

AGENDA
CHEHALEM PARK AND RECREATION DISTRICT | BOARD OF DIRECTORS
CPRD ADMINISTRATION OFFICE|125 S. ELLIOTT ROAD, NEWBERG, OR 97132
6 PM DECEMBER 4, 2025

Online: <https://us02web.zoom.us/j/82271600692> Zoom Webinar ID 822 7160 0692
In the event of a technical issue, this URL may be activated: <https://cprd.us/bodzoom>
Public Comment Sign Up: <https://cprd.us/bodspeak>

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approval of Agenda
- V. Public Participation and Potential Board Action
- VI. Approval of Consent Agenda
 - A. Approval of Oct. 23 meeting minutes
- VII. Action Items and Board Comments
 - A. Board meeting calendar for 2026
 - B. Budget calendar for 2026
 - C. Discussion and Policy Direction for District Purchasing Authority and Thresholds
 - D. Pickleball Citizen's Advisory Committee recommendation that the Board of Directors approve a motion to dissolve the Pickleball CAC and transition the group to focus group of volunteers working directly with staff
 - E. Adopt a Resolution recognizing Pickleball Citizens' Advisory Committee
 - F. Presentation of the Results of a Districtwide Community Input Survey
 - G. Board Comments
- VIII. Old Business
 - A. Citizen Advisory Committees updates
 - 1. Chehalem Heritage Trails
 - 2. Golf Clubhouse Development
 - 3. Pickleball
- IX. Superintendent's Report and Project Updates
- X. Staff Reports
- XI. Correspondence
 - A. Citizens' Comments
 - B. Miscellaneous
- XII. Adjournment

Next meeting: 6 p.m. on Thursday, Jan. 22, 2026.

ADA STATEMENT

Contact the Public Information Office for physical or language accommodations at least two (2) business days before the meeting. Call (971) 832-4222 or email kricker@cprdnewberg.org.

TABLE OF CONTENTS

Dec. 4, 2025 Board of Directors Meeting Packet

PAGE	ITEM
1	BACKGROUND INFORMATION MEMORANDUM
3	PUBLIC PARTICIPATION
	CONSENT AGENDA
5	Board meeting minutes from Oct. 23, 2025
	 ACTION ITEMS
11	2026 Board meeting calendar
13	2026 Budget calendar
16	Purchasing Authority and Thresholds information
216	Resolution 2025-10: Pickleball Citizens Advisory Committee
219	Community Survey Results
	 OLD BUSINESS
298	Citizen Advisory Committee (CAC) meeting records
403	SUPERINTENDENT'S REPORT & PROJECT UPDATES
416	STAFF REPORTS
426	CORRESPONDENCE & MISCELLANEOUS

BACKGROUND INFORMATION MEMORANDUM

To: Board of Directors
From: Kat Ricker, Public Information Director
Date: Nov. 25, 2025
Re: Background information for Board of Directors meeting on Dec. 4, 2025

- I. **Call to Order** by President Jim McMaster
- II. **Pledge of Allegiance** - Please stand.
- III. **Roll Call** - Three members constitute a quorum. Please notify staff if you are unable to attend or if you wish to participate remotely; in which case, a panelist meeting link/invitation will be issued to you. (Note: Panelist URL differs from the public URL.) Please allow 24-hour notice when possible.
- IV. **Approval of or additions to agenda** - No additions at this time
- V. **Public Participation** - None scheduled at this time
- VI. **Approval of Consent Agenda**
 - A. **Request to approve** Board Meeting Minutes: Oct. 23, 2025
 - B. Financial Reports from October are not included; expect them at Jan. meeting.
- VII. **Action Items and Board Comments**
 - A. Board meeting calendar for 2026 - Staff recommendation is this: regularly scheduled Board meetings take place on the fourth Thursday of each month, with the following exceptions: regular meetings are not scheduled in the months of August or November. December meeting falls on first Thursday. See letter for dates.
 - B. Budget calendar for 2026 - Superintendent wishes to be Budget Officer. See letter for dates, recommendations.
 - C. Discussion and Policy Direction for District Purchasing Authority and Thresholds; see Superintendent recommendations for updating these policies.
 - D. Pickleball Citizens' Advisory Committee: staff recommends that Board of Directors approve a motion to dissolve the Pickleball CAC and transition the group into a focus group of volunteers, to work directly with staff. Since its recommended capital construction project of expanding and improving courts in Jaquith Park is now underway, the committee has discussed and agreed that a less formal structure would be a more appropriate format for these enthusiastic volunteers to regularly assess the progress and success of this construction project.
 - E. Adopt a Resolution recognizing Pickleball Citizens' Advisory Committee and its contributions.
 - F. Community Survey results - We received a total of 829 responses: 686 via our website, 105 via direct mailers, 19 from direct and board packet links, and 19 via social media. More details are included in packet and will be presented.
 - G. Board Comments
- VIII. **Old Business**

Citizen Advisory Committees (CAC) updates - Chehalem Heritage Trails; Golf Clubhouse Development; Pickleball

- IX. **Superintendent's Report and Project Updates** - See packet materials.
- X. **Staff reports** - See reports in packet.
- XI. **Correspondence** - Ed Fredenburg email on Ewing Young Park Bridge Project flyer
- XII. **Motion to Adjourn**

Public Participation

PUBLIC COMMENT FORM/INTENT TO SPEAK FORM

CHEHALEM PARK AND RECREATION DISTRICT
ADMINISTRATIVE BUILDING
125 S ELLIOTT ROAD
NEWBERG, OR 97132

- ☒ I wish to provide **VERBAL** testimony regarding the issue discussed at this public meeting.
- ☒ I wish to provide **WRITTEN** testimony regarding the issues discussed at this public meeting.

AGENDA ITEM/TOPIC Bob & Crystal Niles Park - equestrians & hikers

DATE OF MEETING 12/4/25

NAME (Please print legibly) Ryann Reinhold

MAILING ADDRESS 11775 NE Parrett Mt Rd Newberg OR 97132

EMAIL ADDRESS (Optional) _____

SIGNATURE 

WRITTEN COMMENTS: (CONTINUE ON BACK IF NEEDED)

Written comments may be emailed to kricker@cprdnewberg.org or submitted to the Public Information Office at CPRD Administration Office at 125 S. Elliott Road, Newberg, OR 97132.

See email



MINUTES

CHEHALEM PARK AND RECREATION DISTRICT | BOARD OF DIRECTORS CPRD ADMINISTRATION OFFICE|125 S. ELLIOTT ROAD, NEWBERG, OR 97132 6 PM OCTOBER 23, 2025

- I. President Jim McMaster called the meeting to order 6:00 p.m.
- II. Pledge of Allegiance
- III. Roll Call
Board members:
Jason Fields, Nick Konen, Jim McMaster, Brandon Slyter, Matt Smith

CPRD Staff:

Richard Cornwell, IT Specialist (meeting operator)
Casey Creighton, Assistant Superintendent
Clay Downing, Superintendent
Julie Petersen, Special Services Supervisor/Recreation Supervisor
Kat Ricker, Public Information Director
Kellan Sasken, Special Services/Golf Director
Maxwell Siderius, Golf Course Superintendent
Bryan Stewart, Basic Services Supervisor/Park and Facilities Supervisor

Public:

Tamara Busch-Johnson, Ladd Hill Neighborhood Assoc.	Sean Andries and Annie Shull, Chehalem Cultural Center
Rick and Lisa Rogers	Dennis Wiley, Trails CAC
Ed Fredenburg	Mary Starrett, Yamhill County

- a. Approval of Amended Agenda – Released Oct. 20th. Added: Item VI.F, Addendum A (per VI.F) Addendum B (per VII.C)

Jason Fields moved, Jim McMaster seconded: to approve agenda as amended. Votes: Fields-yes; Konen-yes; McMaster-yes; Slyter-yes; Smith-yes. Motion carried 5-0.

- IV. Public participation -
 - a. Tamara Busch-Johnson, representing Ladd Hill Neighborhood Assoc., requesting letter of support urging World Forestry Center to halt sale of Magness Memorial Tree Farm, a wildlife sanctuary (discussion: Downing noted that this property is located outside of CPRD's jurisdiction and thus urged the Board to consider any action carefully.)
 - b. Ed Fredenburg made comments in relation to CPRD's Ewing Young Park proposed bridge project, in response to letter to Board from Yamhill County administrator in September (See Addendum B.)
 - c. Former Board member Lisa Rogers made comments in support of Ewing Young project.

d. Rick Rogers, former Newberg mayor, made comments in support of Ewing Young project.

V. Approval of consent agenda

- a. Approval of Sept. 25, 2025 meeting minutes
- b. Approval of September financials
- c. Final August financials
- d. Parks Department purchase request: Chehalem Senior Center flooring from Rivers Flooring
- e. Parks Department purchase request Five Workman MDX gas utility vehicles from Sourceweld through Toro, for golf course
- f. Authorization of Brown & Brown to act as insurance agent of record for Chehalem Park and Recreation District

Staff and Board brief discussion on insurance and vehicles.

Matt Smith moved, Jason Fields seconded: TO APPROVE THE CONSENT AGENDA. Votes: Fields-yes; Konen-yes; McMaster-yes; Slyter-yes; Smith-yes. Motion carried 5-0.

VI. Action items/committee reports/Board comments

- a. Presentation of the Chehalem Cultural Center's Annual Report by Executive Director Sean Andries
- b. Crabtree Park transition - Kat Ricker described working together with Yamhill County PIO to jointly release a news release announcing that beginning Jan. 1, 2026, management of this park (located in Dundee) will transition to the County, and CPRD is already phasing the park out of publications and website.
- c. Ewing Young Bridge Project - Superintendent Downing talked about this and presented his recommendation. Discussion - typical timeline to expect for County Commission to respond.

Downing said staff has scheduled a Public Open House for Nov. 19th and a virtual version on Nov. 20., in order to provide public with information and discussion on several big projects; this will help keep development projects on schedule and discuss with public.

Discussion continued on Ewing Young topic. Matt Smith said this is a slow process, and so is litigation, and that also comes with risk; this is a good solution. He urged depoliticizing things and doing more outreach, avoiding litigation, and pursue rezoning this to Park Land.

Jason Fields said we will build this bridge, and we need to find a way to make this palatable for residents in the area, such as fencing, and

talk with them directly. Cost will be a factor he added.

Jim McMaster said it is important to notify and talk with neighbors there, he urged avoiding litigation, and to continue talking with County.

Superintendent recommended staying out of Land Use and LUBA. He urged prioritizing this and doing enhanced outreach with mailings publicizing the project and the open house as a way to discuss it, and being ready to attend at HOA if invited. He said he will be asking to be added to the County Commissioners meeting agenda.

Discussion generally that this has dragged on for too long, and desire to make it move forward. General strong emphasis on public outreach to residents near and around Ewing Young Park.

- d. Citizen Advisory Committees policy clarification discussion
Discussion on what they are, when they began. Downing and Ricker led discussion.

Committees are labor-intensive and must follow Public Meeting Laws, said Downing, and the committee form for volunteers is cumbersome, so the staff is asking what the Board's intention is, whether they want the committees to work with staff or the Board, and if with staff, that looks more like a volunteer group perhaps a focus group. Are we establishing a standing committee, which never ends? What are their expected deliverables? Staff wants to know what to expect.

Smith said committees are not supposed to be political or creating factions, so having a committee that is under public meeting laws can be good to prevent that.

Nick Konen said it was difficult, that the trails committee is different, that they could continue working on projects for years to come, but he does not know how beneficial it is for pickleball committee to continue to meet when the Jaquith courts construction is already underway and suggested two separate discussions with the committees. Without a goal, he said, the committees can go other direction, so if we do not dissolve them, then we need to make sure that they have a goal, for everyone's sake.

Jim McMaster said he has seen the committees have frustration with dealing with public meeting laws and also he has seen committees not having enough members to hold a quorum, and we are paying staff to be here, which is costing taxpayers money. He said committee goals were not set; the first trails committee did not want to come back because they did not have clear direction.

Committee members in attendance spoke:

Lauren Pfeiffer said the committee knows its purpose, wants a list of priorities for what's next. She agreed it is difficult to get anything done meeting once a month under public meeting laws. She asked for more frequent meetings and more training. She said he agreed with everything that the superintendent had said.

Dennis Wiley said he had expected to be working with Board on policy decisions, but instead it turned out to be about working with staff on projects; it was almost impossible to do what we were doing and work within public meeting laws. He said the committee would like to work with the Board and do more on the program, but we do not need to be an advisory, that we could easily be an ad hoc or citizen group.

Ed Fredenburg said he recommended a meeting for users of Ewing Young Park, not just Meadows subdivision homeowners.

Slyter said he would like to honor the remaining terms and ask the committees to present what they would like to do and whether to continue. Konen agreed. Smith said we cannot abdicate our responsibility as the Board; we need to give them the guardrails and the goals, and he suggested several projects to be considered. He agreed that there had been a lot of confusion with the committees in their beginnings. Perhaps they do not need to meet as frequently or for a while, but eventually, there will be things for them to deal with, i.e. after Jaquith courts are open, to bring back feedback and recommendations. McMaster said we need to make sure that we do not get involved with what the staff does; our job is policy.

Downing said he will make suggestions to staff liaisons to convey to the committees, and he described those.

- e. Continued discussion on Strategic Planning Priorities, some organizational changes to the list. Downing said he will reconcile the comments received and finish the deliverable. He sought clarification on cost targets as they appeared and cautioned that it could be confusing to include it here; he would rather see a cost asset depreciation model, to anticipate the idea of creating a sinking fund. McMaster and Smith agreed that it was better placed in the budget, preserving transparency and not creating false expectations.

Jason Fields moved, Matt Smith seconded: TO PUBLISH THE STRATEGIC PLANNING PRIORITIES AS AMENDED IN THIS SESSION. Votes: Fields-yes; Konen-yes; McMaster-yes; Slyter-yes; Smith-yes. Motion carried 5-0.

- f. Board member comments
Brandon Slyter - said he was grateful to see announcement of swings down for replacement on website, that was the level of news that he

wanted to see there, and also his son was happy that a slide had been replaced.

Jason Fields - said he is running for county commissioner, and applications for new housing are down 40 percent, which will take a toll on the amount that we bring in for CPRD. He advocated taking a door-to-door approach in communicating with the public, because he is finding it to be a powerful tool. From what he is hearing from people that way, if we are going to talk about doing a levy or bond at CPRD, we need to be cognizant of how people are doing and what we want to ask them to pay for.

Matt Smith - We need to be diligent in how we fund our parks and do that without raising taxes such as maintenance levies and bonds; he urged others read what other park departments are going through related to this. He said we need bike access and riverfront development, along with maintenance, without raising taxes.

Jim McMaster - Brandon and I will be working on Superintendent evaluation. He said people won't come to live in Newberg unless we have a quality of life here; he said we are one of the biggest economic drivers in our district. RFP is open from Recreation Ready. Golf Course feasibility study kick off meeting took place. Talking tentatively with state parks about the potential of a disc golf friendly competition at Champoege State park and encouraged the Board to float ideas for low-energy, friendly ways to engage partners.

Casey Creighton provided additional details on project updates; see packet for full report.

VII. Old business/committee updates/project updates

a. Citizen Advisory Committees updates - None

VIII. Superintendent Report and Project Updates; see packet for detailed reports. Survey update - 800+ responses; closes end of this month. He invited Board members to attend and participate in upcoming open house events and said there would be a potential quorum notice if necessary. There had been a request for a SDC Fee Waiver for an Accessory Dwelling Unit; Downing had evaluated it and then denied it because he did not find that it met some of the criteria. City of Dundee is still deliberating on request for funding for phase I of Sander Estate.

IX. Staff reports presented; see packet for detailed reports.

Bryan Stewart thanked Crystal Rilee Park Foundation; twelve truckloads of trails surface cover have been deposited, plus gravel on switchbacks. Many tournaments going on in parks and facilities.

Julie Petersen said this is the busiest month, in tandem with school schedules. Grad Night is coming up at the aquatic center. She described

coaches training (70 soccer coaches alone). Aquatic and fitness center has 15,000 visits per month. Golf rounds have been up. Had met with Newberg Old Fashioned Festival committee and had let them know that fireworks will not be able to be scheduled at Renne Field next year. She was able to schedule police chief to present at an upcoming staff meeting on what to do with trespassing people; there were three incidents recently and staff could use some guidance. Max Siderius said staff just finished aeration at golf course and things are going well. For more departmental staff reports, see packet.

- X. Correspondence
 - a. Citizens' Comments - N/A
- XI. Adjourned 8:50 p.m.

Next meeting: Dec. 4, 2025

MINUTES APPROVED ON _____, 2025

Board President

ATTEST

Kat Ricker, Public Information Director
(Recorder of Minutes)



Board Letter

Hearing Date: December 4, 2025

Staff: Clay Downing,
Superintendent; and Kat Ricker,
Public Information Director

Subject: Board of Directors' Calendar of Regular
Meetings for the 2026 Calendar Year

Order on Agenda: Action Items

RECOMMENDATION

1. Motion to approve the Chehalem Park and Recreation Board of Directors' 2026 calendar of regular meetings; and
2. Motion to approve the use of the Chehalem Park and Recreation Board of Directors' 2026 calendar of regular meetings as a basis for reoccurring annual calendar going forward.

DISCUSSION

The District's Board of Directors' regular meetings generally take place beginning at 6 p.m. on the fourth Thursday of each month, with the exceptions of August or November.

Summertime represents a challenging time period for the District including the beginning and end of the fiscal year, swearing in and onboarding of new board members (every other year), personal travel obligations for staff and their families, and a high volume of programming and maintenance demands. Each of these issues can interfere with the District's board meetings. Based on this, it is recommended that the Board not convene in August to provide a designated opportunity for the both staff and board members to travel or focus on other projects. However, staff would expect to schedule a special meeting if needed to advance time-sensitive District needs.

The District has historically modified its schedule of regular meetings to avoid conflicts with both November and December holidays. Therefore, it is recommended that the Board continue the practice of not convening in the month of November, and convene on the first Thursday in December.

Proposed Board of Directors regular meeting calendar for 2026:

- January 22, 2026
- February 26, 2026
- March 26, 2026
- April 23, 2026
- May 28, 2026
- June 25, 2026
- July 23, 2026



- September 24, 2026
- October 22, 2026
- December 3, 2026

Public meeting information is regularly provided on the CPRD website in the following locations:

- Board of Directors Meetings webpage at <https://www.cprdnewberg.org/general/page/board-directors-meetings>
- Public Meetings Schedule at <https://www.cprdnewberg.org/meetings>
- Website calendar at <https://www.cprdnewberg.org/calendar>

FISCAL IMPACT

None

ATTACHMENTS

None



Board Letter

Hearing Date: December 4, 2025

Staff: Clay Downing,
Superintendent, and Casey
Creighton, Assistant
Superintendent

Subject: Adopt a budget calendar for fiscal year 2026-27, appoint Clay Downing as Budget Officer, and discuss appointment of Budget Committee Members.

Order on Agenda: Action Items

RECOMMENDATION

1. Make a motion to adopt the Chehalem Park and Recreation District budget calendar for fiscal year 2026-27;
2. Make a motion to appoint Clay Downing as Budget Officer; and
3. Discuss appointment of Budget Committee members and provide direction to staff for recruitment of Budget Committee members.

DISCUSSION

Budget Calendar Adoption

Adoption of a budget calendar is a common practice to ensure that local governments — including special districts — allow sufficient time to complete the entire budget process before June 30 as required by ORS294.408. According to the Oregon Department of Revenue, a budget calendar is not required by law but is “highly recommended.”

Budget calendars are created around mandated requirements which create a sequence of events that influence budget-making. This typically includes scheduling for the appointment of a budget officer and budget committee members; publication of a proposed budget; noticing and hosting of budget committee meeting(s); publication of a budget summary; notice and hosting of a budget hearing; adoption of resolutions that make impose a tax, adopt a budget, and make appropriations; and transmittal of adopted budget materials to appropriate agencies including the county assessor and clerk.

The proposed budget calendar is provided in Attachment 1 and is very similar to prior years with a modification to add a Budget Committee Work Session approximately 3 weeks prior to the Budget Committee Meeting(s). This modification to the budget calendar is proposed to provide an opportunity for the budget committee to receive information from staff regarding recommended changes that may appear in the proposed budget, allow the budget committee to discuss new or existing issues with fiscal impacts, propose additional modifications, and allow staff the time to implement budget committee recommendations where possible. The Budget Committee Work Session will not include review of the proposed budget and does not provide a forum for decision-making on the proposed budget.

Other information related to the budgeting process can be found in applicable Oregon Revised Statute provisions including, but not limited to, ORS 294 as well as the Oregon Department of Revenue's *Local Budgeting Manual* which is available on the department's *Local Budget Law* webpage <https://www.oregon.gov/dor/programs/property/pages/local-budget.aspx>.

Budget Officer Appointment

ORS 294.331 requires that:

The governing body of each municipal corporation shall, unless otherwise provided by county or city charter, designate one person to serve as budget officer. The budget officer, or the person or department designated by charter and acting as budget officer, shall prepare or supervise the preparation of the budget document. The budget officer shall act under the direction of the executive officer of the municipal corporation, or where no executive officer exists, under the direction of the governing body.

It is recommended that your Board appoint Clay Downing, Superintendent, as budget officer for creation of the fiscal year 2026-2027 budget.

Discussion of Budget Committee Members

Current members of the CPRD's Budget Committee include all active Board members and the following five appointed members who each serve four-year terms:

- Elizabeth Comfort (term, 2025-2028)
- Elijah Dickson (term, 2024-2027)
- Mike McBride (term, 2023-2026)
- Brian Keyser (2024-2027)
- *Vacant*

FISCAL IMPACT

None

ATTACHMENTS

1. Proposed FY2026-2027 Budget Calendar



CHEHALEM PARK AND RECREATION DISTRICT 2026-2027 BUDGET CALENDAR

December 4, 2025	Appoint Budget Officer and Adopt Budget Calendar
January 22, 2026	Appoint Budget Committee Members
March 12, 2026	Budget Committee Work Session
March 19, 2026	Publish First Notice of Budget Committee Meeting <i>Must occur no more than 30 days before meeting.</i>
April 2, 2026	Publish Second Notice of Budget Committee Meeting <i>Must occur at least 5 days before the meeting, or post online at least 10 days before the meeting.</i>
March 31, 2026	Publication of Proposed Budget
April 7, 2026	Budget Committee Meeting
April 8-10, 2026	Additional Budget Committee Meeting(s), to be held only if needed
April 20, 2026	Publish Budget Summary and Notice of Budget Hearing <i>Must occur 5 to 30 days before hearing.</i>
May 7, 2026	Budget Hearing at 6 p.m. at 125 S Elliott Road, Newberg within the Administrative Building
May 28, 2026	Board meeting to Enact Resolutions to Adopt Budget, Make Appropriations, and Impose and Categorize Taxes <i>Must occur on or before June 30.</i>
July 3, 2026	Submit tax certification documents to Yamhill County Assessor <i>Must occur before July 15.</i>
September 1, 2026	Submit copy of complete budget document to Yamhill County Clerk <i>Must occur before September 30.</i>





Board Letter

Hearing Date: December 4, 2025

Staff: Clay Downing, Superintendent

Subject: Discussion and Policy Direction for District
Purchasing Authority and Thresholds

Order on Agenda: Action Items

RECOMMENDATION

1. Discuss Chehalem Park and Recreation District's existing purchasing authority and thresholds and consider policy alternatives that balance Board review and oversight, public transparency, and efficient public contracting activities; and
2. Make a motion providing policy direction to staff for desired changes to Chehalem Park and Recreation District's purchasing authority and thresholds.

DISCUSSION

It is recommended that your Board discuss and consider modifications to the District's purchasing policy (Attachment 1). Specifically, it is recommended that your Board provide direction regarding procurement thresholds which balance the Board's need for review and oversight, public transparency, and the ability of District staff to conduct purchasing and public contracting with reasonable expediency. For the purposes of this discussion:

- "Purchasing authority" refers to the authority and delegation of authority to designated individuals responsible for overseeing public contracting and purchasing including the granting of purchasing authority to staff by the District's Board of Directors which serves as the Local Contract Review Board pursuant to Oregon Public Contracting Code including, but not limited to, Oregon Revised Statutes (ORS) Chapters 279A, 279B, and 279C.
- "Purchasing authority thresholds" or "thresholds" refer to the maximum signing authority assigned to designated individuals by the District's Board of Directors which serves as the Local Contract Review Board.

Staff have provided a review of purchasing policies from other local government entities (Attachment 2) which provides additional information related to purchasing authority and corresponding thresholds. Further, excerpts of purchasing policies from Tualatin Hills Park and Recreation District, Willamalane Park and Recreation District, City of Newberg, and Yamhill County are provided as Attachments 3, 4, 5, and 6.

Your Board's most recent action with respect to purchasing authority occurred in 1998 with the adoption of a resolution (Attachment 1) which states that all purchases greater than \$10,000 require review and authorization by CPRD's Board of Directors. It is the opinion of staff following review of the policies of other local government entities, that CPRD's purchasing policies merit review and discussion.

Initial Staff Recommendation for Purchasing Policy Modification

Following initial review, and prior to open discussion with your Board, staff feels that the following changes are needed:

1. A clear purchasing policy(ies) is needed and would be appropriate for inclusion in the District's Employee Handbook which lacks such guidance at this time.
2. A policy on purchasing authority is recommended which differentiates purchasing authority by employee position. At this time, differentiating signing authority by Board, Superintendent, Division Supervisor, and Program or Department Coordinator is recommended.
3. A future purchasing policy(ies) should include not just signing authority for new contracts and procurements, but thresholds for contract amendments as well.
4. A future purchasing policy(ies) should include clear thresholds, and the initial recommendation of staff is provided in Table 1 below:

Table 1. Initial Staff Recommendation for Purchasing Authority Thresholds

Procurement Type	Purchasing Authority Thresholds	Contract Amendment Thresholds	Approval & Signing Authority
Small procurements pursuant to ORS 279B.065 and OAR 137-047-0265	Does not exceed \$2,000	None	Program or Department Coordinator
	Does not exceed \$10,000	Cumulative amendments not to exceed 110% of the original contract price or \$11,000 whichever is greater. Exceedance requires Superintendent approval.	Division Supervisor and above
	Does not exceed \$25,000	Cumulative amendments not to exceed 110% of the original contract price or \$27,500 whichever is greater.	Superintendent
Intermediate procurements pursuant to ORS 279B.070 and OAR 137-047-0270	Greater than \$25,00 but does not exceed \$50,000	Cumulative amendment not to exceed 110% of original contract value or \$55,000 whichever is less. Exceedance requires Board approval.	Superintendent
	Greater than \$50,00 but does not exceed \$150,000	Cumulative amendment not to exceed 110% of original contract value or \$165,000 whichever is less. Exceedance requires Board approval.	Board of Directors
	Greater than \$150,000 but does not exceed \$250,000	Cumulative amendments may not to exceed \$250,000 or 110% of original contract value, whichever is greater. Board approval required unless Board has specifically delegated.	Board of Directors
Other procurements including competitive sealed bids or proposals pursuant to ORS	Greater than \$250,000	Board approval required unless Board has specifically delegated.	Board of Directors



Table 1. Initial Staff Recommendation for Purchasing Authority Thresholds

Procurement Type	Purchasing Authority Thresholds	Contract Amendment Thresholds	Approval & Signing Authority
279B.055 or 279B.060 and OAR 137-047-0255, -0257, -0260, -0261,			

FISCAL IMPACT

No impact.

ATTACHMENTS

1. Resolution 1998-00 Related to Existing CPRD Purchasing Policy
2. Review of Purchasing Authority Policies
3. Tualatin Hills Park and Recreation District Purchasing Policy Excerpt
4. Willamalane Park and Recreation District Purchasing Policy Excerpt
5. City of Newberg Purchasing Policy Excerpt
6. Yamhill County Purchasing Policy Excerpt

RESOLUTION

Resolution changing amounts for quotes and bids

WHEREAS, the Board of Directors for Chehalem Park and Recreation District requires that all purchases of goods or services in or over the amount of \$500.00 must have 3 written quotes received and approved by the Board of Directors,

WHEREAS, any purchases of goods or services in or over the amount of \$10,000.00 must go through formal bid process, and be approved by the Board of Directors.

NOW THEREFORE BE IT RESOLVED, that purchases of goods in or over the amount of \$2,500.00 will require 3 written quotes to be received and goods in or over the amount of \$25,000.00 must go through the formal bid process.

ADOPTED, by the Board of Directors of Chehalem Park and Recreation District this 24th day of September, 1998.


Secretary, Darlene Andreas


President, Don Waddell

RESOLUTION ESTABLISHING BOARD OF DIRECTORS AS CONTRACT REVIEW BOARD

WHEREAS, the 1983 Oregon Legislative Session passed Senate Bill 190 abolishing the State Public Contract Review Board, and

WHEREAS, contracting rules and procedures were in existence at the time of abolishment, and

WHEREAS, Senate Bill 190 requires local governments to become their own Contract Review Boards or contract with another governmental agency for those services

NOW THEREFORE BE IT RESOLVED that

1. The Board of Directors of the Chehalem Park and Recreation District are hereby established as the Public Contract Review Board for the Chehalem Park and Recreation District.
2. The District will follow the administrative rules of the State Public Contract Review Board as they existed on June 30, 1983.

Adopted May 17, 1984

Review of Purchasing Authority Policies

I. Overview

This summary reviews policy samples from local government entities in Oregon, shares purchasing authority thresholds, and provides additional details regarding purchasing policies with a focus on purchasing authority. The objective of this review is to provide the Chehalem Park and Recreation District's (CPRD) Board of Directors with information that will balance the District's need for Board review and oversight, public transparency, and the ability of District staff to conduct public contracting with reasonable expediency.

The most recent CPRD Board of Directors' action relating to purchasing authority was the adoption of a resolution in 1998 which states that all purchases greater than \$10,000 require review and authorization by CPRD's Board of Directors.

