19, 2005, AND AS  
AMENDED AS OF March 12, 2024 and July 10, 2024  
AND EFFECTIVE July 10 , 2024, THROUGH  
BOARD RESOLUTION**

**ADOPTED IN ACCORDANCE WITH  
ORS 279A.065(5)(a) and ORS 279A.070**

**BY**

**CENTRAL OREGON COMMUNITY  
COLLEGE  
JULY 10, 2024**

These Community College Rules of Procurement shall remain in effect unless modified, in writing, and adopted by the College's Local Contract Review Board through Board Resolution.

## TABLE OF CONTENTS

These Community College Rules of Procurement were drafted by participating statewide community college representatives with the intent that Sections 100 and 200 be adopted in their entirety and remain unchanged by their respective institutions unless modified by participating committee members at a later date and subsequently ratified by all their Local Contract Review Boards. Section 300 has been specifically set aside to address the unique philosophies, cultures, and/or concerns of the various community colleges, voting districts, and Local Contract Review Boards. In the event of conflict between rules or sections within these Community College Rules of Procurement, the rules in Section 300 (excluding Appendix A), shall take precedence over the rules in Sections 100 and/or 200 except as otherwise expressly provided in Sections 100 and 200; in all cases, Sections 100, 200, and 300 (excluding Appendix A), shall take precedence over Appendix A.

### **SECTION 100      GENERAL INFORMATION**

CCR.102	Purpose and Statutory Authority
CCR.104	Definitions

### **SECTION 200      PUBLIC CONTRACT SPECIAL PROCUREMENTS AND RULES OF PROCEDURE**

#### **GENERAL CONTRACT PROVISIONS**

CCR.202	Advertising
<a href="#">CCR.203</a>	<a href="#">Publication of Public Notice</a>
CCR.204	Bid Security and Bond Requirements, Waiver of
CCR.205	Cooperative Procurement Participation
CCR.206	Donated Materials and/or Services
CCR.207	Emergency Contracts (Including Oil or Hazardous Material Removal)
CCR.208	Equipment Repair and Overhaul (Including Maintenance Agreements)
CCR.210	Federal Contracts, Purchases under
CCR.212	Intellectual Property (Periodicals/Library Books, Proprietary Software Licenses, Art, and Other Products of the Creative Process
CCR.216	Life Cycle Costing/Best Value
CCR.218	Perishables (Chemicals, Food, Laboratory Supplies)
CCR.220	Personal Property, Used (Purchase of)
CCR.222	Price Regulated Items (Including Gas, Diesel Fuel, Heating Oil, Lubricants, Asphalts, Distilled Alcohol, Postage, and Certain Utilities)
CCR.226	Requirements Contracts
CCR.228	Resale – Items for
CCR.230	Telecommunications Services

#### **PERSONAL SERVICES CONTRACTING RULES**

CCR.250	Personal Services Contracts – General
CCR.260	Solicitation Requirements

#### **PUBLIC IMPROVEMENT CONTRACTS EXCEPTIONS AND EXEMPTIONS**

CCR.280	Alternative Contracting Methods
CCR.281	Donated Public Improvements
CCR.282	First-Tier Subcontractors; Disclosure and Substitution
CCR.283	Limited Negotiations with Bidder

**SECTION 300 SUPPLEMENTARY PROVISIONS – CONTRACTING RULES**

- CCR.301 Consultant Selection ~~Artilects~~Architects, Engineers, Photogrammetrists,  
Transportation Planners, Land Surveyors and Providers of Related Services  
Contracts
- CCR. 302 Contract Amendments & Reinstatements
- CCR.304 Cumulative Awards of Small Contracts (i.e. Anti-Fragmenting Rule)
- CCR.308 Alternative Marketplaces~~Energy Management Controls Systems~~
- CCR.310 Exemption (including Sole Source) – Purchases of Goods or Services
- CCR.312 Amendment to Personal Services Contracting Rules
- ~~CCR.314 Public Contracts Under Certain Dollar Limits~~
- CCR. 314 Renegotiated Contracts for Supplies and Services
- CCR.316 Rejection of an Offer
- CCR.318 Space Rentals (hotel, conferences, temporary offices, etcetera)
- CCR.320 Property Disposition

**APPENDIX A: OREGON ATTORNEY GENERAL’S MODEL PUBLIC CONTRACT RULES (OREGON ADMINISTRATIVE RULES**

The Community College Rules of Procurement adopt and incorporate by reference the following Oregon Administrative Rules (The “Model Rules”). The Model Rules incorporated by reference are those in effect on the date of adoption or amendment of these Community College Rules of Procurement. Model Rules not listed below are not included in the Community College Rules of Procurement. Sections 100, 200, and/or 300 in these Community College Rules of Procurement modify or supplement the Model Rules and shall prevail over the Model Rules in cases of conflict.

**DIVISION 46 GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTING**

137-046-0100	Content and General Application; Federal Law Supremacy
137-046-0110	Definitions for the Model Rules
137-046-0120	Policy
137-046-0130	Application of the Code and Model Rules; Exceptions
137-046-0210	Subcontracting to and Contracting with Emerging Small Businesses; DBE Disqualification
137-046-0300	Preferences for Oregon Goods and Services
137-046-0310	Reciprocal Preferences
137-046-0320	Preference for Recycled Materials
137-046-0400	Authority for Cooperative Procurements
137-046-0410	Responsibilities of Administering Contracting Agencies and Purchasing Contracting Agencies
137-046-0420	Joint Cooperative Procurements
137-046-0430	Permissive Cooperative Procurements
137-046-0440	Advertisements of Intent to Establish Contracts through a Permissive Cooperative Procurement
137-046-0450	Interstate Cooperative Procurements
137-046-0460	Advertisements of Interstate Cooperative Procurements
137-046-0470	Protests and Disputes
137-046-0480	Contract Amendments
137-046-0500	Repealed Rules

**DIVISION 47 GENERAL PROVISIONS**

137-047-0000	Application
137-047-0100	Definitions
137-047-0250	Source Selection-
137-047-0255	Competitive Sealed Bidding
137-047-0257	Multistep Sealed Bidding
137-047-0260	Competitive Sealed Proposals
137-047-0261	Multi-tiered and Multistep Proposals
137-047-0265	Small Procurements
137-047-0270	Intermediate Procurements
137-047-0275	Sole-Source Procurements
137-047-0280	Emergency Procurements
137-047-0285	Special Procurements
137-047-0290	Cooperative Procurements
137-047-0300	Public Notice of Solicitation Documents
137-047-0310	Bids or Proposals are Offers
137-047-0320	Facsimile Bids and Proposals
137-047-0330	Electronic Procurement
137-047-0400	Offer Preparation
137-047-0410	Offer Submission
137-047-0420	Pre-Offer Conferences
137-047-0430	Addenda to Solicitation Document
137-047-0440	Pre-Closing Modification or Withdrawal of Offers

137-047-0450	Receipt, Opening, and Recording of Offers; Confidentiality of Offers
137-047-0460	Late Offers, Late Withdrawals and Late Modifications
137-047-0470	Mistakes
137-047-0480	Time for Agency Acceptance
137-047-0490	Extension of Time for Acceptance of Offer
137-045-0500	Responsibility of Bidders and Proposers
137-047-0525	Qualified Products Lists
137-047-0550	Prequalification of Prospective Offerors; Pre-negotiation of Contract Terms and Conditions
137-047-0575	Debarment of Prospective Offerors
137-047-0600	Offer Evaluation and Award
137-047-0610	Notice of Intent to Award
137-047-0620	Documentation of Award
137-047-0630	Availability of Award Decisions
137-047-0640	Rejection of an Offer
137-047-0650	Rejection of All Offers
137-047-0660	Cancellation of Procurement or Solicitation
137-047-0670	Disposition of Offers if Procurement or Solicitation Canceled
137-047-0700	Protests and Judicial Review of Special Procurements
137-047-0710	Protests and Judicial Review of Sole-Source Procurements
137-047-0720	Protests and Judicial Review of Multiple-Tiered and Multistep Solicitations
137-047-0730	Protests and Judicial Review of Solicitations
137-047-0740	Protests and Judicial Review of Contract Award
137-047-0745	Protest and Judicial Review of Qualified Products List Decisions
137-047-0750	Judicial Review of Other Violations
137-047-0760	Review of Prequalification and Debarment Decisions
137-047-0800	Amendments to Contracts and Price Agreements
137-047-0810	Termination of Price Agreements

**DIVISION 48 CONSULTANT SELECTION: ARCHITECTURAL, ENGINEERING AND LAND SURVEYING SERVICES AND RELATED SERVICES CONTRACTS**

137-048-0100	Application
137-048-0110	Definitions
137-048-0120	List of Interested Consultants; Performance Record
137-048-0130	Applicable Selection Procedures; Pricing Information, Disclosure of Proposals; Conflicts of Interest
137-048-0200	Direct Appointment Procedure
137-048-0210	Informal Selection Procedure
137-048-0220	Formal Selection Procedure
137-048-0230	Ties Among Proposers
137-048-0240	Protest Procedures
137-048-0250	Solicitation Cancellation Delay or Suspension; Rejection of All Proposals or Responses; Consultant Responsibility for Costs
137-048-0260	Two-Tiered Selection Procedure for Local Contracting Agency Public Improvement Projects
137-048-0270	Price Agreements
137-048-0300	Prohibited Payment Methodology; Purchase Restrictions
137-048-0310	Expired or Terminated Contracts; Reinstatement
137-048-0320	Contract Amendments

**DIVISION 49 GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTS FOR CONSTRUCTION SERVICES**

137-049-0100	Application
137-049-0110	Policies
137-049-0120	Definitions
137-049-0130	Competitive Bidding Requirement
137-049-0140	Contracts for Construction Other than Public Improvements
137-049-0150	Emergency Contracts; Bidding and Bonding Exemptions
137-049-0160	Intermediate Procurements; Competitive Quotes and Amendments
137-049-0200	Solicitation Documents; Required Provisions; Assignment or Transfer
137-049-0210	Notice and Advertising Requirements; Posting
137-049-0220	Prequalification of Offerors
137-049-0230	Eligibility to Bid or Propose; Registration or License
137-049-0240	Pre-Offer Conferences
137-049-0250	Addenda to Solicitation Documents
137-049-0260	Request for Clarification or Change; Solicitation Protests
137-049-0270	Cancellation of Solicitation Document
137-049-0280	Offer Submissions
137-049-0290	Bid or Proposal Security ( <i>see also CCR 204</i> )
137-049-0300	Facsimile Bids and Proposals
137-049-0310	Electronic Procurement
137-049-0320	Pre-Closing Modification or Withdrawal of Offers
137-049-0330	Receipt, Opening and Recording of Offers; Confidentiality of Offers
137-049-0340	Late Bids, Late Withdrawals and Late Modifications
137-049-0350	Mistakes
137-049-0360	First-Tier Subcontractors; Disclosure and Substitution ( <i>see also CCR 282</i> )
137-049-0370	Disqualification of Persons
137-049-0380	Bid or Proposal Evaluation Criteria
137-049-0390	Offer Evaluation and Award; Determination of Responsibility
137-049-0395	Notice of Intent to Award
137-049-0400	Documentation of Award; Availability of Award Decisions
137-049-0410	Time for Contracting Agency Acceptance; Extension
137-049-0420	Negotiation with Bidders Prohibited

137-049-0430	Negotiation When Bids Exceed Cost Estimate
137-049-0440	Rejection of Offers
137-049-0450	Protest of Contractor Selection, Contract Award
137-049-0460	Performance and Payment Security; Waiver
137-049-0470	Substitute Contractor
137-049-0490	Foreign Contractor
137-049-0600	Purpose (Alternative Contracting Methods)
137-049-0610	Definitions for Alternative Contracting Methods
137-049-0620	Use of Alternative Contracting Methods
137-049-0630	Findings, Notice and Hearing
137-049-0640	Competitive Proposals; Procedure
137-049-0645	Requests for Qualifications (RFQ)
137-049-0650	Requests for Proposals (RFP)
137-049-0660	RFP Pricing Mechanisms
137-049-0670	Design-Build Contracts
137-049-0680	Energy Savings Performance Contracts (ESPC)
137-049-0690	Construction Manager/General Contractor (CM/GC)
137-049-0800	Required Contract Clauses
137-049-0810	Waiver of Delay Damages Against Public Policy
137-049-0815	BOLI Public Works Bond
137-049-0820	Retainage
137-049-0830	Contractor Progress Payments
137-049-0840	Interest
137-049-0850	Final Inspection
137-049-0860	Public Works Contracts
137-049-0870	Specifications; Brand Name Products
137-049-0880	Records Maintenance; Right to Audit Records
137-049-0890	Contracting Agency Payment for Unpaid Labor or Supplies
137-049-0900	Contract Suspension; Termination Procedures
137-049-0910	Changes to the Work and Contract Amendments

**SECTION 100 - GENERAL  
INFORMATION**

**Purpose and Statutory Authority**

**CCR.102**

- (1) **-Statutory Authority.** These Rules are authorized by Public Contracting Code 279A.050 (*Procurement Authority*), 279A.055 (*Personal Services Contracts*), 279A.060 (*Local Contract Review Boards*), and 279A.070 (*Rules*). (Note: Under ORS 279A.065(4), public contracting agencies in Oregon will be operating under the State of Oregon Attorney General's Model Rules unless they have taken special action to opt out and adopt their own contracting rules.)
- (2) **Participating Oregon Community Colleges.** These Community College Rules of Procurement (CCRP), were drafted through a statewide, collaborative effort by representatives of Participating Oregon Community Colleges (POCC). Pursuant to the POCC participatory agreement, Sections 100 and 200 of the CCRP shall remain unchanged unless modified by the POCC at a later date and subsequently ratified by each institution's Local Contract Review Board. Any member of the POCC that adopts changes to Sections 100 and/or 200 of the CCRP that have not been mutually agreed upon and adopted by all other POCC members, shall by and through its actions, no longer qualify as a member of the POCC cooperative procurement group and shall not represent itself as such.
- (3) **Sustainability Commitment.** In accordance with the Oregon Community College Rules of Procurement, member colleges are committed to the use and purchase of environmentally and socially responsible materials and products, which are fiscally responsible, reduce resource consumption and waste, perform adequately, and promote human health and well-being. Recognizing their regional economic role, colleges shall seek opportunities to educate, encourage, and influence their respective markets by utilizing, where feasible, products and services, including new environmentally preferable products, reusable products, recycled content and recycled products.

\* \* \* \* \*

**Definitions for these Community College Rules of Procurement**

**CCR.104**

The following terms, when they appear capitalized in these Community College Rules of Procurement, shall have the meaning set forth below unless otherwise indicated:

- (1) **"Addendum" or "Addenda"** means an addition to or deletion from, a material change in, or general interest explanation of a Solicitation Document.
- (2) **"Auxiliary Funds"** means funds intended to be profit making and/or self-sustaining for providing products or services to the College's customers. (See also "Enterprise Funds.") Examples of Auxiliary Fund or Enterprise Fund operations may include— bookstores; food services; printing services; medical/dental/science stores; student automotive and mechanical stores; and miscellaneous student stores for the resale of books and computers for instruction.
- (3) **"Award" or "Intent to Award"** means, as the context requires, either the act or occurrence of the College's identification of the Person with whom the College will enter into a Contract following the resolution of any protest of the College's selection of that Person, and the completion of all Contract negotiations.
- (4) **"Best Value, Arriving at"** means evaluation or assessment of performance factors and other aspects of service and product quality, as well as pricing, which may include, but not be limited to, combinations of quality, services, time, total cost of ownership considerations, and the probability of the Offeror performing the requirements stated in the Solicitation.
- (5) **"Bid"** means a "Written" response to an Invitation to Bid.
- (6) **"Bidding/Proposing Period"** means the span of time between the date of the Solicitation Document and the time and date set for receipt of Offers. The time period shall be stated in the Solicitation Document.
- (7) **"Closing"** means the date and time specified in a Solicitation Document as the deadline for submitting Offers.
- (8) **"COBID"** means the State Oregon Certification Office for Business Inclusion and Diversity.
- (9) **"Code"** means the Public Contracting Code, as defined in ORS 279A.010.
- (10) **"College"** means Community College District or Community College Service District established under ORS chapter 341, hereinafter known as the specific College whose name appears on the Solicitation Document and/or subsequent Contract and whose Local Contract Review Board has adopted by resolution or ordinance these Community College Rules of Procurement.

- (11) **“Competitive Range”** means the Offerors with whom the College will conduct discussions or negotiations if the College intends to conduct discussions or negotiations in accordance with its own rules.
- (12) **“Contract”** means a “Public Contract,” as defined in ORS 279A.010(1)(z), a sale or other disposal, or a purchase, lease, rental or other acquisition, by a contracting agency of personal property, services, including personal services, public improvements, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a public improvement. “Public Contract” does not include grants or public contracts exempt from the Public Contracting Code under ORS 279A.025. The “Contract” includes the College’s Solicitation Document and the accepted portions of a Solicitation Document, whether attached or incorporated by reference, between the College and Contractor describing the work to be done and the obligations of the parties. Depending upon the goods and services being procured, the College may use “Contract” as meaning a purchase order, price agreement, or other contract document in addition to the College’s Solicitation Document and the accepted portions of a Solicitation Document. If the Contract is for a public improvement or public work, the “Contract” may consist of the College’s Solicitation Document, including any addenda, the general and special and/or supplementary conditions or other conditions governing the work, the accepted portions of the Solicitation Document, the performance and payment bond (if required), certificates of insurance, plans, technical specifications, approved shop drawings, Construction Change Directive or written order for a minor change in the Work, Notice of Award, Notice to Proceed, and any contract amendments, including approved change orders.
- (13) **“Contract Price”** means, as the context requires, ~~the~~ the maximum monetary obligation that the College either will or may incur under a Contract, including bonuses, incentives, approved alternates, and contingency amounts, if the Contractor fully performs under the Contract.
- (14) **“Contract Review Authority”** means the College’s Local Contract Review Board as set forth in ORS 279A.060.
- (15) **“Contract Value”** in determining the applicability of dollar threshold requirements for competitive procurements within these Community College Rules of Procurement, “Contract Value” means the gross amount of goods and/or services procured by or for the College and shall take into consideration, but not be limited to, the following elements: (1) Contract Price; (2) total amount estimated to be generated, if contract is anticipated to be revenue generating; (3) economic value, and (4) total estimated expenses incurred for which the College would be required to report to the Internal Revenue Service (e.g., 1099).
- (16) **“Contractor”** means the Person with whom the College enters into a Contract and shall be synonymous with “Independent Contractor” (i.e., a person or business that provides services to the College in which the College neither controls nor has the right to control the means or manner by which work is performed). The College may control the results of the services, but not control the means or manner of the Contractor’s performance of the Work.
- (17) **“Cost”** means not only the product price but also other items of expense such as the actual or reasonably estimated costs related to quality or conversion, and may include such actual or estimated items as shipping, delivery, setup, installation, and training.
- (18) **“Descriptive Literature”** means “Written” information submitted with the Offer that addresses the Goods and Services included in the Offer.
- (19) **“Disadvantaged Business Enterprise (DBE)”** means a small business concern pursuant to ORS 200.005, which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or, in the case of any corporation, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals and whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

- (20) **“Effective Date of Contract”** means the date established in the Contract for the Contractor’s work to begin, or the date the Contract has been fully executed and received all required approvals, whichever date is later.
- (21) **“Electronic Advertisement”** means notice of the College’s request for Offers or Request for Quotes, available over the Internet via (a) The World Wide Web or some other Internet protocol; or (b) the College’s electronic procurement system.
- (22) **“Electronic Offer”** means a response to the College’s request for Offers or Request for Quotes submitted to the College via email or through the College’s Electronic Procurement System.
- (23) **“Electronic Procurement System”** means an information system that Persons may access through the Internet, using the World Wide Web or some other Internet protocol, or that Persons may otherwise remotely access using a computer, which enables Persons to send Electronic Offers and the College to post Electronic Advertisements, receive Electronic Offers, and conduct other activities related to a procurement.
- (24) **“Emergency”** means circumstances that were not reasonably foreseen by the governing body of the College, its President or another officer authorized by the College, and create a substantial risk of loss, damage or interruption of services; a substantial threat to property, public health, welfare or safety of the environment that requires prompt execution of a Contract to remedy the condition or deal with the risk.
- (25) **“Enterprise Funds”** means funds intended to be profit making and/or self-sustaining for providing product or services to the College’s customers. (See also “Auxiliary Funds.”) Examples of Auxiliary Fund or Enterprise Fund operations may include– bookstores; food services; printing services; medical/dental/science stores; student automotive and mechanical stores; and miscellaneous student stores for the resale of books and computers for instruction.
- (26) **“Evidence of Competition”** means College documentation demonstrating competitive solicitation of responses/Offer from Person(s) in selecting a Contractor in accordance with the College’s public contracting rules.
- (27) **“Facsimile”** means electronic equipment that communicates and reproduces both printed and handwritten material.
- (28) **“Gift”** means something of economic value given to a public official or a relative or member of the household of the public official without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or the relatives or members of the household of public officials on the same terms and conditions; or for valuable consideration less than that required from others who are not public officials.
- (29) **“Goods and Services”** or “Goods or Services” have the meaning set forth in ORS 279A.010(1)(j).
- (30) **“Interstate Agreement”** means any agreement between the College and a unit of local government or state agency of another state.
- (31) **“Invitation to Bid” (ITB)** means the Solicitation Document issued to invite Offers from prospective Contractors pursuant to either ORS 279B.055 or 279C.335.
- (32) **“Life Cycle Costing”** means the total cost of ownership, including the total cost of acquiring, operating, maintaining, supporting, and if applicable, disposal.
- (33) **“Local Contract Review Board” (LCRB)** means the College Board of Education/Directors meeting as the local contract review–board under ORS 279A.060.
- (34) **“Lowest Responsible Bidder”** as defined in ORS 279A.010(1)(r) means: (a) the lowest bidder whose Offer substantially complies with the requirements and criteria set forth in the Invitation to Bid and with all prescribed public procurement procedures and requirements; or (b) When the Invitation to Bid specifies or authorizes the award of multiple contracts to the responsible bidders, the bidders whose bids substantially comply with the requirements and criteria set forth in the Invitation to Bid and with all prescribed public procurement procedures and requirements and who qualify for the award of a public contract under the terms of the Invitation to Bid. (ORS 279B.055(10); and who has met the standards of responsibility set forth in ORS 279B.110(2) or 279C.375, has not been debarred or disqualified by the College under ORS 279B.130 or 279C.440, and is not on the list created by the Oregon Construction Contractors Board under ORS 701.227, if the advertised contract is a Public Improvement Contract. Depending upon the requirements of the Solicitation Document, “Lowest Responsible Bidder” may also

mean one who, in the determination of the COBID, has undertaken both a policy and practice of actively pursuing participation by minority and women-owned business in all bids, both public and private, submitted by such bidder, pursuant to ORS 200.025 and 200.045, or a business enterprise that is owned by a veteran, as defined in ORS 200.005.

- (35) **“Model Rules”** means the State of Oregon’s Attorney General’s model rules of procedure for Public Contracting, which are set forth in OAR Chapter 137, divisions 46, 47, 48, and 49, and required under ORS 279A.065.
- (36) **“OregonBuys” System:** The on-line electronic procurement system administered through the State Procurement Office of the Procurement, Fleet and Surplus Services Division of the Oregon Department of Administrative Services.
- (37) **“ORS”** means Oregon Revised Statutes.
- (38) **“Offer”** means a “Written” offer to provide Goods or Services in response to a Solicitation Document.
- (39) **“Offeror”** means a Person, who submits an Offer.
- (40) **“Opening”** means the date, time and place specified in the Solicitation Document for the public opening of Offers.
- (41) **“Person”** means any of the following with legal capacity to enter into a Contract: individual, corporation, business trust, estate, trust, partnership, Limited Liability Company, association, joint venture, governmental agency, public corporation or any other legal or commercial entity.
- (42) **“Personal Property”** means everything subject to ownership, which is not real property and has exchangeable value; includes all chattels and movables, such as boats and vessels, merchandise and stock in trade, furniture and personal effects, goods, livestock, vehicles, farming implements, movable machinery, movable tools and movable equipment pursuant to ORS 307.020 and including intangible personal property.
- (43) **“Personal Services Competitive Solicitation”** means a documented process providing an equal and open opportunity to qualified parties, which culminates in a selection based on criteria that include, but are not limited to, the Contractor’s availability, capacity, experience, reputation, responsiveness to time limitations, responsiveness to solicitation requirements, quality of previous performance and fees or costs.
- (44) **“Personal Services Contract”** or **“Contract for Personal Services”** means a Contract or member of a class of Contracts for Personal Services, other than a Contract for the services of an Architect, Engineer, Photogrammetrist, Transportation Planner, Land Surveyor or Provider of Related Services as defined in ORS 279C.100 that the College’s Local Contract Review Board has designated as a Personal Services Contract pursuant to ORS 279A.055, whose primary purpose is to acquire specialized skills, knowledge and resources in the application of technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment, including, without limitation, a Contract for the services of a(n): accountant; physician, dentist or lawyer; educator; information technology professional, travel, banking, investing, collections, or other consultant; broadcaster or artist (including a photographer, filmmaker, painter, weaver, or sculptor). “Personal Services” is also defined in ORS 279C.100, and that definition applies only to ORS 279C.100 to 279C.125 for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services or Related Services. Contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, and or Land Surveying Services, and Related Services are designated as a special class of Personal Services Contracts, defined in ORS 279C.100(5). (See also Personal Services Contracting Rules section within these Community College Rules of Procurement for an expanded definition.)
- (45) **“Personal Services Contractor”** means an Independent Contractor that performs a Contract for Personal Service(s) for the College, when the College has no right to and does not control the means and manner of performing the contract, except as to the delivery schedule, determining compliance with the Statement of Work, and accepting or rejecting the deliverables or results required under the Contract.
- (46) **“Prequalification of Offeror”** means a process followed by the College, in advance of issuance of Solicitation Documents, to determine the qualifications of prospective Offerors to perform Public Contracts.
- (47) **“Product Sample”** means the exact Goods or a representative portion of the Goods offered in an Offer, or the Goods requested in the Solicitation Document as a sample.
- (48) **“Proposal”** means a “Written” response to a Request for Proposals.

- (49) **“Public Notice”** means a public notice of Solicitation Document that is published electronically or at least once in at least one newspaper of general circulation in the area where the Contract is to be performed, in at least one trade newspaper of statewide circulation if the Solicitation Document is for a public improvement and the Contract has an estimated cost in excess of \$125,000, and in as many additional issues and publications as the College determines is likely to be cost effective.
- (50) **“Recycled Materials”** means recycled paper (as defined in ORS 279A.010(1)(gg)), recycled PETE products (as defined in ORS 279A.010(1)(hh)), and other recycled plastic resin products and recycled products (as defined in ORS 279A.010(1)(ii)).
- (51) **“Request for Proposals”** or **“RFP”** means all documents used for soliciting Proposals in accordance with either ORS 279B.060 or 279C.110, where proposal evaluation and contract award is based on criteria such as proposer qualifications and experience, product features and characteristics, service quality and efficiency, and conformance with the specifications and requirements of the Solicitation Document. Price may be an evaluation criterion for an RFP, but will not necessarily be the predominant basis for contract award.
- (52) **“Request for Qualifications”** means a Written document issued by the College, to which Contractors respond in Writing by describing their experience with and qualifications for the Services, Personal Services, or Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services, or Related Services, described in the document, or for construction services as defined in ORS 279C.405
- (53) **“Request for Quotations”** means a Written or oral request for prices, rates or other conditions under which a potential Contractor would provide Goods or perform Services, Personal Services or Public Improvements described in the request.
- (54) **“Requirements Contract”** means a price agreement that constitutes a firm Offer by the Contractor, regardless of whether any order or purchase has been made or any performance has been tendered under the price agreement and is enforceable for the period stated in the price agreement and is not revocable by the Contractor. A price agreement does not constitute an exclusive dealing commitment on the part of the College or the Contractor unless the price agreement expressly so provides. (ORS 279B.140)
- (55) **“Responsible”** means meeting the standards set forth in OAR 137-047-0640 or 137-049-0390(2), and not debarred or disqualified by the College under OAR 137-047-0575 or 137-049-0370.
- (56) **“Responsible Offeror”** (also, **“Responsible Bidder”** or **“Responsible Proposer,”** as applicable), means a Person that has submitted an Offer and meets the standards set forth in OAR 137-047-0640 or 137-049-0390(2), and that has not been debarred or disqualified by the College under OAR 137-047-0575 or 137-049-0370. When used alone, **“Responsible”** means meeting the aforementioned standards.
- (57) **“Responsive Offer”** means, as the context requires, a **Responsive Bid** or **Responsive Proposal**, or other Offer that substantially complies in all material respects with applicable solicitation requirements. When used alone, **“Responsive”** means having the characteristic of substantially complying in all material respects with applicable solicitation requirements.
- (58) **“Service Contract”** means a Contract that calls primarily for a Contractor’s time and effort rather than for an end product.
- (59) **“Signature”** means any “Written” mark, word or symbol that is made or adopted by a Person with the intent to be bound and that is attached to or logically associated with a “Written” document to which the Person intends to be bound.
- (60) **Signed** means, as the context requires, that a “Written” document contains Signature or that the act of making a Signature has occurred.
- (61) **“Solicitation”** means: (a) a request by the College for the purpose of soliciting Offers. This request may take the form of an Invitation to Bid, a Request for Proposal, a Request for Quotation, a Request for Qualifications or a

similar document; or (b) the process of notifying prospective Offerors that the College requests such Offers; or the Solicitation Document itself.

- (62) **“Solicitation Document”** means an Invitation to Bid, Request for Proposals, Request for Quotations, Request for Qualifications or other similar document issued to invite Offers from prospective Contractors pursuant to ORS Chapter 279B or 279C. The following are not Solicitation Documents if they do not invite Offers from prospective Contractors: a Request for Qualifications, a prequalification of bidders, or a request for product prequalification.
- (63) **“Special Procurement”** means, unless the context requires otherwise, a Class Special Procurement, a Contract-Specific Special Procurement or both (ORS 279B.085). A “Class Special Procurement” means a contracting procedure that differs from the procedures described in ORS 279B.055, 279B.060, 279B.065 and 279B.070 and is for the purpose of entering into a series of contracts over time for the acquisition of a specified class of goods or services (ORS 279B.085(1)(a)). “Contract-Specific Special Procurement” means a contracting procedure that differs from the procedures described in ORS 279B.055, 279B.060, 279B.065 and 279B.070 and is for the purpose of entering into a single contract or a number of related contracts for the acquisition of specified goods or services on a one-time basis or for a single project (ORS 279B.085(1)(b)).
- (64) **“Specification”** means any description of the physical or functional characteristics, or of the nature of a supply, service or construction item, including any requirement for inspecting, testing or preparing a supply, service or construction item for delivery and the quantities or qualities of materials to be furnished under a Contract. Specifications generally will state the result to be obtained and may, on occasion, describe the method and manner of doing the Work to be performed. Specifications may be incorporated by reference and/or through attachment to the Contract.
- (65) **“Standard Fee Contract”** means a contract awarded for service to be performed for a standard fee, when the standard fee is established by the College, and a like Contract is available to all qualified applicants.
- (66) **“Statement of Work”** means a “Written” statement that specifically describes the phases of Work or services, major tasks, or areas of responsibility the Contractor is to perform at a particular site, or within a particular locale during a stated period of time, according to a schedule of delivery. The statement must identify specific objectives that the Contractor is to attain or describe, in detail, and the deliverables that the Contractor is to provide.
- (67) **“Telecommunications”** means 1-way and 2-way transmission of information over a distance by means of electromagnetic systems, electro-optical systems, or both.
- (68) **“Work”** means the furnishing of all materials, equipment, labor and incidentals necessary to successfully complete any individual item in a Contract or the entire Contract, and successful completion of all duties and obligations imposed by the Contract.
- (69) **“Writing”** means letters, characters and symbols inscribed on paper by hand, print, type or other method of impression, intended to represent or convey particular ideas or meanings. “Writing,” when required or permitted by law, or required or permitted in a Solicitation Document, also means letters, characters and symbols made in electronic form and intended to represent or convey particular ideas or meanings.
- (70) **“Written”** means existing in Writing.

SECTION 200 - PUBLIC CONTRACT SPECIAL PROCUREMENTS,  
AND OTHER SPECIFIC RULES AND EXCEPTIONS

**Advertising;****CCR.202**

The College may purchase advertising regardless of the dollar amount without competitive bidding. Where it is determined to be cost effective.

**Findings of Fact**

1. By their nature, media sources are generally unique. Advertisements are placed in a particular source because of the specific audience that source serves.
2. Competition to furnish advertising space in daily newspapers of general, trade, or business circulation in the vicinity of the College is limited.
3. Cost savings are difficult to quantify where the sources are unique and not interchangeable. Where the volume of purchases warrants, the College may enter into advertising contracts in accordance with ORS 279B.065 and ORS 279B.070 whenever possible to maximize savings achieved through economies of scale.

**Conclusion of Compliance with Law**

It is unlikely that this Special Procurement will result in favoritism in the awarding of public contracts or substantially diminish competition since all vendors, including Oregon businesses, are able to compete (ORS 279B.085(4)(a)), and it will enable the College to promote the public interest (ORS 279B.085(4)(b)(B)), by expediting its procurement processes while maximizing its circulation efforts and notice of bidding opportunities without compromising integrity for cost.

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**Publication of Public Notice****CCR.203**

The College may publish its public notices electronically, via the College's or other public entity's electronic procurement system or World Wide Web site instead of, or in addition to, a newspaper of general circulation unless otherwise required by law.

**Findings of Fact**

1. Public notices may be advertised electronically and/or in a newspaper of general circulation in an effort to increase exposure and generate more widespread competition, except for public improvement contracts with an estimated cost in excess of \$125,000, which must be published in at least one trade newspaper of general statewide circulation (ORS 279C.360). Cost savings for increased competition are difficult to quantify, but the cost to the College for advertising may be significantly reduced where electronic advertising methods are utilized.

**Conclusion of Compliance with Law**

This rule satisfies the requirements of Oregon Revised Statute 279B.055(4)(c), wherein a Local Contract Review Board may, by rule or order, authorize public notice of bids or proposals to be published electronically instead of in a newspaper of general circulation if it is likely to be cost-effective.

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**Bid Security and Bond Requirements, Waiver of****CCR.204**

Pursuant to ORS 279C.390, the College may, at its discretion, exempt certain contracts or classes of contracts from all or a portion of the requirement for bid security and from all or a portion of the requirement that good and sufficient bonds be furnished to ensure performance of the contract and payment of obligations incurred in the performance.

The College may waive bid security requirements and/or performance/payment bond requirements pursuant to ORS 279C.390 and this rule under the following conditions:

- (1) If the contract is for a public improvement or a public work and the amount of the contract does not exceed \$100,000 or another threshold as indicated by rule amendment in Section 300, and the contractor has filed a public works bond with the State of Oregon Construction Contractors Board;
- (2) If the contract is not for a public improvement; or if the contract is for a public improvement that resulted from an alternative contracting method and the contract is only for pre-construction services;
- (3) Where bidders are drawn exclusively from a list of certified Emerging Small Businesses maintained by the COBID-under ORS 200.055, or a veteran-owned business, and the College has been provided funds by the legislature for the purpose of assisting Emerging Small Businesses;
- (4) In cases of emergency, or when the interest or property of the College or the public agency or agencies for whose benefit the contract was awarded probably would suffer material injury by delay or other cause and a declaration of such emergency has been made in accordance with rules adopted under ORS 279A.065.

The College shall not use Bid or Proposal security to discourage competition. The Offeror shall forfeit Bid or Proposal security after award of the contract if the Offeror fails to execute the contract and promptly return it with any required Performance Bond and Payment Bond.

#### **Conclusion of Compliance with Law**

It is unlikely that this Special Procurement will result in favoritism in the awarding of public contracts or substantially diminish competition since all vendors, including Oregon businesses, are able to compete, it is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B.085(4)(b)(A)), and it will enable the College to otherwise substantially promote the public interest (ORS 279B.085(4)(b)(B)), by reducing costs of bidding and maximizing participation from Emerging Small Businesses.

This rule satisfies the requirements of ORS 279C.390 wherein a Local Contract Review Board may exempt certain contracts or classes of contracts from all or a portion of the requirement for bid security and from all or a portion of the requirement that good and sufficient bonds be furnished to ensure performance of the contract and payment of obligations incurred in the performance. Consequently, findings otherwise required by law are unnecessary here.