Park and recreation districts in Oregon, like other types of special districts, must adhere to public contracting requirements governed by Oregon's Public Contracting Code which is within Oregon Revised Statutes (ORS) 279A, 279B, and 279C. Additionally, local governments including special districts must adhere to administrative rules including those within Oregon Administrative Rules' (OAR) Chapter 125 (Divisions 246 - 249) and Chapter 137 (Division 45 - 49). Table 1 highlights the ORS chapters and OAR divisions relating to public contracting. As part of the ORS and OAR requirements, special districts such as CPRD undertake required purchasing processes when undergoing various public contracting and procurement activities

Table 1. ORS and OAR Public Contracting Provision References

ORS Chapters Related to Public Contracting	OAR Divisions Related to Public Contracting
279. Public Contracting – Miscellaneous Provisions	125.246. General Provisions for Public Contracting
279A. Public Contracting – General Provisions	125.247. Public Procurement of Supplies and Services
279B. Public Contracting – Public Procurements	125.248. Consultant Selection: Architectural, Engineering, Land Surveying Services and related Services Contracts
279C. Public Contracting – Public Improvements and Related Contracts	125.249. General Provisions related to Public Contracts for Construction Services
	137.45. Review of Public Contracts
	137.46. Model Rules General Provisions Related to Public Contracting
	137.47. Model Rules Public Procurements for Goods and Services
	137.48. Model Rules Consultant Selection: Architectural, Engineering and Land Surveying Services and Related Services Contracts
	137.49. Model Rules General Provisions Related to Public Contracts for Construction Services

such as those for small procurements, intermediate procurements, direct or sole source purchasing, special procurements, emergency procurements, and procurement via competitive sealed bids.

Although these requirements establish the processes that the District must adhere to in procurement and contracting, they provide only limited levels of detail with respect to the District's purchasing authority. Because the District has not specified otherwise, the District's Board of Directors is considered the *local contract review board* pursuant to ORS 279A.060. These requirements do not establish purchasing authority thresholds beyond the local contract review board. As such, the District must determine the purchasing authority and corresponding thresholds for procurement when delegated to individuals within the organization.

II. Key Definitions

For the purposes of this review:

- "Purchasing authority" refers to the authority and delegation of authority to designated individuals responsible for overseeing public contracting and purchasing including the granting of purchasing authority to staff by the District's Board of Directors which serves as the local contract review board pursuant to Oregon Public Contracting Code including, but not limited to, Oregon Revised Statutes (ORS) Chapters 279A, 279B, and 279C.
- "Purchasing authority thresholds" or "thresholds" refer to the maximum signing authority assigned to designated individuals by the District's Board of Directors which serves as the local contract review board.

The following definitions are provided to create a foundation of understanding relating to public contracting and purchasing conducted by CPRD:

- "Local contract review board" means a local contract review board described in ORS 279A.060 (Local contract review boards). (ORS 279A.010)
 - If the governing body of a local contracting agency takes no action to provide otherwise, the governing body is the local contract review board of that local contracting agency. However, the governing body of a local contracting agency may, by charter, ordinance or other local legislation, authorize a body, board or commission other than the governing body to serve as the local contract review board of the local contracting agency. The governing body of a local contracting agency also may enter into intergovernmental agreements under ORS chapter 190 to permit the local contract review board of another local contracting agency or the Director of the Oregon Department of Administrative Services to exercise authority under ORS 279B.085 (Special procurements). (ORS 279A.060)
- "Goods and services" or "goods or services" includes combinations of any of the items identified in the definitions of "goods" and "services." (ORS 279A.010)
 - "Goods" includes supplies, equipment, materials, personal property, including any tangible, intangible and intellectual property and rights and licenses in relation thereto, and combinations of any of the items identified in this paragraph. (ORS 279A.010)
- "Procurement" means the act of purchasing, leasing, renting or otherwise acquiring goods or services. "Procurement" includes each function and procedure undertaken or required to be

undertaken by a contracting agency to enter into a public contract, administer a public contract and obtain the performance of a public contract under the Public Contracting Code. (ORS 279A.010)

- “Procurement, Intermediate” (ORS 279B.070)

(1) A contracting agency may award a public contract for goods or services that exceeds a contract price of \$25,000, but does not exceed a contract price of \$250,000, as provided in subsection (4) of this section. A contract awarded under this section may be amended to exceed \$250,000 only in accordance with rules adopted under ORS 279A.065 (Model rules generally).

(2) A state contracting agency that awards a public contract with a contract price of \$10,000 or more using a method permitted under this section shall document in the state contracting agency’s procurement file the actions the state contracting agency takes to:

- (a) Comply with ORS 200.035 (Notice to Governor’s Policy Advisor for Economic and Business Equity); and

- (b) Invite to participate in the procurement qualified businesses or enterprises that the Certification Office for Business Inclusion and Diversity certifies under ORS 200.055 (Certification as disadvantaged business enterprise, minority-owned business, woman-owned business, veteran-owned business or emerging small business).

A contracting agency may not artificially divide or fragment a procurement so as to constitute an intermediate procurement under this section.

When conducting an intermediate procurement, a contracting agency shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective contractors. The contracting agency shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the contracting agency shall make a written record of the effort the contracting agency makes to obtain the quotes or proposals.

If a contracting agency awards a public contract, the contracting agency shall award the public contract to the offeror whose quote or proposal will best serve the interests of the contracting agency, taking into account price as well as considerations including, but not limited to, experience, expertise, product functionality, suitability for a particular purpose and contractor responsibility under ORS 279B.110 (Responsibility of bidders and proposers). [2003 c.794 §54; 2013 c.66 §2; 2023 c.127 §2]

- “Procurement, Small” (ORS 279B.065)

(1) A contracting agency may award a public contract for goods or services that does not exceed a contract price of \$25,000 in any manner the contracting agency deems practical or convenient, including by direct selection or award. A contract awarded

under this section may be amended to exceed \$25,000 only in accordance with rules adopted under ORS 279A.065 (Model rules generally).

(2) A state contracting agency that awards a public contract with a contract price of \$10,000 or more using a method permitted under this section shall document in the state contracting agency's procurement file the actions the state contracting agency takes to:

(a) Comply with ORS 200.035 (Notice to Governor's Policy Advisor for Economic and Business Equity); and

(b) Consider for the procurement businesses or enterprises that the Certification Office for Business Inclusion and Diversity certifies under ORS 200.055 (Certification as disadvantaged business enterprise, minority-owned business, woman-owned business, veteran-owned business or emerging small business).

(3) A contracting agency may not artificially divide or fragment a procurement so as to constitute a small procurement under this section. [2003 c.794 §53; 2005 c.64 §1; 2005 c.103 §8b; 2013 c.66 §1; 2023 c.127 §1]

○ "Procurement, Sole-source" (ORS 279B.075)

(1) A contracting agency may award a contract for goods or services without competition if the Director of the Oregon Department of Administrative Services, a local contract review board, a state contracting agency, if the state contracting agency has procurement authority under ORS 279A.050 (Procurement authority), the State Chief Information Officer, with respect to goods or services described in subsection (2)(b) of this section and if the director has delegated the necessary authority to the State Chief Information Officer, or a person designated in writing by the director, board or state contracting agency with procurement authority under ORS 279A.050 (Procurement authority), determines in writing, in accordance with rules adopted under ORS 279A.065 (Model rules generally), that the goods or services, or class of goods or services, are available from only one source.

(2) The determination of a sole source must be based on written findings that may include:

(a) That the efficient utilization of existing goods requires acquiring compatible goods or services;

(b) That the goods or services required to exchange software or data with other public or private agencies are available from only one source;

(c) That the goods or services are for use in a pilot or an experimental project; or

(d) Other findings that support the conclusion that the goods or services are available from only one source.

(3) To the extent reasonably practical, the contracting agency shall negotiate with the sole source to obtain contract terms that are advantageous to the contracting agency. [2003 c.794 §55; 2005 c.103 §8c; 2015 c.807 §24]

- “Public contract” means 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. (ORS 279A.010)
- “Personal Services” means the services of a person or persons that are designated by a state contracting agency with procurement authority under ORS 279A.050 (Procurement authority) or a local contracting agency as personal services. “Personal services” includes architectural, engineering, photogrammetric mapping, transportation planning or land surveying services procured under ORS 279C.105 (Contracts for architectural, engineering, photogrammetric mapping, transportation planning or land surveying and related services) or 279C.110 (Selection procedures for consultants to provide services) and related services procured under ORS 279C.120 (Selection procedure for related services). (ORS 279C.100)

III. Comparison of Sample Jurisdictions

A. Tualatin Hills Park and Recreation District

Tualatin Hills Park and Recreation District’s (THPRD) purchasing policy includes – among other details – purchasing responsibilities, authority, and prohibitions. Table 2 below provides a summary of the policy’s purchasing authority roles and thresholds which allow:

Table 2. THPRD Purchasing Authority Summary

Roles	Authorized to encumber up to:
Employees	\$1,000
Coordinators, Specialists and Planners	\$5,000
Center supervisors & maintenance supervisors	\$10,000
Managers and executive assistant to the general manager	\$15,000
General manager, directors, and designees	\$300,000+
Board of Directors	\$300,000+

From a policy context, the THPRD purchasing policy also creates clear purchasing responsibilities, stating:

“An employee of THPRD, in placing department orders or making a commitment to purchase in the name of THPRD, is responsible for the following:

Propriety - The purchase is a proper one; the goods or services are necessary to conduct the activities of the department or division in fulfillment of its programs

Legality - The purchase complies with all applicable district, state, or federal laws, rules, or regulations

Policy Compliance - The purchase is consistent with policies and established practices of THPRD

Fair Price - A definite price or basis for change must be established at the time of the purchase and must be a fair and reasonable price to pay for the goods or services to be provided in accordance with current market conditions

Fair Competition - Adequate efforts have been made to assure that all vendors competing for THPRD's business have had a fair and equitable opportunity."

B. Willamalane Park and Recreation District

Willamalane Park and Recreation District's (WPRD) purchasing policies include details for procurement types, award thresholds, amendments thresholds for contracts and procurements, and role-based approval authorities. Additionally, the policy specifies instances for use of purchasing thresholds using definitions consistent with Oregon procurement definitions. Table 3 below provides a summary of details from the policy:

Table 3. WPRD Purchasing Authority Policy Summary

Procurement Type	Contract Award Thresholds	Contract Amendment Thresholds	Approval Authority
Small procurements pursuant to ORS 279B.065 and OAR 137-047-0265	Does not exceed \$25,000	Cumulative amendments not to exceed 125% of the original contract price or \$31,250 whichever is greater.	Executive Director
Intermediate procurements pursuant to ORS 279B.070 and OAR 137-047-0270	Greater than \$25,00 but does not exceed \$150,000	Cumulative amendment not to exceed 125% of original contract value or \$187,500 whichever is less. Exceedance requires Board approval.	Executive Director
Intermediate procurements pursuant to ORS 279B.070 and OAR 137-047-0270	Greater than \$150,000 but does not exceed \$250,000	Cumulative amendments may not to exceed \$250,000 or 125% of original contract value, whichever is greater. Board approval required unless Board has specifically delegated	Board of Directors
Competitive sealed bids or proposals pursuant to ORS 279B.055 or 279B.060 and OAR 137-047-0255, -0257, -0260, -0261,	Greater than \$250,000	Board approval required unless Board has specifically delegated	Board of Directors

The above purchasing authority and thresholds are further clarified in the WPRD Purchasing Procedures policy which identifies signature authority for the Executive Director (\$150,000 and 125% of original contract value up to \$187,500), Chief Financial Officer (\$50,000), Finance Manager (\$50,000), Division Directors and Directors (\$25,000), Manager and Program Managers (\$5,000), and other Supervisors not otherwise identified (\$1,500).

C. City of Newberg

The City of Newberg's purchasing policies include details related to purchasing authority thresholds, purchases processes with differentiation between *Goods and Services* and *Personal Services*, approval authority, and required documentation. In comparison with the other policies reviewed, the method by which the City of Newberg differentiates purchasing authority between *Goods and Services* and *Personal Services* (*Actuaries, Financial Advisors, Legal Counsel, Interpreters, etc*) is unique. Table 4 below provides a summary of details from the City's policies:

Table 4. City of Newberg Purchasing Authority Policy Summary

Purchasing Threshold	Process	Type of Purchase	Signing Authority	Required Documentation
\$0 up to \$999	Direct Purchase	Goods and Services	Department Head or Department Head's designee	None
\$1,000 up to \$9,999	Small Procurements		(\$100,000)	Basis of selection and/or documentation of verbal quotes
\$10,000 up to \$149,000	Intermediate Procurements		Department Head (up to \$50,000); City Manager (up to \$100,000); or City Council	Written quotes
\$150,000 and above	Large Procurements		City Council	Formal solicitation documents
Pursuant to Personal Services Rules \$0 - \$9,999 or \$10,000 - \$75,000	Direct Selection	Personal Services (Actuaries, Financial Advisors, Legal Counsel, Interpreters, etc)	Department Head	Basis of selection and/or documentation of quotes
\$0 - \$9,999 or \$10,000 - \$149,999	Informal Solicitation		City Manager	Written quotes
\$150,000 and above	Formal Solicitation		City Council	Formal solicitation documents

D. Yamhill County

Yamhill County's purchasing policy provides purchasing authority thresholds by process including within sole-source procurements, small procurements, intermediate procurements, competitive sealed bidding and proposals, multistep sealed bids, multiple-tiered and multistep proposals, emergency procurements, special procurements, and cooperative procurements. Table 5 provides a summary of general contract signing authority:

Table 5. Yamhill County Purchasing Authority Policy Summary

Purchasing Threshold	Signing Authority
Not to exceed \$10,000	County Department Head
\$10,000 up to \$100,000	County Administrator
\$100,000 and above	County Commission

IV. Initial Recommendation

A. Current CPRD Purchasing Policy

On September 24, 1998, CPRD's Board of Directors adopted a resolution which updated its purchasing policy including updates to purchasing authority and procedures for quotes and bids. This resolution is the most recent update to CPRD's purchasing authority and thresholds stating that "any purchases of goods or services in or over the amount of \$10,000.00 must go through formal bid process, and be approved by the Board of Directors."

B. Staff recommended concept for updated Purchasing Policy

Table 6 provides a summary recommendation from staff based on review of purchasing policies in use by local governments and park and recreation districts within the region. Further, should this or an amended version of Table 6 be adopted by CPRD's Board of Directors, it is recommend that such an amendment occur within the District's Employee Handbook to ensure that the policy is available and understood throughout the organization.

Table 6. Initial Recommendation for Purchasing Authority Thresholds

Procurement Type	Contract Award Thresholds	Contract Amendment Thresholds	Approval Authority
Small procurements pursuant to ORS 279B.065 and OAR 137-047-0265	Does not exceed \$2,000	None	Program or Department Coordinator
	Does not exceed \$10,000	Cumulative amendments not to exceed 110% of the original contract price or \$11,000 whichever is greater. Exceedance requires Superintendent approval.	Division Supervisor and above
	Does not exceed \$25,000	Cumulative amendments not to exceed 110% of the original contract price or \$27,500 whichever is greater.	Superintendent
Intermediate procurements pursuant to ORS 279B.070 and OAR 137-047-0270	Greater than \$25,00 but does not exceed \$50,000	Cumulative amendment not to exceed 110% of original contract value or \$55,000 whichever is less. Exceedance requires Board approval.	Superintendent
	Greater than \$50,00 but does not exceed \$150,000	Cumulative amendment not to exceed 110% of original contract value or \$165,000 whichever is less. Exceedance requires Board approval.	Board of Directors
Intermediate procurements pursuant to ORS 279B.070 and OAR 137-047-0270	Greater than \$150,000 but does not exceed \$250,000	Cumulative amendments may not to exceed \$250,000 or 110% of original contract value, whichever is greater.	Board of Directors

		Board approval required unless Board has specifically delegated	
Other procurements including competitive sealed bids or proposals pursuant to ORS 279B.055 or 279B.060 and OAR 137-047-0255, -0257, -0260, -0261,	Greater than \$250,000	Board approval required unless Board has specifically delegated	Board of Directors

Date: June 13, 2024

Supersedes Policy: 2.02.02, 2.02.03, 2.02.04 A&B,
2.02.05, 2.02.06, 2.02.08, 2.02.11, 2.02.12, 2.02.13
Implemented by: Jared Isaksen

Adopted by: Doug Menke

General Manager

Signature: 
Date: June 13, 2024

Director of Finance

Signature: 
Date: June 13, 2024

Tualatin Hills Park & Recreation District – Procurement Procedures

The following procurement procedures have been developed to align with District Compiled Policies (DCP) chapter 5 adopted December 13, 2023. The procedures apply to all contracting, purchasing, and disposing of surplus property by Tualatin Hills Park & Recreation District (THPRD). Procedures will be enacted to ensure compliance with board of directors' policies.

Procurement Procedures Table of Contents:

Category:	Page
Purchasing Authority	2
Expenditure	4
Procurement Methods at THPRD	7
Requisition and Purchase Order	11
Business Inclusion and Diversity	15
Corporate Responsibility Evaluation Criterion	17
Sustainable Purchasing	19
Purchasing of Goods or Services	22
Personal Services and Related A&E Services	28
Public Improvements	34
A&E (Construction-Related) Service Contracts	39
Emergency Procurements	45
Disposal of Surplus Property	47
Purchasing Card Program	48
Purchasing Card Duties and Responsibilities	53
Oregon Administrative Rules (OARs)	56

Purchasing Authority

Purpose

The overall purpose of this policy is to ensure that needed goods and services are obtained in a timely manner with proper authorization, at the lowest prices possible, consistent with acceptable quality standards, meeting district goals to be equitable, sustainable and inclusive, and within the requirements of public purchasing laws. This policy addresses only the authority to make purchases in the regular course of THPRD business.

Policy

The general manager or designee is responsible for and has authority over all purchasing activity of THPRD. This policy addresses the budget authority to encumber THPRD funds, and does not apply to check requests, which are addressed in [Expenditure](#).

Topic	Description																		
Purchasing responsibilities	An employee of THPRD, in placing department orders or making a commitment to purchase in the name of THPRD, is responsible for the following: Propriety - The purchase is a proper one; the goods or services are necessary to conduct the activities of the department or division in fulfillment of its programs Legality - The purchase complies with all applicable district, state, or federal laws, rules, or regulations Policy Compliance - The purchase is consistent with policies and established practices of THPRD Fair Price - A definite price or basis for change must be established at the time of the purchase and must be a fair and reasonable price to pay for the goods or services to be provided in accordance with current market conditions Fair Competition - Adequate efforts have been made to assure that all vendors competing for THPRD's business have had a fair and equitable opportunity																		
Purchasing authority	Purchasing authority addresses authorization to encumber THPRD funds and also verifies that procedures are followed to authorize the transaction. The item or contract contemplated for purchase must be funded in the current adopted budget (including budget transfers and supplemental budget adoptions) or identified as contingent upon adoption of the upcoming budget. All purchases must be pre-authorized and documented. <table border="1" data-bbox="453 997 1495 1438"> <thead> <tr> <th colspan="2">Purchasing Authority</th></tr> <tr> <th>Staff members & positions:</th><th>Authorized to encumber up to:</th></tr> </thead> <tbody> <tr> <td>Employees</td><td>\$1,000</td></tr> <tr> <td>Coordinators, Specialists and Planners</td><td>\$5,000</td></tr> <tr> <td>Center supervisors & Maintenance supervisors</td><td>\$10,000</td></tr> <tr> <td>Managers & executive assistant to general manager</td><td>\$15,000</td></tr> <tr> <td>General manager, directors, and designees</td><td>\$300,000*</td></tr> <tr> <td>Board of directors</td><td>\$300,000+</td></tr> <tr> <td colspan="2">*P-cards in this grouping will have a single transaction limit maximum of \$25,000</td></tr> </tbody> </table> Abuse of this authority may result in revocation of this authority, along with disciplinary action.	Purchasing Authority		Staff members & positions:	Authorized to encumber up to:	Employees	\$1,000	Coordinators, Specialists and Planners	\$5,000	Center supervisors & Maintenance supervisors	\$10,000	Managers & executive assistant to general manager	\$15,000	General manager, directors, and designees	\$300,000*	Board of directors	\$300,000+	*P-cards in this grouping will have a single transaction limit maximum of \$25,000	
Purchasing Authority																			
Staff members & positions:	Authorized to encumber up to:																		
Employees	\$1,000																		
Coordinators, Specialists and Planners	\$5,000																		
Center supervisors & Maintenance supervisors	\$10,000																		
Managers & executive assistant to general manager	\$15,000																		
General manager, directors, and designees	\$300,000*																		
Board of directors	\$300,000+																		
*P-cards in this grouping will have a single transaction limit maximum of \$25,000																			
Purchasing prohibitions	- No THPRD employee shall use THPRD funds to purchase gift cards, unless purchased for public outreach or non-employee facilitators (not for employees) - No public official shall use their official position or office to obtain personal financial gain, other than official salary, honoraria, or reimbursement of expenses. Personal financial gain also applies to any member of the household of the public official, or any business with which the public official or a member of the household of the public official is associated - Public Contracts entered into by individuals not designated as authorized herein will be voidable at the sole discretion of THPRD. THPRD may take appropriate action in response to execution of Contracts contrary to this provision. Such actions include, but are not limited to, providing educational guidance, imposing disciplinary measures, and/or holding individuals personally liable for such contracts																		

Purchasing Policy

FIN-02 | Policy No.
03/13/2024 | Last Review
03/13/2024 | Board Adopted

INTRODUCTION

This Purchasing Policy guides procuring goods and services per Oregon law and other regulatory requirements and in a fair and equitable manner for all, while remaining fiscally responsible to its taxpayers. District employees should exercise good judgment, regard for economy and sustainability, and recognition of proper use of public monies while incurring expenses in connection with District business.

SCOPE

This policy applies to all Willamalane Park and Recreation District (the District) staff.

POLICY STATEMENT

In addition to the Oregon Public Contracting Code (ORS Chapter 279A – C), Willamalane has adopted as its public contracting rules the Attorney General's Model Public Contracting Rules, Oregon Administrative Rules (OAR) Chapter 137, Divisions 45 through 49. In case of ambiguity, the following administrative rules may be used further to interpret the District's Purchasing Policy and procedures:

- OAR Chapter 137, Divisions 45 and 46
- OAR Chapter 137, Division 47 (Goods and Services)
- OAR Chapter 137, Division 48 (Professional Services)
- OAR Chapter 137, Division 49 (Public Contracts for Construction Services)

The associated procedural guidelines are intended to provide clear direction to District personnel for bidding and purchasing procedures for the District. When grant funding is part of the purchase, the grant agreement frequently includes terms concerning purchasing goods or services. District personnel must ensure compliance with all terms of the grant agreement and this Purchasing Policy.

1. Contract Review Board and Contracting Agency

The Willamalane Park and Recreation District Board of Directors (the Board) is designated as the local Contract Review Board under the Public Contracting Code and Model Rules. The Contract Review Board may occasionally delegate its powers and responsibilities consistent with the Public Contracting Code, Model Rules, and this Purchasing Policy. Except as otherwise

Purchasing Policy

FIN-02 | Policy No.

03/13/2024 | Last Review

03/13/2024 | Board Adopted

provided in this Purchasing Policy, the powers and duties of the Contract Review Board, under the Public Contracting Code and Model Rules, shall be exercised and performed by the Board.

2. Executive Director Delegated Authority

Pursuant to the limitations set forth herein, the Executive Director is designated as the District's Contracting Agency for contracting powers and duties assigned to the District as a Contracting Agency under the Public Contracting Code or Model Rules.

The Contract Review Board hereby delegates to the Executive Director the authority and responsibility to approve, negotiate, and execute contracts that do not exceed \$150,000. Further, the Contract Review Board hereby delegates to the Executive Director the authority and responsibility to approve, negotiate, and execute contract amendments that do not increase the total contract price to greater than 125% of the original contract value, but only so long as the total contract value does not exceed \$187,500.

In the event of an Emergency, as defined in ORS 279A.010(1)(f), the Contract Review Board hereby delegates authority to the Executive Director to declare such Emergency and to make Emergency procurements. Such delegation of authority to the Executive Director is not subject to the \$150,000 delegated authority limit noted above. The Executive Director shall promptly notify the Contract Review Board of any declaration of emergency and emergency procurements.

To implement this Purchasing Policy, the Executive Director is authorized to perform all acts necessary, including but not limited to establishing purchase authorization levels for employees. Where Executive Director is used in this Purchasing Policy, it means Executive Director or designee.

3. Personal Services Contracts

"Personal Services" means services that require specialized technical, creative, professional, or communication skills or talents, unique or specialized knowledge, or the exercise of discretionary judgment, and for which the quality of service depends on attributes that are unique to the service provider. Such services shall include, but are not limited to: accountants, attorneys, auditors and other licensed professionals, computer programmers, artists, graphic designers, performers, and consultants.

Purchasing Policy

FIN-02 | Policy No.

03/13/2024 | Last Review

03/13/2024 | Board Adopted

Contracts for “architectural, engineering, photogrammetric mapping, transportation planning or land surveying services” are generally referred to as “Professional Services” and are subject to the requirements of ORS Ch. 279C and OAR Chapter 137, Division 048. Likewise, contracts for “Related Services” as defined in ORS 279C.100 (8) are subject to the requirements of ORS Ch. 279C and OAR Chapter 137, Division 048.

Pursuant to ORS 279A.055 and 279A.070, these procedures constitute the Contract Review Board’s procedures for screening and selecting Personal Services contracts. Unless an exemption outlined in Section 3(e) applies, the following methods of procuring a Personal Services contract shall be used:

- a) For contracts that do not exceed \$25,000, the Executive Director may award the contract as a small procurement under ORS 279B.065 and OAR 137-047-0265.
- b) For contracts that exceed \$25,000 but do not exceed \$150,000, the Executive Director may award the contract as an intermediate procurement under ORS 279B.070 and OAR 137-047-0270.
- c) For contracts that exceed \$150,000 but do not exceed \$250,000, the Board may award the contract as an intermediate procurement under ORS 279B.070 and OAR 137-047-0270.
- d) For contracts that exceed \$250,000, the requirements for competitive sealed bids or proposals in ORS 279B.055 or 279B.060 and OAR 137-047-0255, 0257, 0260 to 0261, as applicable, must be satisfied. The Board must award all contracts that exceed \$250,000.
- e) When applicable and in the District's best interest, the District may procure a Personal Services contract through one of the exemptions set forth herein. The requirements of ORS 279B.135 regarding Notice of Intent to Award a contract do not apply to Personal Services contracts procured under an exemption in Section 3(e). Personal Services contracts entered under Section 3(e) and estimated at or exceeding \$150,000 shall be presented to the Board for approval.

Purchasing Policy

FIN-02 | Policy No.

03/13/2024 | Last Review

03/13/2024 | Board Adopted

- i. Sole Source. If only one individual or firm is qualified and available to perform a Personal Services contract, a contract may be awarded to that individual or firm without competition. The requirements of ORS 279B.075 do not apply.
 - ii. Unique or Specialized Knowledge. A Personal Services contract may be awarded without competition if the contractor has unique or specialized knowledge or expertise required by the District, and soliciting informal or formal proposals from others would not be in the District's best interests.
 - iii. Emergency. A Personal Services contract may be awarded without competition if prompt execution of a contract is necessary in an "Emergency," as that term is defined in ORS 279A.010 (1)(f).
- f) A pool of prospective proposers may be established for a particular type of Personal Services contract by soliciting statements of qualification from individuals or firms that may be qualified to perform those particular Personal Services pursuant to ORS 279B.120 and corresponding statutes and administrative rules.
- g) Notwithstanding the requirements in Section 3, contracts for Personal Services may be awarded through cooperative procurements, pursuant to ORS 279A.200 through 279A.225 and OAR 137-046-0400 through 137-046-0480.
- h) Section 3(h) governs protests regarding the award of a Personal Services contract:
- i. An Affected Person may protest the award of a Personal Services contract, or a notice of intent to award a Personal Services contract, whichever comes first. Before seeking judicial review of the award of a Personal Services contract, an Affected Person must file a Written protest with the District and exhaust all administrative remedies in accordance with the requirements of Oregon law.
 - ii. Unless otherwise specified, an Affected Person must deliver a Written protest to the District within seven (7) days after awarding a Personal Services contract or issuing the notice of intent to award a Personal Services contract, whichever comes first. The Written protest must include those requirements outlined in OAR 137-047-0740. The District shall not consider an Affected Person's protest submitted after the timeline established for submitting such protest.

Purchasing Policy

FIN-02 | Policy No.

03/13/2024 | Last Review

03/13/2024 | Board Adopted

- i) Amendments to a contract for Personal Services must: (a) fall within the scope of the original contract, solicitation, or proposal; (b) be in writing; and (c) meet the requirements outlined in OAR 137-047-0800. Amendments shall not be used to circumvent rules

establishing employee purchase authorization levels. In addition, the following requirements apply for contract amendments:

- i. Amendments to contracts awarded as a small procurement pursuant to Section 3(a) above: The cumulative amendments may not increase the total contract price to greater than 125% of the original contract price or \$31,250. The Executive Director must approve these amendments.

- ii. Amendments to contracts that exceed \$25,000 but do not exceed \$150,000 and are awarded as an intermediate procurement pursuant to Section 3(b) above:

The cumulative amendments may not increase the total contract price to greater than 125% of the original contract value or \$187,500, whichever is less (the Executive Director's limit of delegated authority for contract amendments), or Board approval is required. If Board approval is not required, the amendment must be approved by the Executive Director.

- iii. Amendments to contracts that exceed \$150,000 but do not exceed \$250,000 and are awarded as an intermediate procurement pursuant to Section 3(c), above:

The cumulative amendments may not increase the total contract price to exceed \$250,000 or one hundred twenty-five percent (125%) of the original contract price, whichever is greater, pursuant to the provisions of OAR 137-047-0270. The Board must approve these amendments of Directors unless the Board has delegated authority to the Executive Director in the particular contract award resolution.

- iv. Amendments to contracts that exceed \$250,000 may be amended in accordance with OAR 137-047-0800. The Board must approve these amendments of Directors unless the Board has delegated authority to the Executive Director in the particular contract award resolution.

Purchasing Policy

FIN-02 | Policy No.

03/13/2024 | Last Review

03/13/2024 | Board Adopted

- v. Notwithstanding the requirements in Section 3, amendments to contracts awarded pursuant to one of the exemptions set forth in Section 3(e) must either: (a) fall within the scope of the original contract, solicitation or proposal; or (b) meet one of the bases for an exemption. All amendments must be in writing. The

requirements of OAR 137-047-0800 do not apply. The cumulative amendments may not increase the total contract price to greater than 125% of the original contract value or \$187,500, whichever is less (the Executive Director's limit of delegated authority for contract amendments), or the delegated authority limit outlined in the particular contract award resolution, or Board approval is required. If Board approval is not required, the amendment must be approved by the Executive Director.