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#### **Cooperative Procurement Participation**

**CCR.205**

Pursuant to ORS 279A.205, 279A.210, 279A.215, and 279A.220, contracting agencies may participate in a joint, permissive, or interstate cooperative procurement and/or subsequent contract award resulting from any solicitation which has been accomplished in compliance with ORS, as if said agencies had generated the solicitation and made the award on their own behalf.

#### **Comment**

In general, the results of any solicitation, formal or informal, which has taken place under the requirements of ORS and has resulted in an award, and is current (i.e., not closed, terminated, in abeyance or in default), may be utilized by the College pursuant to ORS 279A.205, 279A.210, 279A.215, and 279A.220. Prior to the College engaging in a cooperative procurement, due diligence must be performed, best practices employed, and factors in the buying decision considered. Examples of these factors include: in-state preferences, legislatively mandated or LCRB approved socioeconomic programs that overlay public contracting and accompany the expenditure of public funds; sustainability objectives; administrative resources and capacity; contracting efficiencies; time constraints; member participation costs; and ability to leverage economies of scale.

**Conclusion of Compliance with Law**

Cooperative Procurement Participation is not an exemption from the competitive procurement requirements of the law; therefore, the College has determined that findings of fact are not required. The awarding of contracts pursuant to this process should "provide effective outcomes that represent optimal value to the College and, to the greatest extent feasible, be consistent with market practices" (ORS 279B.010(1)). Consequently, findings otherwise required by law are unnecessary here.

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**Donated Materials and/or Services****CCR.206**

The College may authorize a Person to perform services and/or provide materials regardless of dollar amount, if:

- (1) The Person has agreed to donate all, or a portion of, the materials and/or services necessary to perform the work; and
- (2) The Person enters into a license or agreement with the College whereby the Person agrees to comply with the public contract requirements applicable to the particular project and any requirements that the College deems necessary or beneficial in order to protect the College.

This rule does not exempt the College from ensuring that all requirements for competitive solicitation are met, based on the value of the project including the donated materials or services.

**Findings of Fact**

1. Students, staff, contractors, and other community groups from time to time offer to donate all or a portion of their professional skilled services and/or materials, to help the College meet its facilities' and/or educational needs. The ability to take advantage of such donated materials and/or services enables the College to use its limited funds in other areas, and frequently results in improvements or services that the College would not otherwise be able to afford. This class special procurement thus has budgetary, operational, and public benefits.
2. This class special procurement enables the College to take advantage of these offers, while continuing to ensure that the requirements of the Public Contracting Code continue to be met.

**Conclusion of Compliance with Law**

It is unlikely that this class special procurement will encourage favoritism in the award of College Contracts or substantially diminish competition for College Contracts, because it will only apply when a Person donates all or part of the materials and/or services. In many instances, the donations are outside of the competitive market for goods and/or services. In many instances, the donations will enable the College to construct or complete projects that it otherwise would not be able to afford to do, and thus will not displace what would otherwise be a competitively solicited project. This class special procurement also substantially promotes the public interest because award of contracts pursuant to the procurement procedures in ORS Chapter 279B is not practicable in the case of donated goods and/or services.

The use of this class special procurement will result in substantial cost savings to the College, because the College is not required to pay for the goods and/or services if they are donated.

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**Emergency Contracts (Including Oil or Hazardous Material Removal)****CCR.207**

- (1) Pursuant to the requirements of this rule, the College may, at its discretion, enter into a public contract without competitive solicitation if an emergency exists. Emergency means circumstances that could not have been reasonably foreseen which create a substantial risk of loss, damage, interruption of services or threat to public health, welfare, or safety, and require prompt execution of a contract to remedy the condition (ORS 279A.010(1)(f)).
- (2) Regardless of the dollar value of the contract, when entering into an emergency contract the College shall:
  - (a) Make a written declaration of emergency, including findings describing the emergency circumstances that require the prompt performance of the contract, stating the anticipated harm from failure to establish the contract on an expedited basis; and

- (b) Encourage competition to the extent reasonable under the circumstances; and
  - (c) Record the measures taken under subsection (b) of this section to encourage competition, the amounts of the bids, quotes or proposals obtained, and the reason for selecting the contractor.
- (3) Pursuant to ORS 279B.080, if an emergency exists as defined in subsection (1) of this rule, the Board of Education, its President, or another officer authorized by the College shall declare the existence of the emergency as required by subsection (2) of this rule, which shall authorize the College to enter into an emergency contract.
  - (4) The written declaration of an Emergency and resulting contract are solely entered into at the discretion of the College's President or authorized officer.
  - (5) If the total award exceeds the threshold for formal public bidding, the Board shall be notified at its next available public meeting and provided with an opportunity to discuss the emergency, the award, and ratification thereof.
  - (6) Oil or Hazardous Material Removal: The College may enter into public contracts without competitive bidding, regardless of dollar amount, when ordered to clean up oil or hazardous waste pursuant to the authority granted the Department of Environmental Quality (DEQ), under ORS 466.605 through 466.680 and such DEQ order necessitates the prompt establishment and performance of the contract in order to comply with the statutes regarding spill or release of oil or hazardous material that has created an emergency condition. In exercising its authority under this exemption:
    - (a) The College shall:
      - (1) To the extent reasonable under the circumstances, encourage competition by attempting to make informal solicitations or to obtain informal quotes from potential suppliers of goods or services;
      - (2) Make written findings describing the circumstances requiring clean up or a copy of the DEQ order ordering such cleanup;
      - (3) Record the measures taken under subsection (a) of this section to encourage competition, the amount of the quotes or proposals obtained, if any, and the reason for selecting the contractor selected.

The College shall not contract pursuant to this exemption in the absence of an order from the Department of Environmental Quality to clean up a site with a time limitation that would not permit hiring a contractor under the usual competitive bidding procedures.

#### Findings of Fact

1. Under ORS 279B.080, 279C.110, or 279C.320, public contracts may be exempted from the requirements of ORS 279B.050, 279C.110, or ORS 279C.335 if emergency conditions exist, which require prompt execution of the contract, subject to the additional requirements of ORS 279B.080.
2. ORS 279B.080 allows the Local Contract Review Board to adopt rules to allow the head of the contracting agency or a designated person to declare that an emergency exists and to establish procedures for determining when emergency conditions are present. Subsections (2)(a), (2)(b), and (2)(c) of this rule accomplish this.
3. When DEQ orders a public agency to remove or clean up hazardous material or oil, the public agency must respond within a very short time, which is stated in the DEQ order. This time period does not generally allow the agency to take the time necessary to solicit written bids or proposals for the work to be performed. The College would be liable for any delay in responding to DEQ orders to perform hazardous material removal or clean up.
4. This exemption, as it pertains to subsection (6), will not be used in those situations where there is no DEQ order to remedy the situation. Routine competitive procurement methods will be used where there is no DEQ order to act immediately. The college may maintain open lists of vendors, who are interested in providing hazardous materials removal and clean up services. Whenever it needs hazardous material removal or disposal, the College makes use of these lists to solicit quotes, bids, or proposals as needed, in addition to advertising the procurement as required.
5. Cost savings are achieved through this exemption, because the college can be liable for DEQ penalties and fines, if it does not timely remove hazardous materials or oil as ordered. Serious risk in these situations could result in property damage or personal injury, if the College is slow to act.

**Conclusion of Compliance with Law**

Procurements made by the College in compliance with this exemption meet the requirements of emergency public contracts pursuant to: ORS 279B.050; 279B.080, 279C.110, 279C.320 and 279C.335.

It is unlikely that this exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279C.335(2)(a). If the College is under DEQ order to act immediately, the College will still attempt to obtain competitive quotes for the work to be performed as it has the ability and time to do so. Unless the College is faced with the quasi-emergency situation of a DEQ order to remove or clean up hazardous waste or oil, it will follow normal competitive procedures to obtain these services. The award of public contracts pursuant to this exemption will likely result in substantial cost savings to the College in these situations, as required by ORS 279C.335(2)(b), because the College must comply with the law and avoid and minimize risk to persons and property. Where possible, the College will seek competitive quotes for the work to be performed and will award the contract to the lowest, responsive and responsible proposer.

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**Equipment Repair & Overhaul (Including Maintenance Agreements)****CCR.208**

- (1) The College may enter into a public contract for equipment repair, maintenance agreements, or overhaul of equipment without competitive bidding, subject to the following conditions:
- Service and/or parts required are unknown, and the cost cannot be determined without extensive preliminary dismantling or testing; and/or
  - Service and/or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source;
  - Maintenance agreements must be procured from the provider of the equipment and/or software being maintained in order to be valid, preserve warranties, provide the best possible service, or conform to other similar agreements being provided by the same provider for maximizing economy and/or servicing functions;
  - The College shall conduct its procurement for equipment repair, maintenance agreements, or overhaul of equipment pursuant to methods and parameters established in (2) of this rule.
- (2) The following limitations shall apply:
- At the discretion of the College, if it is practical to competitively procure equipment repair, maintenance agreements, or overhaul of equipment using quotations or other forms of Solicitation Documents then these competitive processes shall be utilized. If not, the file should be documented with the reasons for invoking this exemption from competitive procurement, specifically supporting the impracticality of a competitive procurement.
  - If the contract exceeds or is anticipated to exceed the thresholds for Small or Intermediate Procurements as these thresholds are defined in Section 300, the College shall document in its procurement file the reasons why a competitive procurement process was deemed impractical, and the College may directly enter into the contract.

**Findings of Fact**

The need for equipment repair or overhaul of equipment cannot always be anticipated by College staff. If a piece of equipment is broken or not working properly, the College incurs the cost of down time, possible replacement equipment rental fees, staff time, and other inconveniences or liabilities to its programs.

- Generally, there are a limited number of vendors, who are able to perform-repairs or overhaul on a particular piece of equipment, because of its make or manufacture. Sophisticated equipment may require specially trained personnel available from only one source. Often, a piece of equipment will have a partial warranty in place, which will guarantee some savings to the College in the parts and/or labor needed to do the repair or overhaul. -These warranty savings may only be achieved if the original manufacturer or provider of the equipment performs the necessary repair or overhaul.
- The dollar limits on the use of this Special Procurement ensure that when the cost of the equipment repair or overhaul is expected to exceed threshold amounts for Small and Intermediate Procurements as these are defined in Section 300, the College will competitively procure, or if that is not practical or cost effective, declare an emergency or obtain a

specific exemption from the president of the College or the president's designee, with notification to the LCRB to proceed with the purchase of the needed repair or overhaul.

#### **Conclusion of Compliance with Law**

It is unlikely that this Special Procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition and is reasonably expected to result in substantial cost savings to the College for such contracts as required by ORS 279B.085(4), because the dollar amount of the exempted purchase (i.e., Special Procurement), may not exceed the thresholds established in Section 300 for Intermediate Procurements without additional notification and/or approval from the LCRB and/or the College president or the president's designee. Where it is practical, the College will competitively procure equipment repair, maintenance agreements, and overhaul of equipment; where it is impractical, written justification, provided by the department, will become part of the public record of the contract.

The awarding of public contracts pursuant to this exemption is reasonably expected to result in a cost savings to the College, as required by ORS 279B.085(4)(b)(A), because the College incurs direct and indirect costs from the moment equipment breaks down or becomes unusable. This Special Procurement only applies to equipment already owned by the College. Time is of the essence in contracts for equipment repair, maintenance agreements, and equipment overhaul. The College must be able to purchase necessary services and parts as quickly as possible in order to minimize equipment down time and provide uninterrupted levels of service to support the College's educational initiatives.

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#### **Federal Contracts, Purchases under**

#### **CCR.210**

When the price of goods and services has been established by a contract with the federal government pursuant to a federal contract award, the College may purchase the goods and services in accordance with the federal contract. In exercising this authority under this class special procurement, the College must:

- (1) Include in the contract file a memorandum confirming the federal official who granted permission to the College to purchase under the federal contract; and
- (2) Include documentation in the contract file showing the cost savings to be gained from anticipated purchases from the federal contract.

#### **Findings of Fact**

1. Federal contracts for goods and/or services are established by federal agencies with private vendors through competitive processes, which meet the standards of the Public Contracting Code. These processes include open competitive bidding, to which all interested vendors are invited to participate. No Oregon company is excluded from, or disadvantaged in, participation in bidding on federal contracts. Thus the class special procurement has the public benefit of supporting a competitive selection process, while providing the operational and budgetary benefits to the College by avoiding the cost and delay of replicating the solicitation process.
2. The prices or rates for goods and services under federal contracts are based upon competitive bids or proposals. This rule requires the College to document the cost savings to be gained from the anticipated purchase(s) from the federal contract. Documentation might include competitive comparison of previous bid prices obtained from other sources, including local Oregon businesses.
3. This rule requires that the College obtain the permission of both the federal agency and the federal vendor to use the federal contract.

#### **Conclusions of Compliance with the Law:**

This class special procurement will not encourage favoritism or substantially diminish competition in the awarding of College contracts. All vendors, including Oregon businesses, are able to compete for the initial federal contract. Also, the College

will not use a federal contract without agency and vendor permission.

This special procurement will result in substantial cost savings to the College. Federal contracts are based on competitive bidding, which result in the most advantageous price to the federal agency. Before it makes a purchase from a federal contract, the College will document the cost savings it will achieve by using the contract. These two facts will ensure that the College purchases the desired goods or services at the best price available. Further, by being able to take advantage of a competitive federal procurement, the College saves the cost of needlessly duplicating the solicitation process.

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**Intellectual Property (Periodicals, Library Books, Proprietary Software Licenses, Art, and Other Products of the Creative Process) CCR.212**

If the contract is for the purchase of Intellectual Property, which shall include, but not be limited to, Periodicals, Library Books, Subscription Services, Proprietary Software Licenses, Art, and Other Products of the Creative Process, in whatever form or format, including electronic, the College may contract for the purchase of the product(s) without competitive procurement, regardless of dollar amount when the product(s) are protected under copyright law or there is only one known supplier (e.g., manufacturer, copyright holder), available for such products.

Examples of copyrighted materials typically covered by this Special Procurement include, but are not limited to—magazines and other periodicals; textbooks; workbooks; curriculum kits; reference materials; audio tapes; video tapes; calculators such as those used for aircraft navigation; and most software and products of the visual, aural and written arts. It should be noted that if there is more than one supplier of copyrighted materials (especially software), and the product(s) are not being purchased directly from the writer, manufacturer or other original source, every attempt should be made to establish a competitive selection process in order to achieve the greatest economy.

**Findings of Fact**

1. By design, Intellectual Property is protected for the use of a single owner. Copyrighted products may not be duplicated by others without the express permission or license of the copyright holder.
2. Instructional initiatives define the various materials, which the college will purchase for use in its educational programs, and it is not uncommon for Intellectual Property to be produced by only one supplier (i.e., sole source), who may be the copyright holder or licensee.

**Conclusion of Compliance with Law**

This rule will not encourage favoritism or substantially diminish competition in the awarding of public contracts. The production and distribution of Intellectual Property is controlled by the copyright holder/owner, and may only be permitted through a sole source. This rule provides additional parameters for consideration that are complementary to the Public Contracting Code where competition does exist. It is not intended to diminish the College's ability to consider other factors or limit fair and open competition when arriving at best value. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)).

Additionally, pursuant to ORS 279A.025(2)(h), the Public Contracting Code does not apply to contracts for the procurement or distribution of textbooks; consequently, findings otherwise required by law are unnecessary when the procurement or distribution of Intellectual Property is specifically for textbooks—a subcategory of Intellectual Property.

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**Life Cycle Costing/Best Value CCR.216**

- (1) In determining the lowest bid or best proposal, in the award of a contract, the College may use the concept of life cycle

costing if it complies with section (2) of this rule:

- (2) (a) At the time of writing specifications for the product, the College shall identify those factors which will have cost implications over the life of the product, and which, for evaluation purposes, will be used to adjust the bid or proposal price of the product;
- (b) The solicitation document shall set out clearly the factors and methodology to be used in life cycle cost adjustments; and
- (c) The results of life cycle costing adjustments shall be applied to the bid or proposal price of the product(s) offered, and the bid or proposal that results in the lowest overall ownership cost or "best value" as it is determined by ORS 279A.015(5), considering the life cycle costing adjustments, and other aspects of service and product quality, as well as pricing.

#### **Conclusion of Compliance with Law**

This rule provides additional parameters for consideration that are complementary to the Public Contracting Code while supporting impartial and open competition. It is not intended to diminish the College's ability to consider other factors when arriving at best value. As such, it is not an exemption or Special Procurement to the competitive bidding requirements of law. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)). Consequently, findings otherwise required by law are unnecessary here.

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#### **Perishables (Chemicals, Food, Laboratory Supplies)**

**CCR.218**

Competitive procurement need not be used for the procurement of perishables under this Special Procurement provided that the perishability and commensurate quality is of greater importance than the cost to the College.

#### **Comment**

If longevity is not an issue and multiple sources exist, standard procurement practices shall be utilized.

#### **Findings of Fact**

This rule permits such items as foodstuffs and scientific supplies, which have definitive shelf lives, and associated attributes such as quality and longevity, to be purchased without strict competitive processes based upon price. Shelf life and the associated attributes may be the determining factors.

The rule enables the buyer to decide on a source based upon time since manufactured, remaining shelf life, and interim quality, since various states of decay can affect the product.

#### **Conclusion of Compliance with Law**

It is unlikely that this Special Procurement will result in favoritism in the awarding of public contracts or substantially diminish competition, since all vendors, including Oregon businesses, are able to compete, it is reasonably expected to result in substantial cost savings to the College (ORS 279B.085(4)(b)(A)), and it will enable the College to otherwise substantially promote the public interest (ORS 279B.085(4)(b)(B)), through expediting its procurement processes without compromising integrity for cost.

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#### **Personal Property, Used (Purchase of)**

**CCR.220**

Competitive procurement need not be used for the procurement of Used Personal Property if the College has determined that the purchase will result in cost savings and will not diminish competition or encourage favoritism.

For purchases of used personal property or equipment costing \$25,000 or more, or an amount otherwise indicated in Section

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300, the College shall, where feasible, obtain three competitive quotations, unless such comparisons are highly impractical, to obtain. Procurement files pertaining to Used Personal Property shall contain documentation of price comparisons and attempts to secure competitive pricing as much as is practical.

When the value of any such purchase exceeds the threshold for Intermediate Procurements as that threshold is defined herein, Section 300, Supplementary Provisions of the Community College Rules of Procurement, such purchases shall be authorized and/or delegated only by the College President, who shall notify the LCRB of such purchases at the next regularly scheduled meeting of the LCRB.

**Comment**

Used Personal Property is property which has been placed in use by a previous owner or user for a period of time recognized in the relevant trade or industry as qualifying the personal property or equipment as “used,” at the time of purchase.

Used Personal Property generally does not include property or equipment of which the College was the previous or current user, whether under a lease, as part of a demonstration, trial or pilot project, or similar arrangement.

**Findings of Fact**

The additional liberty for purchasing used personal property is essential for those who participate in auctions or other spot sales, where it is impractical to utilize conservative procedures because of the necessities of the selling process.

**Conclusion of Compliance with Law**

This rule provides additional parameters for consideration that are complementary to the Public Contracting Code while supporting impartial and open competition as much as is practical. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)). Pursuant to ORS 279B.075(1) Used Personal Property may be considered a sole-source procurement, if it is available from only one source; written findings supporting this determination and conclusion shall be made by the College. Findings otherwise required by law to support this Special Procurement are unnecessary here.

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**Price Regulated Items (Including Gas, Diesel Fuel, Heating Oil, Lubricants, Asphalts,  
Distilled Alcohol, Postage, and Certain Utilities)**

**CCR.222**

The College may, without competitive bidding, contract for the direct purchase of goods or services where the rate or price for the goods or services being purchased is established by federal, state, or local regulatory authority (ORS 279A.025(2)(g) and ORS 279A.025(2)(j)). Regardless of whether fuel is price regulated, it may be procured via *spot purchases*, and such purchases may be combined on a single, written agreement such as an open purchase order between the supplier and the College, in an effort to reduce administrative costs to the College. Spot purchases are defined as one-time purchases occasioned by a small requirement (for example, one vehicle’s tankful of gasoline), where the purchase is taking advantage of availability and the most favorable market conditions.

**Comment**

If competition exists and it is practical to solicit quotations, bids, or proposals for Price Regulated Items, then these procurement methods should be utilized in an effort to obtain the best value.

**Conclusion of Compliance with Law**

Competition is not generally a relevant issue in the procurement of goods or services where the provider’s rate or price of the goods or services being purchased is established by federal, state, or local regulatory authority, and the goods or services are provided through a sole source. Examples include Postage, Sewer/Water Service, Garbage Service, Electricity, Etcetera. Since there is virtually no competition available within these price regulated items, and/or the amount of the non-regulated fuel acquisitions are *spot purchases* and are subject to market forces and availability, it is unlikely that this exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts.

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Consequently, findings otherwise required by law are unnecessary here.

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**Requirements Contracts**

**CCR.226**

- (1) Requirements contracts, for the purposes of this Rule, mean price agreements, services agreements, and sales that may be established for the purposes of minimizing paper work, achieving continuity of product, securing a source of supply, reducing inventory, combining college requirements for volume discounts, standardization among agencies, and reducing lead time for ordering. The College may enter into requirements contracts whereby it is agreed to purchase supplies and/or services for an anticipated need at a predetermined price provided the contract is let by a competitive procurement process pursuant to the requirements of ORS 279A,B,C and these Rules or is a contract for the procurement of products or services from a qualified nonprofit agency for individuals with disabilities pursuant to ORS 279.850.
- (2) The College may purchase the supplies and/or services from a contractor awarded a requirements contract without first undertaking additional competitive solicitation.
- (3) The term of the contract including renewals, must not exceed the maximum term stated in the original solicitation.

**Conclusion of Compliance with Law**

This rule provides additional parameters for consideration that are complementary to the Public Contracting Code while supporting impartial and open competition as much as is practical. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)). Pursuant to ORS 279A.065(6)(a) and ORS 279A.070, a contracting agency may, in the exercise of authority granted under ORS 279A.050, adopt rules necessary to carry out the provisions of the Public Contracting Code; consequently, findings otherwise required by law are unnecessary when the College has determined it is in its best interests to purchase supplies and/or services utilizing a competitively procured requirements contract or price agreement.

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**Resale—Items for**

**CCR.228**

Competitive procurement processes need not be used for the procurement of products or services being purchased strictly for resale. This Special Procurement applies to products or services that are specifically for resale as opposed to internal use or consumption.

**Findings of Fact**

1. College Enterprise, Auxiliary Fund, and/or General Fund operations that compete in the open market need to be able to purchase products or services for resale without undue restrictions.
2. In order to compete in the open market, these operations must be knowledgeable, proactive, and stay abreast of current trends, consumer wants, tastes and desires, and be able to meet those needs in their offerings. Additionally, fund operators must be free to purchase products or services for resale that the consumers want even if it means having a limiting factor such as brand, functionality, price, or quality.
3. These operations must work as efficiently as possible to hold down their own costs as well as to present the goods or services to the public at a fair market price. Thus, they will be looking for the goods for resale at the most competitive prices and highest quality within their parameters.
4. In awarding contracts, these operations must ensure the appropriate amount of the product or service will be in stock or be readily available, received, or provided at the appropriate time. Ensuring that the products or services are available and of the proper freshness and quality may prevent the operation from conducting timely

competitive buying.

#### **Conclusion of Compliance with Law**

It is unlikely that this exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition, and it is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B.085(4)). Additionally, this Special Procurement will substantially promote the public interest as required by ORS 279B.085(4)(b)(B), in a manner that could not practically be realized under the requirements of ORS 279B.050, 279B.055, 279B.060, 279B.065, 279B.070 (Methods of Source Selection).

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#### **Telecommunications Services**

#### **CCR.230**

- (1) In determining the appropriate procurement method for telecommunications services, the College must determine whether competition exists. The College may consider the following factors:
  - (a) The extent to which alternative providers exist in the relevant geographic and service market. The relevant market will vary with the geographic area and from service category to service category, depending on changes in the regulatory environment and competitive marketplace. Thus, the relevant market will depend on the facts and circumstances of each case. For example, an alternative local access service or private line provider might offer services in Portland, but not in Salem or the rest of the state;
  - (b) The extent to which alternative services offered are comparable or substitutable in technology, service provided, and performance. (For example, if the College requires digital services, analog services are not comparable or substitutable, or if the College requires fiber optic technology, then copper, microwave, or satellite transmission technology may not be comparable or substitutable);
  - (c) The extent to which alternative providers can respond to the College's interests in consistency and continuity of services throughout its service area, volume discounts, equitable service for all users, centralized management, and limiting College liability. For example, to be considered as the College's telephone long distance provider, any long-distance service vendor must be able to meet, support, and interface with the College's centralized automated billing requirements. The College must document for the record the findings on these factors, or any other factors used in determining whether competition exists. In developing its findings, the College may solicit the information either through informal telephone or written contacts or through a formal request for information.
- (2) Upon determining that competition does not exist for the relevant service and geographical area, the College may proceed to secure the service on a sole source basis, as described in these Rules.

#### **Findings of Fact**

1. In some cases, the use of competitive procurement processes is either not practicable, advantageous, or in the College's best interest due to unforeseen circumstances, unreasonable costs, difficulty in locating vendors even after extensive searches, or where time constraints occur that are due to circumstances beyond reasonable control.
2. All practical measures will be taken to encourage competition when possible.

#### **Conclusion of Compliance with Law**

It is unlikely that this exemption from competitive procurement processes will encourage favoritism in the awarding of public contracts or substantially diminish competition, and it is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B.085(4)), since it would be an Exception, and would be due to extenuating circumstances. Additionally, this Special Procurement will substantially promote the public interest in a manner that could not practically be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065, or 279B.070 or under any rules adopted thereunder. (Stat. Auth: ORS 279B.075 and 279B.085, Sole-Source Procurements and Special Procurements, respectively.)

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**PERSONAL SERVICES CONTRACTING RULES****Personal Services Contracts****CCR.250**

## General

- (1) A Contract for "Personal Services" is a Public Contract that calls for specialized skills, knowledge, and resources in the application of highly technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment. Qualifications and performance history, expertise, knowledge and creativity, and the ability to exercise sound professional judgment are typically the primary considerations when selecting a Personal Services Contractor, with price being secondary.
  - (a) Contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services are designated as a special class of Personal Services Contracts, defined in ORS 279C.100 (5), and that definition applies only to ORS 279C.100 to 279C.125. Contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services are not subject to the provisions of rule CCR.250 of the Community College Rules of Procurement, but are, instead, subject to the provisions of Division 48 of the *Oregon Attorney General's Model Public Contract Rules* as adopted by the College, and the Community College Rules of Procurement adopted by the College, excluding rule CCR.250.
- (2) The College may waive the requirement for a competitive selection process and directly negotiate a Personal Services Contract, if the Contract Price is not more than the Minimum Threshold as this threshold is defined in Section 300- Supplementary Provisions. Regardless of the dollar value of the contract, the College may, at its discretion, enter into a Personal Services Contract without complying with formal or informal solicitation requirements if an Emergency, as defined in CCR. 207 exists.
  - (a) Unless there are compelling reasons not to do so, competitive selection processes for Personal Services contractors should take place at intervals not greater than five years after initial completion and acceptance of services.
  - (b) The screening and selection procedures for the award of Personal Services Contracts are governed by these rules adopted under ORS 279A.055 and are subject to the competitive procurement provisions of the Personal Services Contracting rules and procedures adopted herein. Every contract for Personal Services shall be based upon these screening and selection procedures developed by the College. Personal Services Contracts are considered "public contracts" as defined in ORS 279A.010.
- (3) The College may enter into Personal Services Contracts with an independent contractor when:
  - (a) The work to be performed requires specialized skills, knowledge and resources in the application of highly technical or scientific expertise, or the exercise of professional, artistic, or management discretion or judgment;
  - (b) The College will not control the means or manner of the contractor's performance, but must rely on the Contractor's specialized skills, knowledge and expertise to accomplish the work. Note: The College's reservation of the right to determine and modify the delivery schedule, evaluate the quality of completed performance, and accept or reject the completed performance does not mean that the College will control the means and manner of performance; and
  - (c) Selecting a Contractor primarily on the basis of qualifications, rather than price, in accordance with the provisions of the Personal Services Contracting Rules and Procedures adopted herein would most likely meet the College's needs and result in obtaining satisfactory contract performance and optimal value for the College.
- (4) Pursuant to ORS 279A.055(2), the College has the authority to designate certain service contracts or classes of service contracts as Personal Services Contracts. Personal Services Contracts may include, but are not limited to, contracts for services performed in a professional capacity such as:
  - (a) Contracts for the services of an accountant;
  - (b) Contracts for the services of an attorney;
  - (c) Contracts for the services of a physician or dentist,
  - (d) Contracts for the services of an information technology consultant,
  - (e) Contracts for the services of a broadcaster;
  - (f) Contracts for services as an artist in the performing or fine arts including, but not limited to, any person identified as a photographer, filmmaker, painter, weaver, or sculptor;

- (g) Contracts for services that are specialized, creative and research-oriented;
  - (h) Contracts for services as a consultant;
  - (i) Contracts for educational services;
  - (j) Contracts for investment services;
  - (k) Contracts for travel services;
  - (l) Contracts for banking services;
  - (m) Contracts for auditing services;
  - (n) Contracts for student loan and college receivables;
  - (o) Contracts for real estate services (ORS 279A.025(2)(f));
  - (p) Contracts for property management;
  - (q) Contracts for employee benefit insurance (ORS 279A.025(2)(r));
  - (r) Contracts for investments (ORS 279A.025(2)(q)(C));
  - (s) Contracts for energy savings performance contracts (ORS 279C.335(1)(f));
  - (t) Contracts for agents of record (examples where agents of record may be used are advertising, general insurance, sales of surplus property, workers compensation insurance, etcetera);
  - (u) Contracts for speakers, lecturers, and performers;
  - (v) Contracts for human custodial care services;
  - (w) Contracts for food service management;
  - (x) Contracts for telecourse providers;
  - (y) Contracts for actuarial services;
  - (z) Contracts for web design services;
    - (aa) Contracts for branding services;
  - (bb) Contracts for process improvement services;
  - (cc) Contracts for student retention services; and
  - (dd) Contract for Title IX, accessibility, sexual harassment compliance review services
- (5) Personal Services Contracts do not include:
- (a) Contracts, even though in a professional capacity, if primarily for equipment, supplies or materials, e.g., a contract to supply all hardware and standard software is not a Personal Services Contract, but a contract with a technology consultant to design or develop a new computer system is a Personal Services Contract;
  - (b) Contracts with a temporary service or personnel agency to supply labor, which is of a type that can generally be done by any skilled worker (e.g., janitorial, security guard, crop spraying, laundry, and landscape maintenance service contracts)
  - (c) Contracts for services of a trade-related activity, even though a specific license is required to engage in the activity. Examples are repair and/or maintenance of all types of equipment or structures.

#### Screening and Selection Procedures and Assistance

These rules set forth procedures for the College to follow when entering into Personal Services Contracts.

- (1) The policy of the College is to select Contractors based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price. The purpose of this rule is to specify the College's policies and procedures for screening and selection of Contractors to perform Personal Services.
- (2) The College shall comply with the procedures set out in these rules for screening and selecting Contractors to perform Personal Services Contracts.
- (3) The College shall provide Evidence of Competition for all Public Contracts where competition exists or justify entering into contracts by direct negotiation if an exemption from the screening and selection process is utilized. While qualifications are the primary criteria, whenever the College determines that the services offered by two or more individuals or firms are equally able to meet the College's needs and are of equal value, the College shall award the contract to the individual or firm offering the service at the lowest price.
- (4) The College may procure Personal Services from Contractors who are under contract with another

governmental entity pursuant to a Cooperative Agreement as permitted and subject to ORS 279A.200 to 279A.225, if such action is Expressly permitted under the original contract and if the administering agency's solicitation and award process for the original contract is an open and impartial competitive process and uses source selection methods substantially equivalent to those specified in ORS 279B.055, 279B.060 or uses a competitive bidding process substantially equivalent to the competitive bidding process in ORS chapter 279C.

#### **Conclusion of Compliance with Law**

The requirements of this rule ensure that competition will be carefully addressed and protected, if the College finds it is in the public's best interest to competitively procure Personal Services. This rule satisfies the requirements of Oregon Revised Statute ORS 279A.055 wherein the College may enter into Personal Services contracts, subsequent to the Local Contract Review Board's designation of certain service contracts or classes of service contracts as personal services contracts. Consequently, findings otherwise required under ORS 279B.030 are unnecessary here.

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#### **Solicitation Requirements for Personal Services Contracts**

**CCR.260**

##### General

- (1) All formal solicitations must satisfy the requirements of this rule. Request for Proposals and Request for Qualifications must be in writing and must be advertised in accordance with the following procedures:
  - (a) All advertisements for a formal solicitation shall be placed in at least one publication of general circulation and in as many additional issues and publications as may be necessary or desirable to achieve adequate competition. At the option of the College, the College may publish its public notices electronically instead of, or in addition to, a publication of general circulation. The advertisement(s) for a formal solicitation shall be first published and appear at least once, no fewer than fourteen (14) calendar days before close of the solicitation, unless the governing body of the College, its President, or another officer authorized by the College declares in writing that a shorter period is deemed necessary in the public interest for a particular procurement. Conversely, the College shall broaden and extend public notice if deemed necessary to serve the public's interest for a particular procurement; and
  - (b) All advertisement(s) shall describe, at a minimum, a brief summary of the proposed contract, the services sought, where copies of the solicitation may be obtained, and the deadline for submitting a proposal.
- (2) The Solicitation Document must provide that the College may, at any time during the solicitation process, reject any or all proposals or cancel the solicitation without liability if it is in the public interest to do so.
- (3) Unless compensation is expressly provided for in the Solicitation Document, the Request for Proposals or Request for Qualifications must provide that the College is not responsible for any costs of any Offeror incurred while submitting Offers and that all Offerors who respond to solicitations do so solely at their own expense.
- (4) The Solicitation Document must:
  - (a) Notify proposers of potential Solicitation Document addenda. Failure to provide such notice in any solicitation may prevent addenda from being incorporated into any resulting contract, and include protest procedures for all formal solicitations and selection.

##### Formal Selection Procedures

The College shall use a formal selection procedure whenever the cost of the services is estimated or anticipated to be equal to or more than the Intermediate Threshold for Personal Services contracts as this threshold is defined in Section 300-- Supplementary Provisions. Under these formal procedures, Requests for Proposals (RFP) or Requests for Qualifications must be advertised in at least one publication of general circulation or through electronic means as indicated in Section 200, Rule 202, and in as many other issues or electronic procurement systems and publications as may be necessary or desirable to achieve adequate competition.

- (1) Request for Qualifications. A Request for Qualifications may be used to determine whether competition exists to perform the needed services or to establish a list of qualified Contractors prior to issuing an RFP (Note: It is not mandatory that the College issue a Request for Qualifications; it may elect to forego using a Request for Qualifications before issuing an RFP.)