POLICY STEWARD & CONTACT

[Chief Financial Officer](#)

PROCEDURES & RELATED DOCUMENTATION (links only)

[Purchasing Procedures](#)

[Oregon Revised Statutes \(ORS\) Chapter 279A-C](#)

[Oregon Administrative Rules \(OAR\) Chapter 137, Divisions 45-49,](#)

POLICY HISTORY

Description	Date
Original policy adopted by the board of directors	7/13/16
Review and updated the policy to reflect current information and adjusted approval levels	1/13/22
Review and approved by the Board	10/12/22
Policy Reviewed by legal counsel to confirm authorization levels	10/25/22
General counsel review re: legislative updates	2/28/24
Review and approved by the Board	3/13/24

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

PROCEDURE

The following Purchasing Procedures are intended to provide clear direction to District employees when entering into Public Contracts on behalf of the District. The following guidelines are more stringent than those adopted as Board policy. All purchases which conform to Board policy shall be legally valid, notwithstanding the fact that they may not comply entirely with these Purchasing Procedures.

When grant funding is part of the purchase, the grant agreement frequently includes terms concerning the purchasing of Goods or Services. District personnel must ensure compliance with all terms of the grant agreement and the District Purchasing Policy.

1. Defined Terms

Defined terms in these Purchasing Procedures are set forth in this Section 1. Capitalized terms used in these Purchasing Procedures but not defined in Section 1 shall have the meanings given to such terms in the Public Contracting Code (ORS Chapter 279A-C) and the Model Rules (OAR Chapter 137, Divisions 45 through 49).

- a) **“Capital Assets”** means land, right-of-way (included with land), buildings, improvements, equipment, and other tangible and intangible assets costing over \$5,000 used in operations that have initial useful lives extending beyond a single reporting period.
- b) **“Change Order”** means a written order authorizing a change in plans, specifications, or quantities within the scope of the original contract.
- c) **“Contract Review Board”** means the Board of Directors for Willamalane Park and Recreation District as provided in the Purchasing Policy.
- d) **“District”** means the Willamalane Park and Recreation District, a political subdivision of the State of Oregon.
- e) **“Operating Purchases”** has the meaning as set forth in Section 4 of these Purchasing Procedures.
- f) **“PO”** means a purchase order.

2. General Purchasing Requirements

District employees may only enter into Public Contracts for the purchase of Goods, Services,

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

Personal Services, Professional Services or services related to Public Improvements (*i.e.* contracts subject to the requirements of the Public Contracting Code and Model Rules) in accordance with the employee's limit of delegated authority, pursuant to Section 3, and the procedures set forth herein.

All contracting by departments shall be according to these Purchasing Procedures. Each department shall plan purchase requirements sufficiently in advance so that orders can be placed in economical quantities.

A Public Contract shall not be artificially divided or fragmented to qualify a contract for a different award procedure than required.

3. Purchase Authorization Levels

Each Director is in charge of their operating budget (excerpted from the annual Adopted, or Amended, Budget) and can assign purchasing responsibilities to any of their staff deemed appropriate. Purchasing staff are trained in and provided access to the Purchasing Policy and this Purchasing Procedure. Purchasing responsibility can be assigned at any employee level (denoted by employee title); however, authorization of purchases is subject to the limits set forth herein:

Employee Title	Signature Authority
Executive Director (and delegated AIC)	\$150,000
Executive Director Contract Amendments	\$125% of original contract value up to \$187,500
Chief Financial Officer	\$50,000
If Signed Contract or Purchase Order: Finance Manager	\$50,000
Division Directors and Directors	\$25,000
Manager and Program Managers	\$5,000
Supervisors not listed above	\$1,500
Any position not listed above	N/A

The purchase authorization levels summary (above) defines the highest dollar amount of purchases that employees are allowed to authorize without the additional authorization of a higher-level supervisor. These authorization limits apply to all purchases regardless of how the purchase is made (*i.e.* check, credit, contract, etc.) excluding utilities bills. Directors can approve utility invoices without purchase orders or the Executive Director's approval.

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

An employee may, at their own discretion, choose to request the authorization of their supervisor on any purchase, even when the purchase is within the employee's authorization level. At a minimum, verbal approval must be obtained from the appropriate level before the purchase is made. Written authorization must then be obtained from the appropriate level before the purchase documentation is forwarded to the Finance Department. Requests for payments sent to the Finance Department without proper authorization will be denied payment and returned to the requesting employee for the employee to obtain their higher-level supervisor approval.

4. Operating Purchases

"Operating Purchases" are defined as purchases that arise from the day-to-day operations of District activities. In general, Operating Purchases are small in value, fairly routine, and do not meet the threshold to require competitive bidding procedures. Some examples include materials and supplies, low risk contracted services, and utilities.

Materials purchases in large quantities should follow public contracting processes as defined in Sections 9 through 11. If an employee is unsure of what category a purchase falls in they should contact their immediate supervisor, the Business Analyst or the Finance Department.

5. Personal Purchases Prohibited

The use of District credit cards, purchase orders, purchase requisitions, petty cash or any other method of committing District resources for the purchase of items and/or services for personal use is expressly prohibited. Any personal use of the District's purchasing resources shall be brought to the attention of the Chief Financial Officer and the employee's Director immediately. This policy will be strictly enforced and will result in appropriate disciplinary action up to and including termination.

6. Requests for Payment

Requests for payment must be documented on paper or digitally in the District Accounting system with the required level of authorization prior to the request being submitted to the Finance Department for payment. Requests for payments sent to the Finance Department without proper authorization, or documentation, will be denied payment and returned to the requesting employee for the employee to obtain necessary approval(s) and/or to provide adequate documentation. All expenditures must be within the limits of the District's adopted or amended budget.

Requests for payment may be submitted to the Finance Department using the following

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

methods:

- a) **Vendor invoice.** The invoice must clearly state:
- i. Who – who was the vendor the purchase was made from?
 - ii. What – what was purchased; how many?
 - iii. Why – what District activity was the purchase made for? This may be evident from invoice description and GL account number assigned by purchaser, but may also require further description.
 - iv. When – when were the Goods or Services received by the District?
 - v. Amount – what was the purchase price of the Goods or Services purchased?
 - vi. The authorizing employee must approve and provide the GL account number for the budget line item the expense will be charged and forward the information with all other documents to Accounts Payable.
- b) **A Purchase Order (PO) or contract for purchases for more than \$5,000 is required.** The PO must clearly state:
- i. Who – who the vendor will be?
 - ii. What – what was purchased; how many?
 - iii. Why – what District activity was the purchase made for? This should include the business purpose.
 - iv. When – when are the Goods or Services to be received by the District?
 - v. Amount – what was the purchase price of the Goods or Services purchased?
 - vi. The GL account number for the budget line item the expense will be charged.
 - vii. Signature of the employee requesting the purchase.
 - viii. Signature of the employee authorizing the purchase.
- Purchasing staff will:
- ix. Ensure PO or contract is complete with all the information using the accounting system to produce the PO and contract templates as much as possible.
 - x. After proper approval, send a copy to the vendor and Accounts Payable if needed.
 - xi. Once the order or contract is satisfied for payment, attach the invoice with proper GL coding, packing slips and any prior quotes or additional information to Accounts Payables for processing.
 - xii. If a PO is issued but not used, purchasing staff shall write “Void” across all copies and give all copies to the staff member in charge of administering POs/PRs.
- c) **Non – Employee Request for Payment.** The Request for Payment form must

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

clearly state:

- i. Who was the vendor for the purchase? Vendor invoice must be attached to the Non-Employee Request for Payment.
- ii. What was purchased; how many?
- iii. What District activity was the purchase made for? This should include the business purpose.
- iv. When were the Goods or Services received by the District?
- v. What was the purchase price of the Goods or Services purchased?
- vi. The properly completed Non-Employee Request for Payment must be accompanied with a vendor invoice showing exactly what services are being paid for.

7. Utilities

A list of all utilities (electric, water, sewer, natural gas, telephone, cell phone plans, garbage) will be maintained by the Finance Department and updated as needed for all new services. Facility managers must authorize any new service added and must review and authorize the monthly utility bills before the bills are submitted to the Finance Department for payment.

8. Contractual Operating Expenditures

Contractual purchases include those that are ongoing in nature, such as cleaning, maintenance, or other regularly scheduled services, and for Services rendered for specific needs. Contractual purchases also include annual Goods and Service requirements contracts. The total dollar amount of the payments during the service period (or contract term) determines whether the purchase is required to be procured under public contracting rules. For example: a cleaning service may have monthly payments of \$500 a month, but the total of the monthly payments would be \$6,000 for the one-year service period.

See Sections 9-11 for purchasing requirements.

9. Public Contracting

The Purchasing Policy adheres to the Public Contracting Rules and Model Rules. The District operates under more stringent rules and procedures outlined in these Purchasing Procedures; however, the District retains the option of operating under the requirements of the Purchasing Policy.

Finance is responsible for reviewing the Public Contracting Rules and Model Rules each year and educating purchasing staff. Purchasing staff are responsible for providing Finance with their contracts for compliance review. Purchasing staff are encouraged to seek the assistance

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

of Finance for soliciting and creating small contracts. Finance will assist in creating the solicitation packet and contract for large contracts based upon the input of the purchasing staff.

Public Contracts can be broken into four broad categories:

- a) **Goods and Services** – “Goods” is defined in ORS 279A.010 (1)(i). Examples of Public Contracts for Goods include contracts for the procurement of equipment, supplies or materials. “Services” is defined in ORS 279A.010 (1)(kk). Examples of Public Contracts for Services include Public Contracts for janitorial, uniform, or portable restrooms services. These are general “services” contracts in that they do not include contracts for Personal Services nor Professional Services.
- b) **Personal Services** – “Personal Services” is defined by the Local Contract Review Board in the Purchasing Policy as “services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment, and for which the quality of the service depends on attributes that are unique to the service provider. Such services shall include but are not limited to: accountants, attorneys, auditors and other licensed professionals, computer programmers, artists, graphic designers, performers, and consultants.”
- c) **Architectural, Engineering and Land Surveying Services and Related Services** – These services are defined in ORS 279C.100(2) and (8) and are often referred to as “Professional Services.” These include services that require architectural, engineering, photogrammetric mapping, transportation planning, land surveying and related services. Qualifications and performance history, expertise, knowledge, creativity and the ability to exercise sound professional judgment are typically the primary considerations when selecting a Professional Services contractor, with price being secondary, although price is permitted as a consideration pursuant to ORS 279C.110.
- d) **Public Improvements** – “Public improvement” is defined in ORS 279A.010 (1)(cc). Generally, this includes projects for construction, reconstruction, or major renovation on real property by or for the District. “Public improvement” does not include emergency work, minor alteration, ordinary repair, or maintenance necessary in order to preserve a public improvement.

It is the District’s policy to require a District-authored contract with any contractor performing work or services on District property regardless of dollar value. Examples of work performed on District property include repairs and maintenance, construction, landscaping, and surveying.

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

All contracts for other than Professional Services that are greater than \$25,000 in value require contracts with a detailed scope of work prior to services commencing by the contractor regardless of where the contractor performs their work.

In general, purchasing staff should consider the following criteria when selecting vendors/contractors for Public Contracts:

- Experienced staff available to perform the services required, including each proposer's recent, current and projected workloads;
- Performance history;
- Approach and philosophy used in providing services;
- Fees or costs; and
- Geographic proximity to the project or the area where the services are to be performed.

10. Public Contracting Guidelines

The summarized information below is meant to provide purchasing staff with simple guidelines in determining the method of soliciting, identifying exceptions, and reviewing and accepting quotes based upon the dollar value of the Public Contract. There are many exceptions to standard procurement methods, such exceptions being set forth in the Public Contracting Code and Model Rules, both of which have been adopted by the Board in the Purchasing Policy. Before any contract is issued it must be reviewed by Finance to ensure compliance with the Purchasing Policy, these Purchasing Procedures, the Public Contracting Code and Model Rules.

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

Goods and Services <i>(Goods and non-Personal or Professional Services)</i>		
Amount	Required Purchasing Process	Amendments
≤\$25,000	Direct purchase – no quotes required See ORS 279B.065 and OAR 137-047-0265	Amendments may not increase contract price to greater than \$31,250, with Executive Director approval.
>\$25,000 to ≤\$150,000	Informal quotes/proposals – Executive Director Approval required See ORS 279B.070 and OAR 137-047-0270	Amendments must not increase total contract price to greater than 125% of the original contract value up to \$187,500 (the Executive Director's limit of delegated authority for contract amendments), with Executive Director approval. Board approval required if amendment increases contract price above \$187,500
>\$150,000 to ≤\$250,000	Informal quotes/proposals – Board Approval required See ORS 279B.070 and OAR 137-047-0270	Amendments must not increase total contract price to greater than \$250,000 or 125% of original contract price, whichever is greater, with Executive Director approval. Board approval required if amendment exceeds Executive Director's delegated authority.
>\$250,000	Competitive Sealed Bids or Proposals – Board Approval required	See OAR 137-047-0800. If requirements are met, requires Executive Director's approval. Board approval required if amendment exceeds Executive Director's delegated authority.

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

Personal Services <i>(Examples: Accountants, attorneys, auditors and other licensed professionals, computer programmers, artists, graphic designers, performers and consultants)</i>		
<i>Same as Goods and Services <u>unless</u> Personal Services procured through an exemption set forth in Section 3(e) of Purchasing Policy</i>		
Amount	Required Purchasing Process	Amendments
Meets an exemption set forth in Section 3(e) of Purchasing Policy	Direct Purchase permitted – Must meet exemption in Section 3 (e) of Purchasing Policy	Amendment must either: (a) fall within scope of original contract, solicitation or proposal; <u>or</u> (b) meet a basis for exemption. Amendments must not increase total contract price to greater than 125% of the original contract value up to \$187,500, (the Executive Director's limit of delegated authority for contract amendments) <u>and</u> require Executive Director approval. Board approval required if amendment increases contract price above \$187,500, or if amendment exceeds Executive Director's delegated authority.

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

Professional Services <i>(Architectural, engineering, photogrammetric mapping, transportation planning or land surveying services)</i>		
Amount	Required Purchasing Process	Amendments
≤\$100,000	Direct purchase permitted – no quotes required, but must comply with requirements of OAR 137-048-0200 (Direct Appointment Procedure) Subsection (2) describes permissible Consultant selection sources See ORS 279C.110 (10) and 279C.115; OAR 137-048-0200	Amendments may not increase total contract price to greater than \$100,000 (the statutory limit for direct appointments), with Executive Director approval.
>\$100,000 to ≤\$150,000	Informal Selection Procedure – Executive Director approval required See OAR 137-048-0210, which has detailed procedural requirements	See OAR 137-048-0320 (Contract Amendments). If requirements are met, requires Executive Director's approval. Board approval required if amendment exceeds Executive Director's delegated authority.
>\$150,000 to ≤\$250,000	Informal Selection Procedure – Board Approval required See OAR 137-048-0210, which has detailed procedural requirements	See OAR 137-048-0320 (Contract Amendments). If requirements are met, requires Executive Director's approval. Board approval required if amendment exceeds Executive Director's delegated authority.
>\$250,000	Formal Solicitation Procedure – Board Approval required See OAR 137-048-0220	See OAR 137-048-0320. If requirements are met, requires Executive Director's approval. Board approval required if amendment exceeds Executive Director's delegated authority.

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

Public Improvement <i>(A project for construction, reconstruction or major renovation on real property by or for a contracting agency)</i>		
Amount	Required Purchasing Process	Amendments
<\$25,000	Direct purchase permitted – no quotes required for this contract value range See ORS 279C.335 (c)	Amendments may not increase contract price to greater than \$25,000 or competitive quotes are required.
\$25,000 to ≤ \$100,000	Competitive Quotes – For public improvements, this price range permits intermediate-level procurement procedures for quote solicitation, but not a full competitive bid process. See ORS 279C.412 to 279C.414; OAR 137-049-0160	See OAR 137-049-0160. With Executive Director approval up to 25% over the original contract price, or up to 50% over the original contract price provided the requirements of OAR 137-049-0160 (6)(b) are satisfied.
>\$100,000 to ≤ \$150,000	Formal Solicitation Procedure – Executive Director Approval	See OAR 137-049-0910. If requirements are met, requires Executive Director's approval. Board approval required if amendment exceeds Executive Director's delegated authority.
>\$150,000	Formal Solicitation Procedure – Board Approval	See OAR 137-049-0910. If requirements are met, requires Executive Director's approval. Board approval required if amendment exceeds Executive Director's delegated authority.

11. Exceptions to Purchasing Process

Several exceptions to the standard purchasing process may apply and some are summarized below. Nothing in this Purchasing Procedures is intended to limit the District from utilizing exceptions to the standard purchasing process outlined herein so long as the requirements set forth in the Public Contracting Code and Model Rules, as applicable, are met.

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

- a) **Cooperative Procurements.** A number of cooperative contracts are available in the marketplace, the District is eligible to utilize *some* of these cooperative contracts and take advantage of their lower cost, higher quality, better value and time savings. Not all cooperative contracts are created equal, to be eligible for District use the requirements in ORS 279A.200 through 279A.225 and OAR 137-046-0400 to 137-046-0480 must be satisfied. Only cooperative contracts approved by the Business Analyst may be utilized. If an eligible cooperative contract is utilized, competitive procurement processes are not required, although certain advertising and/or notice requirements may be required.
- b) **Sole-Source Procurements.** Sole-source procurements are available in limited circumstances and only as permitted by the Public Contracting Code and Model Rules.
- c) **Emergency Procurements.** Emergency procurements are available only in cases of Emergency, as defined in the Public Contracting Code and as authorized by ORS 279B.080 and OAR 137-049-0150 (for Emergency construction or repair work). An Emergency procurement bypasses the normal competitive process as necessary to secure Goods or Services in timely response to the Emergency. The requirements set forth in ORS 279B.080 and OAR 137-049-0150, as applicable, must be satisfied for any Emergency procurement.

The Executive Director will determine if an Emergency exists for purposes of an Emergency procurement. The Executive Director is authorized for purposes of OAR 137-049-0150 (1) to declare that Emergency circumstances exist that require prompt execution of a Public Contract. Upon such declaration, the Executive Director shall promptly notify the Contract Review Board.

The following procedures shall be followed to directly appoint a contractor resulting from an Emergency:

- i. Once the Executive Director determines an Emergency exists, as provided above, authorized personnel will identify the contractor to be engaged and negotiate a contract. Established vendors should be used whenever possible. Always try to obtain the best possible price and limit purchases to those items that are truly related to the Emergency. Acquiring items or services not related to the Emergency violates the Public Contracting Law.
- ii. Complete the Emergency Purchase Form to document the reason for going outside of standard purchasing procedures.

Purchasing Procedure

FIN-09 | Policy No.
05/31/2024 | Last Review

- iii. The Executive Director will approve the appointment by signing the Emergency Purchase Form. The signed Emergency Purchase Form must be provided to Finance.

POLICY & RELATED DOCUMENTATION (links only)

PROCEDURE REVISION HISTORY

Revision Description	Revision Date
General Counsel edits – bkh & kgd	3/5/2024
Finalized internally after legal counsel revisions	3/31/24

PURCHASING POLICY AND PROCEDURES

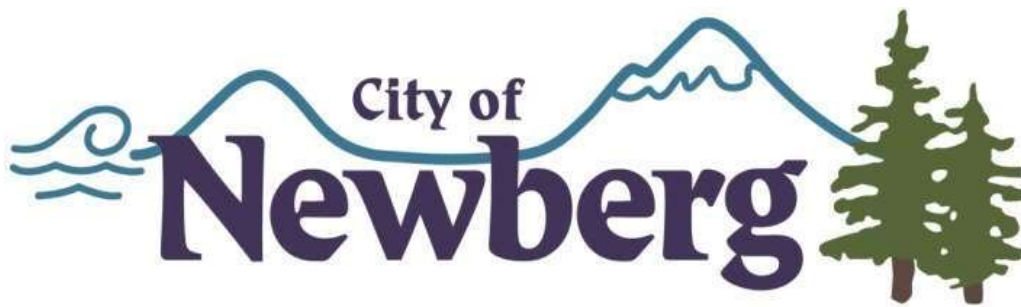


Table of Contents

1.	Introduction.....	1
1.1	Purpose.....	1
1.2	Interpretation of Purchasing Policy	1
1.3	Specific Provisions’ Precedence over General Provisions.	1
1.4	Conflict with Federal Statutes and Regulations.	1
2.	Scope.....	1
3.	Authority	2
4.	Local Preference	2
5.	MWESB.....	2
6.	Responsibility Overview.....	3
6.1	Requesting Department’s Responsibilities:.....	3
6.2	Vendor’s Responsibilities:.....	3
6.3	Finance Department’s Responsibilities:	3
6.4	City Legal Counsel’s Responsibilities:.....	3
6.5	City Manager’s Responsibilities:.....	4
6.6	City Council Responsibilities:	4
7.	Purchasing Thresholds	4
8.	Purchasing Goods and/or Services.....	5
8.1	Direct Purchases (Less than or Equal to \$1,000).....	5
8.2	Small Procurements (More than \$1,000 and less than or equal to \$10,000).....	5
8.3	Intermediate Procurements (More than \$10,000 and less than or equal to \$150,000)	6
8.4	Large Procurements (More than \$150,000).....	7
9.	Purchasing Personal Services.....	7
9.1	Requests for Qualifications (Optional).....	8
9.2	Direct Selection	8
9.3	Informal Written Solicitations (Less than \$100,000).....	9
9.4	Formal Solicitation - Requests for Proposals (More than \$100,000).	11
10.	Purchasing Professional Services.....	12
10.1	Direct Appointment (Less than \$100,000)	12
10.2	Informal Solicitations (\$100,000 or more and less than \$250,000).....	14
10.3	Formal Solicitation (Greater than \$250,000)	16

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

1. Introduction

1.1 Purpose

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

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

1.2 Interpretation of Purchasing Policy

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

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

1.3 Specific Provisions’ Precedence over General Provisions.

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

1.4 Conflict with Federal Statutes and Regulations.

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

2. Scope

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

3. Authority

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

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

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

4. Local Preference

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

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

5. MWESB

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

6. Responsibility Overview

6.1 Requesting Department's Responsibilities:

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

6.2 Vendor's Responsibilities:

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

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

6.3 Finance Department's Responsibilities:

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

6.4 City Legal Counsel's Responsibilities:

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

6.5 City Manager's Responsibilities:

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

6.6 City Council Responsibilities:

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

7. Purchasing Thresholds

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

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

¹ These processes represented within this table are

considered standard procurement types. Other procurement processes exist where there is an allowable exception to competitive bidding rules. These processes are described in detail [here](#).

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

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

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

8. Purchasing Goods and/or Services

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

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

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

Documentation required: Invoice

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

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

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

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

8.3 Intermediate Procurements (More than \$10,000 and less than or equal to \$150,000):

Contracts for goods or services with a contract price greater than \$10,000 and less than or equal to \$150,000 are intermediate procurements.

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

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

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

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

- 1. The purchaser shall use competitive sealed bidding as set forth in ORS 279B.055, or competitive sealed proposals as set forth in ORS 279B.060.
- 2. Documentation required:
 - a. Purchase order
 - b. Authority for the purchasing transaction and basis for using the large procurement process
 - c. Copy of request for bids/proposals
 - d. Copies of bids/proposals received
 - e. Evaluation of bids (must include scoring criteria and scoring sheets)
 - f. Copy of public notice of the solicitation
 - g. Copy of notice of intent to award
 - h. Copy of contract document (signed by all parties)
 - i. Any amendments or addenda to the contract (signed by all parties)
 - j. Copy of minutes indicating Council approval
 - k. Protests received (if any) and City response

9. Purchasing Personal Services

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

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

9.1 Requests for Qualifications (Optional)

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

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

9.2 Direct Selection

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

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

2. The nature of the work is not project-driven but requires an ongoing, long-term relationship of knowledge and trust. Examples of such work include insurance brokerage/agent of record services, medical services, and audit services.
3. The contractor possesses unique knowledge, expertise, or both, in a specialized service area, making competition impractical. Such services can include, but are not limited to, education services, staff coaching, and community relations.
4. A contract for which a non-City funding source, e.g., a grant or federal, state, or city contract, identifies the contractor in the funding award or makes a funding award conditioned upon services being performed by a specific contractor. The following must be documented to the procurement file: the name of the external funding source; the background on how the funding source selected the contractor; and a copy of the funder's document naming the contractor.
5. The contract is entered into pursuant to an emergency (see Emergency Procurements).
6. The contract is for interim staff or temporary staffing services.
7. The contract is for legal services. For the purposes of this section, "legal services" means attorney and paralegal services for transactional work, litigation, investigations, advice, reports, and other services requiring legal advice or work by an attorney, and includes all related costs or fees.
8. Personal services contracts procured by direct negotiation pursuant to this section may be amended, provided the amendment is within the scope of the original contract and the cumulative amount of the amendments does not increase the total contract price by more than ten percent (10%) of the original contract price. An amendment that increases the original contract by more than 10 percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).
9. Documentation required:
 - a. Purchase order (if over \$9,999), authority for the purchasing transaction and basis for using the direct selection process.
 - b. Documentation of the method used for the procurement. For example: a copy of the solicitation document (if any); list of prospective suppliers/contractors who were notified of the procurement opportunity; record of all negotiations and communications regarding the procurement; and a general basis for making the final selection.
 - c. Contract (signed by all parties).
 - d. Any amendments or addenda to the contract (signed by all parties).

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

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

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

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

5. Documentation required:

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

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

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

1. The purchaser shall use competitive sealed bidding as set forth in ORS 279B.055, or competitive sealed proposals as set forth in ORS 279B.060.
2. Documentation required:
 - a. Purchase order
 - b. Authority for the purchasing transaction and basis for using the large procurement process
 - c. Copy of request for bids/proposals
 - d. Copies of bids/proposals received
 - e. Evaluation of bids (must include scoring criteria and scoring sheets)
 - f. Copy of public notice of the solicitation
 - g. Copy of notice of intent to award
 - h. Copy of contract document (signed by all parties)

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

10. Purchasing Professional Services

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

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

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

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

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

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

can identify under the circumstances.

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

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

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

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

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

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

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

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

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

- a. Public notice shall be given not less than twenty-one (21) days prior to closing for the request for proposals/bids, unless the purchaser determines that a shorter interval is in the public's interest, or a shorter interval will not substantially affect competition.
 - b. The purchaser shall document the specific reasons for the shorter public notice period in the procurement file.
3. Professional services contracts procured by requests for proposals pursuant to this section may be amended, provided the amendment is within the scope of the original contract and the cumulative amount of the amendments does not increase the total contract price by more than ten percent (10%) over the original contract price. An amendment that increases the original contract by more than 10 percent (10%) requires City Manager/City Council approval (City Council if over \$100,000).
4. Documentation required:
 - a. Purchase order
 - b. Authority for the purchasing transaction and basis for using the formal solicitation procurement process.
 - c. Copy of request for proposals.
 - d. Copies of proposals received
 - e. Evaluation of proposals (must include scoring criteria and scoring sheets).
 - f. Copy of newspaper notice of the solicitation.
 - g. Copy of notice of intent to award.
 - h. Copy of contract document (signed by all parties).
 - i. Any amendments or addenda to the contract (signed by all parties).
 - j. Copy of minutes indicating Council approval.
 - k. Protests received (if any) and City response.

11. Public Improvements

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

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

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

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

5. Documentation required:

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

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

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

1. Invitations to bid must include the following information:

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

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

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

11.3 Bonding

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

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

12. Exceptions to Competitive Procurement Requirements

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

12.1 Sole Source Procurements (Other than Public Improvements)

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

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

12.2 Special Procurements.

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

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

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

12.3 Contracts

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

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

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

12.4 Emergency Procurements.

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

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

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

12.5 Cooperative Procurement Contracts.

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

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

12.6 Public Improvements Exempt from Competitive Bidding Requirements:

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

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



ADMINISTRATIVE POLICIES

SECTION:	Purchasing Policies	POLICY NO.:	601
TITLE:	Yamhill County Procurement Rules		
BOARD ORDERS:	B.O. 07-736, B.O. 16-32, B.O. 23-54	LAST REVISED:	05/17/2023

The attached rules were adopted via Ordinance No. 924, and B.O. 07-736 and B.O. 16-032 were thereby rescinded.

YAMHILL COUNTY PUBLIC CONTRACTING RULES

DIVISION 046 – GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTING

I. General Provisions Related to Public Contracting

YCR 046-0100 Content and General Application; Federal Law Supremacy	7
YCR 046-0110 Definitions	7
YCR 046-0120 Policy	11
YCR 046-0130 Application of the Public Contracting Code; Exemptions	11
YCR 046-0140 Delegation of Authority	11
YCR 046-0150 Failed Procurements	12

II. Minorities, Women, and Emerging Small Businesses

YCR 046-0200 Affirmative Action; Limited Competition Permitted	12
YCR 046-0210 Disqualification Under ORS 200.065(5)	12
YCR 046-0220 Required Contract and Subcontract Conditions under ORS 279A.100	13
YCR 046-0230 Non-Discrimination Certification Required for all Solicitations	13

III. Contract Preferences

YCR 046-0300 Preference for Oregon Goods and Services; Nonresident Bidders	13
YCR 046-0310 Reciprocal Preferences	15
YCR 046-0320 Preference for Recycled Materials	15
YCR 046-0330 Federally Funded Transit Projects, Preference for Exceeding Buy America	15

IV. Cooperative Procurement

YCR 046-0400 Authority for Cooperative Procurements	16
YCR 046-0410 Responsibilities when Administering or Participating in a Cooperative Procurement	16
YCR 046-0420 Joint Cooperative Procurements	16
YCR 046-0430 Permissive Cooperative Procurements	17
YCR 046-0440 Advertisements of Permissive Cooperative Procurements	17
YCR 046-0450 Interstate Cooperative Procurements	17
YCR 046-0460 Advertisements of Interstate Cooperative Procurements	17
YCR 046-0470 Protests and Disputes in Cooperative Procurements	18
YCR 046-0480 Contract Amendments of Cooperative Contracts	18

V. Contract Administration

YCR 046-0500 Contract Administration Generally	18
YCR 046-0510 Procurement File	18
YCR 046-0520 Contract Signing Authority	19
YCR 046-0530 Purchase Orders; Countersignatures	19
YCR 046-0540 Additional Approvals Required.....	19
YCR 046-0550 Retroactive Approvals by the Board	20
YCR 046-0560 Contract Amendments.....	20
YCR 046-0570 Contract Terms	20

DIVISION 047 – PUBLIC PROCUREMENT OF GOODS OR SERVICES

I. General Provisions Related to Public Contracts for Goods and Services

YCR 047-0100 Application	21
YCR 047-0110 Definitions.....	21
YCR 047-0120 Feasibility Determination; Cost Analysis.....	21

II. Source Selection

YCR 047-0250 Methods of Source Selection.....	22
YCR 047-0255 Small Procurements.....	22
YCR 047-0257 Intermediate Procurements.....	22
YCR 047-0260 Competitive Sealed Bidding.....	22
YCR 047-0265 Competitive Sealed Proposals	24
YCR 047-0267 Multistep Sealed Bids.....	26
YCR 047-0270 Multiple-tiered and Multistep Proposals	27
YCR 047-0275 Sole-source Procurements	30
YCR 047-0280 Emergency Procurements.....	31
YCR 047-0285 Special Procurements	31
YCR 047-0290 Cooperative Procurements	34

III. Procurement Process

YCR 047-0300 Public Notice of Solicitation Documents	34
YCR 047-0310 Bids or Proposals are Offers.....	35
YCR 047-0320 Facsimile Bids and Proposals.....	35
YCR 047-0330 Electronic Procurement	36

IV. Bid and Proposal Preparation

YCR 047-0400 Offer Preparation	37

YCR 047-0410 Offer Submission.....	38
YCR 047-0420 Pre-Offer Conferences.....	38
YCR 047-0430 Addenda to Solicitation Document	38
YCR 047-0440 Pre-Closing Modification or Withdrawal of Offers	39
YCR 047-0450 Receipt, Opening, and Recording of Offers; Confidentiality of Offers	40
YCR 047-0460 Late Offers, Late Withdrawals, and Late Modifications	40
YCR 047-0470 Mistakes.....	40
YCR 047-0480 Time for Acceptance	41
YCR 047-0490 Extension of Time for Acceptance of Offer	42
 V. <u>Qualification and Duties</u>	
YCR 047-0500 Responsibility of Bidders and Proposers	42
YCR 047-0525 Qualified Products Lists	43
YCR 047-0550 Prequalification of Prospective Offerors	43
YCR 047-0575 Debarment of Prospective Offerors.....	44
 VI. <u>Offer Evaluation and Award</u>	
YCR 047-0600 Offer Evaluation and Award	44
YCR 047-0610 Notice of Intent to Award.....	46
YCR 047-0620 Documentation of Award	46
YCR 047-0630 Availability of Award Decisions	46
YCR 047-0640 Rejection of and Offer	46
YCR 047-0650 Rejection of All Offers	47
YCR 047-0655 Failed Procurements; Direct Negotiation Permitted	47
YCR 047-0660 Cancellation of Procurement or Solicitation	48
YCR 047-0670 Disposition of Offers if Procurement or Solicitation is Canceled.....	48
 VII. <u>Legal Remedies</u>	
YCR 047-0700 Protests and Judicial Review of Special Procurements and Sole-source Procurements	48
YCR 047-0710 Protests and Judicial Review of Multiple-tiered or Multistep Solicitations.....	50
YCR 047-0720 Protests and Judicial Review of Solicitations.....	50
YCR 047-0730 Protests and Judicial Review of a Contract Award	51
YCR 047-0740 Protests and Judicial Review of Qualified Products List Decisions	51
YCR 047-0750 Judicial Review of Other Violations	51
YCR 047-0760 Review of Prequalification and Debarment Decisions.....	51

VIII. Contract Changes

YCR 047-0800 Amendments to Goods and Services Contracts and Price Agreements	51
YCR 047-0810 Termination of Price Agreements	52

IX. Personal Services Contracts

YCR 047-0900 Statutory Authority	52
YCR 047-0910 Scope	52
YCR 047-0920 Selection Procedures	53

DIVISION 048 – A&E CONSULTANT SELECTION

I. General Provisions Related to the Selection of A&E Consultants

YCR 048-0100 Application	54
YCR 048-0110 Definitions	54
YCR 048-0130 Applicable Selection Procedures; Pricing Information; Proposal Disclosures; Conflicts	55

II. Selection Procedures

YCR 048-0200 Direct Appointments	58
YCR 048-0210 Informal Selection Procedure	59
YCR 048-0220 Formal Selection Procedure	61
YCR 048-0230 Ties Among Proposers	65
YCR 048-0240 Protest Procedures	66
YCR 048-0250 Solicitation Cancellation, Delay, or Suspension; Rejection; Responsibility for Costs	66
YCR 048-0260 Two-tiered Selection Procedure for Public Improvement Projects Managed by the State	67
YCR 048-0270 Price Agreements	67
YCR 048-0280 Using Pricing as Part of the Selection Process	68

III. Post-Selection Considerations

YCR 048-0300 Prohibited Payment Methodology; Purchase Restrictions	70
YCR 048-0310 Expired or Terminated Contracts; Reinstatement	71
YCR 048-0320 A&E Contract Amendments	71

DIVISION 049 – GENERAL PROVISIONS RELATED TO CONTRACTS FOR CONSTRUCTION

I. General Provisions Related to Public Contracts for Construction Services

YCR 049-0100 Application	72
YCR 049-0110 Policies	72
YCR 049-0120 Definitions	72
YCR 049-0130 Competitive Bidding Requirements	73

YCR 049-0140 Contracts for Construction other than Public Improvements	74
YCR 049-0150 Contracts for Emergency Work; Bidding and Bonding Exceptions	74
YCR 049-0155 Small Construction Contracts Exempted from Competitive Bids.....	74
YCR 049-0160 Intermediate Procurements; Competitive Quotes and Amendments	75
 II. <u>Formal Procurement Rules</u>	
YCR 049-0200 Solicitation Documents; Required Provisions; Assignment or Transfer.....	75
YCR 049-0210 Notice and Advertising Requirements; Posting	78
YCR 049-0220 Prequalification of Offerors.....	79
YCR 049-0230 Eligibility to Bid or Propose; Registration or License	79
YCR 049-0240 Pre-Offer Conferences.....	79
YCR 049-0250 Addenda to Solicitation Documents.....	80
YCR 049-0260 Request for Clarification or Change; Solicitation Protests	80
YCR 049-0270 Cancellation of Solicitation Document	81
YCR 049-0280 Offer Submissions	82
YCR 049-0290 Bid or Proposal Security.....	83
YCR 049-0300 Facsimile Bids and Proposals.....	83
YCR 049-0310 Electronic Procurement	84
YCR 049-0320 Pre-Closing Modification or Withdrawal of Offers	84
YCR 049-0330 Receipt, Opening, and Recording of Offers; Confidentiality.....	85
YCR 049-0340 Late Bids, Late Withdrawals, and Late Modifications.....	85
YCR 049-0350 Mistakes.....	85
YCR 049-0360 First-Tier Subcontractors; Disclosure and Substitution	86
YCR 049-0370 Disqualification of Persons	88
YCR 049-0380 Bid or Proposal Evaluation Criteria	89
YCR 049-0390 Offer Evaluation and Award; Determination of Responsibility.....	90
YCR 049-0395 Notice of Intent to Award.....	91
YCR 049-0400 Documentation of Award; Availability of Award Decisions.....	92
YCR 049-0410 Time for County Acceptance; Extension	92
YCR 049-0420 Negotiation with Bidders Prohibited.....	92
YCR 049-0430 Negotiation when Bids Exceed Cost Estimate	93
YCR 049-0440 Rejection of Offers	93
YCR 049-0450 Protest of Contractor Selection, Contract Award.....	95

YCR 049-0460 Performance and Payment Security; Waiver.....	95
YCR 049-0470 Substitute Contractor	96
YCR 049-0490 Foreign Contractor	96
III. <u>Alternative Contracting Methods</u>	
YCR 049-0600 Purpose	96
YCR 049-0610 Definitions for Alternative Contracting Methods	97
YCR 049-0620 Use of Alternative Contracting Methods.....	98
YCR 049-0630 Findings, Notice, and Hearing.....	99
YCR 049-0640 Competitive Proposals; Procedure	100
YCR 049-0645 Request for Qualifications (RFQ)	102
YCR 049-0650 Request for Proposals (RFP)	102
YCR 049-0660 RFP Pricing Mechanisms	105
YCR 049-0670 Design Build Contracts	106
YCR 049-0680 Construction Manager/General Contractor (CM/GC) Services	107
YCR 049-0690 Energy Savings Performance Contracts (ESPC).....	111
IV. <u>Contract Provisions</u>	
YCR 049-0800 Required Contract Clauses	114
YCR 049-0810 Waiver of Delay Damages Against Public Policy.....	115
YCR 049-0815 Green Energy Technology.....	115
YCR 049-0820 Retainage	116
YCR 049-0830 Contractor Progress Payments.....	117
YCR 049-0840 Interest	118
YCR 049-0850 Final Inspection	118
YCR 049-0860 Public Works Contracts.....	118
YCR 049-0870 Specifications; Brand Name Products.....	119
YCR 049-0880 Records Maintenance; Right to Audit Records	119
YCR 049-0890 County’s Payment for Unpaid Labor or Supplies	120
V. <u>Contract Changes</u>	
YCR 049-0900 Contract Suspension; Termination Procedures	120
YCR 049-0910 Contract Changes Orders and Amendments	121
LEGISLATIVE HISTORY	122
APPENDIX 1: Contractor Prequalification Form	123

YCR DIVISION 046

GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTING

I. GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTING

YCR 046-0100 Content and General Application; Federal Law Supremacy

(1) The Yamhill County Public Contracting Rules (YCR) are rules of procedure for Public Contracting as required and authorized under ORS 279A.065 and ORS 279A.070 and consist of the following four divisions:

- (a) Division 046, which is applicable to all Public Contracting;
- (b) Division 047, which describes procedures for Public Contracting for Goods, Services, and Personal Services other than Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, and Related Services;
- (c) Division 048, which describes procedures for Public Contracting for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, and Related Services; and
- (d) Division 049, which describes procedures for Public Contracting for Construction Services.

(2) In the event of conflict between rules in Division 046 and rules in Divisions 047, 048 and 049, the rules in Divisions 047, 048 and 049 take precedence over the rules in Division 046.

(3) Except as otherwise expressly provided in ORS 279C.800 through ORS 279C.870 (Prevailing Wage Rate), and notwithstanding ORS Chapters 279A, 279B, and ORS 279C.005 through 279C.670, applicable federal statutes and regulations govern when federal funds are involved, regardless of whether the federal statutes or regulations conflict with any provision of ORS Chapters 279A, 279B, and ORS 279C.005 through 279C.670 or the YCR or require additional conditions in Public Contracts.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.030 & ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0110 Definitions

Unless the context of a specifically applicable definition in the Public Contracting Code requires otherwise, capitalized terms used in YCR will have the meaning set forth in the division of the YCR in which they appear, and if not defined there, the meaning set forth in YCR Division 046, and if not defined in YCR Division 046, the meaning set forth in the Public Contracting Code. The following terms, when capitalized in the YCR, shall have the meaning set forth below:

(1) “**Addendum**” or “**Addenda**” means an addition to, deletion from, a material change in, or general interest explanation of a Solicitation Document.

(2) “**Administering Contracting Agency**” has the meaning set forth in ORS 279A.200(1)(a) and for Interstate Cooperative Procurements includes the entities specified in ORS 279A.220(4). For purposes of the YCR, “Administering Contracting Agency” may also mean Yamhill County.

(3) “**Amendment**” means a written modification to a contract or agreement, other than a Change Order or Task Order, that is reasonably related to the scope of the original Procurement and requires the mutual agreement between the County and the Contractor.

(4) “**Award**” means, as the context requires, identifying the Person with whom the County intends to enter into a Public Contract following the resolution of any protest of the County’s selection of that Person and the completion of all Contract negotiations. The award of a Contract is not binding on the County nor considered acceptance until the Contract is executed and delivered by the County.

(5) “**Bid**” means a Written Offer to an Invitation to Bid.

- (6) **“Bidder”** means Person that submits a Bid.
- (7) **“Board”** means the Yamhill County Board of Commissioners.
- (8) **“Change Order”** means a Written order, signed by an authorized County representative, directed to the Contractor that requires a change in the Work within the general scope of the original Contract, adjusts the Contract Price, and/or alters the completion date of a Public Improvement Contract.
- (9) **“Closing”** means the date and time announced in a Solicitation Document as the deadline for submitting Offers.
- (10) **“Code”** or **“Public Contracting Code”** means ORS Chapters 279A, 279B and 279C.
- (11) **“Competitive Range”** means the Proposers with whom the County intends to conduct discussions or negotiations with if the County intends to conduct discussions or negotiations in accordance with YCR 047-0267 or YCR 049-0650. The size of the Competitive Range will be stated in the Solicitation Document. The size of the Competitive Range will be decreased if the number of Proposers that submit Proposals is less than the specified number and may be increased by the County in accordance with YCR 047-0262 or 049-0650.
- (12)
- (13) **“Construction Services”** means the services provided under a Public Improvement Contract.
- (14) **“Contract”** or **“Public Contract”** has the meaning set forth in ORS 279A.010. “Contracts” also includes Purchase Orders.
- (15) **“Contract Price”** means, as the context requires, (I) the maximum monetary obligations that the County either will or may incur under a Contract, including bonuses, incentives, and contingency amounts, if the Contractor fully performs under the Contract, (ii) the maximum not-to-exceed total cost specified in the Contract, or (iii) the unit prices for Goods or Services or Personal Services as set forth in the Contract.
- (16) **“Contract Review Authority”** means the Yamhill County Board of Commissioners or its delegatee as otherwise provided under law.
- (17) **“Contracting agency”** has the meaning set forth in ORS 279A.010(b). For the purposes of the YCR, “contracting agency” may also mean Yamhill County.
- (18) **“Contractor”** means the Person, including a Consultant as defined in YCR 048-0110(2), with whom the County enters into a Contract.
- (19) **“County”** means Yamhill County.
- (20) **“Cooperative Procurement”** means a Procurement conducted on behalf of more than one governmental body.
- (21) **“Cooperative Procurement Group”** means a group of governmental bodies joined through an intergovernmental agreement for the purpose of facilitating cooperative procurements.
- (22) **“Days”** means calendar days.
- (23) **“Debar”** or **“Debarment”** means the disqualification of a Person from consideration for Award of a Public Contract.
- (24) **“Descriptive Literature”** means the materials submitted in response to a Solicitation Document to provide additional information concerning an Offer or Bid.
- (25) **“Disqualification”** means a disqualification, suspension, or Debarment pursuant to ORS 200.065, 200.075, 279A.110, 279B.130, 279C.440, and/or these rules.
- (26) **“Electronic Advertisement”** means the County’s Solicitation Document, Request for Quotes, request for information, or other document inviting participation in the County’s Procurements available over the Internet via: (a) the World Wide Web or some other Internet protocol; or (b) the County’s Electronic Procurement System.
- (27) **“Electronic Offer”** means a response to the County’s Solicitation Document or Request for Quotes submitted to the County via: (a) email; (b) the World Wide Web or some other Internet protocol; or c) through the County’s Electronic Procurement System.
- (28) **“Electronic Procurement”** means the use of an Electronic Procurement System to conduct a Procurement.
- (29) **“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, that enables Persons to send Electronic Offers and the County to post Electronic Advertisements, receive Electronic Offers, and conduct other activities related to a Procurement.

(30) “**Emergency**” means circumstances that create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety, and require the prompt execution of a Contract to remedy the condition.

(31) “**Goods**” has the meaning set forth in 279A.010(I)

(32) “**Goods and Services**” or “**Goods or Services**” means any combination of Goods and/or Services.

(33) “**Intermediate Procurement**” has the meaning as set forth in either YCR 047-0257 or YCR 049-0160.

(34) “**Interstate Cooperative Procurement**” means a Permissive Cooperative Procurement in which one or more of the participating governmental bodies are located outside the state of Oregon.

(35) “**Intergovernmental Agreement**” means an agreement formed under ORS 190.010.

(36) “**Invitation to Bid**” or “**ITB**” means the Solicitation Document issued to invite Bids from prospective Contractors in accordance with either ORS 279B.055 or 279C.335.

(37) “**Joint Cooperative Procurement**” means a Cooperative Procurement in which the County is identified in the Solicitation Document as a participating governmental body, and the County’s contract requirements, or estimated contract requirements, are included in the Solicitation Document.

(38) “**Model Rules**” means the Attorney General’s model rules of procedure for Public Contracting as required under ORS 279A.065, which are set forth in OAR Chapter 137, Divisions 046, 047, 048 and 049.

(39) “**Nonresident Bidder**” has the meaning as set forth in ORS 279A.120(a).

(40) “**Offer**” means a Written offer submitted in response to a Solicitation Document.

(41) “**Offeror**” means a Person who submits an Offer.

(42) “**Opening**” means the date, time and place specified in the Solicitation Document for the public opening of Offers or Bids.

(43) “**Permissive Cooperative Procurement**” means a Cooperative Procurement in which the County was not identified in the Solicitation Document as a participating governmental body.

(44) “**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.

(45) “**Personal Services**” means the services or type of services performed under a Personal Services Contract.

(46) “**Personal Services Contract**” or “**Contract for Personal Services**” means a contract or member of a class of contracts, other than a contract for the services of an Architect, Engineer, Land Surveyor, or Provider of Related Services (as defined in YCR 048-0110), that predominantly 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, and that the Board has designated as a Personal Services pursuant to ORS 279A.055. See YCR 047-910 for a full list of those services designated to be Personal Services.

(47) “**Procurement**” has the meaning as set forth in ORS 279A.010(1)(w).

(48) “**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. Unless otherwise provided in the Solicitation Document, the Product Sample shall be the exact product, or a representative portion of that product, offered by the Offeror.

(49) “**Proposal**” means a Written response to a Request for Proposals.

(50) “**Proposer**” means a Person that submits a Proposal.

(51) “**Public Contracting**” means Procurement activities described in the Public Contracting Code and the YCR relating to obtaining, modifying or administering public contracts or price agreements.

(52) “**Public Improvement**” has the meaning as set forth in YCR 049-0120(11).

(53) “**Purchase Order**” means a Written order, produced by the County Accounting system and signed by an authorized County representative, directed to a Contractor, committing the County to purchase specific Goods or Services.

(54) **“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)).

(55) **“Request for Proposals”** or **“RFP”** means the Solicitation Document issued to invite Proposals in accordance with ORS 279B.060, 279C.110, 279C.337, or 279C.400.

(56) **“Request for Qualifications”** or **“RFQ”** means a Written document issued by the County to which Contractors respond in Writing by describing their experience with and qualifications for the Services, Personal Services, or Architectural, Engineering or Land Surveying Services, or Related Services (as defined in YCR 048-0110), described in the document.

(57) **“Request for Quotes”** 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.

(58) **“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 YCR 047-0500 or YCR 049-0390(2), and that has not been debarred or disqualified by the County under YCR 047-0575 or YCR 049-0370. When used alone, **“Responsible”** or **“Responsibility”** means meeting the aforementioned standards.

(59) **“Responsive Offer”** (also, **“Responsive Bid”** or **“Responsive Proposal”**, as applicable) means an 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.

(60) **“Signed”** or **“Signature”** or **“Signing”** means any mark, word or symbol attached to or logically associated with a document and executed or adopted by a Person with the intent to be bound.

(61) **“Services”** mean services, other than Personal Services as so designated under YCR 047-0910 or A&E Consultant services as defined in YCR 048-0110.

(62) **“Solicitation Document”** means a Request for Quotes, an Invitation to Bid, Request for Proposals or other document issued to invite Offers from prospective Contractors pursuant to ORS Chapter 279B or ORS Chapter 279C. The following are not Solicitation Documents unless they invite Offers from prospective Contractors: a Request for Qualifications, a prequalification of bidders, a request for information, a Sole-source Procurement notice, an approval of a Special Procurement, or a request for product prequalification. A project-specific selection document under a Price Agreement that has resulted from a previous Solicitation Document is not itself a Solicitation Document.

(63) **“Specification”** means any description of the physical or functional characteristics, or of the nature of, Goods, Services, Personal Services, or Public Improvement, including any requirement for inspecting, testing or preparing a Goods, Services, Personal Services, or Public Improvement 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.

(64) **“Task Order”** means a Written order, signed by an authorized County representative, issued to a Consultant under a Price Agreement established pursuant to YCR 048-0270 that sets forth the agreed-upon scope of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services to be provided by the Consultant, in addition to the not-to-exceed price, hourly rates, and any additional terms and conditions required for an individual project.

(65) **“Work”** means the furnishing of all materials, equipment, labor, and incidentals necessary to successfully complete any individual item in a Contract and successful completion of all duties and obligations imposed by the Contract.

(66) **“Written”** or **“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. It also

includes electronic transmissions or facsimile documents when required by applicable law or permitted by a Solicitation Document or Contract.

(67) **“Yamhill County Public Contracting Rules” or “YCR”** means the rules of procedure for Contracting established for Yamhill County by the Yamhill County Board of Commissioners which are set forth herein.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0120 Policy

The County shall conduct Public Contracting to further the policies set forth in ORS 279A.015, elsewhere in the Code, and the YCR.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0130 Application of the Public Contracting Code; Exemptions

(1) Except as set forth in this section, the County shall exercise all rights, powers, and authority related to Public Contracting in accordance with the Code and the YCR.

(2) The County opts out of the Model Rules and adopts the YCR as its own rules of procedure for Public Contracting pursuant to 279A.065.

(3) Except as otherwise provided in the YCR, the Code and the YCR do not apply to Personal Services Contracts or classes of Contracts designated by the County pursuant to ORS 279A.055 and YCR 047-0910.

(4) The YCR does not apply to the contracts, or the classes of contracts, described in ORS 279A.025(2).

(5) The County may enter into Contracts under a federal program described in ORS 279A.180 without following the procedures set forth in ORS 279B.050 through ORS 279B.085 or any procedures set forth in the YCR.

(6) The County may enter into Contracts for Goods or Services with non-profit agencies providing employment opportunities for individuals with disabilities pursuant to ORS 279.835 through 279.855 without following any procedures set forth in the YCR or the source selection procedures set forth in either ORS 279A.200 through ORS 279A.225 or ORS 279B.050 through ORS 279B.085. However, the County must enter into such contracts in accordance with administrative rules promulgated by the State of Oregon, Department of Administrative Services under OAR Chapter 125, Division 55.

(7) The County may enter into Contracts with other public agencies or the federal government, or with professional associations representing public agencies or the federal government, including but not limited to the Association of Oregon Counties and the National Association of Counties, without following any procedures set forth in the YCR, pursuant to its authority granted under ORS 190.010.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.050, ORS 279A.055, ORS 279A.065, & ORS 279A.180

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0140 Delegation of Authority

(1) Pursuant to Yamhill County Ordinance No. 924, and except as otherwise provided in the YCR, the powers and duties of the Local Contract Review Board under the Public Contracting Code shall be exercised and performed by the Board.

(2) The Yamhill County Administrator is hereby delegated the following authority to:

(a) Declare Goods, Services, or Personal Services to be available from only one source;

(b) Declare the need for an Emergency Procurement;

(c) Execute Contracts in accordance with YCR 046-0520; and

(d) Execute Amendments to Board-approved Contracts so long as the Amendment does not increase the Contract Price by more than ten percent (10%).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0150 Failed Procurements

(1) When formal Procurement procedures have failed, or when all Offers have been rejected as either non-Responsive or non-Responsible as otherwise permitted in the YCR, and further use of such procedures would likely be unsuccessful, the County may negotiate directly with a Contractor, and further advertising shall not be required.

(2) The determination to engage in a direct negotiation under this rule must:

- (a) Be in writing;
- (b) State the basis for the direct negotiation and for the selection of a particular Contractor; and
- (c) Be approved by the County Administrator.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

II. MINORITIES, WOMEN, AND EMERGING SMALL BUSINESSES

YCR 046-0200 Affirmative Action; Limited Competition Permitted

Pursuant to ORS 279A.100, the County may limit competition on Public Contracts for Goods and Services, or on other Public Contracts with an estimated cost of \$50,000 or less, to carry out affirmative action policies in accordance with policies and procedures that are or may be established by the County.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & ORS 279A.100

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0210 Disqualification Under ORS 200.065-075

(1) Generally. The County may disqualify a Person from consideration for Award of the County's Contracts under ORS 200.065(5) and shall suspend a Person's right to bid on or participate in any Contract under ORS 200.075(1), after providing the Person with notice and a reasonable opportunity to be heard in accordance with sections (2) and (3) of this rule.

(2) Notice. The County shall provide Written notice to the Person of a proposed Disqualification. The County shall deliver the Written notice by personal service or by registered or certified mail, return receipt requested. This notice shall:

- (a) State that the County intends to disqualify or suspend the Person;
- (b) Set forth the reasons for the Disqualification;
- (c) Include a statement of the Person's right to a hearing if requested in Writing within the time stated in the notice and that if the County does not receive the Person's Written request for a hearing within the time stated, the Person shall have waived the right to a hearing;
- (d) Include a statement of the authority under which the hearing will be held;
- (e) Include a reference to the particular sections of the statutes and rules involved;
- (f) State the proposed Disqualification period; and
- (g) State that the Person may be represented by legal counsel.

(3) Hearing. The County shall schedule a hearing upon the County's receipt of the Person's timely hearing request. Within a reasonable time prior to the hearing, the County shall notify the Person of the time and place of the hearing and provide information on the procedures, right of representation and other rights related to the conduct of the hearing.

(4) Notice of Disqualification. The County shall provide Written notice of the Disqualification to the Person. The County shall deliver the Written notice by personal service or by registered or certified mail, return receipt requested. The notice shall contain:

- (a) The effective date and period of Disqualification;
- (b) The grounds for Disqualification; and
- (c) A statement of the Person's appeal rights and applicable appeal deadlines.

(5) Period of Disqualification or Suspension.

(a) The County may disqualify a Person from consideration for Award of the County's Public Contracts under ORS 200.065(5) for up to a period of three years.

(b) The County shall suspend a Person's right to bid on or participate in any Contract under ORS 200.075(1) for up to a period of one year for a first violation, up to three years for a second violation, and up to five years for a third and all subsequent violations.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 200.065, ORS 200.075, ORS 279A.065, ORS 279A.100, & ORS 279A.105

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0220 Required Contract and Subcontract Conditions under ORS 279A.100

(1) If the County Awards a Contract to an Offeror under ORS 279A.100, the County must provide, as a material condition of the Contract:

(a) That the Contractor must maintain its certification under ORS 200.055 throughout the term of the Contract and any extensions (if the County used the certification as a factor in or as a basis for the award of the Contract);

(b) That the Contractor must promptly pay each subcontractor that is certified under ORS 200.055 in accordance with ORS 279B.220, or 279C.570 and ORS 279C.580, whichever apply to the Contract;

(c) That the Contractor must include, in any subcontract the Contractor establishes in connection with the Contract, a provision that requires the subcontractor to maintain the subcontractor's certification under ORS 200.055 throughout the term of the subcontract and any extensions (if the Contractor used the certification as a factor in or as a basis for the award of the subcontract); and

(d) That the County may require the Contractor to terminate a subcontract with a subcontractor that fails to maintain its certification under ORS 200.055 throughout the term of the subcontract and any extensions.

(2) In the administration of Contracts that are subject to this rule, the County shall verify that the Contractor and any subcontractors are maintaining their certification under ORS 200.055 throughout the term of the Contract and any extensions, unless the Contractor or subcontractor is an emerging small business that ceases to qualify as a tier one firm or a tier two firm (as ORS 200.005 defines those terms) due to the growth in the business's number of full-time equivalent employees or in average annual gross receipts during the term of the Contract.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 200.005, ORS 200.055, & ORS 279A.100

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0230 Non-Discrimination Certification Required for all Solicitations

The County shall include in each Solicitation Document a requirement that Offerors certify in their Offers, in a form prescribed by the County, that the Offeror has not discriminated, and will not discriminate, against a subcontractor in the awarding of a subcontract because the subcontractor is certified under ORS 200.055 as a disadvantaged business enterprise, a minority-owned business, a woman-owned business, an emerging small business, or a business that a service-disabled veteran owns. The Offeror shall certify and deliver to the County Written certification, as part of the Offer, that the Offeror has not discriminated and will not discriminate against any disadvantaged business enterprise, minority-owned business, women-owned business, emerging small business, or business that a service-disabled veteran owns, in obtaining any required subcontracts. Failure to do so shall be grounds for disqualification.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & ORS 279A.100

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

III. CONTRACT PREFERENCES

YCR 046-0300 Preference for Oregon Goods and Services; Nonresident Bidders

(1) Order of Precedent for Identical Offers. Pursuant to ORS 279A.120, when the County receives Offers identical in price, fitness, availability, and quality, and chooses to award a Contract, the County will award the Contract based on the following order of precedence:

(a) The County shall award the Contract to the Offeror among those submitting identical offers that is offering Goods or Services, or both, or Personal Services that have been manufactured, produced, or are to be performed in Oregon.

(b) If two or more Offerors submit identical Offers, and both offer Goods or Services, or both, or Personal Services manufactured, produced, or are to be performed in Oregon, the County shall award the Contract by drawing lots among the identical Offers. The Offerors that submitted the identical Offers subject to the drawing of lots shall be given notice of the date, time, and location of the drawing of lots and an opportunity to be present when the lots are drawn.

(c) If the County receives identical Offers, and none of the identical Offers offer Goods or Services, or both, or Personal Services manufactured, produced, or are to be performed in Oregon, then the County shall award the Contract by drawing lots among the identical Offers. The Offerors that submitted the identical Offers subject to the drawing of lots shall be given notice of the date, time, and location of the drawing of lots and an opportunity to be present when the lots are drawn.

(2) Determining if Offers are Identical. The County shall consider Offers identical in price, fitness, availability, and quality as follows:

(a) Bids received in response to an Invitation to Bid are identical in price, fitness, availability, and quality if the Bids are Responsive, and offer the Goods or Services or Personal Services described in the Invitation to Bid at the same price.