- (2) At a minimum, the Request for Qualifications shall describe the particular specialty desired, the qualifications the Contractor(s) must have in order to be considered, and the evaluation factors and their relative importance. The Request for Qualifications may require information including, but not limited to: the Contractor's particular capability to perform the required services; the number of experienced staff available to perform the required services, including specific qualifications and experience of personnel; a list of similar services the Contractor has completed, with references concerning past performance; and any other information necessary to evaluate Contractor qualifications.
- (3) A qualifications pre-submission meeting (voluntary or mandatory) may be held for all interested Contractors to discuss the proposed services. If the meeting is held, the Request for Qualifications shall include the date, time and place of the meeting(s). Unless the Request for Qualifications establishes that competition does not exist or unless the solicitation process is canceled or all qualification statements rejected, all respondents (who met the published qualifications) shall receive a notice (or other materials as appropriate) of any required services and have an opportunity to submit an Offer in response to the College's subsequent RFP. (4) Request for Proposals. The RFP is used as a formal competitive solicitation that describes specific services to be performed within a defined period of time. The solicitation sets forth criteria and methods for screening, selecting and ranking the best proposal(s). The RFP may result in contracts with more than one provider.
- (5) The RFP must either describe the situation and background for which Offers are being requested and state the outcome(s) desired, or propose a Statement of Work. The RFP must describe any conditions affecting the delivery of the services and the time period in which the services are to be completed. The RFP must, at a minimum, address the following information:
- (a) Minimum standards and qualifications required to be met by the Offeror(s) to be eligible to provide the services;
  - (b) The evaluation process and criteria to be used to select the Contractor(s), including the weight or points applicable to each criterion. Information must include the manner in which the Offeror's cost and pricing proposal will be evaluated;
  - (c) A requirement to provide a list of similar services completed by the proposer(s) with references concerning past performance;
  - (d) The closing date and time of the solicitation and the delivery location(s) for proposals;
  - (e) Reservation of the right to seek clarifications of each proposal, and the right to negotiate the Statement of Work within the scope of work described in the RFP;
  - (f) Reservation of the right to reject any or all Proposals, if such rejection would be in the public interest;
  - (g) Reservation of the right to cancel the solicitation, if such cancellation would be in the public interest;
  - (h) Contractual provisions that will be contained in the resulting contract;
  - (i) The possibility of interviews; and
  - (j) Any other information to be used to evaluate, rank and select the best proposer(s). This should include, but is not limited to: the anticipated contract award date, and at the College's discretion, funding information and budget requirements.
- (6) A pre-proposal meeting (voluntary or mandatory) may be held for all prospective Contractors to discuss the proposed services, solicitation provisions and contract requirements. The RFP shall include the date, time and place of the meeting(s).
- (7) An evaluation committee shall evaluate Proposals. The College's Purchasing Department shall provide the evaluation committee with guidelines for completing evaluations consistent with the process described in the RFP. The evaluation committee may consist of College employees and, if desired, members of the community with experience in related services. Evaluators shall be selected on the basis of their ability to provide an objective, impartial evaluation of the proposals. If there is a conflict of interest, the evaluator shall declare this in writing and shall be excluded from participating in the evaluation.
- (8) The proposal evaluation committee shall review, score and rank all responsive proposals according to the evaluation criteria in the RFP, which may include, but are not limited to, the following:
- (a) Availability and capability to perform the work;

- (b) Experience of key staff on comparable projects, or in performing comparable services;
  - (c) Demonstrated ability to successfully complete similar projects or perform similar services on time and within budget;
  - (d) References from past clients, public and private;
  - (e) Performance history in meeting deadlines, submitting accurate estimates, producing quality work, and meeting financial obligations;
  - (f) Status and quality of any required licensing or certification;
  - (g) Knowledge and understanding of the required services as shown in the proposed approach to staffing and scheduling needs;
  - (h) Fees or costs;
  - (i) Results from oral interviews, if conducted;
  - (j) Availability of any specific required resources or equipment;
  - (k) Geographic proximity to the project or the area where the services will be performed;
  - (l) Identity of proposed subcontractors and their qualifications; and
  - (m) Any other criteria deemed relevant to the provision of services.
- (9) Final ranking will be based on the evaluation criteria consistent with the process described in the RFP. Price will be considered, but will not necessarily govern selection of the Contractor(s).
- (10) Contracts entered into under the formal selection procedure may be amended, provided the original contract allows for the particular amendment and the services to be provided under the amendment are included within, or directly related to, the scope of the project or the scope of the services described in the solicitation document.

#### Informal Selection Procedures

The College may use an informal selection process to obtain services if the estimated fee or Contract Price is less than the Minimum Threshold for Personal Services Contracts, and the College shall use an informal selection process to obtain services if the estimated fee or Contract Price is more than the Minimum Threshold but less than the Intermediate Threshold for Personal Services Contracts as this threshold is defined in Section 300-Supplementary Provision, unless otherwise exempted.

- (1) The informal selection process shall solicit Offers from at least three qualified contractors offering the required services. Prospective contractors may be drawn from the OregonBuys System and/or from the certified list of the COBID or its list of Contractors. The College may place the solicitation on the OregonBuys system and/or use the system-generated potential Offer list to meet the three (3) responses/proposals requirement for informal solicitations.
- (2) The informal selection process shall be competitive. The selection and ranking may be based on criteria including, but not limited to, each Offeror's:
  - (a) Particular capability to perform the services required;
  - (b) Experienced staff available to perform the services required, including each Offeror's recent, current, and projected workloads;
  - (c) Performance history
  - (d) Approach and philosophy used in providing services;
  - (e) Fees or costs;
  - (f) Geographic proximity to the project or the area where the services are to be performed; and
  - (g) Work volume previously awarded by the College, with the object of effecting an equitable distribution of contracts among qualified Contractors, provided such distribution does not violate the policy of selecting the most qualified Contractor to perform the services at a fair and reasonable price.
- (3) All proposals received shall be reviewed and documented and the most qualified Contractor(s) selected.
- (4) If the scope of the services is revised to the extent that the estimated cost of the services is considered to be equal to or more than the Minimum Threshold as this threshold is defined in Section 300-Supplementary Provisions, and the services are still required, the College shall either (a) terminate the contract and issue a new solicitation using the formal selection procedures or procedures allowed by subsequent rules set forth in this Section, unless waived

under the provisions of Section CCR.250 (l)(2), or (b) seek approval by the College's Local Contract Review Board for contract amendment.

#### Selection by Negotiation

- (1) The College may procure Personal Services with Contractors directly through negotiation if the Contract Price is less than the Minimum Threshold as this threshold is defined in Section 300-Supplementary Provisions.
- (2) If the scope of the services is revised to the extent that the estimated cost of the services is equal to or more than the Minimum Threshold as this threshold is defined in Section 300-Supplementary Provisions, the College shall solicit for a new Contractor(s) using applicable selection procedures under these rules.

#### Conclusion of Compliance with Law

This rule satisfies the requirements of Oregon Administrative Rule 137 chapter 047 wherein the College shall adhere to the informal and formal solicitation requirements. Consequently, findings otherwise required by law are unnecessary here.

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#### PUBLIC IMPROVEMENT CONTRACTS EXCEPTIONS AND EXEMPTIONS

##### Alternative Contracting Methods

CCR.280

The College may, at its discretion, exempt public improvement contracts from competitive bidding requirements utilizing Alternative Contracting Methods (ORS 279C.335(2)). These innovative contracting methods shall consider market realities and modern practices that are consistent with the public policy of encouraging competition. Examples of Alternative Contracting Methods are Construction Manager/General Contractor Services (CM/GC), and Design-Build, Energy Savings Performance Contracts and other developing methods including but not limited to "performance contracting", "cost plus time" contracting, and "qualification plus project approach" contracting.

The College shall adhere to ORS 279C.337 regarding the CM/GC contracting requirements as stated in OAR 137-049-0690.

The College shall prepare written findings that support the use of this exemption from competitive bidding and obtain approval from its Local Contract Review Board. A public hearing may be held before final adoption (of the exemption and must be held if any person files a written request for a hearing. ORS 279C.335(5)). The findings must show compliance with ORS 279C.330 and ORS 279C.335(2), and shall include, but not be limited to, information addressing the required findings in ORS 279C.330(1) and, except as provided in ORS 279C.335(2)(c) the factors for determination compliance with ORS 279C.335(2)(b).

##### ORS 279C.300-330 findings include:

- (a) Operational, budget, and financial data;
- (b) Public benefits;
- (c) Value engineering;
- (d) Specialized expertise required;
- (e) Public safety;
- (f) Market conditions;
- (g) Technical complexity;
- (h) Funding sources but shall not be based solely on funding sources, such as a particular bond fund, or by the method of procurement.

The required factors for consideration under 279C.335(2)(b) are:

- (a) How many persons are available to bid;
- (b) The construction budget and the projected operating costs for the completed public improvement;

- (c) Public benefits that may result from granting the exemption;
- (d) Whether value engineering techniques may decrease the cost of the public improvement;
- (e) The cost and availability of specialized expertise that is necessary for the public improvement;
- (f) Any likely increases in public safety;
- (g) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;
- (h) Whether granting the exemption will affect the sources of funding for the public improvement;
- (i) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;
- (j) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;
- (k) Whether the public improvement involves new construction or renovates or remodels an existing structure;
- (l) Whether the public improvement will be occupied or unoccupied during construction;
- (m) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions;
- (n) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.

#### Conclusion of Compliance with Law

The College must demonstrate that the use of this exemption is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts and will likely result in substantial cost savings to the College or the public (ORS 279C.335(2)). The requirements of this rule ensure that competition will be carefully addressed and protected, if the College's Local Contract Review Board finds it is in the public's best interest to use an Alternative Contracting Method. Consequently, findings otherwise required by law are unnecessary here except with regard to those related to CM/GC contracts as required under ORS 279C.337.

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#### Donated Public Improvements

#### CCR.281

The College may authorize a Person to construct a public improvement without competitive bidding or other competitive process regardless of dollar amount, if:

- (1) The Person has agreed to donate all of the labor, materials and services necessary to construct the public improvement and perform the work; and
- (2) The Person enters into a license or agreement with the College whereby the Person agrees to comply with the public contract requirements applicable to the particular project, requirements of the Public Contracting Code, and any requirements that the College deems necessary or beneficial to protect the College.

#### Findings of Fact

1. Students, staff, contractors, and other community groups from time to time offer to donate all of their professional skilled services and/or materials, to help the College meet its facilities' and/or educational needs. The ability to take advantage of such donated materials and/or services enables the College to use its limited funds in other areas, and frequently results in improvements or services that the College would not otherwise be able to afford. This class special procurement thus has budgetary, operational, and public benefits.
2. This exemption enables the College to take advantage of these offers, while continuing to ensure that the requirements of the Public Contracting Code continue to be met.

3. ORS 279A.010 excludes projects for which no funds of a public entity are used from the definition of Public Improvement subject to the Code. This exemption will allow the College to take advantage of donated materials and/or services, where all or part of the project or funds used for the project are donated.

**Conclusion of Compliance with Law**

It is unlikely that this exemption will encourage favoritism in the award of College Contracts or substantially diminish competition for College Contracts because it will only apply when a Person donates all or part of the materials and/or services. Charitable donations are outside of the competitive market for construction services. In many instances, the donations will enable the College to construct or complete projects that it otherwise would not be able to afford to do, and thus will not displace what would otherwise be a competitively bid project.

The use of this class special procurement will result in substantial cost savings for the College because the College is not required to pay for the goods and/or services if they are donated.

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**First-Tier Subcontractors; Disclosure and Substitution**

**CCR.282**

This rule amends (i.e., additions are indicated by *italics* and deletions are indicated by a line drawn through the word(s) that has been stricken.), Appendix A of these Community College Rules of Procurement (i.e., State of Oregon, Department of Justice, Model Public Contract Rules effective January 1, 2010, Division 49), as follows:

OAR 137-049-0360(2)(b) shall be replaced with:

*“(b) The College may, at its discretion, open Bids publicly immediately after the Bid Closing; ~~and~~ or it may open Bids publicly immediately following the deadline for submission of the first-tier subcontractor disclosure forms, or some other time as permitted or not prohibited by Oregon Revised Statutes.”*

**Conclusion of Compliance with Law**

As this amendment to the Attorney General’s Public Contract Rules is not a Special Procurement or exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required.

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**Limited Negotiations with Bidder**

**CCR.283**

Definitions

For purposes of this rule, the terms below shall be defined, as follows:

**“College’s Cost Estimate”** shall mean the fixed limit of construction cost that has been agreed upon by the College and the College’s consultant.

**“Value Engineering and Other Options”** refers to a process agreed upon by the College, which involves the lowest responsive, responsible bidder and may include other consultants to identify deletions or adjustments to the project to reduce the cost of such work.

**“Significantly Changed”** with reference to the scope of the project, shall mean deletion or adjustment of components of the project or elements of the work, which in the aggregate are estimated to cost in excess of twenty-five percent of the College’s Cost Estimate as originally designed.

#### Limited Negotiations and College's Cost Estimate

- (1) If a project is competitively bid and all the responsive bids from responsible bidders exceed the College's Cost Estimate, the College may, prior to award, negotiate with the Lowest Responsible Bidder utilizing Value Engineering and Other Options to bring the contract price within the College's Cost Estimate.
- (2) The College's negotiation with the Lowest Responsible Bidder shall not result in award of the contract to such bidder if the scope of the project is Significantly Changed from that specified in the Invitation to Bid at the time of bidding.
- (3) If the College elects to use the negotiation process under this rule, the College will not produce for public inspection prior to award or termination of the negotiation process, any records of the Lowest Responsible Bidder. After award of the contract or termination of the negotiation process, the College will make available for public inspection such records as are subject to inspection under any other provision of law.

#### Negotiation and Award Process

- (1) If the Lowest Responsible Bidder's Bid exceeds the College's Cost Estimate, the College may, but shall not be required to, negotiate with the Lowest Responsible Bidder to bring the cost of the project within the College's Cost Estimate.
- (2) If the College elects to negotiate with the Lowest Responsible Bidder, the College shall give written notice to the Lowest Responsible Bidder of its intent, within ten (10) days of bid Opening. The notice shall include disclosure to the Lowest Responsible Bidder of the College's Cost Estimate.
- (3) During any such negotiations, the Lowest Responsible Bidder's bid shall remain firm for the period prescribed in the Bid. At all times until the expiration of the Bid, and notwithstanding the occurrence of negotiations under this rule, the College shall have the right to accept the original Bid.
- (4) Upon and within five (5) days of receipt of the College's notice of intent to negotiate, the Lowest Responsible Bidder and the College's representative shall meet and present to each other, in writing, any proposals either may have for Value Engineering and Other Options to bring the project within the College's Cost Estimate.
- (5) The College and the Lowest Responsible Bidder shall negotiate in good faith regarding value engineering and other options, exerting their best efforts to bring the cost of the project within the College's Cost Estimate.
- (6) If the College and the Lowest Responsible Bidder are able to reach agreement through value engineering and other options to identify measures which bring the project within the college's Cost Estimate, but do not Significantly Change the scope of the project, such value engineering and other options shall be reduced to writing and signed by the Lowest Responsible Bidder as an amendment to its bid and will be incorporated into the Contract at the time of award.
- (7) Upon award, the terms and conditions of the amendment to the Bid shall be made public.
- (8) Any protest of this negotiation process shall be subject to the Protest Process specified in the Invitation to Bid.

#### Conclusion of Compliance with Law

This rule satisfies the requirements of Oregon Revised Statute 279C.340 wherein the College may negotiate with the lowest responsive, responsible bidder in accordance with rules adopted by the College. Consequently, findings otherwise required by law are unnecessary here.

\* \* \* \* \*

**SECTION 300 SUPPLEMENTARY PROVISIONS –  
CONTRACTING RULES**

These Community College Rules of Procurement were drafted by participating statewide community college representatives with the intent that Sections 100 and 200 be adopted in their entirety and remain unchanged by their respective institutions unless modified by participating committee members at a later date and subsequently and unanimously ratified by their Local Contract Review Boards. Section 300 has been specifically set aside to address the unique philosophies, cultures, and/or concerns of the various community colleges, voting districts, and contract review boards. In the event of conflict between rules or sections within these Community College Rules of Procurement, the rules in Section 300 shall take precedence over the Appendices in Section 300, and the rules in Sections 100 and/or 200 except as otherwise expressly provided.

\* \* \* \* \*

**Consultant Selection: Architects, Engineers, Photogrammetrists, Transportation Planners, Land Surveyors, and Providers of Related Services Contracts**  
**CCR.301**

This rule amends (i.e., additions are indicated by italics and deletions are indicated by a line drawn through the word(s) that has been stricken), Appendix B of these Community College Rules of Procurement (i.e., State of Oregon, Department of Justice, Model Public Contract Rules effective January 1, 2012, Division 48), as follows:

~~OAR 137-048-0200(1)(b) shall be replaced with: "Small Estimated Fee. The Estimated Fee to be paid under the Contract does not exceed \$75,000 or"~~

~~OAR 137-048-0200(1)(c) shall be replaced with: "Continuation of Project With Intermediate Estimated Fee. For Contracting Agencies where a Project is being continued, as more particularly described below, and where the Estimated Fee will not exceed \$75,000 – \$150,000, the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services to be performed under the Contract must meet the following requirements:~~

~~(1) The services consist of or are related to Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services that have been substantially described, planned or otherwise previously studied in an earlier Contract with the same Consultant and are rendered for the same Project as the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services rendered under the earlier Contract;~~

~~(2) The Estimated Fee to be made under the Contract does not exceed \$75,000 – \$150,000 and~~

~~(3) The Contracting Agency used either the formal selection procedure under OAR 137-048-0220 (Formal Selection Procedure) or the formal selection procedure applicable to selection of the Consultant at the time of original selection to select the Consultant for the earlier Contract; or"~~

~~OAR 137-048-0200(1)(d) shall be replaced with: "Continuation or Project With Extensive Estimated Fee. For Contracting Agencies where a Project is being continued, as more particularly described below, and where the Estimated Fee is expected to exceed \$75,000 – \$150,000, the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services to be performed under the Contract must meet the following requirements:"~~

~~OAR 137-048-0210(1) shall be replaced with: "The College Contracting Agencies may use the informal selection procedure described in this rule to obtain a contract if the Estimated Fee is expected not to exceed \$75,000 – \$150,000."~~

**Commented [AAM1]:** Deleting these amendments allows us to except the model rules: Small Procurement at \$100k and formal procurement to \$250k

OAR 137-048-0210(2)(b) shall be replaced with: "Provide a Request for Proposals to a minimum of three (3) prospective Consultants drawn from:

- (1) Contracting Agency's list of Consultants that is created and maintained under OAR 137-048-0120 (List of Interested Consultants: Performance Record);
- (2) Another Contracting Agency's list of Consultants that is created and maintained under OAR 137-048-0120 (List of Interested Consultants; Performance Record); or
- (3) All Consultants that the Contracting Agency reasonably can locate that offer the desired Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services, or any combination of the foregoing."

~~OAR 137-048-0210(5g) shall be replaced with: "The College Contracting Agency shall terminate the informal selection procedure and proceed with the formal selection procedure under OAR 137-048-0220 if the scope of the anticipated Contract is revised during negotiations so that the Estimated Fee will exceed \$75,000—\$150,000.~~

#### Conclusion of Compliance with Law

As this amendment to the Attorney General's Public Contract Rules, 2012, is not a Special Procurement or exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required. The requirements of this rule ensure that competition will be carefully addressed and protected, if the College finds it is in the public's best interest to competitively procure Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services or Related Services Contracts. This rule satisfies the requirements of Oregon Revised Statute ORS 279A.055 wherein the College may enter into Personal Services contracts, subsequent to the Local Contract Review Board's designation of certain service contracts or classes of service contracts as personal services contracts, and ORS 279C.105 wherein a Local Contract Review Board shall adopt procedures for the screening and selection of persons to perform those services under ORS 279C.110 or 279C.120. Consequently, findings otherwise required by law are unnecessary here.