(b) Proposals received in response to a Request for Proposals are identical in price, fitness, availability, and quality if they are Responsive and achieve equal scores when scored in accordance with the evaluation criteria set forth in the Request for Proposals.

(c) Offers received in response to a Special Procurement conducted pursuant to ORS 279B.085 are identical in price, fitness, availability, and quality if, the County determines, in Writing, that two or more Offers are equally Advantageous to the County.

(d) Offers received in response to a Request for Quotes issued as part of an Intermediate Procurement are identical if the Offers equally best serve the interests of the County.

(3) Determining if Goods or Services or Personal Services are Manufactured or Produced in Oregon. For the purposes of complying with section (1) of this rule, the County shall determine whether a Contract is predominantly for Goods, Services, or Personal Services and then use the predominant purpose to determine if the Goods, Services, or Personal Services are manufactured, produced, or performed in Oregon. The County may request, either in a Solicitation Document, following Closing, or at any other time determined appropriate by the County, any information the County determines is appropriate and necessary to allow the County to determine if the Goods or Services or Personal Services are manufactured or produced in Oregon. The County may use any reasonable criteria to determine if Goods, Services, or Personal Services are manufactured or produced in Oregon, provided that the criteria reasonably relate to that determination, and provided that the County applies those criteria equally to each Offer.

(4) Procedure for Drawing Lots. In any instance when this section calls for the drawing of lots, the County shall draw lots by a procedure that affords each Offeror subject to the drawing a substantially equal probability of being selected, and that does not allow the person making the selection the opportunity to manipulate the drawing of lots to increase the probability of selecting one Offeror over another.

(5) Discretionary Preference and Award. Under ORS 279A.128, the County may provide, in a Solicitation Document for Goods, Services, or Personal Services, a specified percentage preference of not more than ten

percent for Goods fabricated or processed entirely in Oregon, or Services or Personal Services performed entirely in Oregon. When the County provides for a preference under this section, and more than one Offeror qualifies for the preference, the County may give a further preference to a qualifying Offeror that resides in or is headquartered in Oregon. The County may establish a preference percentage higher than ten percent by Written order that finds good cause to establish the higher percentage, and which explains the County's reasons and evidence for finding good cause to establish a higher percentage. The County may not apply the preferences described in this section in a Procurement for emergency work, minor alterations, ordinary repairs, or maintenance of a Public Improvement, or construction that is described in ORS 297C.320.

(6) Nonresident Contractor. If the Contract Price exceeds \$10,000 and the Contractor is a Nonresident Bidder, the Contractor shall promptly report to the Oregon Department of Revenue on forms provided by the Department of Revenue, the Contract Price, terms of payment, Contract duration and such other information as the Department of Revenue may require before final payment can be made on the Contract. A copy of the report shall be forwarded to the County. The County shall satisfy itself that the above requirements have been complied with before it issues final payment on the Contract.

STAT. AUTH.: ORS 279A.065; OL 2011 & CH 237

STATS. IMPLEMENTED: ORS 279A.065; 279A.120 & 279A.128; OL 2011 & CH 237

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0310 Reciprocal Preferences

When evaluating Bids pursuant to YCR 047-0255, 047-0257 or 049-0390 and applying the reciprocal preference provided under ORS 279A.120(2)(b) the County may rely on the list prepared and maintained by the Oregon Department of Administrative Services pursuant to ORS 279A.120(4) to determine:

- (1) Whether the Nonresident Bidder's state gives preference to in-state bidders; and
- (2) The amount of such preference.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279A.120

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0320 Preference for Recycled Materials

(1) Notwithstanding provisions of law requiring the County to award a Contract to the lowest responsible bidder or best proposer or provider of a quotation, and in accordance with section (2) of this rule, the County shall give preference to the Procurement of goods manufactured from recycled materials.

(2) In comparing goods from two or more Offeror, if at least one Offeror offers goods manufactured from recycled materials, and at least one Offeror does not, the County shall select the Offeror offering Goods manufactured from recycled materials if each of the following four conditions exists:

- (a) The recycled product is available;
- (b) The recycled product meets applicable standards;
- (c) The recycled product can be substituted for a comparable non-recycled product; and
- (d) The recycled product's costs do not exceed the costs of non-recycled products by more than five percent, or a higher percentage if a Written determination is made by the County and set forth in the Solicitation Document. For purposes of making the foregoing determination, the County shall consider the costs of the goods following any adjustments the County makes to the price of the goods for purposes of evaluation pursuant to YCR 046-0310.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279A.125

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0330 Federally Funded Transit Projects, Preference for Exceeding Buy America

(1) The County may, in its Solicitation Documents to award a Contract for a transit project that will be funded in whole or in part with funds from the federal government or a federal government agency, provide for the

application of a preference in favor of an Offeror whose bid or proposal exceeds the applicable federal Buy America requirements.

(2) The County has discretion to adjust the amount or character of the preference to account for variations in the nature of the Contract or project and the degree to which each Offeror's bid or proposal exceeds the federal Buy America requirements.

(a) For example, in an ITB, the County may authorize a range of preference price percentages to account for the various degrees to which the Bidders might exceed the federal Buy America requirements. In no event, however, may the percentage preference given to a Bidder exceed ten percent (10%) of the total bid price.

(b) Similarly, under an RFP, the County may allocate and award evaluation points to reflect the degrees to which the Proposers might exceed the applicable federal Buy America requirements. In no event, however, may those percentage points exceed ten percent (10%) of the total number of points available for award under the RFP.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: 2012 OL & CH 58

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

IV. COOPERATIVE PROCUREMENT

YCR 046-0400 Authority for Cooperative Procurements

(1) The County may participate in, sponsor, conduct, or administer Joint Cooperative Procurements, Permissive Cooperative Procurements, and Interstate Cooperative Procurements in accordance with ORS 279A.200 through 279A.225.

(2) The County shall determine, in Writing, whether a solicitation and award process for a Contract arising out of a Cooperative Procurement is substantially equivalent to those identified in ORS 279B.055, 279B.060, or 279B.085, consistent with ORS 279A.200(2).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279A.205

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0410 Responsibilities when Administering or Participating in a Cooperative Procurement

(1) If the County is administering a Cooperative Procurement, the County may establish the conditions under which Persons may participate in the Cooperative Procurements being administered by the County. Such conditions may include, without limitation, whether each Person that participates in the Cooperative Procurement must pay administrative fees to the County, whether the participants must enter into a Written agreement with the County, and any other matters related to the administration of the Cooperative Procurement and the resulting Contract. If the County chooses to administer a Cooperative Contract, it may, but is not required to, include provisions in the Solicitation Document for a Cooperative Procurement or advertise the Solicitation Document in a manner to assist any purchasing contracting agency's compliance with the Code or this section.

(2) If the County enters into a Contract based on a Cooperative Procurement, the County shall comply with the Code and this section, including without limitation those sections of the Code and this section that govern:

(a) The extent to which the County may participate in the Cooperative Procurement;

(b) The advertisement of the solicitation document related to the Cooperative Procurement; and

(c) Public notice of the County's intent to establish Contracts based on a Cooperative Procurement.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279A.205

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0420 Joint Cooperative Procurements

If the County chooses to participate in, sponsor, conduct, or administer a Joint Cooperative Procurement, it may do so only in accordance with ORS 279A.210.

STAT. AUTH.: ORS 279A.065
STATS. IMPLEMENTED: ORS 279A.065 & 279A.210
[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0430 Permissive Cooperative Procurements

If the County chooses to participate in, sponsor, conduct, or administer a Permissive Cooperative Procurement, it may do so only in accordance with ORS 279A.215.

STAT. AUTH.: ORS 279A.065
STATS. IMPLEMENTED: ORS 279A.065 & 279A.215
[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0440 Advertisements of Permissive Cooperative Procurements

(1) If the County wishes to enter into a Contract arising out of a Permissive Cooperative Procurement, it shall publish notice of its intent to do so if the County estimates that it will spend in excess of \$250,000 on Goods, Services, or Personal Services acquired under the Contract.

(2) The notice of intent required by YCR 046-0440(1) shall contain the information required by ORS 279A.215(2)(b), and the County shall advertise the notice in the same manner as provided in ORS 279B.055(4)(b) and (c). The County shall give the notice required by this section no fewer than seven (7) days before the deadline for submitting comments regarding the County's intent to establish a Contract through a Permissive Cooperative Procurement.

(3) The content and timing of such notice shall comply in all respects with ORS 279A.215(2), 279A.215(3), and the YCR.

(4) The County shall respond to any comments on its intent to establish a Contract through a Permissive Cooperative Procurement as set forth in ORS 279A.215(3)(c).

STAT. AUTH.: ORS 279A.065
STATS. IMPLEMENTED: ORS 279A.065 & 279A.215
[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0450 Interstate Cooperative Procurements

If the County chooses to participate in, sponsor, conduct, or administer an Interstate Cooperative Procurement, it may do so only in accordance with ORS 279A.220.

STAT. AUTH.: ORS 279A.065
STATS. IMPLEMENTED:
[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0460 Advertisements of Interstate Cooperative Procurements

The County may participate in an Interstate Cooperative Procurement if at least one of the following occurs:

(1) The Solicitation Document for the Interstate Cooperative Procurement lists the County, or a Cooperative Procurement Group of which the County is a member, and the Solicitation Document is advertised in Oregon in compliance with ORS 279B.055(4) or ORS 279B.060(4) by either:

- (a) The County;
- (b) The Cooperative Procurement Group, or a member of the Cooperative Procurement Group of which the County is a member; or
- (c) Another purchasing contracting agency, so long as such advertisement would, if given by the County, comply with ORS 279B.055(4) or ORS 279B.060(4) with respect to the County.

(2) If the Solicitation Document was not advertised in accordance with YCR 046-0460(1), the County shall give notice of its intent to enter into a Contract based on the terms of the Interstate Cooperative Procurement. The notice of intent shall contain the information required by ORS 279A.220 (2)(b)(B), and the County shall advertise the notice in the same manner as provided in ORS 279B.055(4)(b) and (c). The County shall give the notice required by this section no fewer than seven (7) days before the deadline for submitting comments regarding the County's intent to establish a Contract through an Interstate Cooperative Procurement.

(a) The County shall respond to any comments on its intent to establish a contract or price agreement through an Interstate Cooperative Procurement as set forth in ORS 279A.220(3)(c).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279A.220

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0470 Protests and Disputes in Cooperative Procurements

(1) An Offeror, or potential Offeror, wishing to protest the County's Procurement process, the contents of a Solicitation Document related to a Cooperative Procurement, or the award or proposed award of a Contract shall make the protest in accordance with ORS 279B.400 through ORS 279B.425.

(2) The failure of the County to exercise any rights or remedies it has under a Contract entered into through a Cooperative Procurement shall not affect the rights or remedies of any other contracting agency that participates in the Cooperative Procurement, including the Administering Contracting Agency, and shall not prevent any other purchasing contracting agency from exercising any rights or seeking any remedies that may be available to it under its own Contract arising out of the Cooperative Procurement.

(3) Any other protests related to a Cooperative Procurement, or disputes related to a Contract arising out of a Cooperative Procurement, shall be made and resolved as set forth in ORS 279A.225.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279A.225

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0480 Contract Amendments of Cooperative Contracts

The County may amend a Contract entered into pursuant to a Cooperative Procurement as set forth in YCR 047-0800.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

V. CONTRACT ADMINISTRATION

YCR 046-0500 Contract Administration Generally

(1) All County officers, employees, and agents are prohibited from using his or her official position for personal advancement, financial gain, or for the financial gain of family members.

(2) A County officer, employee, or agent shall not commit the County to any expenditure of funds for any purpose unless the expenditure has first been authorized in the department's or division's approved budget for the fiscal year in which the Contract is executed, unless otherwise authorized by the Board.

(3) Pursuant to the Code, a Procurement shall not be artificially divided or fragmented so as to circumvent competitive bidding requirements. The cumulative total of the original Contract Price, all subsequent Amendments, and any renewals shall not exceed the respective solicitation limit.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0510 Procurement File

(1) Procurement Files to be Maintained by County. The County shall maintain a Procurement file for each Procurement made by the County. The file must, at a minimum, include the Solicitation Document, all Proposals or Bids received, the resulting Contract and any Amendments thereto, any Task Orders and/or Change Orders, and a full documentation of communications between the County and the Contractor.

(2) Availability of Procurement Files. Unless otherwise prohibited, the County shall make completed Procurement files available for public review upon Contract Award. Any Person may obtain copies of non-

confidential material from completed Procurement files upon payment of a reasonable charge in accordance with the County's adopted Fee Schedule.

(3) Retention of Procurement Files. The County departments or divisions that are overseeing the Contract are responsible for maintaining the Procurement file and retaining it for the required retention schedule (see OAR 166-150).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0520 Contract Signing Authority

(1) Contract Price not-to-exceed \$10,000. A Contract committing the County to expend less than \$10,000 may be executed by a County department head without prior Board approval if the following conditions are satisfied:

- (a) Funding for the Contract is contained in the department's approved budget for the fiscal year in which the Contract is executed, and the expected expenditure is to be made;
- (b) County Counsel has approved the Contract as to form, if any; and
- (c) All Procurement rules and procedures required hereunder have been complied with.

(2) Contract Price between \$10,000 and \$100,000. A Contract committing the County to expend between \$10,000 and \$100,000 may be approved by the County Administrator without prior Board approval so long as County Counsel first approves the Contract as to form and all Procurement rules and procedures required hereunder have been complied with.

(3) Contract Price exceeding \$100,000. A Contract committing the County to expend \$100,000 or more shall be approved by the Board prior to execution. Where permitted, County Counsel shall approve the Contract as to form. All Procurement rules and procedures required hereunder have been complied with.

(4) Intergovernmental Agreements. All Intergovernmental Agreements, and any Amendments thereto, shall be approved by the Board prior to execution.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0530 Purchase Orders; Countersignatures

(1) Purchase Orders Exceeding \$10,000. A countersignature is required on all Purchase Orders which exceed \$10,000. This requirement does not pertain to payments for utilities, payments to the State of Oregon, payments made under an approved contract or service agreement, dollars passed-through the County for other public agencies or private non-profit organizations, or payments made under a lease purchase.

(2) Countersigners. The order of countersigners shall be: 1) County Administrator; 2) Financial Services Manager; 3) Board Chair, 4) Board Vice-Chair, 5) Commissioner.

(3) Procedures for Signatures. Purchase Orders requiring countersignatures shall be sent to the Board's Executive Office Specialists, who will arrange to have the Purchase Order signed within 24 hours when feasible. If there is an emergency need for an immediate signature, staff will attempt to arrange for an immediate countersignature, if possible. Under no circumstances shall the countersigner be contacted directly.

(4) Credit Card Purchases Exceeding \$5,000. Any single purchase that exceeds \$5,000 made on a County purchase card must have special authorization from the County's Accounting Department prior to the transaction.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0540 Additional Approvals Required

(1) Information Technology Procurement. The Procurement of any data processing hardware, software, and/or related services shall be authorized by the County's I.T. Manager prior to purchase. Any unauthorized hardware or software is subject to removal by the I.T. Division.

(2) Facility Improvements. The Procurement of any improvements to County-owned facilities, including, but not limited to, alterations, additions, or interior design services, shall be authorized by the County's Facilities Manager prior to purchase and/or installation.

(3) DEI Training Agreements. All Contracts for "Diversity, Equity, and Inclusion" (DEI) training require Board approval, regardless of cost.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0550 Retroactive Approvals by the Board

Before the Board may consider retroactive approval of a Contract, the County department or division seeking approval of the Contract must first submit a Written request, including a copy of the Contract, to the County Administrator for review. The Written request for consideration of a retroactive approval must also contain an explanation as to why the Contract was not submitted before performance began and a description of the steps being taken to prevent similar occurrences in the future.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0560 Contract Amendments

(1) The County may make one or more Amendments to a Contract without any additional competitive process so long as the additional scope is reasonably related to the original Solicitation Document or original Contract.

(2) Amendments may not increase the Contract beyond the limit of any solicitation threshold established in these rules or the Code.

(3) Amendments may only be executed by an authorized signatory as defined in YCR 046-0500.

(4) Amendments must be fully executed by all signatories before the Amendment will be binding on the County.

(5) The County Administrator may execute Amendments on behalf of the Board in accordance with YCR 046-0140.

(6) At the discretion of the County Administrator, routine Amendments requiring Board approval may be placed on the "Consent Agenda" in accordance with Yamhill County Ordinance 900.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 046-0570 Contract Term

The term of a Public Contract, including all amendments, shall be a maximum of ten (10) years, unless otherwise specified in the Solicitation Document or as otherwise authorized by the Board. This rule does not apply to agreements involving real property.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR DIVISION 047

PUBLIC PROCUREMENT OF GOODS OR SERVICES

I. GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTS FOR GOODS AND SERVICES

YCR 047-0100 Application

These Division 47 rules implement ORS Chapter 279B, Public Procurements and apply to the Procurement of Goods and Services as defined in ORS 279B.005(1)(b), but specifically does not include the Procurement of Personal Services Contracts, except as provided in YCR 047-0900 to 047-0920.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.015

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0110 Definitions

- (1) “**Advantageous**” means in the County’s best interests, as assessed according to the judgment of the County.
- (2) “**Affected Person**” or “**Affected Offeror**” means a Person whose ability to participate in a Procurement is adversely affected by a County decision.
- (3) “**Class Special Procurement**” means a Special Procurement for a series or class of Contracts that has been approved by the Board in accordance with ORS YCR 047-0285.
- (4) “**Emergency Procurement**” means a Procurement under YCR 047-0280.
- (5) “**Failed Procurement**” means a competitive Procurement in which no Responsive Offers were received by the County.
- (6) “**Good Cause**” means a reasonable explanation for not requiring Contractor to meet the highest standards and may include an explanation of circumstances that support a finding that a solicitation requirement would unreasonably limit competition or is not in the best interest of the County.
- (7) “**Intermediate Procurement**” means a Procurement under YCR 047-0257.
- (8) “**Small Procurement**” means a Procurement under YCR 047-0255.
- (9) “**Sole-source Procurement**” means a Procurement under YCR 047-0275.
- (10) “**Special Procurement**” means a Procurement under YCR 047-0285.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065, ORS 279B

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0120 Feasibility Determination; Cost Analysis

(1) Before conducting a Procurement for Services with an estimated Contract Price that exceeds \$250,000, the County shall:

- (a) Demonstrate, by means of a Written cost analysis in accordance with ORS 279B.033, that the County would incur less cost in conducting the Procurement than in performing the Services with the County’s own personnel and resources; or
- (b) Demonstrate, by means of a Written determination in accordance with ORS 279B.036, that performing the Services with the County’s own personnel and resources is not feasible.

(2) The Written cost analysis and/or feasibility determination shall become part of the Procurement file.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.030

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

II. SOURCE SELECTION

YCR 047-0250 Methods of Source Selection

Except as permitted by ORS 279B.065 through 279B.085 and ORS 279A.200 through 279A.225, the County shall Award a Public Contract for Goods or Services, or both, based on Offers received in response to either competitive sealed Bids pursuant to ORS 279B.055 or competitive sealed Proposals pursuant to ORS 279B.060.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED:

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0255 Small Procurements

(1) Generally. For Procurements of Goods or Services less than or equal to the dollar amount stated in ORS 279B.065, the County may award a small procurement in any manner deemed practical or convenient by the County, including by direct selection, appointment, or Award.

(2) Amendments. The County may amend a Contract Awarded as a Small Procurement in accordance with YCR 047-0800, but the cumulative Amendments may not increase the total Contract Price to greater than one hundred twenty-five percent (125%) of the dollar amount stated in ORS 279B.065.

(3) No Artificial Division. A Procurement may not be artificially divided or fragmented so as to constitute a Small Procurement under this rule.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0257 Intermediate Procurements

(1) Generally. For Procurements of Goods or Services greater than the dollar amount stated in ORS 279B.065 and less than or equal to the higher dollar amount stated in ORS 279B.070, the County may Award a Contract as an Intermediate Procurement pursuant to this rule and ORS 279B.070.

(2) Solicitation Method. The County shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective Contractors. The County shall keep a Written record of the sources of the quotes or proposal received. If three quotes or proposals are not reasonably available, fewer will suffice, but the County shall make a Written record of the effort made to obtain the quotes or proposals.

(3) Negotiations. The County may negotiate with a prospective Contractor who offers to provide Goods or Services in response to an Intermediate Procurement to clarify its quote or Offer or to effect modifications that will make the quote or Offer more Advantageous to the County.

(4) Award. If a Contract is awarded, the County shall award the Contract to the offeror whose quote or Offer will best serve the interests of the County, taking into account price as well as experience, expertise, product functionality, suitability for a particular purpose, and contractor responsibility under ORS 279B.110.

(5) Amendments. The County may amend a Contract Awarded as an Intermediate Procurement in accordance with YCR 047-0800, but the cumulative Amendments may not increase the total Contract Price to a sum that exceeds the higher dollar amount stated in ORS 279B.070.

(6) No Artificial Division. A Procurement may not be artificially divided or fragmented so as to constitute an Intermediate Procurement under this rule.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.070

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0260 Competitive Sealed Bidding

(1) Generally. The County may procure Goods or Services by competitive sealed bidding as set forth in ORS 279B.055. An Invitation to Bid is used to initiate a competitive sealed bidding solicitation and shall contain the

information required by ORS 279B.055(2) and by section (2) of this rule. The County shall provide public notice of the competitive sealed bidding solicitation as set forth in YCR 047-0300.

(2) Invitation to Bid. In addition to the provisions required by ORS 279B.055(2), the Invitation to Bid shall include the following:

(a) *General Information*.

(A) Notice of any pre-Offer conference as follows:

(i) The time, date, and location of any pre-Offer conference;

(ii) Whether attendance at the conference will be mandatory or voluntary; and

(iii) A provision that provides that statements made by the County's representatives at the pre-Offer conference are not binding upon the County unless confirmed by Written Addendum.

(B) The form and instructions for submission of Bids and any other special information, e.g., whether Bids may be submitted by electronic means (See YCR 047-0330 for required provisions of electronic Bids);

(C) The time, date, and place of Opening;

(D) The office where the Solicitation Document may be reviewed;

(E) A statement that each Bidder must identify whether the Bidder is a "resident Bidder," as defined in ORS 279A.120(1);

(F) Bidder's certification of nondiscrimination in obtaining required subcontractors in accordance with ORS 279A.110(4);

(G) How the County will notify Bidders of Addenda and how the County will make Addenda available (see YCR 047-0430); and

(H) Applicable Preferences, including those described in ORS 279A.120, 279A.125(2) and 282.210.

(b) *County's Need to Purchase*. The character of the Goods or Services the County is purchasing, including, if applicable, a description of the acquisition, Specifications, delivery or performance schedule, inspection, and acceptance requirements, must be included in the Solicitation Document. As required by ORS 279B.055, the County's description of its need to purchase must:

(A) Identify the scope of the work to be performed under the resulting Contract, if the County awards one;

(B) Outline the anticipated duties of the Contractor under any resulting Contract;

(C) Establish the expectations for the Contractor's performance of any resulting Contract; and

(D) Unless the County for Good Cause specifies otherwise, the scope of work must require the Contractor to meet the highest standards prevalent in the industry or business most closely involved in providing the Goods or Services that the County is purchasing.

(c) *Bidding and Evaluation Process*.

(A) The anticipated solicitation schedule, deadlines, protest process, and evaluation process;

(B) The County shall set forth objective evaluation criteria in the Solicitation Document in accordance with the requirements of ORS 279B.055(6)(a). Evaluation criteria need not be precise predictors of actual future costs, but to the extent possible, the evaluation factors shall be reasonable estimates of actual future costs based on information the County has available concerning future use; and

(C) If the County intends to Award Contracts to more than one Bidder pursuant to YCR 047-0600(4)(c), the County shall identify in the Solicitation Document the manner in which it will determine the number of Contracts it will Award.

(d) *Statutory Preferences*. Any applicable preferences pursuant to ORS 279B.055(6)(b).

(e) *Contractual Terms and Conditions*. The County shall set forth all contractual terms and conditions the County determines are applicable to the Procurement. The Contract terms and conditions must specify the consequences of the Contractor's failure to perform the scope of work or to meet the performance standards established by the resulting Contract. Those consequences may include, but are not limited to:

(A) The County's reduction or withholding of payment under the Contract;

(B) The County's right to require the Contractor to perform, at the Contractor's expense, any additional work necessary to perform the statement of work or to meet the performance standards established by the resulting Contract; and

(C) The County's rights, which the County may assert individually or in combination, to declare a default of the resulting Contract, to terminate the resulting Contract, and to seek damages and other relief available under the resulting Contract or applicable law.

(3) Good Cause. The County shall document in the Procurement file the basis for the determination of Good Cause for specification otherwise. The County has Good Cause to specify otherwise under the following circumstances:

(a) The use or purpose to which the Goods or Services will be put does not justify a requirement that the Contractor meet the highest prevalent standards in performing the Contract;

(b) Imposing express technical, standard, dimensional, or mathematical specifications will better ensure that the Goods or Services will be compatible with or will operate efficiently or effectively with components, equipment, parts, Services, or information technology, including hardware, Services, or software with which the Goods or Services will be used, integrated, or coordinated;

(c) The circumstances of the industry or business that provides the Goods or Services are sufficiently volatile in terms of innovation or evolution of products, performance techniques, scientific developments, that a reliable highest prevalent standard does not exist or has not been developed; and

(d) Any other circumstances in which County's interest in achieving economy, efficiency, compatibility, or availability in the Procurement of the Goods or Services reasonably outweighs the County's practical need for the highest prevalent standard in the applicable or closest industry or business that supplies the Goods or Services to be delivered under the resulting Contract.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0265 Competitive Sealed Proposals

(1) Generally. The County may procure Goods or Services via competitive sealed Proposals as set forth in ORS 279B.060. The County shall use a Request for Proposal to initiate a competitive sealed Proposal solicitation. The Request for Proposal must contain the information required by 279B.060(2) and by section (2) of this rule. The County shall provide public notice of the Request for Proposal as set forth in YCR 047-0300.

(2) Request for Proposal. In addition to the provisions required by ORS 279B.060(2), the Request for Proposal must include the following:

(a) *General Information*.

(A) The anticipated solicitation schedule, deadlines, protest process, and evaluation process.

(B) Notice of any pre-Offer conference as follows:

(i) The time, date and location of any pre-Offer conference;

(ii) Whether attendance at the conference will be mandatory or voluntary; and

(iii) A provision that provides that statements made by the County's representatives at the conference are not binding upon the County unless confirmed by Written Addendum.

(C) The form and instructions for submission of Proposals and any other special information, e.g., whether Proposals may be submitted by electronic means (see YCR 047-0330 for required provisions of electronic Proposals);

(D) The time, date, and place of the Opening;

(E) The office where the Solicitation Document may be reviewed;

(F) Proposer's certification of nondiscrimination in obtaining required subcontractors in accordance with ORS 279A.110(4);

(G) How the County shall notify Proposers of Addenda and how the County shall make Addenda available (see YCR 047-0430); and

(H) Applicable Preferences, including those described in ORS 279A.120, 279A.125(2) and 282.210.

(b) *County's Need to Purchase.* The character of the Goods or Services the County is purchasing including, if applicable, a description of the acquisition, Specifications, delivery or performance schedule, inspection, and acceptance requirements, must be included in the Solicitation Document. As required by ORS 279B.060(2)(c), the County's description of its need to purchase must:

- (A) Identify the scope of the work to be performed under the resulting Contract, if the County awards one;
- (B) Outline the anticipated duties of the Contractor under any resulting Contract;
- (C) Establish the expectations for the Contractor's performance of any resulting Contract; and
- (D) Unless the Contractor, under any resulting Contract, will provide Architectural, Engineering, Photogrammetric mapping, Transportation Planning, Land Surveying Services, or Related Services that are subject to ORS 279C.100 to 279C.125 and YCR Division 048, or the County, for Good Cause, specifies otherwise, the scope of work must require the Contractor to meet the highest standards prevalent in the industry or business most closely involved in providing the Goods or Services that the County is purchasing.

(c) *Proposal Evaluation Process.*

(A) The County shall set forth selection criteria in the Solicitation Document in accordance with the requirements of ORS 279B.060(3)(e). Evaluation criteria need not be precise predictors of actual future costs and performance, but to the extent possible, the criteria shall:

- (i) Afford the County the ability to compare the Proposals and Proposers, applying the same standards of comparison to all Proposers;
- (ii) Rationally reflect Proposers' abilities to perform the resulting Contract in compliance with the Contract's requirements; and
- (iii) Permit the County to determine the relative pricing offered by the Proposers, and to reasonably estimate the costs to the County of entering into a Contract based on each Proposal, considering information available to the County and subject to the understanding that the actual Contract costs may vary as a result of the statement of work ultimately negotiated or the quantity of Goods or Services for which the County contracts.

(B) If the County's solicitation process calls for the County to establish a Competitive Range, the County shall generally describe, in the Solicitation Document, the criteria or parameters the County will apply to determine the Competitive Range. The County, however, subsequently may determine or adjust the number of Proposers in the Competitive Range in accordance with YCR 047-0270(6).

(e) *Contractual Terms and Conditions.* The County shall set forth all contractual terms and conditions the County determines are applicable to the Procurement. The County's determination of applicability may take into consideration, as authorized by ORS 279B.060(3), those contractual terms and conditions the County will not include in the Request for Proposal because the County either will reserve them for negotiation or will request Proposers to offer or suggest those terms or conditions where suitable.

(A) As required by ORS 279B.060(2)(h), the Contract terms and conditions must specify the consequences of the Contractor's failure to perform the scope of work or to meet the performance standards established by the resulting Contract. Those consequences may include, but are not limited to:

- (i) The County's reduction or withholding of payment under the Contract;
- (ii) The County's right to require the Contractor to perform, at the Contractor's expense, any additional work necessary to perform the scope of work or to meet the performance standards established by the resulting Contract; and
- (iii) The County's rights, which the County may assert individually or in combination, to declare a default of the resulting Contract, to terminate the resulting Contract, and to seek damages and other relief available under the resulting Contract or applicable law.

(B) The County may include the applicable contractual terms and conditions in the form of Contract provisions, or legal concepts to be included in the resulting Contract. Further, the County may specify that

it will include or use Proposer's terms and conditions that have been pre-negotiated under YCR 047-0550(3), but the County may only include or use a Proposer's pre-negotiated terms and conditions in the resulting Contract to the extent those terms and conditions do not materially conflict with the applicable contractual terms and conditions. The County shall not agree to any Proposer's terms and conditions that were expressly rejected in a solicitation protest under YCR 047-0720.

(4) For multiple Award Contracts, the County may enter into Contracts with different terms and conditions with each Contractor to the extent those terms and conditions do not materially conflict with the applicable contractual terms and conditions. The County shall not agree to any Proposer's terms and conditions that were expressly rejected in a solicitation protest under YCR 047-0720.

(5) Good Cause. The County shall document in the Procurement file the basis for the determination of Good Cause for specification otherwise. The County has Good Cause to specify otherwise under the following circumstances:

- (a) The use or purpose to which the Goods or Services will be put does not justify a requirement that the Contractor meet the highest prevalent standards in performing the Contract;
- (b) Imposing express technical, standard, dimensional, or mathematical specifications will better ensure that the Goods or Services will be compatible with or will operate efficiently or effectively with components, equipment, parts, Services, or information technology, including hardware, Services, or software with which the Goods or Services will be used, integrated, or coordinated;
- (c) The circumstances of the industry or business that provides the Goods or Services are sufficiently volatile in terms of innovation or evolution of products, performance techniques, scientific developments, that a reliable highest prevalent standard does not exist or has not been developed; and
- (d) Any other circumstances in which County's interest in achieving economy, efficiency, compatibility, or availability in the Procurement of the Goods or Services reasonably outweighs the County's practical need for the highest prevalent standard in the applicable or closest industry or business that supplies the Goods or Services to be delivered under the resulting Contract.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0267 Multistep Sealed Bids

(1) Generally. The County may procure Goods or Services by using multistep competitive sealed Bids pursuant to ORS 279.055(12).

(2) Phased Process. Multistep bidding is a phased process that seeks necessary information or unpriced submittals in the initial phase combined with regular competitive sealed bidding. The County may invite Bidders to submit technical submittals in the initial phase, followed by a request for them to submit competitive sealed price Bids in the final phase. The Contract shall be Awarded to the lowest Responsible Bidder. If time is a factor, the County may require Bidders to submit a separate sealed price Bid during the initial phase, to be opened immediately following the initial evaluation.

(3) Public Notice. Whenever multistep sealed Bids are used, public notice for the first phase shall be given in accordance with YCR 047-0300. Public notice is not required for the subsequent phases. However, the County shall give notice of the second phase to all Bidders, inform Bidders of their right to protest any Addenda issued pursuant to YCR 047-0430, and inform Bidders excluded from the second phase, if any, of their right to protest their exclusion under YCR 047-0710.

(4) Procedures Generally. In addition to the procedures set forth in YCR 047-0300 through 047-0490, the County shall employ the procedures set forth in this rule for multistep bidding and in the Invitation to Bid.

(5) Procedure for Phase One of Multistep Sealed Bids.

- (a) Form. The County shall initiate multistep sealed bidding by issuing an Invitation to Bid in the form and manner required for competitive sealed Bids except as provided in this rule. In addition to the requirements set forth in YCR 047-0255(2), the multistep Invitation to Bid shall state:

(A) That the solicitation is a multistep sealed Bid Procurement and describe the process the County will use to conduct the Procurement;

(B) That the County requests un-priced submittals and that the County will consider price Bids only in the final phase and only from those Bidders whose un-priced submittals are found eligible in the initial phase;

(C) Whether Bidders must submit price Bids at the same time as un-priced technical Bids; if they are, that such price Bids shall be submitted in a separate sealed envelope;

(D) The criteria to be used in the evaluation of un-priced submittals; and

(E) That the County, to the extent that it finds necessary, may conduct oral or Written discussions for the purposes of clarification of the un-priced technical Bids.

(b) *Evaluation.* Un-priced submittals submitted by Bidders shall be evaluated solely in accordance with the criteria set forth in the Invitation to Bid.

(6) Procedure for Phase Two of Multistep Sealed Bidding.

(a) After the completion of phase one, if the County does not cancel the Solicitation, the County shall invite each eligible Bidder to submit a price Bid.

(b) The County shall conduct phase two as any other competitive sealed Bid Procurement except:

(A) As specifically set forth in this rule or the Invitation to Bid;

(B) No public notice need be given of the invitation to submit price Bids because such notice was previously given.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279B.055

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0270 Multiple-tiered and Multistep Proposals

(1) Generally. The County may use one or more, or any combination, of the methods of Contractor selection set forth in ORS 279B.060(7), 279B.060(8), and this rule to procure Goods or Services. In addition to the procedures set forth in YCR 047-0300 through 047-0490 for methods of Contractor selection, the County may provide for a multiple-tiered or multistep selection process that permits award to the highest ranked Proposer at any tier or step, calls for the establishment of a Competitive Range, or permits either serial or competitive simultaneous discussions or negotiations with one or more Proposers.

(a) When conducting a multiple-tiered or multistep selection process, the County may use any combination or series of Proposals, discussions, negotiations, demonstrations, offers, or other means of soliciting information from Proposers that bears on the selection of a Contractor or Contractors. In multiple-tiered and multistep competitions, the County may use these means of soliciting information from prospective Proposers and Proposers in any sequence or order, and at any stage of the selection process, as determined in the discretion of the County.

(b) When the County's Request for Proposals prescribes a multiple-tiered or multistep Contractor selection process, the County nevertheless may, at the completion of any stage in the competition and on determining the most Advantageous Proposer (or, in multiple-award situations, on determining the awardees of the Public Contracts), award a Contract (or Contracts) and conclude the Procurement without proceeding to subsequent stages. The County also may, at any time, cancel the Procurement under ORS 279B.100.

(2) Discussions. The County may initiate oral or written discussions with all "eligible Proposers" on subject matter within the general scope of the Request for Proposals. In conducting discussions, the County:

(a) Shall treat all eligible Proposers fairly and shall not favor any eligible Proposer over another;

(b) May disclose other eligible Proposers' Proposals or discussions only in accordance with ORS 279B.060(8)(b) or (c);

(c) May adjust the evaluation of a Proposal as a result of discussions. The conditions, terms, or price of the Proposal may be changed during the course of the discussions provided the changes are within the scope of the Request for Proposals.

(d) At any time during the time allowed for discussions, the County may:

- (A) Continue discussions with a particular eligible Proposer;
- (B) Terminate discussions with a particular eligible Proposer and continue discussions with other eligible Proposers; or
- (C) Conclude discussions with all remaining eligible Proposers and provide, to the then-eligible Proposers, notice requesting best and final Offers.

(3) Negotiations.

(a) The County may commence serial negotiations with the highest-ranked eligible Proposer or commence simultaneous negotiations with all eligible Proposers. The County may negotiate:

- (A) The statement of work;
- (B) The Contract Price as it is affected by negotiating the statement of work and other terms and conditions authorized for negotiation in the Request for Proposals or Addenda thereto; and
- (C) Any other terms and conditions reasonably related to those authorized for negotiation in the Request for Proposals or Addenda thereto. Proposers shall not submit for negotiation, and the County shall not accept, alternative terms and conditions that are not reasonably related to those authorized for negotiation in the Request for Proposals or any Addendum.

(b) *Terminating Negotiations.* At any time during discussions or negotiations, the County conducts under this rule, the County may terminate discussions or negotiations with the highest-ranked Proposer, or the eligible Proposer with whom it is currently discussing or negotiating, if the County reasonably believes that:

- (A) The eligible Proposer is not discussing or negotiating in good faith; or
- (B) Further discussions or negotiations with the eligible Proposer will not result in the parties agreeing to the terms and conditions of a Contract in a timely manner.

(c) *Continuing Serial Negotiations.* If the County is conducting serial negotiations and the County terminates negotiations with an eligible Proposer, the County may then commence negotiations with the next highest scoring eligible Proposer, and continue the sequential process until the County has either:

- (A) Determined to Award the Contract to the eligible Proposer with whom it is currently discussing or negotiating; or
- (B) Decided to cancel the Procurement under ORS 279B.100.

(d) *Competitive Simultaneous Negotiations.* If the County chooses to conduct competitive negotiations, the County may negotiate simultaneously with competing eligible Proposers. The County:

- (A) Shall treat all eligible Proposers fairly and shall not favor any eligible Proposer over another;
- (B) May disclose other eligible Proposers' Proposals or the substance of negotiations with other eligible Proposers only if the County notifies all of the eligible Proposers with whom the County will engage in negotiations of the County's intent to disclose before engaging in negotiations with any eligible Proposer.
- (C) Any oral modification of a Proposal resulting from negotiations must be reduced to Writing.

(4) Multiple-tiered Competition. When the County's solicitation process conducted under ORS 279B.060(8) calls for the County to establish a Competitive Range at any stage in the Procurement process, the County may do so as follows:

(a) *Determining Competitive Range.* The County may establish a Competitive Range after evaluating all Responsive Proposals in accordance with the evaluation criteria in the Request for Proposals. After evaluation of all Proposals in accordance with the criteria in the Request for Proposals, the County may determine and rank the Proposers in the Competitive Range. Notwithstanding the foregoing, however, in instances in which the County determines that a single Proposer has a reasonable chance of being determined the most Advantageous Proposer, the County need not determine or rank Proposers in the Competitive Range. In addition, notwithstanding the foregoing, the County may establish a Competitive Range of all Proposers to enter into discussions to correct deficiencies in Proposals.

- (A) The County may establish the number of Proposers in the Competitive Range in light of whether the County's evaluation of Proposals identifies a number of Proposers who have a reasonable chance of being determined the most Advantageous Proposer, or whether the evaluation establishes a natural break in the

scores of Proposers that indicates that a particular number of Proposers are closely competitive or have a reasonable chance of being determined the most Advantageous Proposer.

(b) *Notice Required.* The County must provide Written notice to all Proposers identifying Proposers in the Competitive Range.

(5) Multistep Sealed Proposals. The County may procure Goods or Services by using multistep competitive sealed Proposals under ORS 279B.060(8)(b)(g). Multistep sealed Proposals is a phased Procurement process that seeks necessary information or unpriced technical Proposals in the first phase and, in the second phase, invites Proposers who submitted technically qualified Proposals to submit competitive sealed price Proposals on the technical Proposals. The County must award the Contract to the Responsible Proposer submitting the most Advantageous Proposal in accordance with the terms of the Solicitation Document applicable to the second phase.

(a) *Public Notice.* When the County uses multistep sealed Proposals, the County shall give public notice for the first phase in accordance with YCR 047-0300. Public notice is not required for the second phase. However, the County shall give notice of the subsequent phases to all Proposers and inform any Proposers excluded from the second phase of the right, if any, to protest exclusion under YCR 047-0710.

(b) *Procedure for Phase One of Multistep Sealed Proposals.* The County may initiate a multistep sealed Proposals Procurement by issuing a Request for Proposals in the form and manner required for competitive sealed Proposals except as provided in this rule. In addition to the requirements required for competitive sealed Proposals, the multistep Request for Proposals must state:

(A) That unpriced technical Proposals are requested;

(B) That the solicitation is a multistep sealed Proposal Procurement and that, in the second phase, priced Proposals will be accepted only from those Proposers whose unpriced technical Proposals are found qualified in the first phase;

(C) The criteria for the evaluation of unpriced technical Proposals; and

(D) That the Goods or Services being procured shall be furnished generally in accordance with the Proposer's technical Proposal as found to be finally qualified and shall meet the requirements of the Request for Proposals.

(c) *Addenda to the Request for Proposals.* After receipt of unpriced technical Proposals, Addenda to the Request for Proposals shall be distributed only to Proposers who submitted unpriced technical Proposals.

(d) *Receipt and Handling of Unpriced Technical Proposals.* Unpriced technical Proposals need not be opened publicly.

(e) *Evaluation of Unpriced Technical Proposals.* Unpriced technical Proposals shall be evaluated solely in accordance with the criteria set forth in the Request for Proposals.

(f) *Discussion of Unpriced Technical Proposals.* The County may seek clarification of a technical Proposal of any Proposer who submits a qualified, or potentially qualified technical Proposal. During the course of such discussions, the County shall not disclose any information derived from one unpriced technical Proposal to any other Proposer.

(g) *Methods of Contractor Selection for Phase One.* In conducting phase one, the County may employ any combination of the methods of Contractor selection that call for the establishment of a Competitive Range or include discussions, negotiations, or best and final Offers as set forth in this rule.

(h) *Procedure for Phase Two.* On the completion of phase one, the County shall invite each qualified Proposer to submit price Proposals. The County shall conduct phase two as any other competitive sealed Proposal Procurement except as set forth in this rule.

(i) *No Notice Required for Price Proposals.* No public notice need be given of the request to submit price Proposals because such notice was previously given.

(6) Best and Final Offers. If the County requires best and final Offers, the County must establish a common date and time by which eligible Proposers must submit best and final Offers. If the County is dissatisfied with the best and final Offers, the County may make a written determination that it is in the County's best interest to conduct additional discussions, negotiations, or change the County's requirements and require another submission of best

and final Offers. The County must inform all eligible Proposers that if they do not submit notice of withdrawal or another best and final Offer, their immediately previous Offers will be considered their best and final Offers. The County shall evaluate Offers as modified by the best and final Offers. The County shall conduct the evaluations as described in YCR 047-0600. The County may not modify evaluation factors or their relative importance after the date and time that best and final Offers are due.

(7) Protests.

(a) *Exclusion Protest.* The County may provide, before the notice of an intent to Award, an opportunity for a Proposer to protest exclusion from the Competitive Range or from subsequent phases of multiple-tiered or multistep sealed Proposals as set forth in YCR 047-0710.

(b) *Award Protest.* The County shall provide an opportunity to protest its intent to Award a Contract pursuant to ORS 279B.410 and YCR 047-0730. An Affected Offeror may protest, for any of the bases set forth in YCR 047-0710(2), its exclusion from the Competitive Range or from any phase of a multiple-tiered or multistep sealed Proposal process, or may protest an Addendum issued following initial Closing, if the County did not previously provide Proposers the opportunity to protest the exclusion or Addendum. The failure to protest shall be considered the Proposer's failure to pursue an administrative remedy made available to the Proposer by the County.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED:

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0275 Sole-source Procurements

(1) Generally. The County may Award a Public Contract without competition as a Sole-source Procurement pursuant to the requirements of ORS 279B.075.

(2) Delegated Authority. The Yamhill County Administrator is hereby delegated the authority to declare that the Goods or Services are available from only one source.

(3) Written Findings. The declaration of a Sole-source Procurement must be based on Written findings that:

(a) Show with reasonable certainty that:

(A) The efficient utilization of existing goods requires acquiring compatible Goods or Services;

(B) The goods or services required to exchange software or data with other public or private agencies are available from only one source;

(C) The goods or services are for use in a pilot or an experimental project; or

(D) Any other findings that support the conclusion that the goods or services are available from only one source.

(b) Include a description of the methodology used in determining that the good or service is only available from one source.

(4) Public Notice. If a Sole-source Procurement will result in a Contract exceeding \$250,000, the County shall provide public notice of the sole-source determination in a manner similar to public notice of competitive sealed bids under 279B.055(4) and YCR 047-0300. The public notice shall describe the Goods or Services to be acquired by a Sole-source Procurement, identify the prospective Contractor, and include the date, time, and place that protests are due. The County shall give Affected Persons at least seven (7) days from the date of the notice of the determination that the Goods or Services are available from only one source to protest the sole-source determination.

(5) Protest. An Affected Person may protest the County's determination that the Goods or Services or class of Goods or Services are available from only one source in accordance with YCR 047-0700.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279B.075

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0280 Emergency Procurements

The County may Award a Contract as an Emergency Procurement pursuant to the requirements of ORS 279B.080. When an Emergency Procurement is authorized, the Procurement shall be made with competition that is reasonable and appropriate under the circumstances. However, for an Emergency Procurement of Construction Services, see 279B.080(2).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.080

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0285 Special Procurements

(1) Generally. The County may Award a Contract or class of Contracts as a Special Procurement pursuant to the requirements of ORS 279B.085.

(2) Authorization of a Special Procurement. Special Procurements may be authorized by the Board in the following manner:

(a) The Board receives a Written request for a Special Procurement that describes the proposed contracting procedure, the goods or services or class of goods or services to be acquired through the Special Procurement, and the circumstances that justify the use of a Special Procurement; and

(b) The Board finds that the Special Procurement requested will:

(A) Not encourage favoritism in the awarding of Public Contracts or substantially diminish competition for Public Contracts; and

(B) Result in substantial cost savings to the County or to the public; or

(C) Otherwise substantially promote the public interest in a manner that could not be practicably realized by complying with ORS 279B.065, 279B.060, 279B.065 or 279B.070 or the YCR.

(3) Public Notice. The County shall give public notice of the County's approval of a Special Procurement in the same manner as public notice of competitive sealed Bids under ORS 279B.055(4) and YCR 047-0300. The public notice shall describe the Goods or Services or class of Goods or Services to be acquired through the Special Procurement. The County shall give Affected Persons at least seven (7) days from the date of the notice of approval of the Special Procurement to protest the Special Procurement.

(4) Protest. An Affected Person may protest the request for approval of a Special Procurement in accordance with ORS 279B.400 and YCR 047-0700.

(5) Class Special Procurements. The Yamhill County Board of Commissioners declares the following as Class Special Procurements:

(a) *Advertisements*. The County may purchase advertising in newspapers and written publications, web-based Internet sites, and other electronic formats without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 761.)

(b) *Ballots, Ballot Pages, and Ballot Cards*. The County may purchase the printing of ballots, including ballot pages and labeling of ballot cards, without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 924.)

(c) *COTS Software*. The County may purchase commercially-available off-the-shelf (COTS) software without using the methods of source selection described in the YCR. The COTS software must not be in any way modified from the form in which it is sold in the commercial marketplace. (Authorized by Ordinance No. 924.)

(d) *Copyrighted Materials*. The County may purchase copyrighted materials where there is only one known supplier available for such goods without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 924.)

(e) *Employee Benefit Contracts*. The County may purchase employee benefit insurance without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 761.)

(f) *Equipment Maintenance, Repair, Conversion, and Overhaul.* The County may enter into a Contract for equipment maintenance, repair, conversion, or overhaul without using the methods of source selection described in the YCR, subject to the following conditions:

(A) Service and/or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing;

(B) Service and/or parts required are for sophisticated equipment which is only available through one source; and/or

(C) Specially trained personnel are required for the efficient utilization of the equipment, and such personnel are available from only one source. (Authorized by Ordinance No. 761.)

(g) *Financial Services.* The County may purchase services for the purpose of investment of public funds, the borrowing of funds, or banking without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 761.)

(h) *Food Service Contracts.* The County may purchase food services without using the methods of source selection described in the YCR if the total contract value is less than \$50,000. For the purposes of this rule, “food services” means the purchase, preparation, and service of meals and related services. (Authorized by Ordinance No. 924.)

(i) *Gasoline, Diesel Fuel, Heating Oil, Lubricants, Asphalt, and Rock.* The County may purchase gasoline, diesel fuel, heating oil, lubricants, asphalt, and rock from a vendor or supplier without using the methods of source selection described in the YCR if:

(A) The County seeks competitive quotes;

(B) Makes its purchase from the least expensive source; and

(C) Retains Written justification for the purchase made. (Authorized by Ordinance No. 761.)

(j) *Insurance Contracts.* The County may purchase Contracts for insurance directly from an insurer without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 761.)

(k) *Laboratory and Medical Supplies.* The County may purchase drugs, laboratory, or medical supplies directly from a vendor without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 924.)

(l) *Law Enforcement Equipment.* The County may purchase ammunition, firearms, and other weapons as needed without using the methods of source selection described in the YCR if determined in Writing to be necessary by the Yamhill County Sheriff. (Authorized by Ordinance No. 761.)

(m) *Legal Services.* The County may directly purchase, without using the methods of source selection described in the YCR, services related to the provision of legal advice to the County. This includes, but is not limited to:

(A) Litigation and litigation support services;

(B) Court reporters;

(C) Expert witnesses;

(D) Arbitrators and mediators;

(E) Trial consultants; and

(F) Investigators.

(Authorized by Ordinance No. 924.)

(n) *Membership Dues.* The County may directly purchase, without using the methods of source selection described in the YCR, dues or memberships in professional or community organizations for the benefit of the City. (Authorized by Ordinance No. 924.)

(o) *Oil or Hazardous Material Removal.* The County may directly purchase services to remove or clean up oil or hazardous waste pursuant from any vendor without using the methods of source selection described in the YCR when ordered to do so by the Department of Environmental Quality (DEQ) pursuant to its authority under ORS Chapter 466. In doing so, the following conditions apply:

- (A) To the extent reasonable under the circumstances, the County encourages competition by attempting to make informal solicitations or to obtain informal quotes from potential suppliers of goods or services;
- (B) The County makes Written findings describing the circumstances requiring cleanup or a copy of the DEQ order ordering such cleanup; and
- (C) The County records the measures taken under subsection (A) of this exemption to encourage competition, the amount of the quotes or proposals obtained, if any, and the reason for selecting the Contractor selected. (Authorized by Ordinance No. 761.)
- (p) *Office Photocopiers*. The County may purchase or lease office photocopiers without using the methods of source selection described in the YCR if:
- (A) To the extent reasonable under the circumstances, the County encourages competition by either:
- (i) Attempting to make informal solicitations or to obtain informal quotes from potential suppliers of office photocopiers;
- (ii) Utilizing a Cooperative Contract authorized under the Code; and
- (B) The County records the measures taken under subsection (A) of this exemption to encourage competition, the amount of the quotes or proposals obtained, if any, and the reason for selecting the Contractor selected. (Authorized by Ordinance No. 924.)
- (q) *Oregon Corrections Enterprise Purchases*. The County may purchase from the Oregon Corrections Enterprise without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 924.)
- (r) *Performing Artists*. The County may enter into a Contract for performance art, whether vocal, instrumental, or visual, required by the County for an audience without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 924.)
- (s) *Periodicals*. The County may directly purchase financial products, such as bond insurance, surety bonds, and liquidity facilities, such as letters of lines or credit without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 761.)
- (t) *Purchase of Used Personal Property or Equipment*. The County may directly purchase used personal property and equipment without using the methods of source selection described in the YCR. (Authorized by Ordinance No. 924.)
- (u) *Price-Regulated Goods and Services*. The County may directly purchase Goods or Services, without using the methods of source selection described in the YCR, if the rate or price for the Goods or Services being purchased is established by federal, state, or local regulatory authority. (Authorized by Ordinance No. 761.)
- (v) *Utilities and Utility Related Services*. The County may directly purchase, without using the methods of source selection described in the YCR, utility services, repair, equipment, and/or maintenance work, where the rate or price for such goods and services is established by federal, state, or local regulatory authority or when the services can be provided only by a specific utility. (Authorized by Ordinance No. 924.)
- (w) *Software and Hardware Maintenance, Licenses, Subscriptions, and Upgrades*. The County may directly enter into a Contract or renew existing Contracts for information technology hardware or software maintenance, licenses, subscriptions, and upgrades without using the methods of source selection described in the YCR if the maintenance, upgrades, subscriptions, and licenses are either available from only one source or, if available from more than one provider, can be obtained from the County's current provider in a way that allows for both efficient and effective utilization of the County's hardware or software system currently in place, subject to the following condition:
- (A) If the purchase exceeds \$100,000, the County shall make reasonable efforts to notify all known vendors of competing or comparable products or services of the intended Contract specifications and invite such vendors to submit informal proposals within a reasonable period of time. (Authorized by Ordinance No. 924.)

(x) *Sponsorship Agreements*. The County may solicit sponsorship and receive a gift or donation in exchange for recognition of the donor at the discretion of the County as the opportunity arises. (Authorized by Ordinance No. 924.)

(y) *Telecommunication Services*. The County may purchase, lease, or rent the use of voice and data transmission (telecommunication) facilities or services without using the methods of source selection described in the YCR if the County determines in Writing that suitable competition does not exist for the relevant services within the specific geographic area. (Authorized by Ordinance No. 924.)

(z) *US Postal Service*. The County may directly purchase, without using the methods of source selection described in the YCR, permits and postage meters, pre-stamped postcards, establish on-going postage accounts, etc. from the US Postal Service. (Authorized by Ordinance No. 924.)

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279B.085

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0290 Cooperative Procurements

The County may participate in, sponsor, conduct, or administer Cooperative Procurements as set forth in ORS 279A.200 through 279A.225 and YCR 046-0400 through 046-0480.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279A.205

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

III. PROCUREMENT PROCESS

YCR 047-0300 Public Notice of Solicitation Documents

(1) Notice of Solicitation Documents; Fee. The County shall provide public notice of every Solicitation Document in accordance with section (2) of this rule. The County may give additional notice using any method it determines appropriate to foster and promote competition, including:

- (a) Mailing notice of the availability of the Solicitation Document to Persons that have expressed an interest in the County's Procurements;
- (b) Placing notice on the County's Electronic Procurement System; or
- (c) Placing notice on the County's website.

(2) Advertising. The County shall advertise notice of a Solicitation Document if required by the Code or the YCR as follows:

- (a) The County shall publish the advertisement for Offers in accordance with the requirements of ORS 279B.055(4) and 279B.060(4); or
- (b) The County may publish the advertisement for Offers on an Electronic Procurement System instead of publishing notice in a newspaper of general circulation as required by ORS 279B.055(4)(b) if, by rule or order, the Board has authorized the County to publish notice of Solicitation Documents on an Electronic Procurement System in lieu of publication in a newspaper of general circulation.

(3) Content of Advertisement. All advertisements for Offers shall set forth:

- (a) Where, when, how, and for how long the Solicitation Document may be obtained;
- (b) A general description of the Goods or Services to be acquired;
- (c) The interval between the first date of notice of the Solicitation Document, given in accordance with subsection 2(a) or (b) above, and Closing shall not be less than fourteen (14) Days, unless the County determines that a shorter interval is in the public's interest and will not substantially affect competition. However, in no event shall the interval between the first date of notice and Closing be less than seven (7) Days. The County shall document the specific reasons for the shorter public notice period in the Procurement file;
- (d) The date that Persons must file applications for prequalification if prequalification is a requirement and the class of Goods or Services is one for which Persons must be prequalified;

- (e) The office where Contract terms, conditions and Specifications may be reviewed;
 - (f) The scheduled Opening; and
 - (g) Any other information the County deems appropriate.
- (4) Posting Advertisement for Offers. The County shall post a copy of each advertisement for Offers at the principal business office of the County department responsible for releasing the Solicitation. An Offeror may obtain a copy of the advertisement for Offers upon request.
- (5) Fees. The County may charge a fee or require a deposit for the Solicitation Document.
- (6) Notice of Addenda. The County shall provide known potential Offerors notice of any Addenda to the Solicitation Document in accordance with YCR 047-0430.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0310 Bids or Proposals are Offers

- (1) Offer and Acceptance. The Bid or Proposal is the Bidder's or Proposer's Offer to enter into a Contract.
- (a) The Offer is a "Firm Offer" (i.e., the Offer shall be held open by the Offeror for the County's acceptance for the period specified in YCR 047-0480). The County may elect to accept the Offer at any time during the period specified in the Solicitation Document. If no specified period is provided in the Solicitation Document, an Offer is considered accepted by the County only when the Contract is fully executed in Writing by both parties.
 - (b) Notwithstanding the fact that a competitive Proposal is a "Firm Offer" for the period specified in YCR 047-0480, the County may elect to discuss or negotiate certain contractual provisions, as identified in these rules or in the Solicitation Document, with the Proposer. Where negotiation is permitted by the rules or the Solicitation Document, Proposers are obligated to negotiate in good faith and only on those terms or conditions that the rules or the Solicitation Document have reserved for negotiation.
- (2) Contingent Offers. Except to the extent the Proposer is authorized to propose certain terms and conditions pursuant to YCR 047-0261, a Proposer shall not make its Offer contingent upon the County's acceptance of any terms or conditions (including Specifications) other than those contained in the Solicitation Document.
- (3) Offeror's Acknowledgment. By Signing and returning the Offer, the Offeror acknowledges it has read and understands the terms and conditions contained in the Solicitation Document and that it accepts and agrees to be bound by the terms and conditions of the Solicitation Document. If the Request for Proposals permits proposal of alternative terms under YCR 047-0261, the Offeror's Offer includes the nonnegotiable terms and conditions and any proposed terms and conditions offered for negotiation upon and to the extent accepted by the County in Writing, and Offeror's agreement to perform the scope of work and meet the performance standards set forth in the final negotiated scope of work.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065, ORS 279B.055 & 279B.60

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0320 Facsimile Bids and Proposals

- (1) County Authorization. The County may authorize Offerors to submit facsimile Offers. If the County determines that Bid or Proposal security is or will be required, the County should not authorize facsimile Offers unless the County has another method for receipt of such security. Prior to authorizing the submission of facsimile Offers, the County shall determine that the County's equipment and personnel are capable of receiving the size and volume of anticipated Offers within a short period of time. In addition, the County shall establish administrative procedures and controls:
- (a) To receive, identify, record, and safeguard facsimile Offers;
 - (b) To ensure timely delivery of Offers to the location of Opening; and
 - (c) To preserve the Offers as sealed.

(2) Provisions To Be Included in Solicitation Document. In addition to all other requirements, if the County authorizes a facsimile Offer, the County will include in the Solicitation Document the following:

- (a) A provision substantially in the form of the following: “A ‘facsimile Offer,’ as used in this Solicitation Document, means an Offer, modification of an Offer, or withdrawal of an Offer that is transmitted to and received by the County via a facsimile machine”;
- (b) A provision substantially in the form of the following: “Offerors may submit facsimile Offers in response to this Solicitation Document. The entire response must arrive at the place and by the time specified in this Solicitation Document”;
- (c) A provision that requires Offerors to Sign their facsimile Offers;
- (d) A provision substantially in the form of the following: “The County reserves the right to Award the Contract solely on the basis of a facsimile Offer. However, upon the County’s request the apparent successful Offeror shall promptly submit its complete original Signed Offer”;
- (e) The data and compatibility characteristics of the County’s receiving facsimile machine as follows:
 - (A) Telephone number; and
 - (B) Compatibility characteristics, e.g., make and model number, receiving speed, communications protocol; and
- (f) A provision that the County is not responsible for any failure attributable to the transmission or receipt of the facsimile Offer including, but not limited to the following:
 - (A) Receipt of garbled or incomplete documents;
 - (B) Availability or condition of the receiving facsimile machine;
 - (C) Incompatibility between the sending and receiving facsimile machine;
 - (D) Delay in transmission or receipt of documents;
 - (E) Failure of the Offeror to properly identify the Offer documents;
 - (F) Illegibility of Offer documents; and
 - (G) Security and confidentiality of data.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0330 Electronic Procurement

(1) Electronic Procurement Authorized.