\* \* \* \* \*

#### Contract Amendments & Reinstatements

CCR.302

The College may award an amendment(s) ~~to a Public Contract~~ for additional work or product which is reasonably related to the scope of work under the original contract, including change orders, extra work, field orders, or other changes in the original specifications that increases the original Contract Price, without competitive bidding or alternate contracting method, for a Special Procurement that is exempted under these rules or is subject to the following conditions:

- (1) Contract amendments must be made in writing;
- (2) Amendments to Contracts must reasonably fall within the scope of the original solicitation. Amendments shall not be used to circumvent rules establishing approvals at certain monetary thresholds;
- (3) The original Contract was let by competitive bidding or alternate contracting method procurement process;
- (4) Such amendment(s) shall not exceed a total of thirty-three percent (33%) of the original Contract Price for goods and services or twenty-five percent (25%) over the original Contract Price if the Contract is for public improvements, public works, or general trade services and the amount of the amended Contract is defined as a Small or Intermediate Procurement as these thresholds are defined in Section 300, "Public Contracts Under Certain Dollar Amounts," Supplementary Provisions of the Community College Rules of Procurement;

(5) Such amendment(s) shall not exceed a total of fifty percent (50%) of the original Contract Price, if the original Contract Price exceeds the threshold for Intermediate Procurements as this threshold is defined in Section 300, "Public Contracts Under Certain Dollar Amounts," Supplementary Provisions of the Community College Rules of Procurement, and the Contract is for public improvements, public works, or general trade services;

(6) The Vice President of Finance and Operations or designee approves the amendment if the Contract is for a Public Contract, including a Public Contract for a Special Procurement, but may authorize the Director of Capital Projects/Facilities and Operations to approve amendments, if the Contract is for a public improvement, public work, or general trade services Contract.

The "Reinstatement of Expired Contracts" means the action of reinstatement of an expired Contract that was previously properly executed containing all the required approval signatures and following all required procurement processes. The College may approve reinstatement of an expired Contract if the following conditions are met:

(1) The College determines concisely, in writing, that the failure to extend or renew the Contract in a timely manner was due to unforeseen or unavoidable conditions;

(2) The written reinstatement justification is presented to Purchasing the Contract and Procurement Office for approval within ninety-360 (90360) days after expiration of the original Contract; and

(3) The reinstatement is exclusively for the purpose of permitting completion of the work or services for no additional compensation; or

(a) When the services are of a continuing or repetitive nature, which are compensated at an hourly, daily or similar periodic rate, ~~the reinstatement either~~ consistent with the original contract terms.:

~~(i) Does not increase the rate of compensation; or~~

~~(ii) Does not increase the rate of compensation so as to exceed the rate of the increase determined by comparing the Portland, Oregon Metropolitan Area Consumer Price Index (all items), published immediately prior to the date the original contract was established with the same index published immediately prior to the date of the reinstatement and extension.~~

(4) When a Contract is reinstated pursuant to this Rule, the College may compensate the Contractor, at the rate of compensation established in the original Contract, for work performed in the interim between the expiration of the original Contract and the execution and approval(s) of the extension or amendment.

(5) This rule authorizes only one reinstatement of a Contract.

~~(6) No reinstatement of a Contract must modify the original contract except with respect to the time for performance.~~

~~(7) If the reinstatement of a Contract pursuant to this rule raises the aggregate amount of compensation to a level that requires approval by the Local Contract Review Board, the College must obtain such approval before the extension becomes binding and before any services may be performed under the reinstated contract.~~

~~(8) Once a Contract is reinstated, it is in full force and effect, as if it had not expired. Stat. Auth: ORS 279A.065; ORS279A.070~~

**Conclusion of Compliance with Law**

Contracts are living entities. The work they represent is subject to change at any moment; contract amendments record and formalize those changes. Options for change orders are needed for contract administrators and contractors to perform the work in the most efficient manner. As the contract amendment process is not an exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required. It is unlikely that this process will encourage favoritism in the awarding of public contracts or substantially diminish competition, and is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B(4)). Consequently, findings otherwise required by law are unnecessary here.

\* \* \* \* \*

**Cumulative Awards of Small Contracts (i.e., Anti-Fragmenting Rule)**

CCR.304

~~When the College awards, or intends to award, a series of small contracts with values less than \$150,000, the most recent intermediate cap set by Board Resolution via a direct or intermediate/informal procurement method, intends to award a series of such contracts, or is likely to award a series of such contracts within one fiscal year, the sum of which will, or is likely to, meet or exceed \$150,000, the applicable value threshold for an intermediate/informal procurement method, the most recent intermediate cap set by Board Resolution, the College may only do so if:~~

**Commented [CT2]:** The way this was originally written was confusing; I attempted to make some clarifying edits.

- (1) The contracts are not intentionally fractionalized to avoid sealed, competitive public procurement; and,
- (2) Competition is not being diminished by the awarding of such contracts and the consequent avoidance of public advertising of the requirement; and,
- (3) Other requirements such as those of the Bureau of Labor and Industries, (prevailing wage rates), bonding, insurance and COBID will not be avoided by the award of such contracts; or, the College shall formulate and issue a formal solicitation for the totality of such annual requirements, and shall, as a result of such solicitation, establish a requirements contract naming one or more qualified providers, for the provision for the required goods or services.

**Conclusion of Compliance with Law**

This rule is intended to apply to all goods, services, client services, public improvements, public works maintenance, repair, supplies, and all other College requirements. Its purpose is to ensure that the College does not intentionally or in adherently exceed the Colleges' applicable formal competitive procurement value threshold requirement of \$150,000 without good cause and without the approval of its Local Contract Review Board, and the compliance with other statutory requirements invoked by the formal competitive procurement threshold (such as prevailing wage rates, maximizing competition, COBID and the like), are not avoided. As Special Procurements may result in a series of Contracts over time or for multiple projects, and the Cumulative Awards of Small Contracts Rules is not an exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required.

**Alternative Marketplaces**

CCR.308

~~Due to the challenges in negotiating favorable or equivalent terms and conditions in the electronic marketplace, securing reasonable assurances regarding ownership/title of property, and the diminished capacity for the College to have recourse in the event the goods and/or services are not as indicated by the seller, procurements conducted via electronic commerce marketplace from individuals or services such as eBay, Google Shopping, Facebook Marketplace etc., are not permitted unless express authorization from the College's VP of Operations and Finance/CFO or designee has been granted to the College's staff member(s) who is/are requesting to utilize or authorize the use of an auction transaction~~

\* \* \* \* \*

**Energy Management Controls Systems** **CCR.308**

Competitive procurement need not be used for Energy Management Controls Systems provided the hardware or software is required to match or be specifically compatible with existing equipment (see Brand Names or Marks, "or Equal," Single Seller and Sole Source), or that the items are available from only one source and the College has determined that competition does not exist.

In determining the appropriate procurement method for Energy Management Controls Systems or whether competition exists, the College may consider the following factors: the extent to which alternative services offered are comparable or substitutable in technology; service provided; performance; the extent to which latest upgrades and options are offered by the manufacturer; upward and downward compatibility; and the extent to which alternative providers can respond to the College's interests in consistency and continuity of services throughout its service area, volume discounts, equitable service for all users, centralized management, and limiting College liability.

**Conclusion of Compliance with Law**

This rule will not encourage favoritism or substantially diminish competition in the awarding of public contracts. An energy management controls system is essentially a system of data processors, input/output devices, field devices (thermostats, terminal control units, etc.), and software that result in energy saving strategies. This rule provides additional parameters for consideration that are complementary to the Public Contracting Code where competition does exist. It is not intended to diminish the College's ability to consider other factors or limit fair and open competition when arriving at best value. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)).

\* \* \* \* \*

**Exception (Including Sole Source) – Purchases of Goods or Services through** **CCR.310**

Competitive procurement processes need not be used for the procurement of goods or services when the College makes a determination, based on written findings subject to ORS 279B.075(2), that the goods or services, or class of goods or services, are available from only one source, ~~and the award of the Contract is approved, in writing, by the College's VP of Finances and Operations or designee~~ with such determination of sole source being placed on file in the Purchasing office or other designated official location; notification shall subsequently be given to the college's Local Contract Review Board, if the amount of the contract exceeds \$~~100~~250,000. The College is entitled to negotiate with any sole source Contractor to obtain a favorable price, terms, and/or conditions. This exception may be used for either a Contract or class of goods or services resulting in a series of Contracts, subject to these written findings, without submitting written findings for each subsequent request for a Contract, for no longer than five years, and is to be used infrequently and only when deemed by the chief financial officer or designee to be in the best interest of the College.

**Findings of Fact**

- (1) In some cases, the use of competitive procurement processes is either not practicable, advantageous, or in the College's best interest due to unforeseen circumstances, unreasonable costs, difficulty in locating vendors even after extensive searches, or where time constraints occur that are due to circumstances beyond reasonable control.
- (2) All practical measures will be taken to encourage competition when possible.

**Commented [CT3]:** Angie, after our discussion, I recommend deleting this section in its entirety. You'd need to go through the process to do a sole source/brand name or mark anyway, so I'm not sure what the utility is in having this rule - it basically says you can do sole source or brand name if you met the applicable criteria in these situations, which is a right you have under the public contracting code without this rule.

(3) The VP of Finance and Operations or designee will report to the Local Contract Review Board the reason(s) that competitive procurement processes were deemed to be impracticable and what steps, where possible, were taken to encourage competition if the acquisition exceeds the Intermediate Procurement threshold as defined in Section 300, "Public Contracts Under Certain Dollar Amounts;" a copy of the waiver shall be placed on file in the Purchasing office or other designated official location.

#### Conclusion of Compliance with Law

It is unlikely that this exemption from competitive procurement processes will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279B.205085, since it would be an Exception, and would be due to extenuating circumstances. Additionally, this Special Procurement will substantially promote the public interest in a manner that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065, or 279B.070 or under any rules adopted thereunder. (Stat. Auth.: ORS 279B.075 and 279B.085, Sole-Source Procurements and Special Procurements, respectively.)

\* \* \* \* \*

#### Amendment to: Personal Services Contracting Rules

CCR.312

This rule replaces and amends Personal Services Contracts Rule CCR.250(1)(2) to read:

- (1) The College may waive the requirement for a competitive selection process and directly negotiate a Personal Service Contract, if the contract prices is not more than the minimum Threshold as this threshold is defined in Section 300-Supplementary Provisions, Rule CCR.312. "Minimum Threshold" means \$75,000; Intimidated Threshold means \$75,000-~~\$2450,000~~. Regardless of the dollar value of the contract, the College may at its discretion, enter into a Personal Services Contract without complying with formal or informal solicitation requirement if an Emergency, as defined in CCR.207 exists. Unless there are compelling reasons not to do so, competitive selection processes for Personal Services contractors should take place at intervals not greater than five years.
- (2) Informal Selection Procedures may be used for contracts less than the Minimum Threshold (i.e. \$75,000) but are not required to be used for contracts less than the Minimum Threshold.
- (3) Informal Selection Procedures shall be used for contracts estimated or anticipated to be equal to or more than \$75,000 but which are not estimated or anticipated to be more than the Intermediate Threshold (i.e. ~~\$2450,000~~).
- (4) Formal Selection Procedures shall be used for contracts estimated or anticipated to be equal to or more than the Intermediate Threshold (i.e. ~~\$2450,000~~) but may be used for contracts of any estimated dollar value if it is deemed to be in the College's best interest.
- (5) In a grant-funded procurement "Minimum Threshold" means the amount as identified by the grant-funding agency. If the grant-funding agency's threshold requirements are more restrictive than the College's, the College will follow the provisions of Personal Services contracting rules of the grant-funding agency. If the grant-funding agency's threshold requirements are not more restrictive than the College's, the College will follow the provisions of Personal Services contracting rules of the College.

**Commented [AAM4]:** Raises the intermediate procurement threshold for personal services to \$250k.

The screening and selection procedures for the award of Personal Services Contracts are governed by ORS279A.055 and are subject to the competitive procurement provisions of the Personal Services Contracting rules and procedures adopted herein. Every contract for Personal Services shall be based upon these screening and

selection procedures developed by the College. Personal Services Contracts are considered “public contracts” as defined in ORS 279A.010.

This rule replaces and amends Personal Services Contracts Rule CCR.250(1)(5) to read:

Personal Services Contract do not include;

- (1) Contracts, even though in a professional capacity, if primarily for equipment, supplies or materials. i.e. a contract to supply all hardware and standard software is not a Personal Services Contract but a contract with a technology consultant to design or develop a new computer system is a Personal Services contract.
- (2) Contracts with a temporary service or personnel agency to supply labor which is a type that can generally be done by any skilled worker.
- (3) Contracts for services of a trade-related activity, even though a specific license is required to engage in the activity. Examples are repair and/or maintenance of all types of equipment or structures.
- (4) Employees.

#### Conclusion of Compliance with law

The requirements of Rule CCR,250 and its subsequent amendment, CCR.312, ensure that competition will be carefully addressed and protected, if the College finds it is in the public’s best interest to competitively procure Personal Services. This rule satisfies the requirements of ORS 279A.055 wherein the College may enter into Personal Services contracts subsequent to the local contract review board’s designation of certain services contracts or classes of service contracts as personal service contracts. Consequently, findings otherwise required by law are unnecessary here.

\* \* \* \* \*

#### ~~Public Contracts Under Certain Dollar Amounts~~ ~~CCR.314~~

~~The College shall submit recommendations for contract award to the Local Contract Review Board for contracts greater than \$100,000 subsequent to College Policies and procedures contained herein and defined in Appendix A.~~

~~The College may at its discretion enter into public contracts not to exceed \$150,000 for the purchase of goods, materials, supplies and services including contracts for architectural, engineering, photogrammetric mapping, transportation planning, or land surveying services or related services and public improvement or general trade services without issuing a formal competitive solicitation document if the College has determined that the award of the contract without issuing a formal competitive solicitation document will result in cost savings and the following conditions are met.~~

- ~~(1) The contract is for a single project and is not component of or related to any other project.~~
- ~~(2) When the amount of the contract does not exceed \$10,000, defined herein as a “Small Procurement”, the College shall, where feasible, obtain competitive quotes unless the contract is for architectural engineering, photogrammetric mapping, transportation or land surveying services or related services procedures in which case a Direct Appointment (see Appendix B 137-048-0200) may be made for contracts with estimated fees less than \$75,000.~~
- ~~(3) When the amount of the contract is more than \$10,000, but less than \$150,000, defined herein as an~~

~~“Intermediate Procurement”, and is not for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services the College shall obtain a minimum of three informally solicited competitive quotes. At least one of the three quotes shall be obtained in accordance with COBID. The College shall keep a written record of the source and amount of the quotes received. If three quotes are not available, a lesser number will suffice provided that a written record is made of the effort to obtain the quotes.~~

- ~~(4) The College will abide by ORS 279A.025(4), regarding Qualified Nonprofit Agencies unless the required goods, materials, supplies or services are unavailable from a Qualified Nonprofit Agency as provided in ORS 279.835 to 269.855.~~
- ~~(5) The College shall encourage COBID agencies to participate in its purchasing process, where applicable.~~
- ~~(6) The goods or services, or class of goods or services, are available from only one source and the determination of a sole source is based upon written findings in accordance with the provisions set forth in ORS 279B.075.~~

~~The College may at its discretion enter into Public Contracts not to exceed \$150,000 where competitive procurement have been waived pursuant to ORS 279B.075 and/or 279B.085 and the provision of CCR 310-“Exception (including Sole Source) — Purchases of Goods or Services through.”~~

~~The College may at its discretion enter into public contracts for trade related projects, i.e. construction maintenance, repair or similar labor and materials contracts without competitive bidding if the College has determined that the awarding of the contract without competitive bidding will result in cost savings and the following conditions are met:~~

- ~~(1) The contract is for a single project, and is not a component of or related to any other product.~~
- ~~(2) When the amount of the contract does not exceed \$10,000 the College should, where feasible, obtain competitive quotes per ORS 279B.065.~~
- ~~(3) When the amount of the contract is more than \$10,000, but less than \$150,000 the College shall obtain a minimum of three competitive quotes. The College shall keep a written record of the source and amount of the quotes received. If three quotes are not available, a lesser number will suffice provided that a written record is made of the effort to obtain the quotes.~~
- ~~(4) When the contract is a public improvement contract of less than \$150,000 and the bidders are being drawn exclusively from a list from COBID the College may let the contract without formal competitive bidding after a good faith effort to obtain a minimum of three competitive quotes from COBID. To obtain maximum exposure for all firms, and guard against favoritism, care shall be taken to obtain quotes from different firms each time the list is used. The College shall keep a written record of the source and amount of the quotes received and comply with the requirements, as applicable, of the COBID. A lesser number will suffice provided a written record is maintained of the effort to obtain the quotes.~~
- ~~(5) When the contract is for a “public improvement” as defined in ORS 279A.010(1)(aa) and/or for “public agency” as defined in ORS 279C.800(5), and the contract price exceeds \$75,000 but is less than \$150,000 the College and the contractor shall comply with;~~
  - ~~(a) The prevailing wage provisions of ORS 279C.800 to 279C.870, when applicable.~~
  - ~~(b) The contractor registration requirements of ORS 701.~~

(c) ~~Any other law applicable to such a contract.~~

~~If more than one supplier may be available and the total purchase is estimated to exceed \$150,000 the College shall select a contractor through a formal competitive solicitation process.~~

~~Pursuant to ORS 279C.105, when the contract is for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services and the estimated fee is \$150,000 or greater, the College shall screen and select a contractor through formal competitive solicitation process as these procurements are defined in Appendix B 137-048-0220 of these CCOP.~~

**Renegotiated Contracts for Supplies and Services**

~~Except as otherwise addressed under CCR.302, the College may renegotiate the terms and conditions of a contract without additional competition and amend a contract if it is in the best interest of the College subject to the following conditions:~~

- (1) The College may determine that, with all things considered, the renegotiated contract is at least as favorable to the College as the original contract and;
- (2) The renegotiated contract will not have a total term greater than allowed in the original solicitation document, contract or approval of Special Procurement after combining the initial and extended terms. For example, a one-year contract, renewable each year for up to four additional years, may be renegotiated as a two to five-year contract, but not beyond a total of five years. Also, if contracts with a single Contractor are restated as a single contract, the term of the single contract may not have a total term greater than any one of the prior contracts.
- (3) If a contract offers a lower price in exchange for a change in term or condition that was expressly rejected in the original solicitation, the amended contract may be structured with this changed term as an optional, but not as a mandatory contract term.
- (4) If the contract is the result of a Cooperative Procurement, the amended contract must be within the scope of the original contract and may not materially change the terms, conditions and prices of the original contract.