- (a) The County may conduct all phases of a Procurement, including without limitation the posting of Electronic Advertisements and the receipt of Electronic Offers, by electronic methods if and to the extent the County specifies in a Solicitation Document, a Request for Quotes, or any other Written instructions on how to participate in the Procurement.
- (b) The county shall open an Electronic Offer in accordance with electronic security measures in effect at the County at the time of its receipt of the Electronic Offer. Unless the County provides procedures for the secure receipt of Electronic Offers, the Person submitting the Electronic Offer assumes the risk of premature disclosure due to submission in unsealed form.
- (c) The County’s use of electronic Signatures shall be consistent with applicable statutes and rules. The County may limit the use of electronic methods of conducting a Procurement as Advantageous to the County.
- (d) If the County determines that Bid or Proposal security is or will be required, the County should not authorize Electronic Offers unless the County has another method for receipt of such security.

(2) Rules Governing Electronic Procurements. The County shall conduct all portions of an Electronic Procurement in accordance with these Division 47 rules, unless otherwise set forth in this rule.

(3) Preliminary Matters. As a condition of participation in an Electronic Procurement, the County may require potential Contractors to register with the County before the date and time on which the County will first accept Offers, to agree to the terms, conditions, or other requirements of a Solicitation Document, or to agree to terms

and conditions governing the Procurement, such as procedures that the County may use to attribute, authenticate or verify the accuracy of an Electronic Offer, or the actions that constitute an electronic Signature.

(4) Offer Process. The County may specify that Persons must submit an Electronic Offer by a particular date and time, or that Persons may submit multiple Electronic Offers during a period of time established in the Electronic Advertisement. When the County specifies that Persons may submit multiple Electronic Offers during a specified period of time, the County must designate a time and date on which Persons may begin to submit Electronic Offers, and a time and date after which Persons may no longer submit Electronic Offers. The date and time after which Persons may no longer submit Electronic Offers need not be specified by a particular date and time, but may be specified by a description of the conditions that, when they occur, will establish the date and time after which Persons may no longer submit Electronic Offers. When the County will accept Electronic Offers for a period of time, then at the designated date and time that the County will first receive Electronic Offers, the County must begin to accept real time Electronic Offers on the County's Electronic Procurement System, and shall continue to accept Electronic Offers in accordance with section (5)(b) of this rule until the date and time specified by the County, after which the County will no longer accept Electronic Offers.

(5) Receipt of Electronic Offers.

(a) When the County conducts an Electronic Procurement that provides that all Electronic Offers must be submitted by a particular date and time, the County shall receive the Electronic Offers in accordance with these Division 47 rules.

(b) When the County specifies that Persons may submit multiple Electronic Offers during a period of time, the County shall accept Electronic Offers, and Persons may submit Electronic Offers, in accordance with the following:

(A) Following receipt of the first Electronic Offer after the day and time the County first receives Electronic Offers, the County shall post on the County's Electronic Procurement System, and update on a real time basis, the lowest Electronic Offer price or the highest-ranking Electronic Offer. At any time before the date and time after which the County will no longer receive Electronic Offers, a Person may revise its Electronic Offer, except that a Person may not lower its price unless that price is below the then lowest Electronic Offer.

(B) A Person may not increase the price set forth in an Electronic Offer after the day and time that the County first accepts Electronic Offers.

(C) A Person may withdraw an Electronic Offer only in compliance with these Division 47 rules. If a Person withdraws an Electronic Offer, it may not later submit an Electronic Offer at a price higher than that set forth in the withdrawn Electronic Offer.

(6) Failure of the E-Procurement System. In the event of a failure of the County's Electronic Procurement System that interferes with the ability of Persons to submit Electronic Offers, protest, or to otherwise participate in the Procurement, the County may cancel the Procurement in accordance with YCR 047-0660 or may extend the date and time for receipt of Electronic Offers by providing notice of the extension immediately after the Electronic Procurement System becomes available.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

IV. BID AND PROPOSAL PREPARATION

YCR 047-0400 Offer Preparation

(1) Instructions. An Offeror shall submit and Sign its Offer in accordance with the instructions set forth in the Solicitation Document. An Offeror shall initial and submit any correction or erasure to its Offer prior to Opening in accordance with the requirements for submitting an Offer set forth in the Solicitation Document.

(2) Forms. An Offeror shall submit its Offer on the form(s) provided in the Solicitation Document, if any, unless an Offeror is otherwise instructed in the Solicitation Document.

(3) Documents. An Offeror shall provide the County with all documents and Descriptive Literature required by the Solicitation Document.

(4) Electronic Submissions. If the Solicitation Document permitted Electronic Offers under YCR 047-0330, an Offeror may submit its Offer electronically. The County shall not consider Electronic Offers unless authorized by the Solicitation Document.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0410 Offer Submission

(1) Product Samples and Descriptive Literature. The County may require Product Samples or Descriptive Literature if the County determines either is necessary or desirable to evaluate the quality, features or characteristics of an Offer. The County will dispose of Product Samples, or make them available for the Offeror, to retrieve in accordance with the Solicitation Document.

(2) Identification of Offers:

(a) To ensure proper identification and handling, Offers shall be submitted in a sealed envelope appropriately marked or in the envelope provided by the County, whichever is applicable. If the County permits Electronic Offers or facsimile Offers in the Solicitation Document, the Offeror may submit and identify Electronic Offers or facsimile Offers in accordance with these Division 47 rules and the instructions set forth in the Solicitation Document. The County shall not consider facsimile Offers or Electronic Offers unless authorized by the Solicitation Document.

(b) The County is not responsible for Offers submitted in any manner, format, or to any delivery point other than as required in the Solicitation Document.

(3) Receipt of Offers. The Offeror is responsible for ensuring the County receives its Offer at the required delivery point prior to the Closing, regardless of the method used to submit or transmit the Offer.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0420 Pre-Offer Conferences

(1) Purpose. The County may hold pre-Offer conferences with prospective Offerors prior to Closing, to explain the Procurement requirements, obtain information, or to conduct site inspections.

(2) Required Attendance. The County may require attendance at the pre-Offer conference as a condition for making an Offer.

(3) Scheduled Time. If the County holds a pre-Offer conference, it shall be held within a reasonable time after the Solicitation Document has been issued, but sufficiently before the Closing to allow Offerors to consider information provided at that conference.

(4) Statements Not Binding. Statements made by the County's representative at the pre-Offer conference do not change the Solicitation Document unless the County confirms such statements with a Written Addendum to the Solicitation Document.

(5) County Announcement. The County must set forth notice of any pre-Offer conference in the Solicitation Document in accordance with YCR 047-0255(2) or 047-0260(2).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0430 Addenda to Solicitation Document

(1) Issuance; Receipt. The County may change a Solicitation Document only by Written Addenda. An Offeror shall provide Written acknowledgment of receipt of all issued Addenda with its Offer, unless the County otherwise specifies in the Addenda.

(2) Notice and Distribution. The County shall notify prospective Offerors of Addenda in a manner intended to foster competition and to make prospective Offerors aware of the Addenda. The Solicitation Document shall specify how the County will provide notice of Addenda and how the County will make the Addenda available before Closing, and at each subsequent step or tier of evaluation if the County will engage in a multistep competitive sealed Bid process in accordance with YCR 047-0267, or a multiple-tiered or multistep competitive sealed Proposal process in accordance with YCR 047-0270. The following is an example of how the County may specify how it will provide notice of Addenda: “County will not mail notice of Addenda but will publish notice of any Addenda on the County’s website. Addenda may be downloaded off the County’s website. Offerors should frequently check the County’s website until Closing, i.e., at least once weekly until the week of Closing and at least once daily the week of the Closing.”

(3) Timelines; Extensions.

(a) The County shall issue Addenda within a reasonable time to allow prospective Offerors to consider the Addenda in preparing their Offers. The County may extend the Closing if the County determines prospective Offerors need additional time to review and respond to Addenda. Except to the extent justified by a countervailing public interest, the County shall not issue Addenda less than 72 hours before the Closing unless the Addendum also extends the Closing.

(b) Notwithstanding subsection 3(a) of this rule, an Addendum that modifies the evaluation criteria, selection process or procedure for any tier of competition under a multistep sealed Bid or a multiple-tiered or multistep sealed Proposal issued in accordance with YCR 047-0267 and YCR 047-0270 must be issued no fewer than five (5) Days before the beginning of that tier or step of competition, unless the County determines that a shorter period is sufficient to allow Offerors to prepare for that tier or step of competition. The County shall document the factors it considered in making that determination, which may include, without limitation, the scope of the changes to the Solicitation Document, the location of the remaining eligible Proposers, or whether shortening the period between issuing an Addendum and the beginning of the next tier or step of competition favors or disfavors any particular Proposer or Proposers.

(4) Request for Change or Protest. Unless a different deadline is set forth in the Addendum, an Offeror may submit a Written request for change or protest to the Addendum, as provided in YCR 047-0730, by the close of the County’s next business day after issuance of the Addendum, or up to the last day allowed to submit a request for change or protest under YCR 047-0730, whichever date is later. If the date established in the previous sentence falls after the deadline for receiving protests to the Solicitation Document in accordance with YCR 047-0730, then the County may consider an Offeror’s request for change or protest to the Addendum only, and the County shall not consider a request for change or protest to matters not added or modified by the Addendum. Notwithstanding any provision of this section (4) of this rule, the County is not required to provide a protest period for Addenda issued after initial Closing during a multi-tier or multistep Procurement process conducted pursuant to ORS 279B.055 or 279B.060.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0440 Pre-Closing Modification or Withdrawal of Offers

(1) Modifications. An Offeror may modify its Offer in Writing prior to the Closing. An Offeror shall prepare and submit any modification to its Offer to the County in accordance with YCR 047-0400 and 047-0410, unless otherwise specified in the Solicitation Document. Any modification must include the Offeror’s statement that the modification amends and supersedes the prior Offer. The Offeror shall mark the submitted modification as follows:

(a) Bid (or Proposal) Modification; and

(b) Solicitation Document Number (or other identification as specified in the Solicitation Document).

(2) Withdrawals.

(a) An Offeror may withdraw its Offer by Written notice submitted on the Offeror's letterhead, Signed by an authorized representative of the Offeror, delivered to the individual and location specified in the Solicitation Document (or the place of Closing if no location is specified), and received by the County prior to the Closing. The Offeror or authorized representative of the Offeror may also withdraw its Offer in person prior to the Closing, upon presentation of appropriate identification and evidence of authority satisfactory to the County.

(b) The County may release an unopened Offer withdrawn under subsection (2)(a) of this rule to the Offeror or its authorized representative, after voiding any date and time stamp mark.

(c) The Offeror shall mark the Written request to withdraw an Offer as follows:

(A) Bid (or Proposal) Withdrawal; and

(B) Solicitation Document Number (or other identification as specified in the Solicitation Document).

(3) Documentation. The County shall include all documents relating to the modification or withdrawal of Offers in the appropriate Procurement file.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0450 Receipt, Opening, and Recording of Offers; Confidentiality of Offers

(1) Receipt. The County shall electronically or mechanically timestamp or hand-mark each Offer and any modification upon receipt. The County shall not open the Offer or modification upon receipt but shall maintain it as confidential and secure until Opening. If the County inadvertently opens an Offer or a modification prior to the Opening, the County shall return the Offer or modification to its secure and confidential state until Opening. The County shall document the resealing for the Procurement file (e.g., "County inadvertently opened the Offer due to improper identification of the Offer.").

(2) Opening and Recording. The County shall publicly open Offers including any modifications made to the Offer pursuant to YCR 047-0440(1). In the case of Invitations to Bid, to the extent practicable, the County shall read aloud the name of each Bidder, and such other information as the County considers appropriate. However, the County may withhold from disclosure information in accordance with ORS 279B.055(5)(c) and 279B.060(6). In the case of Requests for Proposals or voluminous Bids, if the Solicitation Document so provides, the County will not read Offers aloud.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0460 Late Offers, Late Withdrawals, and Late Modifications

Any Offer received after Closing is late. An Offeror's request for withdrawal or modification of an Offer received after Closing is late. The County shall not consider late Offers, withdrawals, or modifications except as permitted in YCR 047-0470 or 047-0270.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0470 Mistakes

(1) Generally. To protect the integrity of the competitive Procurement process and to assure fair treatment of Offerors, the County should carefully consider whether to permit waiver, correction, or withdrawal of Offers for certain mistakes.

(2) County Treatment of Mistakes. The County shall not allow an Offeror to correct or withdraw an Offer for an error in judgment. If the County discovers certain mistakes in an Offer after Opening, but before Award of the Contract, the County may take the following action:

(a) The County may waive, or permit an Offeror to correct, a minor informality. A minor informality is a matter of form rather than substance that is evident on the face of the Offer, or an insignificant mistake that

can be waived or corrected without prejudice to other Offerors. Examples of minor informalities include an Offeror's failure to:

- (A) Return the correct number of Signed Offers or other documents required by the Solicitation Document;
- (B) Sign the Offer in the designated block, provided a Signature appears elsewhere in the Offer, evidencing an intent to be bound; and
- (C) Acknowledge receipt of an Addendum to the Solicitation Document, provided that it is clear on the face of the Offer that the Offeror received the Addendum and intended to be bound by its terms; or the Addendum involved did not affect price, quality, or delivery.

(b) The County may correct a clerical error if the error is evident on the face of the Offer or other documents submitted with the Offer, and the Offeror confirms the County's correction in Writing. A clerical error is an Offeror's error in transcribing its Offer. Examples include typographical mistakes, errors in extending unit prices, transposition errors, arithmetical errors, instances in which the intended correct unit or amount is evident by simple calculations (for example, a missing unit price may be determined by dividing the total price by the quantity of units for that item, or a missing or incorrect total price for an item may be established by multiplying the unit price by the quantity when those figures are available in the Offer). Unit prices shall prevail over extended prices in the event of a discrepancy between extended prices and unit prices.

(c) The County may permit an Offeror to withdraw an Offer based on one or more clerical errors in the Offer only if the Offeror shows with objective proof and by clear and convincing evidence:

- (A) The nature of the error;
- (B) That the error is not a minor informality under this subsection or an error in judgment;
- (C) That the error cannot be corrected or waived under subsection (2)(b) of this rule;
- (D) That the Offeror acted in good faith in submitting an Offer that contained the claimed error and in claiming that the alleged error in the Offer exists;
- (E) That the Offeror acted without gross negligence in submitting an Offer that contained a claimed error;
- (F) That the Offeror will suffer substantial detriment if the County does not grant the Offeror permission to withdraw the Offer;
- (G) That the County's or the public's status has not changed so significantly that relief from the forfeiture will work a substantial hardship on the County or the public it represents; and
- (H) That the Offeror promptly gave notice of the claimed error to the County.

(d) The criteria in subsection (2)(c) of this rule shall determine whether the County will permit an Offeror to withdraw its Offer after Closing. These criteria also shall apply to the question of whether the County will permit an Offeror to withdraw its Offer without forfeiture of its Bid bond (or other Bid or Proposal security), or without liability to the County based on the difference between the amount of the Offeror's Offer and the amount of the Contract actually awarded by the County, whether by Award to the next lowest Responsive and Responsible Bidder or the most Advantageous Responsive and Responsible Proposer, or by resort to a new solicitation.

(3) Rejection for Mistakes. The County shall reject any Offer in which a mistake is evident on the face of the Offer and the intended correct Offer is not evident or cannot be substantiated from documents submitted with the Offer.

(4) Identification of Mistakes after Award. The procedures and criteria set forth above are Offeror's only opportunity to correct mistakes or withdraw Offers because of a mistake. Following Award, an Offeror is bound by its Offer, and may withdraw its Offer or rescind a Contract entered into pursuant to these Division 47 rules only to the extent permitted by applicable law.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0480 Time for Acceptance

An Offeror's Offer is a Firm Offer, irrevocable, valid, and binding on the Offeror for not less than thirty (30) Days following Closing unless otherwise specified in the Solicitation Document.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0490 Extension of Time for Acceptance of Offer

The County may request, orally or in Writing, that Offerors extend, in Writing, the time during which the County may consider their Offer(s). If an Offeror agrees to such extension, the Offer shall continue as a firm Offer, irrevocable, valid, and binding on the Offeror for the agreed-upon extension period.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

V. QUALIFICATION AND DUTIES

YCR 047-0500 Responsibility of Bidders and Proposers

(1) Before Awarding a Contract, the County shall determine that the Bidder submitting the lowest Bid or Proposer submitting the most Advantageous Proposal is Responsible. The County shall use the following standards to determine if a Bidder or Proposer is Responsible:

- (a) To be a Responsible Offeror, the County shall determine, pursuant to ORS 279B.110, that the Offeror:
 - (A) Has available (or the ability to obtain) the appropriate financial, material, equipment, facility, and personnel resources, and has the expertise necessary to meet all contractual responsibilities;
 - (B) Has completed previous contracts of a similar nature with a satisfactory record of performance. A satisfactory record of performance means that to the extent the costs associated with and time available to perform a previous Contract were within the Offeror's control, the Offeror stayed within the time and budget allotted for the Procurement, and otherwise performed the Contract in a satisfactory manner. The County should carefully scrutinize an Offeror's record of Contract performance if the Offeror is or recently has been materially deficient in Contract performance. In reviewing the Offeror's performance, the County should determine whether the Offeror's deficient performance was expressly excused under the terms of the contract, or whether the Offeror took appropriate corrective action. The County may review the Offeror's performance on both private and Public Contracts in determining the Offeror's record of contract performance. The County shall make its basis for determining an Offeror non-Responsible under this subparagraph part of the Procurement file as required by ORS 279B.110(2)(b);
 - (C) Has a satisfactory record of integrity. An Offeror may lack integrity if the County determines the Offeror demonstrates a lack of business ethics such as violation of state environmental laws or false certifications made to the County. The County may find an Offeror non-Responsible based on the lack of integrity of any Person having influence or control over the Offeror (such as a key employee of the Offeror that has the authority to significantly influence the Offeror's performance of the Contract or a parent company, predecessor, or successor Person). The standards for Debarment under ORS 279B.130 and YCR 047-0575 may be used to determine an Offeror's integrity. The County may find an Offeror non-Responsible based on previous convictions of offenses related to obtaining or attempting to obtain a Contract or subcontract or in connection with the Offeror's performance of a Contract or subcontract. The County shall make its basis for determining that an Offeror is non-Responsible under this subparagraph part of the Procurement file as required by 279B.110(2)(c);
 - (D) Is legally qualified to Contract with the County;
 - (E) Has attested in Writing that the Offeror complied with the tax laws of this state and of political subdivisions of this state;

(F) Has supplied all necessary information in connection with the inquiry concerning Responsibility. If the Offeror fails to promptly supply information requested by the County concerning Responsibility, the County shall base the determination of Responsibility on any available information or may find the Offeror non-Responsible.

(2) For the purposes of subsection (1)(a)(E) of this rule:

(a) The period for which the Offeror must attest that it complied with the applicable tax laws must extend no fewer than six years into the past from the date of the Closing.

(b) Tax laws include, but are not limited to, ORS 305.620, ORS chapters 316, 317 and 318, any tax provisions imposed by a political subdivision that apply to the Offeror or to the performance of the Contract, and any rules and regulations that implement or enforce those tax laws.

(c) The County may exercise discretion in determining whether a particular form of attesting to compliance with the tax laws is “credible and convenient” under ORS 279B.110(2)(e), taking into consideration the circumstances in which the attestation is made and the consequences of making a false attestation. Therefore, the County may accept forms of attestation that range from a notarized statement to a less formal document that records the Offeror’s attestation.

(3) For purposes of this rule, the County may investigate any Person submitting an Offer. The investigation may include that Person’s officers, directors, owners, affiliates, or any other Person acquiring ownership of the Person to determine application of this rule or to apply the Debarment provisions of ORS 279B.130.

(4) In the event the County determines a Bidder or Proposer is not Responsible it shall prepare a Written determination of non-Responsibility as required by ORS 279B.110 and shall reject the Offer.

(5) In addition to making the responsibility determination under this rule, the County may consider (as authorized by House Bill 2094 (2019 Oregon Laws, Chapter 124)), as part of the County’s evaluation of a Bid or Proposal, whether the Bidder or Proposer owes a liquidated and delinquent debt to the State of Oregon.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.110 & OL 2015 & CH 539 (SB 675)

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0525 Qualified Products Lists

The County may develop and maintain a qualified products list pursuant to ORS 279B.115.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.115

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0550 Prequalification of Prospective Offerors

(1) The County may prequalify prospective Offerors pursuant to ORS 279B.120 and 279B.125.

(2) Notwithstanding the prohibition against revocation of prequalification in ORS 279B.120 (3), the County may determine that a prequalified Offeror is not Responsible prior to Contract Award.

(3) The County may pre-negotiate some or all Contract terms and conditions including prospective Proposer Contract forms such as license agreements, maintenance and support agreements or similar documents for use in future Procurements. Such pre-negotiation of Contract terms and conditions (including prospective Proposer forms) may be part of the prequalification process of a Proposer under section (1) or the pre-negotiation may be a separate process and not part of a prequalification process. Unless required as part of the prequalification process, the failure of the County and the prospective Proposer to reach agreement on pre-negotiated Contract terms and conditions does not prohibit the prospective Proposer from responding to Procurements. The County may agree to different pre-negotiated Contract terms and conditions with different prospective Proposers. When the County has pre-negotiated different terms and conditions with Proposers or when permitted, Proposers offer different terms and conditions, the County may consider the terms and conditions in the Proposal evaluation process.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.120 & 279B.125

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0575 Debarment of Prospective Offerors

- (1) Generally. The County may Debar prospective Offerors for the reasons set forth in ORS 279A.110 or after providing notice and the opportunity for hearing as set forth in ORS 279B.130.
- (2) Responsibility. Notwithstanding the limitation on the term for Debarment in ORS 279B.130(1)(b), the County may determine that a previously Debarred Offeror is not Responsible prior to Contract Award.
- (3) Imputed Knowledge. The County may attribute improper conduct of a Person or its affiliate or affiliates having a contract with a prospective Offeror to the prospective Offeror for purposes of Debarment where the impropriety occurred in connection with the Person's duty for or on behalf of, or with the knowledge, approval, or acquiescence of, the prospective Offeror.
- (4) Limited Participation. The County may allow a Debarred Person to participate in solicitations and Contracts on a limited basis during the Debarment period upon Written determination that participation is Advantageous to the County. The determination shall specify the factors on which it is based and define the extent of the limits imposed.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.130

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

VI. OFFER EVALUATION AND AWARD

YCR 047-0600 Offer Evaluation and Award

- (1) Evaluation. The County shall evaluate Offers as set forth in the Solicitation Document, pursuant to ORS 279B.055(6)(a) and 279B.060(6)(b) as applicable, and in accordance with applicable law. The County shall not evaluate Offers using any other requirement or criterion.

(a) Evaluation of Bids.

(A) Nonresident Bidders. In determining the lowest Responsive Bid, the County will apply the reciprocal preference set forth in ORS 279A.120(2)(b) and YCR 046-0310 for Nonresident Bidders.

(B) Public Printing. The County may for the purpose of evaluating Bids apply the public printing preference set forth in ORS 282.210.

(C) Award When Bids are Identical. If the County determines that one or more Bids are identical, the County shall Award a Contract in accordance with the procedures set forth in YCR 046-0300.

(b) Evaluation of Proposals.

(A) Award When Proposals are Identical. If the County determines that one or more Proposals are identical, the County shall Award a Contract in accordance with the procedures set forth in YCR 046-0300.

(B) Public Printing. The County may for the purpose of evaluating Proposals apply the public printing preference set forth in ORS 282.210.

(c) Recycled Materials. When procuring Goods, the County shall give preference for recycled materials as set forth in ORS 279A.125 and YCR 046-0320.

- (2) Clarification of Bids or Proposals. After Opening, the County may conduct discussions with apparent Responsive Offerors for the purpose of clarification to assure full understanding of the Bids or Proposals. All Bids or Proposals, in the County's sole discretion, needing clarification shall be accorded such an opportunity. The County shall document clarification of any Offeror's Offer in the Procurement file.

(3) Negotiations.

(a) Bids. The County shall not negotiate with any Bidder. After Award of the Contract, the County and Contractor may modify the Contract in accordance with YCR 047-0800.

(b) Requests for Proposals. The County may conduct discussions or negotiate with Proposers only in accordance with ORS 279B.060(6)(b) and YCR 047-0261. After Award of the Contract, the County and Contractor may only modify the Contract in accordance with YCR 047-0800.

(4) Award.

(a) *General*. If Awarded, the County will Award the Contract to the Responsible Bidder submitting the lowest, Responsive Bid or the Responsible Proposer submitting the most Advantageous, Responsive Proposal. The County may Award by item, groups of items or the entire Offer provided such Award is consistent with the Solicitation Document and in the public interest.

(b) *Multiple Items*. An Invitation to Bid or Request for Proposals may call for pricing of multiple items of similar or related type with Award based on individual line item, group total of certain items, a “market basket” of items representative of the County’s expected purchases, or grand total of all items.

(c) *Multiple Awards – Bids*.

(A) Notwithstanding subsection 4(a) of this rule, the County may Award multiple Contracts under an Invitation to Bid in accordance with the criteria set forth in the Invitation to Bid. Multiple Awards will not be made if a single Award will meet the County’s needs, including but not limited to adequate availability, delivery, service, or product compatibility. A multiple Award may be made if Award to two or more Bidders of similar Goods or Services is necessary for adequate availability, delivery, service, or product compatibility. Multiple Awards may not be made for the purpose of dividing the Procurement into multiple solicitations, or to allow for user preference unrelated to utility or economy. A notice to prospective Bidders that multiple Contracts may be Awarded for any Invitation to Bid shall not preclude the County from Awarding a single Contract for such Invitation to Bid.

(B) If an Invitation to Bid permits the Award of multiple Contracts, the County shall specify in the Invitation to Bid the criteria it will use to choose from the multiple Contracts when purchasing Goods or Services.

(d) *Multiple Awards – Proposals*.

(A) Notwithstanding subsection 4(a) of this rule, the County may Award multiple Contracts under a Request for Proposals in accordance with the criteria set forth in the Request for Proposals. Multiple Awards will not be made if a single Award will meet the County’s needs, including but not limited to adequate availability, delivery, service, or product compatibility. A multiple Award may be made if Award to two or more Proposers of similar Goods or Services is necessary for adequate availability, delivery, service, or product compatibility. Multiple Awards may not be made for the purpose of dividing the Procurement into multiple solicitations, or to allow for user preference unrelated to obtaining the most Advantageous Contract. A notice to prospective Proposers that multiple Contracts may be Awarded for any Request for Proposals shall not preclude the County from Awarding a single Contract for such Request for Proposals.

(B) If a Request for Proposals permits the Award of multiple Contracts, the County shall specify in the Request for Proposals the criteria it will use to choose from the multiple Contracts when purchasing Goods or Services, which may include consideration and evaluation of the Contract terms and conditions agreed to by the Contractors.

(e) *Partial Awards*. If after evaluation of Offers, the County determines that an acceptable Offer has been received for only parts of the requirements of the Solicitation Document:

(A) The County may Award a Contract for the parts of the Solicitation Document for which acceptable Offers have been received; or

(B) The County may reject all Offers and may issue a new Solicitation Document on the same or revised terms, conditions, and Specifications.

(f) *All or none Offers*. The County may Award all or none Offers if the evaluation shows an all or none Award to be the lowest cost for Bids or the most Advantageous for Proposals of those submitted.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0610 Notice of Intent to Award

(1) Notice of Intent to Award. The County shall provide Written notice of its intent to Award to all Bidders and Proposers pursuant to ORS 279B.135 at least seven (7) Days before the Award of a Contract, unless the County determines that circumstances justify prompt execution of the Contract, in which case the County may provide a shorter notice period. The County shall document the specific reasons for the shorter notice period in the Procurement file.

(2) Finality. The County's Award shall not be final until the later of the following:

- (a) The expiration of the protest period provided pursuant to YCR 047-0700 through 047-0740; or
- (b) The County provides Written responses to all timely-filed protests denying the protests and affirming the Award.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.135

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0620 Documentation of Award

(1) Basis of Award. After Award, the County shall make a record showing the basis for determining the successful Offeror part of the County's Procurement file.

(2) Contents of Award Record. The County's record shall include:

(a) *For Bids*:

- (A) Bids;
- (B) Completed Bid tabulation sheet; and
- (C) Written justification for any rejection of lower Bids.

(b) *For Proposals*:

- (A) Proposals;
- (B) The completed evaluation of the Proposals;
- (C) Written justification for any rejection of higher scoring Proposals; and
- (D) If the County engaged in any of the methods of Contractor selection described in ORS 279B.060(6)(b) and YCR 047-0257, Written documentation of the content of any discussions, negotiations, best and final Offers, or any other procedures the County used to select a Proposer to which the County Awarded a Contract.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.135

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0630 Availability of Award Decisions

(1) Contract Documents. The County shall deliver to the successful Offeror a Contract, Signed purchase order, Price Agreement, or other Contract documents as applicable.

(2) Availability of Award Decisions. A Person may obtain tabulations of Awarded Bids or evaluation summaries of Proposals for a minimal charge in-person or by submitting to the County a Written request accompanied by payment. The requesting Person shall provide the Solicitation Document number and enclose a self-addressed, stamped envelope. In addition, the County may make available tabulations of Bids and Proposals through the Electronic Procurement System of the County or on the County's website.

(3) Availability of Procurement Files. After notice of intent to Award, the County shall make Procurement files available in accordance with applicable law.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.055 & 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0640 Rejection of an Offer

(1) The County may reject any Offer as set forth in ORS 279B.100.