~~If the procurement is grant funded, "Minimum Threshold" means the amount as identified by the grant funding agency if the grant funding agency's threshold requirements are more restrictive than the College's. The College will follow the provisions of the Public Contracting rules of the grant funding agency and/or those of the College, or a combination thereof, as identified by the grantor.~~

**Comment:**

Public contracts shall mean the "completed project cost basis" of a public contract (i.e. the total cost of performing one discreet, identifiable totality of work, including all components, shipping, warranty costs, service agreements obtain in conjunction with the purchase contract, reimbursables and any other associated costs.)

**Conclusion of Compliance with Law**

This rule is more restrictive than the requirements of the Public Contracting Code. As such, it is not an exemption of Special Procurement to the competitive bidding requirements of law. Consequently, findings otherwise required by law are unnecessary here.

\* \* \* \* \*

**Commented [CT5]:** I recommend deleting this rule. I have trouble following it. It's also restrictive and redundant of some rules that are already in place. Additionally, I think portions of the rule violate ORS 279C.

**Commented [CT6]:** It seems to me that this provisions either conflicts or overlaps with the rule about amendments (CCR 302). Should we consolidate?

**Commented [CT7R6]:** I made some revisions here to address the overlap.

**Rejection of an Offer**

**CCR.316**

This rule amends (i.e., additions are indicated by italics and deletions are indicated by a line drawn through the word(s) that has been stricken.), Appendix B of these Community College Rules of Procurement (i.e., State of Oregon, Department of Justice, Model Public Contract Rules 2004, Division 48) as follows:

OAR 137-047-0640(1)(b) shall be replaced with:

“(b) The College ~~shall~~ may reject an Offer upon the College’s finding that the Offer:”

OAR 137-049-0440(1)(b) shall be replaced with:

“(b) The College ~~shall~~ may reject an Offer upon the College’s finding that the Offer:”

**Conclusion of Compliance with Law**

As this amendment to the Attorney General’s Public Contract Rules, 2004, is not a Special Procurement or exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required.

\* \* \* \* \*

**Space Rentals (hotels, conferences, temporary offices, etcetera)**

**CCR.318**

Competitive procurement need not be used for the rental of real estate, floor space or other short- or long-term rentals of physical space.

**Findings of Fact**

Many space rental transactions must, of necessity, take place in private in order to ensure that public disclosure will not have negative effects upon price or other contractual considerations. Additionally, rentals are subject to considerable personal judgment in the selection of the space, its availability, its surrounds, its geographical location, the landlord, and the contract terms. Many of these items are not subject to negotiation or are extremely difficult to compare objectively. Moreover, many such rentals must be finalized in extremely short periods, occasionally within minutes, or the arrangement may be lost to another offeror. It is not in the best interest of the public to disadvantage the College by necessitating an arduous selection process for rentals of space, which, of necessity, are highly subjective activities.

**Conclusion of Compliance with Law**

It is unlikely that this Special Procurement will result in favoritism in the awarding of public contracts or substantially diminish competition since all vendors, including Oregon businesses, are able to compete, and it is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B.085(4)a), or otherwise substantially promote the public interest (ORS 279B(4)(b)(B)), through expediting its procurement processes without compromising integrity for cost.

\* \* \* \* \*

**Property Disposition**

**CCR.320**

**Auction Sales of Personal Property**

Personal Property may be sold at auction if the College determines that the auction contemplated will probably result in a higher net return than if the property were sold by competitive written bid.

#### **Sales of Personal Property**

The College may sell personal property, including recyclable or reclaimed materials, without competitive bidding if it has determined that a negotiated sale will result in increased net revenue and the following conditions are met:

- (1) The personal property has been made available to other College departments and local government units when deemed appropriate; and
- (2) when the current market value per item is deemed to be less than \$1,000, the College may establish a selling price, schedule and advertise a sale date, and sell to the first qualified bidder meeting the sales terms; or
- (3) when the current value per item is deemed to exceed \$1,000 the personal property must be offered for competitive written bid and be advertised, or be offered for sale at public auction.
- (4) When the personal property is deemed relevant to students enrolled in a certificate or degree program, the College may sell directly to students prior to making the sale available to the public.

#### **Liquidation Sales of Personal Property**

The College may sell personal property through a commercially recognized third party liquidator if it has determined that a liquidation sale will result in increased net revenue and the following conditions are met:

- (1) The personal property has been made available to College departments and local government units; and
- (2) selection of the liquidator was conducted by a competitive process.

#### **Donations of Personal Property**

The College may transfer personal property without remuneration or only nominal remuneration without competitive bids to the following entities:

- (1) Another public agency; or
- (2) any QRF, work activity center or group care home which operates under contract or agreement with, or grant from, any State agency and which is certified to receive federal surplus property; or
- (3) any recognized 501(c)(3) non-profit activity.

#### **Trade of Personal Property**

Surplus property may be traded for goods or services of an equivalent value, the intent to trade will be advertised on the College website.

- (1) Property with an estimated value of \$1,000 or less may be traded for goods or services of an equivalent value without conducting a competitive bid process.
- (2) Surplus property with an estimated value in excess of \$1,000 may be traded for goods or services of an equivalent or greater value:
  - (a) after a public solicitation of bids or public sale, and
  - (b) when the bids or offers received at the public sale are for less than the value of the goods or services for which the property is exchanged.

**Destruction of Personal Property**

Surplus property may be recycled or destroyed when the estimated unreimbursed costs of transfer or sale exceed the estimated proceeds or if no bids are received for the surplus items.

**Conclusion of Compliance with Law**

It is unlikely that this Special Procurement will result in favoritism in the disposition of surplus property. The intent of CCR.320 is to minimize the costs of disposing of surplus property for items of low value, while ensuring that the College receives maximum return for items of greater value. For items of limited value, the costs of storage, advertising a sealed bid sale and the time consumed by the sale itself can take a larger portion of the proceeds received from sale. The rule also allows for the donation of property to other specific entities when such action is deemed to be in the public good.



**Central Oregon Community College  
Board of Directors: Resolution**

<b>Subject</b>	Approval of CCRP Updates
<b>Strategic Plan Initiatives</b>	College Sustainability
<b>Prepared By</b>	Angie Anderson-May, Operations & Finance Project Manager

**A. Background**

Beginning in spring 2004, a task force of Oregon community college representatives developed the Community College Rules of Procurement (CCRP) to provide consistency in purchasing and contracting decisions across the state's community college system, with limited local variations to reflect institutional needs. In March 2005, the Board, convened as the Local Contract Review Board, adopted the CCRP. The CCRP addresses competitive procurement, personal/professional services contracting, and special procurements.

The CCRP is structured in three sections. Sections 100 and 200 are intended to remain consistent among participating community colleges, while Section 300 contains COCC-specific supplementary provisions. The proposed revisions primarily update Section 300 to align COCC's local rules with current Oregon procurement thresholds and model rule requirements, while also cleaning up duplicative or outdated local provisions.

The primary substantive change is to update procurement thresholds so the formal procurement threshold is \$250,000. The proposed revisions also clarify contract amendment and expired contract reinstatement procedures, clarify rules preventing purchases or contracts from being divided to avoid required procurement steps, add or clarify restrictions on use of online marketplaces, remove provisions that duplicate existing Oregon public contracting rules, and clarify procedures related to rejection of offers, space rentals, and surplus property disposition.

**Proposed threshold structure:**

<b>Contract Type*</b>	<b>Small/Direct Procurement</b>	<b>Intermediate/Informal Procurement</b>	<b>Formal Procurement</b>
Goods and Services	\$25,000 or less	More than \$25,000 up to \$250,000	Above \$250,000
Personal Services	\$75,000 or less	More than \$75,000 up to \$250,000	Above \$250,000
A&E and Related Services	\$100,000 or less	More \$100,000 up to \$250,000	Above \$250,000

*\*Contract Type References:*

- *Goods and Services - contracts for supplies, equipment, materials, personal property, and ordinary services*

- *Personal Services - Contracts where the primary purpose is to acquire specialized skills, knowledge, expertise, or professional judgment, and where qualifications, experience, performance history, creativity, and professional discretion are typically more important than price.*
- *A&E and Related Services - A special class of personal services for architectural, engineering, construction, land surveying, and related services.*

**B. Options/Analysis**

- 1) Approve the recommended changes to the Community College Rules of Procurement (CCRP).
- 2) Do not approve the recommended changes to the Community College Rules of Procurement (CCRP).

**C. Timing**

Approval is requested at this time so the revisions can be incorporated into COCC's current procurement practices and related internal tools, forms, and guidance.

**D. Budget Impact**

None. The proposed revisions update procurement procedures and thresholds but do not authorize any specific expenditure.

**E. Proposed Resolution**

Be it resolved that the Board of Directors, acting as the Local Contract Review Board, hereby approves the proposed changes to the Community College Rules of Procurement, substantially in the form attached.

Central Oregon Community College  
Monthly Budget Status  
Highlights of April 2026 Financial Statements

**Cash and Investments**

The College's operating cash balances currently total \$34.3 million. The April average yield for the Local Government Investment Pool remained 4.0 percent.

**General Fund Revenues**

The quarterly State Aid payment was received, increasing general fund revenue by \$3 million.

**General Fund Expenses**

The expenses through April 2026 include the majority of the required budgeted inter-fund transfers-out for the fiscal year. The remaining \$6.6 million transfer out will be made to support the Madras build at the completion of the project.

**Budget Compliance**

All general fund appropriation categories are within budget.

**Central Oregon Community College**  
**Monthly Budget Status**  
 April 2026

10-Jun-26

<u>General Fund</u>	<u>Adopted Budget</u>	<u>Year to Date Activity</u>	<u>Variance Favorable (Unfavorable)</u>	<u>Percent of Budget Current Year</u>	<u>Percent of Budget Prior Year</u>
<b>Revenues</b>					
District Property Taxes:					
Current Taxes	\$ 24,330,000	\$ 23,413,115	\$ (916,885)	96.2%	96.2%
Prior Taxes	283,000	401,000	118,000	141.7%	90.6%
Tuition and fees	22,430,000	20,323,408	(2,106,592)	90.6%	96.5%
State Aid	13,279,000	12,420,632	(858,368)	93.5%	76.7%
Program and Fee Income	100,000	48,363	(51,637)	48.4%	65.9%
Interest & Misc. Income	974,000	3,790,078	2,816,078	389.1%	16.5%
Transfers-In	5,588,744	2,926,202	(2,662,542)	52.4%	68.7%
<b>Total Revenues</b>	<b>\$ 66,984,744</b>	<b>\$ 63,322,798</b>	<b>\$ (3,661,946)</b>		
<b>Expenses by Function</b>					
Instruction	\$ 28,154,525	\$ 22,617,759	\$ 5,536,766	80.3%	78.3%
Instructional Support	5,554,985	4,307,978	1,247,007	77.6%	76.8%
Student Services	7,883,478	5,742,561	2,140,917	72.8%	70.1%
College Support	7,475,399	6,031,189	1,444,210	80.7%	74.3%
Campus Services	6,140,941	4,718,665	1,422,276	76.8%	82.4%
Information Technology	7,947,140	5,571,745	2,375,395	70.1%	79.6%
Financial Aid	200,000	156,669	43,331	78.3%	149.6%
Contingency	1,000,000	-	1,000,000	0.0%	0.0%
Transfers-Out	19,070,532	12,445,532	6,625,000	65.3%	100.6%
<b>Total Expenses</b>	<b>\$ 83,427,000</b>	<b>\$ 61,592,098</b>	<b>\$ 21,834,902</b>		
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (16,442,256)</b>	<b>\$ 1,730,700</b>	<b>\$ 18,172,956</b>		

**Central Oregon Community College  
Monthly Budget Status**

April 2026

<b>Non General Funds</b>	<b>Adopted Budget</b>	<b>Year to Date Activity</b>	<b>Variance Favorable (Unfavorable)</b>	<b>Percent of Budget Current Year</b>	<b>Percent of Budget Prior Year</b>
<b>Debt Service Fund</b>					
Revenues	\$ 6,152,755	\$ 5,474,722	\$ (678,033)	89.0%	89.2%
Expenses	6,087,037	2,136,202	3,950,835	35.1%	35.8%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ 65,718</b>	<b>\$ 3,338,520</b>	<b>\$ 3,272,802</b>		
<b>Grants and Contracts Fund</b>					
Revenues	\$ 6,034,347	\$ 5,108,010	\$ (926,337)	84.6%	61.6%
Expenses	6,738,055	6,055,812	682,243	89.9%	107.4%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (703,708)</b>	<b>\$ (947,802)</b>	<b>\$ (244,094)</b>		
<b>Capital Projects Fund</b>					
Revenues	\$ 23,234,020	\$ 10,964,429	\$ (12,269,591)	47.2%	18.1%
Expenses	24,338,954	9,517,981	14,820,973	39.1%	42.6%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (1,104,934)</b>	<b>\$ 1,446,448</b>	<b>\$ 2,551,382</b>		
<b>Enterprise Fund</b>					
Revenues	\$ 5,349,792	\$ 4,432,617	\$ (917,175)	82.9%	93.4%
Expenses	7,655,167	6,018,867	1,636,300	78.6%	68.5%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (2,305,375)</b>	<b>\$ (1,586,250)</b>	<b>\$ 719,125</b>		
<b>Auxiliary Fund</b>					
Revenues	\$ 6,504,732	\$ 6,305,868	\$ (198,864)	96.9%	87.8%
Expenses	9,749,773	6,180,925	3,568,848	63.4%	63.5%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (3,245,041)</b>	<b>\$ 124,943</b>	<b>\$ 3,369,984</b>		
<b>Reserve Fund</b>					
Revenues	\$ -	\$ -	\$ -	0.0%	0.0%
Expenses	25,000	-	25,000	0.0%	61.2%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (25,000)</b>	<b>\$ -</b>	<b>\$ 25,000</b>		
<b>Financial Aid Fund</b>					
Revenues	\$ 22,103,924	\$ 12,969,022	\$ (9,134,902)	58.7%	89.3%
Expenses	22,171,067	13,387,986	8,783,081	60.4%	93.7%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (67,143)</b>	<b>\$ (418,964)</b>	<b>\$ (351,821)</b>		
<b>Internal Service Fund</b>					
Revenues	\$ 85,000	\$ 136,970	\$ 51,970	161.1%	56.1%
Expenses	94,000	68,621	25,379	73.0%	75.9%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (9,000)</b>	<b>\$ 68,349</b>	<b>\$ 77,349</b>		
<b>Trust and Agency Fund</b>					
Revenues	\$ 18,200	\$ 16,312	\$ (1,888)	89.6%	181.7%
Expenses	75,000	40,355	34,645	53.8%	59.0%
<b>Revenues Over/(Under) Expenses</b>	<b>\$ (56,800)</b>	<b>\$ (24,043)</b>	<b>\$ 32,757</b>		

10-Jun-26

## Central Oregon Community College

**Cash and Investments Report**  
 As of April 30, 2026

College Portfolio	<u>Operating Funds</u>	<u>Trust/Other Funds</u>
<b>Cash in State Investment Pool</b>		
4089 - General operating fund	\$ 32,693,917	
3624 - Robert Clark Trust		\$ 413,494
6729 - Redmond Expansion		\$ 4,283,737
April Average Yield 4.0%		
<b>Cash in USNB</b>	\$ 1,600,470	
<b>Cash on Hand</b>		
Total Cash	<u>\$ 34,294,387</u>	<u>\$ 4,697,231</u>



**Board Meeting Date:** Wednesday, June 10, 2026  
**Exhibit:** 10b.1

**Central Oregon Community College  
Board of Directors  
Faculty and Administrators New Hire Report**

<b>Faculty Full-Time</b>		
Jonathan Moore	Assistant Professor I Music	September 8, 2026
Carmel Ohman	Assistant Professor I English	September 8, 2026
Lindsay Miller	Assistant Professor I Communication	September 8, 2026

<b>Administrator Full-Time</b>		
Chris Centers	ITS Technology Services Manager	May 1, 2026



## Central Oregon Community College

### Board of Directors New Hires Report Date of Hire: May 1-31, 2026

Name	Hire Date	Job Description	Department
<b>Classified Full-Time</b>			
Daffron, Maisen	5/11/2026	Bookstore Course Material	Bookstore
<b>Temporary Hourly</b>			
Ives, Ellery J	5/1/2026	Library Assistant-Circulation	Library
Sandusky Sw eigert, William	5/1/2026	Library Assistant-Circulation	Library
Kunselman, Doris	5/1/2026	German Tutor II	Tutoring and Testing
Tucker, Kaia	5/5/2026	Fire Science Lab Assistant	Fire Science
Lemcke, Katharine	5/11/2026	Adult Basis Skills Substitute	Adult Basic Education
Hogue, Gabriel Thomas	5/13/2026	EMT Lab Assistant	Emergency Medical Services
Christensen-Lew is, Tessa L	5/16/2026	Prineville Technology & Office	Regional Svcs. & Prnvl Campus Oper.
Daggett, Anne-Marie	5/18/2026	Adult Basic Skills Substitute	Adult Basic Education
Hannigan, Matthew	5/19/2026	Math Tutor II	Tutoring and Testing
Hannigan, Matthew	5/19/2026	Math Tutor II	Tutoring and Testing
Altimore, Kurt Allen	5/26/2026	Redmond Student Commons	Regional Svcs. & R.C. Operations
Mason, Debbi M	5/27/2026	Math Tutor II	Tutoring and Testing

**Central Oregon Community College  
Board of Directors: Information Item**

**Prepared by:** Seana Barry, Director Human Resources

<b>Subject</b>	Renewal of Administrative and Confidential Staff Appointments for 2026-2027
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**A. Background**

Employment appointments are issued to administrator and confidential employees annually for the upcoming fiscal year. The conditions for the issuance of all such employment appointments, which include satisfactory performance, are contained in the COCC Administrator and Confidential Handbook. A list of employees identified as Administrative and Confidential Staff for rehire is included.

Definitions

- Temporary appointments represent limited duration contracts typically based on discrete money sources or assignments, such as grants or temporary assignments.
- Probationary appointments are issued during the first year of employment in the position.
- Regular appointments are issued with the second year of appointment in the position.

**B. Timing**

For the 2026-27 Fiscal Year.

**C. Budget Impact**

Funds for the administrator and confidential wages are contained in the appropriated 2026-27 Budget.

**Administrators in Temporary Status: (Note: Bold indicates staff currently on probation).**

Brown, Kathryn	Early Childhood Education Program Manager
Church, Leigh	High School Options Coordinator
Currie, Jacqueline	Prison Education Program Coordinator
Jennings, Anton	Director HEP (High School Equivalency Program)
<b>Johnson, Amy</b>	<b>Manufacturing Workforce Development Coordinator</b>
Jordan, Bonnie	Veteran Program Coordinator
<b>Lawrence, Jodie</b>	<b>Director TRiO Student Support Services</b>
Perry, Carlene	Pathways Program Coordinator
Pierce, Susan	First Generation SSS Success Coach
<b>Rasheed, Aaron</b>	<b>Veterans Outreach Coordinator</b>
Silacci, Malissa	STEP College/Career Success Coach
Skarzynski, Matthew	TRIO SSS Success Coach
Sklenar, John	Director Corrections Education

**Administrator Appointment Renewals for 2026-27**

Employment records shown are based on active status as of June 1, 2026. **(Note: Bold indicates staff currently on probation)**

Abbey, Jeremy	Student Care/Conduct Coordinator
<b>Ahern, Katie</b>	<b>Native American College Prep Coordinator</b>
Alberg, Lucas	Director Marketing/Public Relations
Alberghetti, Dan	Senior Systems Administrator
Anderson-May, Angie	Finance/Operations Project Manager
Austin, Matthias	Digital Accessibility Coordinator
Baker, Brian	Asst Director Campus Services - Grounds/Custodial
Ball, Maureen	Human Resources Benefits/Leaves Administrator
<b>Ballinger, Ryan</b>	<b>Academic Advisor</b>
Barry, Seana	Director Human Resources
Bellusci, Sharon	Student Affairs Technology Project Manager
Bevington Drungil, Amanda	Assistant Director Admissions/Records
Boehme, Laura	Vice President People/Technology
Boone, Zachary	Vice President College Adv/Exec Dir Foundation
Broadbent, Stephen	Director Student/IT Success Technologies
Brooks, Miranda	Assistant Director Student Accessibility Services
Buccafurni, Lindsay	Director Student Engagement
Carman, Erika	College Now Program Coordinator
Carrico-Cuevas, Renita	Marketing Manager
Clawson, Joshua	Director Campus Services
Clingan, Matthew	Accounts Payable Manager
Comerford, Bennett	Writing Center Coordinator
Considine, Mimi	CAP Placement/Systems Coordinator
Darling, Cory	Director Campus Safety/Emergency Management
Davis, Andrew	Dean Student Engagement
DeSilva, Michele	Library Systems & Discovery Librarian
<b>DiRosa, James</b>	<b>Assistant Director Club/Intramural Sports</b>
Dixon, Ryan	Campus Services Project Manager
Egertson, Christopher	Research and Data Analyst
Engel, Bradley	ITS Functional Analyst
Flanary, Jennifer	Accountant
Fortenberry, Peter	SW Analyst Programmer
Giglio, Jessica	Instructional Dean
Gilbride, Charlotte	Nancy R. Chandler Lecture Series Coordinator
Goetsch, Stephanie	Director Center For Business/Community Education
Hamlin, Annemarie	Vice President Academic Affairs
Harmon, Kenneth	Information Security Manager
Harper, Theresa	Instructional Designer

Hatch, Christopher	Senior Systems Administrator
Hatch, Talona	Financial Aid Technical Analyst
Hayes, Tyler	Dean Enrollment Management/Registrar
Hopkins, Sarah	Admissions Coordinator
Huckins, Shelley	Payroll Manager
Jackson, Yasuko	E-Learning Instructional Coordinator
Jeffreys, Cynthia	ITS Assistant Director - Enterprise Systems
Johnson, Mark	Staff Writer/Editor
Johnson, Samuel	Report and Data Analyst
Jones, Nigel	Customer Relations Management (CRM) Analyst
Kent, Laurel	ITS Project Coordinator
Klinkerfues, Michael	Network Services Manager
Knox, Rachel	Assistant Director Human Resources
Knudsen, Amy	Program Manager
Knutson, Cathleen	Controller
Kristensen, Suzanne	Director Prineville Campus
Kuzio-Williford, Jacqueline	STEM Tutor Coordinator
LaLonde, Michael	Vice President Finance/Operations
Larsen, Joanna	Marketing/Public Relations Graphic Designer
LeGrand, Marcus	Afro-Centric Student/College Prep Coordinator
Lehto, Deborah	Assistant Director Financial Aid
Lenhart, Cindy	Instructional Outreach Dean
Leonard, Jeffrey	Welding Program Director DRCI
Leslie, Tina	Payroll Administrator
Lethe, Rozina	Assistant Director Housing/Residence Life
McCaulou, Lily	Advisor Student Media
McCrea, Darren	Director Enterprise Information Services
Metcalf, Aimee	Assistant Director Marketing/Public Relations
Michell, Megan	Nursing Assistant Program Administrator
Moore, Alicia	Vice President Student Affairs
Moore, John	Web Manager
Moxley, Emily	Head Library Access Services
Nichols, Brittany	Director Foundation Programs
Norbury, Lynn	Science Lab Specialists Supervisor
<b>Nore, James</b>	<b>Director Small Business Development Center</b>
<b>Orsi, Gabrielle</b>	<b>Assessment/Curriculum Administrator</b>
Patton, Wendy	Assistant Director COCC Foundation
Payne, Frank	Bookstore Manager
Pierce, Brynn	Director Institutional Effectiveness
Pilch, Steve	Senior Systems Administrator
Powell, Ryan	Student Account Manager
Pritchard, Diane	Director CAP Services

<b>Pursell, Tyler</b>	<b>SW Analyst Programmer</b>
Rector, Jeremiah	Native American Student Program Coordinator
Rieger, Austin	ITS Functional Analyst
Rodriguez, James	Director Madras Campus
<b>Rodriguez, Patrick</b>	<b>Senior Systems Administrator</b>
Rogers, Barry	Senior Web Developer
Roshau, Kristine	Director eLearning/Academic Technology
Rougeux, Jamie	Director Student Accessibility Services
Ruebush, Galit	Payroll/Human Resources Data Administrator
Ruebush, Kelly	Assistant Director Campus Services - Maintenance
Russell, Tony	Instructional Dean
Rutherford, Kara	Director High School Partnerships
Sapp, Benjamin	SW Analyst Programmer
<b>Schellinger, Jon</b>	<b>Senior Systems Administrator</b>
Schweitzer, Kayleen	Asst Director Admissions/Records - Recruit/Outreach
Seiden, Jesse	Academic Advisor
Shapiro, Christin	Academic Advisor
Sherrill, Keith	Small Business Management Coordinator
Shew, Jennifer	ITS Assistant Director - Enterprise Applications
<b>Soto, Jennifer</b>	<b>Foundation Accountant</b>
Strang, Jeffrey	Exercise Physiologist/AHA Training Center Coord
Stranieri, Sofia	Capital Campaign Coordinator
<b>Sykora, Quinn</b>	<b>Residence Life Coordinator</b>
Sylwester, Breana	Director Financial Aid/Veterans Benefits
Taie, Jaclyn	Academic Advisor
Tevlin, Sean	Director Grants
Thompson, Ashley	Student Information Analyst
Thompson, Grady	Network Services Technician
Thorsvold, Roger	Assistant Director Campus Safety
Tobey, Cassidy	Assistant Director CAP Services
Trimble, Erin	ASL Interpreter/Captioning Coordinator
<b>VanBuskirk, Carson</b>	<b>Digital Content Creator/Editor</b>
<b>Vanderburg, Regina</b>	<b>HR Recruitment/Retention/Wellness Manager</b>
Vazquez, Raquel	Latinx College Prep Program Coordinator
Vernotico, Ruth	2SLGBTQIA+ Student Program Coordinator
Violissi, Anthony	Web Content Coordinator
Walker, Christine	Dean Equity/Well-Being
Ward, Amy	Director Redmond Campus
Weller, Eric	Asst Dir Admissions/Records-Technology/Curriculum
Wiersma-Koch, Helen	Instructional Dean
Witty, Daniel	Admissions Coordinator
Wolcott, Sarah	Program Manager

Yeo, Lori	Network Services Technician
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**Confidential Appointment Renewals for 2026-27**

Employment records shown are based on active status as of June 1, 2026.

Chaung, Christy	Administrative Assistant Vice President Student Affairs
Leaders, Krista	Academic Affairs Office Coordinator
Matthews, Kyle	Executive Assistant-President/VPFO
Streich, Courtney	Executive Assistant - Advancement/Foundation



**Central Oregon Community College  
Board of Directors: Resolution**

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<b>Subject</b>	Approval of the Administrators and Confidential Employees Salary/Wage Adjustment for 2026-27
<b>Prepared By</b>	Seana Barry, Director Human Resources

**A. Background**

As part of a review in conjunction with the annual budget process, the President may recommend an annual salary/wage adjustment. The recommended salary/wage adjustment for eligible administrators and confidential employees effective July 1, 2026 is a 4% increase to base salaries/wages. Employees must be in a position that meets a benefitted status to be eligible.

**B. Options/Analysis**

Approve the 4% increase to base salaries/wages of eligible administrators and confidential employees.

Decline approval of the 4% increase to base salaries/wages of eligible administrators and confidential employees.

**C. Timing**

The increase to the salaries/wages for the eligible employees shall be effective July 1, 2026.

**D. Budget Impact**

Sufficient funds are available and contained in the appropriated 2026-27 budget.

**E. Proposed Resolution**

Be it resolved that the Board of Directors of Central Oregon Community College district approve the 4% increase to base salaries/wages for eligible administrators and confidential employees.



## Central Oregon Community College Board of Directors: Board Resolution

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<b>Subject</b>	<b>Adult Basic Skills/OSEA Negotiations 2025-2028</b>
<b>Strategic Plan Theme(s) and Objectives</b>	Student-Ready College Community Engagement College Sustainability
<b>Prepared By</b>	Laura Boehme, VP of People and Technology Cindy Lenhart, Instructional Outreach Dean Seana Barry, Director of Human Resources

**A. Action Under Consideration**

Approval of the 2025-2028 Adult Basic Skills (ABS)/OSEA Labor Agreement.

**B. Background**

Recognizing that the current COCC/ABS/OSEA Labor Agreement expired on June 30, 2025, representatives of the College, ABS/OSEA and respective representatives began meeting in Spring 2025 to negotiate the terms of a successor agreement.

Administrative negotiating team members were: Laura Boehme, Cindy Lenhart, and Seana Barry. ABS/OSEA negotiating team members were John Detweiler III, Jennifer Judd, and Brian Hanson, OSEA Representative.

The teams reached a tentative agreement on May 21, 2026, pending completion of the salary schedule and final contract updates and housekeeping items. ABS/OSEA submitted the proposed contract to its members late May through early June 2026, for a vote and the vote was ratified by ABS/OSEA on May 29, 2026. The results of the vote per ABS/OSEA were that members ratified the tentative agreement with 83% voting and 100% approval.

**C. Tentative Agreements**

A summary of tentative agreements is at the end of this resolution, noting that housekeeping items are excluded (e.g., change of dates, updates to table of contents, typos, etc.). The 2025 - 2028 contract will be available on the COCC website pending ratification and Board approval.

**D. Budget Impact**

The assumptions supporting the 2025-2028 budget included a 4.75% salary increase for all ABS employees in Year 1 (2025-2026) of the contract; Years 2 and 3 (2026-27 and 2027-28) each have a 4.25% increase. Each year of the contract also includes an approximate 1.69% step. The proposed increases to ABS wages affects the budget by approximately \$160,000 over the three-year contract period, inclusive of salary and benefits. The College has sufficient funds to cover these increases.

**E. Options/Analysis**

1. Approve the ABS/OSEA successor labor agreement as negotiated.
2. Decline approval of the ABS/OSEA successor labor agreement as negotiated.

**F. Timing**

The term of the current agreement is retroactive to July 1, 2025 through June 30, 2028. The College seeks Board approval of the negotiated contract at the June 2026 Board meeting and retroactive wage payment to July 1, 2025.

**F. Recommendation**

Be it resolved that the Board of Directors of Central Oregon Community College hereby approves the 2025-2028 collective bargaining agreement between COCC and the ABS/OSEA of COCC as negotiated.

**Summary of Contract Changes (2025–2028)**

<b>Article</b>	<b>Title</b>	<b>Changes</b>
<b>Article 4</b>	Union Rights	Clarified designated representation time; labor management meetings; and bargaining member notifications.
<b>Article 5</b>	Dues Deduction	Added language to describe practice for dues deductions
<b>Article 6</b>	Right to Contract	Clarified right to contract language
<b>Article 7</b>	Grievance Procedure	Changed language to ensure grievance procedures handled during work hours.
<b>Article 9</b>	Employee Probation	Clarified that summer assignments are not included in probation. Except for DRCI.
<b>Article 12</b>	Leaves	Revised definition of family for leaves; added PLO language; clarified FMLA language
<b>Article 13</b>	Work Year	Updated and clarified holidays and cleaned up presentation of information.
<b>Article 16</b>	Process for Notifications ABS	Updated language for current practices.
<b>Article 17</b>	Reduction in Force	Added clarifications around notifications and minimum qualifications.
<b>Article 18</b>	Salaries	Yr 1: 4.75%; Yrs 2-3: 4.25%; step 1.69% avg. Updated salary schedules.
<b>Article 24</b>	Duration	Contract period: 2025-2028



## Central Oregon Community College Board of Directors: Resolution

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<b>Subject</b>	<b>Full-time faculty rehire recommendations 2026-27</b>
<b>Prepared By</b>	<b>Annemarie Hamlin – Vice President of Academic Affairs</b>

### **A. Background**

Need for timely approvals to rehire full-time faculty members who have been evaluated and are doing satisfactory work.

### **B. Options/Analysis**

- Approve the rehire recommendations.
- Decline approval of rehire recommendations.

### **C. Timing**

For the 2026-27 academic year.

### **D. Budget Impact**

Salaries conform to the salary schedule approved by the Board and the Faculty Forum.

### **E. Proposed Resolution**

Be it resolved that the Central Oregon Community College Board of Directors approve the rehires recommended below.

**PROBATIONARY FACULTY**

The following probationary faculty members are recommended for rehire. Appropriate documents are on file in the Human Resources Office and course materials are on file in the department office.

<b>Faculty Name</b>	<b>Faculty Name</b>
1. Adams, Kelsey	13. Keechle, Brian
2. Allen, Nigel	14. Kerr, Brian
3. Arlie, Jenna	15. Kiley, Caitlin
4. Christau, Steph	16. Merritt, Lisa
5. Comboul, Maud	17. Miller, Jared
6. Crowe, Steven	18. O'Bryan, Stephanie
7. Farkas, Kamilla	19. Schaeffer, Tes
8. Gilmore, Kristy	20. Slade, Allison
9. Greene, Michael	21. Suits, Natalia
10. Gregor, Ryan	22. Truscelli, Nikki
11. Harris, Brooke	23. Veverka, James
12. Johnson, Jenna	

**TENURED FACULTY**

The following tenured faculty members are recommended for rehire. Appropriate documents are on file in the Human Resources Office and course materials are on file in the department office.

<b>Faculty Name</b>	<b>Faculty Name</b>	<b>Faculty Name</b>
1. Agatucci, Jacob	29. Grove, Kevin	57. Palmer, Beth
2. Andre, Stephanie	30. Gould, Jennifer	58. Peterson, Tim
3. Baron, Sarah	31. Hammerman, Jessica	59. Phillips, Ralph
4. Barry, Thomas	32. Harper, Amy	60. Prade, Fleur
5. Bollom, Breah	33. Hazlett, Christopher	61. Roberts, Sean
6. Borowsky, Justin	34. Henson, Sara	62. Rosso, Anthony
7. Briggs, Vaughan	35. Higginbotham, Carol	63. Sather, Eileen
8. Buer, Cierra	36. Higgins, Matthew	64. Shapen, Amy
9. Cagney, James	37. Hoffer, Amanda	65. Shipman, Lisa
10. Chaput, Emma	38. Hong, Lin	66. Siekkenen, James
11. Cheney, Monte	39. Hostetler, Kirsten	67. Simone, Paula
12. Coe, Jacquelyn	40. Houston, Leslie	68. Supplee, Roxie
13. Cole, Angie	41. Howell, Amy	69. Swartwout, Ken
14. Costantino, Lexi	42. Humphries, Merideth	70. Towne, Forrest
15. Cruickshank, Jennifer	43. Ingulli, Carmen	71. Unverzagt, Laura
16. DeShow, Harold	44. Kennelly, Patrick	72. VanOrsdol, Rodney
17. DeShow, Teresa	45. Knox, James	73. Vines, Monica
18. Donohue, Stacey	46. Lamb, Jason	74. Waller, Michel
19. Dorsey, Kristin	47. Lambert, Kristin	75. Waller, Shannon
20. Erickson, Thor	48. Magidson, Eric	76. Waller-Niewold, Marilyn
21. Evans, Josh	49. Marcus, Mandalynn	77. Wampler, Wendi
22. Foldi, Steven	50. Markland, Molly	78. Wheary, Amy
23. Franco, Gabriel	51. Miller, Susan	79. Wilk, Kimberly
24. Franklin, Rebecca	52. Murphy, Owen	80. Williams, Malinda (Mindy)
25. Fuller, Sarah	53. Nguyen, Venus	81. Woodell, Andria
26. Gesuale, Melinda	54. Novak, Matthew	82. Yeatman, Wayne
27. Ghiara, Abhay	55. Nunes, Alan	83. Zmyslinski-Seelig, Anne
28. Godfrey, Murray	56. Palagyi, Sean	

**TEMPORARY FACULTY**

The following FT Temporary faculty are recommended for one-year temporary contracts.

<b>Faculty Name</b>
1. Allan, Stuart
2. Jordan, Sheri
3. Lemire, Christie

**RETIREMENTS**

<b>Faculty Name</b>
1. Sean Rule
2. Michael Gesme
3. Carson Haury
4. Nathan Hovekamp
5. Ricky Virk
6. Cat Finney