(2) The County shall reject an Offer upon the County's finding that the Offer:

- (a) Is contingent upon the County's acceptance of terms and conditions (including Specifications) that differ from the Solicitation Document;
 - (b) Takes exception to terms and conditions (including Specifications) set forth in the Solicitation Document;
 - (c) Attempts to prevent public disclosure of matters in contravention of the terms and conditions of the Solicitation Document or in contravention of applicable law;
 - (d) Offers Goods or Services that fail to meet the Specifications of the Solicitation Document;
 - (e) Is late;
 - (f) Is not in substantial compliance with the Solicitation Document; or
 - (g) Is not in substantial compliance with all prescribed public Procurement procedures.
- (3) The County shall reject an Offer upon the County's finding that the Offeror:
- (a) Has not been prequalified under ORS 279B.120 and YCR 047-0550, and the County required mandatory prequalification;
 - (b) Has been Debarred as set forth in ORS 279B.130 and YCR 047-0575, or has been disqualified pursuant to YCR 046-0210 (Disqualification);
 - (c) Has not met the requirements of ORS 279A.105, if required by the Solicitation Document;
 - (d) Has not submitted properly executed Bid or Proposal security as required by the Solicitation Document;
 - (e) Has failed to provide the certification of nondiscrimination required under ORS 279A.110 (4); or
 - (f)) Is non-Responsible. Offerors are required to demonstrate their ability to perform satisfactorily under a Contract. Before Awarding a Contract, the County must have information that indicates that the Offeror meets the applicable standards of Responsibility provided under YCR 047-0500.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 579B.100

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0650 Rejection of All Offers

- (1) Rejection. The County may reject all Offers as set forth in ORS 279B.100. The County shall notify all Offerors of the rejection of all Offers, along with the reasons for rejection of all Offers.
- (2) Criteria. The County may reject all Offers based upon the following criteria:
- (a) The content of or an error in the Solicitation Document, or the Procurement process unnecessarily restricted competition for the Contract;
 - (b) The price, quality or performance presented by the Offerors are too costly or of insufficient quality to justify acceptance of any Offer;
 - (c) Misconduct, error, or ambiguous or misleading provisions in the Solicitation Document threaten the fairness and integrity of the competitive process;
 - (d) Causes other than legitimate market forces threaten the integrity of the competitive process. These causes may include, without limitation, those that tend to limit competition, such as restrictions on competition, collusion, corruption, unlawful anti-competitive conduct, and inadvertent or intentional errors in the Solicitation Document;
 - (e) The County cancels the Procurement or solicitation in accordance with YCR 047-0660; or
 - (f) Any other circumstance indicating that Awarding the Contract would not be in the public interest.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279B.100

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0655 Failed Procurements; Direct Negotiation Permitted

- (1) When the County experiences a Failed Procurement, the County may:
- (a) Cancel and reissue the solicitation; or
 - (b) Subject to section (2) of this rule, directly negotiate with a Person for the goods and/or services.
- (2) The determination as to whether a Procurement may be made by direct negotiation must be made by the Board and must:

- (a) Be in Writing;
 - (b) Describe how the original solicitation was adequately advertised;
 - (c) Explain why no responsive Offers were received; and
 - (d) State the basis for the selection of the Person that the County will be entering into direct negotiations with.
- (3) The County may conduct negotiations as appropriate as to price, delivery, and terms.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0660 Cancellation of Procurement or Solicitation

(1) Cancellation in the Public Interest. The County may cancel a Procurement or solicitation as set forth in ORS 279B.100.

(2) Notice of Cancellation Before Opening. If the County cancels a Procurement or solicitation prior to Opening, the County shall provide Written notice of cancellation in the same manner that the County initially provided notice of the solicitation. Such notice of cancellation shall:

- (a) Identify the Solicitation Document;
- (b) Briefly explain the reason for cancellation; and
- (c) If appropriate, explain that an opportunity will be given to compete on any resolicitation.

(3) Notice of Cancellation After Opening. If the County cancels a Procurement or solicitation after Opening, the County shall provide Written notice of cancellation to all Offerors who submitted Offers.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.100

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0670 Disposition of Offers if Procurement or Solicitation is Canceled

(1) Prior to Opening. If the County cancels a Procurement or solicitation prior to Opening, the County shall return all Offers it received to Offerors unopened, provided the Offeror submitted its Offer in a hard copy format with a clearly visible return address. If there is no return address on the envelope, the County shall open the Offer to determine the source and then return it to the Offeror. For Electronic Offers, the County shall delete the Offers from the County's Electronic Procurement System.

(2) After Opening. If the County cancels a Procurement or solicitation after Opening, the County:

- (a) May return Proposals in accordance with ORS 279B.060(56)(c); and
- (b) Shall keep Bids in the Procurement file.

(3) Rejection of All Offers. If the County rejects all Offers, the County shall keep all Proposals and Bids in the Procurement file.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279B.100

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

VII. LEGAL REMEDIES

YCR 047-0700 Protests and Judicial Review of Special Procurements and Sole-source Procurements

(1) Protesting Special Procurements. An Affected Person may protest the approval of or request for approval of a Special Procurement. Pursuant to ORS 279B.400(1), before seeking judicial review of the approval or request for approval of a Special Procurement, an Affected Person must file a Written protest with the Board and exhaust all administrative remedies.

- (a) Delivery. Notwithstanding the requirements for filing a writ of review under ORS Chapter 34 pursuant to ORS 279B.400(4)(a), an Affected Person must deliver a Written protest to the Board within seven (7) Days after the first date of public notice of the approval of a Special Procurement by the Board, unless a different protest period is provided in the public notice of the approval of a Special Procurement.

(1) Protesting Sole-source Procurements. For Sole-source Procurements requiring public notice under YCR 047-0275, an Affected Person may protest the determination of the Board or designee that the Goods or Services or class of Goods or Services are available from only one source. Pursuant to ORS 279B.420(3)(f), before seeking judicial review, an Affected Person must file a Written protest with the Board or designee and exhaust all administrative remedies.

(a) *Delivery*. Unless otherwise specified in the public notice of the Sole-source Procurement, an Affected Person must deliver a Written protest to the Board or designee within seven (7) Days after the first date of public notice of the Sole-source Procurement, unless a different protest period is provided in the public notice of a Sole-source Procurement.

(2) Content of Protest. The Written protest must include:

- (a) A detailed statement of the legal and factual grounds for the protest;
- (b) A description of the resulting harm to the Affected Person; and
- (c) The relief requested.

(3) Board Response. The Board or designee shall not consider an Affected Person's protest submitted after the timeline established for submitting such protest under this rule or such different time period as may be provided in the public notice. The Board or designee shall issue a Written disposition of the protest in a timely manner. If the Board upholds the protest, in whole or in part, it may in its sole discretion implement the sustained protest in the approval of the Special Procurement or revoke the approval.

(4) Judicial Review. An Affected Person may seek judicial review of the Board or designee's decision relating to a protest in accordance with ORS 279B.400.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.400

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0710 Protests and Judicial Review of Multiple-tiered or Multistep Solicitations

(1) Purpose. An Affected Offeror may protest exclusion from the Competitive Range or from subsequent tiers or steps of a solicitation in accordance with the applicable Solicitation Document. When such a protest is permitted by the Solicitation Document, then pursuant to ORS 279B.420(3)(f), before seeking judicial review, an Affected Offeror must file a Written protest with the County and exhaust all administrative remedies.

(2) Basis for Protest. An Affected Offeror may protest its exclusion from a tier or step of competition only if the Offeror is Responsible and submitted a Responsive Offer and but for the County's mistake in evaluating the Offeror's or other Offerors' Offers, the protesting Offeror would have been eligible to participate in the next tier or step of competition. (For example, the protesting Offeror must claim it is eligible for inclusion in the Competitive Range if all ineligible higher-scoring Offerors are removed from consideration, and that those ineligible Offerors are ineligible for inclusion in the Competitive Range because: their Proposals were not Responsive, or the County committed a substantial violation of a provision in the Solicitation Document or of an applicable Procurement statute or administrative rule, and the protesting Offeror was unfairly evaluated and would have, but for such substantial violation, been included in the Competitive Range.)

(3) Delivery. Unless otherwise specified in the Solicitation Document, an Affected Offeror must deliver a Written protest to the County as described in the Solicitation Document within seven (7) Days after issuance of the notice of the Competitive Range or notice of subsequent tiers or steps.

(4) Content of Protest. The Affected Offeror's protest shall be in Writing and must specify the grounds upon which the protest is based.

(5) County's Response. The County shall not consider an Affected Offeror's multiple-tiered or multistep solicitation protest submitted after the timeline established for submitting such protest under this rule, or such different time period as may be provided in the Solicitation Document. The County shall issue a Written disposition of the protest in a timely manner. If the County upholds the protest, in whole or in part, the County may in its sole discretion either issue an Addendum under YCR 047-0430 reflecting its disposition or cancel the Procurement or solicitation under YCR 047-0660.

(6) Judicial Review. Judicial review of the County's decision relating to a multiple-tiered or multistep solicitation protest shall be in accordance with ORS 279B.420.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.060

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0720 Protests and Judicial Review of Solicitations

(1) Purpose. A prospective Offeror may protest the Procurement process or the Solicitation Document for a Contract solicited under ORS 279B.055, 279B.060, and 279B.085 as set forth in 279B.405(2). Pursuant to 279B.405(3), before seeking judicial review, a prospective Offeror must file a Written protest with the County and exhaust all administrative remedies.

(2) Delivery. Unless otherwise specified in the Solicitation Document, a prospective Offeror must deliver a Written protest to the County not less than ten (10) Days prior to Closing.

(3) Content of Protest. In addition to the information required by ORS 279B.405(4), a prospective Offeror's Written protest shall include a statement of the desired changes to the Procurement process or the Solicitation Document that the prospective Offeror believes will remedy the conditions upon which the prospective Offeror based its protest.

(4) County's Response. The County shall not consider a Prospective Offeror's solicitation protest submitted after the timeline established for submitting such protest under this rule, or such different time period as may be provided in the Solicitation Document. The County shall consider the protest if it is timely filed and meets the conditions set forth in ORS 279B.405(4). The County shall issue a Written disposition of the protest in accordance with the timeline set forth in ORS 279B.405(6). If the County upholds the protest, in whole or in part, the County may in its sole discretion either issue an Addendum reflecting its disposition under YCR 047-0430 or cancel the Procurement or solicitation under YCR 047-0660.

(5) Extension of Closing. If the County receives a protest from a prospective Offeror in accordance with this rule, the County may extend Closing if the County determines an extension is necessary to consider and respond to the protest.

(6) Clarification. Prior to the deadline for submitting a protest, a prospective Offeror may request that the County clarify any provision of the Solicitation Document. The County's clarification to an Offeror, whether orally or in Writing, does not change the Solicitation Document and is not binding on the County unless the County amends the Solicitation Document by Addendum.

(7) Judicial Review. Judicial review of the County's decision relating to a solicitation protest shall be in accordance with ORS 279B.405.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.405

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0730 Protests and Judicial Review of a Contract Award

(1) Purpose. An Offeror may protest the Award of a Contract, or the intent to Award of a Contract, whichever occurs first, if the conditions set forth in ORS 279B.410(1) are satisfied. An Offeror must file a Written protest with the Board and exhaust all administrative remedies before seeking judicial review of the County's Contract Award decision.

(2) Delivery. Unless otherwise specified in the Solicitation Document, an Offeror must deliver a Written protest to the Board within seven (7) Days after issuance of the notice of intent to Award the Contract.

(3) Content of Protest. An Offeror's Written protest shall specify the grounds for the protest to be considered by the Board pursuant to ORS 279B.410(2).

(4) Board Response. The Board shall not consider an Offeror's Contract Award protest submitted after the timeline established for submitting such protest under this rule, or such different time period as may be provided in the Solicitation Document. The Board shall issue a Written disposition of the protest in a timely manner as set

forth in ORS 279B.410(4). If the Board upholds the protest, in whole or in part, it may in its sole discretion either Award the Contract to the successful protestor or cancel the Procurement or solicitation.

(5) Judicial Review. Judicial review of the Board's decision relating to a Contract Award protest shall be in accordance with ORS 279B.415.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.410

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0740 Protests and Judicial Review of Qualified Products List Decisions

(1) Purpose. A prospective Offeror may protest the County's decision to exclude the prospective Offeror's goods from the County's qualified products list under ORS 279B.115 and YCR 047-0525. A prospective Offeror must file a Written protest and exhaust all administrative remedies before seeking judicial review of the County's qualified products list decision.

(2) Delivery. Unless otherwise stated in the County's notice to prospective Offerors of the opportunity to submit goods for inclusion on the qualified products list, a prospective Offeror must deliver a Written protest to the County within seven (7) Days after issuance of the County's decision to exclude the prospective Offeror's goods from the qualified products list.

(3) Content of Protest. The prospective Offeror's protest shall be in Writing and must specify the grounds upon which the protest is based.

(4) County's Response. The County shall not consider a prospective Offeror's qualified products list protest submitted after the timeline established for submitting such protest under this rule, or such different time period as may be provided in the County's notice to prospective Offerors of the opportunity to submit goods for inclusion on the qualified products list. The County shall issue a Written disposition of the protest in a timely manner. If the County upholds the protest, it shall include the successful protestor's goods on the qualified products list.

(5) Judicial Review. Judicial review of the County's decision relating to a qualified products list protest shall be in accordance with ORS 279B.420.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.115

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0750 Judicial Review of Other Violations

Any violation of ORS Chapter 279A or 279B by the County for which no judicial remedy is otherwise provided in the Public Contracting Code is subject to judicial review as set forth in 279B.420.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.420

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0760 Review of Prequalification and Debarment Decisions

Review of the County's prequalification and Debarment decisions shall be as set forth in ORS 279B.425.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED:

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

VIII. CONTRACT CHANGES

YCR 047-0800 Amendments to Goods and Services Contracts and Price Agreements

(1) Generally. The County may amend a Goods and Services Contract without additional competition in any of the following circumstances:

- (a) The Amendment is within the scope of the Procurement as described in the Solicitation Documents, if any, or if no Solicitation Documents, as described in the Sole-source Procurement notice or the approved Special Procurement, if any. An Amendment is not within the scope of the Procurement if the County determines that

if it had described in the Procurement the changes to be made by the Amendment, it would likely have increased competition or affected award of the Contract.

(b) The YCR otherwise permit the County to Award a Contract without competition for the Goods or Services to be procured under the Amendment.

(c) The Amendment is necessary to comply with a change in law that affects performance of the Contract.

(d) The Amendment results from renegotiation of the terms and conditions, including the Contract Price, of a Contract and the Amendment is Advantageous to the County, subject to all of the following conditions:

(A) The Goods or Services to be provided under the amended Contract are the same as the Goods or Services to be provided under the unamended Contract.

(B) The County determines that, with all things considered, the amended Contract is at least as favorable to the County as the unamended Contract.

(C) The amended Contract does not have a total term greater than allowed in the Solicitation Documents, if any, or if no Solicitation Documents, as described in the Sole-source Procurement terms. For example, a one-year Contract described as 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.

(2) Small or Intermediate Contracts. The County may amend a Contract Awarded as small or intermediate Procurement pursuant to section (1) of this rule, provided that the total increase in Contract Price does not exceed the amount set forth in YCR 047-0255 for Small Procurements and YCR 047-0257 for Intermediate Procurements.

(3) Emergency Contracts. The County may amend a Contract Awarded as an Emergency Procurement if the emergency justification for entering into the Contract still exists, and the Amendment is necessary to address the continuing emergency.

(4) Amendments authorized by this rule shall be executed in accordance with the provisions of YCR 046-0540.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.425

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0810 Termination of Price Agreements

The County may terminate a Price Agreement as follows:

(a) As permitted by the Price Agreement;

(b) If the circumstances set forth in ORS 279B.140(2) exist; or

(c) As permitted by applicable law.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.140

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

IX. PERSONAL SERVICES CONTRACTS

YCR 047-0900 Statutory Authority

(1) ORS 279A.070 requires the County to create procedures for the screening and selection of persons to perform Personal Services. Personal Services Contracts shall be awarded pursuant to YCR 047-0900 through 047-0920.

(2) Personal Services Contracts are not Contracts for the purposes of ORS Chapters 279A, 279B, 279C, and, unless otherwise provided, the YCR. This rule was created in accordance with, and pursuant to the authority granted under, ORS 279A.055.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.055

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0910 Scope

(1) The following are considered Personal Services:

- (a) Contracts for services performed as an independent contractor in a professional capacity, including, but not limited to, the services of an accountant, attorney, financial advisor, investment banker, physician, commercial real estate broker, dentist, pilot, or broadcaster;
- (b) Contracts for services as an artist in the performing or fine arts, including but not limited to, persons identified as photographer, filmmaker, painter, weaver, or sculptor;
- (c) Contracts for services as a consultant not otherwise provided for under YCR Division 48;
- (d) Contracts for services of a specialized, creative, and research-oriented, noncommercial nature;
- (e) Contracts for educational services; and
- (f) Contracts for human custodial care services.

(2) The following are not considered to be Personal Services:

- (a) Contracts, even though in a professional capacity, if predominately for a product (e.g., a contract to design a garden statue is for personal services, but a contract to supply all the shrubs and trees surrounding the statue is predominately for a tangible product);
- (b) A contract to supply labor that is of a type that can generally be done by any competent worker (e.g., janitorial, security guard, laundry, landscape maintenance service contracts, temporary services, and delivery services); and
- (c) Contracts for a trade-related activity, even though a specific license is required to engage in the activity (e.g., repair and/or maintenance of all types of equipment or structures).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279A.055

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 047-0920 Selection Procedures

(1) Direct Appointment Procedure. Personal Service Contracts with an estimated Contract Price less than or equal to \$100,000 may be awarded by direct selection without a competitive solicitation.

(2) Informal Selection Procedure. Personal Services Contracts with an estimated Contract Price between \$100,000 and \$250,000 may be awarded using the following procedures:

- (a) The County shall seek at least three informally solicited competitive proposals from prospective Contractors. The County shall keep a Written record of the sources of the proposals received. If three prospective Contractors are not reasonably available, fewer will suffice, but the County shall make a Written record of the effort made to obtain proposals from three sources.
- (b) The County shall receive and evaluate the Proposals offered by the candidates under subsection (a) above. Such evaluation shall include the candidate's proposed method to accomplish the work required, including, where appropriate, a demonstrated capability to use innovative methods to achieve desired performance. Cost may be considered but should not be the sole criterion. The County may negotiate with one or more qualified candidates as it deems appropriate.

(3) Formal Selection Procedure. Personal Service Contracts with an estimated Contract Price greater than \$250,000 shall be awarded using the procedures outlined in YCR 047-0265, Competitive Sealed Proposals.

(4) Amendments. Personal Services Contracts may be amended up to their respective thresholds outlined in this rule.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279A.055

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR DIVISION 048

A&E CONSULTANT SELECTION

I. GENERAL PROVISIONS RELATED TO THE SELECTION OF A&E CONSULTANTS

YCR 048-0100 Application

(1) Division 048 rules apply to the screening and selection of a Consultant to perform Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services, and set forth the following procedures:

- (a) Procedures through which the County selects Consultants to perform Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services; and
- (b) Two-tiered procedures for selection of Architects, Engineers, Photogrammetrists, Transportation Planners, Land Surveyors and providers of Related Services for certain Public Improvements owned and maintained by the County.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065, ORS 279C.100 - 279C.125

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0110 Definitions

In addition to the definitions set forth in ORS 279A.010, ORS 279C.100, and YCR 046-0110, the following definitions apply to these Division 048 rules:

- (1) **“Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services”** have the meanings as set forth in ORS 279C.100.
- (2) **“A&E Consultant”** or **“Consultant”** means an Architect, Engineer, Photogrammetrist, Transportation Planner, Land Surveyor, or provider of Related Services. A Consultant includes a business entity that employs Architects, Engineers, Photogrammetrists, Transportation Planners, Land Surveyors or providers of Related Services, or any combination of the foregoing.
- (3) **“Estimated Fee”** means the County’s reasonably projected fee to be paid for a Consultant’s services under the anticipated Contract, excluding all anticipated reimbursable or other non-professional fee expenses. The Estimated Fee is used solely to determine the applicable Contract solicitation method and is distinct from the total amount payable under the Contract. The Estimated Fee shall not be used as a basis to resolve other Public Contracting issues, including without limitation, direct purchasing authority or Public Contract review and approval under ORS 291.0047.
- (4) **“Price Agreement”** is limited to mean, for purposes of these Division 048 rules, an agreement related to the Procurement of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services, under agreed-upon terms and conditions, including, but not limited to terms and conditions of later Task Orders for project-specific Services, and which may include Consultant compensation information, with no guarantee of a minimum or maximum purchase.
- (5) **“Project”** means all components of the County’s planned undertaking that gives rise to the need for a Consultant’s Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services under a Contract.
- (6) **“Related Services”** means personal services, other than Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services, that are related to planning, designing, engineering, or overseeing a Public Improvement or components of a Public Improvement, including, but not

limited, to Landscape Architecture, Facilities Planning, Energy Planning, Space Planning, Hazardous Substances or Hazardous Waste or Toxic Substances Testing, Cost Estimating, Appraising, Material Testing, Mechanical System Balancing, Commissioning, Project Management, Construction Management, Owner's Representation services, or Land-use Planning.

(7) **“Transportation Planning Services”** are defined in ORS 279C.100. Transportation Planning Services include only project-specific transportation planning involved in the preparation of categorical exclusions, environmental assessments, environmental impact statements and other documents required for compliance with the National Environmental Policy Act, 42 USC 4321 et. seq. Transportation Planning Services do not include transportation planning for corridor plans, transportation system plans, interchange area management plans, refinement plans, and other transportation plans not directly associated with an individual project that will require compliance with the National Environmental Policy Act, 42 USC 4321 et. seq. Transportation Planning Services also do not include transportation planning for projects not subject to the National Environmental Policy Act, 42 USC 4321 et. seq.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.100

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0130 Applicable Selection Procedures; Pricing Information; Proposal Disclosures; Conflicts

(1) When selecting the most qualified Consultants to perform Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services, the County shall follow the applicable selection procedure under either YCR 048-0210 (Informal Selection Procedure), YCR 048-0220 (Formal Selection Procedure), or YCR 048-0200 (Direct Appointment Procedure). In following the Direct Appointment Procedure under YCR 048-0200, the County may base its selection of a Consultant on any information available to the County prior to beginning the Direct Appointment Procedure for the project involved. The County may solicit or use pricing policies and pricing Proposals, or other pricing information, including the number of hours proposed for the services required, expenses, hourly rates and overhead, in any of the County's selection procedures to select Consultants to perform Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services pursuant to the requirements of YCR 048-280 and ORS279C.110(5).

(2) If selecting a Consultant to perform Related Services, the County shall follow one of the following selection procedures:

(a) When selecting a Consultant on the basis of qualifications alone, the County shall follow the applicable selection procedure under YCR 048-0200 (Direct Appointment Procedure), 048-0210 (Informal Selection Procedure), or 048-0220 (Formal Selection Procedure);

(b) When selecting a Consultant on the basis of price competition alone, the County shall follow the applicable provisions under YCR 048-0200 (Direct Appointment Procedure), the applicable provisions of 048-0210 (Informal Selection Procedure) pertaining to obtaining and evaluating price Proposals and other pricing information, or the applicable provisions of 048-0220 (Formal Selection Procedure) pertaining to obtaining and evaluating price Proposals and other pricing information; and

(c) When selecting a Consultant on the basis of price and qualifications, the County shall follow the applicable provisions under YCR 048-0200 (Direct Appointment Procedure), the applicable provisions of 048-0210 (Informal Selection Procedure) pertaining to obtaining and evaluating price and qualifications Proposals, or the applicable provisions of 048-0220 (Formal Selection Procedure) pertaining to obtaining and evaluating price and qualifications Proposals. For selections under the informal selection procedure of YCR 048-0210, the County may use abbreviated requests for Proposals that nevertheless meet the requirements of YCR 048-0210, when the County determines, in its sole discretion, that the characteristics of the project and the Related Services required by the County would be adequately addressed by a more abbreviated Request for Proposals document, generally comparable to the Intermediate Procurement procedures and related documentation under ORS 279B.070 and YCR 047-0270. The County may request and consider a Proposer's pricing policies

and pricing Proposals or other pricing information, including the number of hours proposed for the services required, expenses, hourly rates and overhead, submitted with a Proposal.

(3) The County is not required to follow the procedures in section (1) or section (2) of this rule when the County has established Price Agreements with more than one Consultant and is selecting a single Consultant to perform Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services under an individual Task Order. Provided, however, the criteria and procedures the County uses to select a single Consultant, when the County has established Price Agreements with more than one Consultant, must meet the requirements of YCR 048-0270 (Price Agreements).

(4) The County may use electronic methods to screen and select a Consultant in accordance with the procedures described in sections (1) and (2) of this rule. If the County uses electronic methods to screen and select a Consultant, the County will first promulgate rules for conducting the screening and selection procedure by electronic means, substantially in conformance with YCR 047-0330 (Electronic Procurement).

(5) For purposes of these Division 048 rules, a “mixed” Contract is one requiring the Consultant to perform Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services and also provide Related Services, other Services, or other related Goods under the Contract. The County’s classification of a Procurement that will involve a “mixed” Contract will be determined by the predominant purpose of the Contract. The County will determine the predominant purpose of the Contract by determining which of the Services involves the majority of the total Estimated Fee to be paid under the Contract. If the majority of the total Estimated Fee to be paid under the Contract is for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services, the County shall comply with the requirements of ORS 279C.110 and section (1) of this rule. If majority of the total Estimated Fee to be paid under the Contract is for Related Services, the County shall comply with the requirements of ORS 279C.120 and section (2) of this rule. If the majority of the total Estimated Fee to be paid under the Contract is for some other Services or Goods under the Public Contracting Code, the County shall comply with the applicable provisions of the Public Contracting Code and Divisions 046, 047, and 049 of the YCR that match the predominant purpose of the Contract.

(6) Consistent with the requirements of ORS 279C.107 and the remaining requirements of ORS 279C.100, 279C.105 and 279C.110 through 279C.125, the following provisions apply to Proposals received by the County for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services or Related Services:

(a) The term “competitive proposal,” for the purposes of ORS 279C.107, includes Proposals under YCR 048-0200 (Direct Appointment Procedure), 048-0210 (Informal Selection Procedure), 048-0220 (Formal Selection Procedure) or 048-0130(2)(c) (selection based on price and qualifications) and any Proposals submitted in response to a selection process for a Task Order under 048-0270 (Price Agreements).

(b) For purposes of Proposals received by the County under YCR 048-0200 (Direct Appointment Procedure), a formal notice of intent to Award is not required. As a result, while the County may make Proposals under 048-0200 (Direct Appointment Procedure) open for public inspection following the County’s decision to begin Contract negotiations with the selected Consultant, 048-0200 Proposals are not required to be open for public inspection until after the County has executed a Contract with the selected Consultant.

(c) In the limited circumstances permitted by ORS 279C.110, 279C.115, and 279C.120, where the County is conducting discussions or negotiations with Proposers who submit Proposals that the County has determined to be closely competitive or to have a reasonable chance of being selected for award, the County may open Proposals so as to avoid disclosure of Proposal contents to competing Proposers, consistent with the requirements of ORS 279C.107. Otherwise, the County may open Proposals in such a way as to avoid disclosure of the contents until after the County executes a Contract with the selected Consultant. If the County determines that it is in the best interest of the County to do so, the County may make Proposals available for public inspection following the County’s issuance of a notice of intent to Award a Contract to a Consultant; and

- (d) Disclosure of Proposals and Proposal information is otherwise governed by ORS 279C.107.
- (7) As required by ORS 279C.307, pertaining to requirements to ensure the objectivity and independence of providers of certain Personal Services which are procured under ORS chapter 279C, the County may not:
- (a) Procure the Personal Services identified in ORS 279C.307 from a Contractor or an affiliate of a Contractor who is a party to the Public Contract that is subject to administration, management, monitoring, inspection, evaluation, or oversight by means of the Personal Services; or
 - (b) Procure the Personal Services identified in ORS 279C.307 through the Public Contract that is subject to administration, management, monitoring, inspection, evaluation, or oversight by means of the Personal Services.
- (8) The requirements of ORS 279C.307 and section (7) of this rule apply in the following circumstances, except as provided in section (9) of this rule:
- (a) The County requires the Procurement of Personal Services for the purpose of administering, managing, monitoring, inspecting, evaluating compliance with, or otherwise overseeing a Public Contract or performance under a Public Contract that is subject to ORS chapter 279C. A “Public Contract that is subject to ORS chapter 279C” includes a Public Contract for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services, a Public Contract for Related Services, or a Public Contract for Construction Services under ORS chapter 279C and the YCR Division 049 rules.
 - (b) The Procurements of Personal Services subject to the restrictions of ORS 279C.307 include, but are not limited to, the following:
 - (A) Procurements for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services, which involve overseeing or monitoring the performance of a Construction Services Contractor under a Public Contract for Construction Services subject to ORS chapter 279C and YCR Division 049 rules;
 - (B) Procurements for commissioning services, which involve monitoring, inspecting, evaluating, or otherwise overseeing the performance of a Contractor providing Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services or the performance of a Construction Services Contractor under a Public Contract for Construction Services subject to ORS chapter 279C and the YCR Division 049 rules;
 - (C) Procurements for project management services, which involve administration, management, monitoring, inspecting, evaluating compliance with, or otherwise overseeing the performance of a Contractor providing Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services, Construction Services subject to ORS chapter 279C and the YCR Division 049 rules, commissioning services, or other Related Services for a project;
 - (D) Procurements for special inspections and testing services, which involve inspecting, testing, or otherwise overseeing the performance of a Construction Services Contractor under a Public Contract for Construction Services subject to ORS chapter 279C and the YCR Division 29 rules; and
 - (E) Procurements for other Related Services or Personal Services, which involve administering, managing, monitoring, inspecting, evaluating compliance with, or otherwise overseeing the Public Contracts described in subsection (8)(a) of this rule.
- (9) The restrictions of ORS 279C.307 do not apply in the following circumstances, except as further specified below:
- (a) To the County’s Procurement of both design services and Construction Services through a single “Design-Build” Procurement, as that term is defined in YCR 049-0610. Such a Design-Build Procurement includes a Procurement under an Energy Savings Performance Contract, as defined in ORS 279A.010. Provided, however, the restrictions of ORS 279C.307 do apply to the County’s Procurement of Personal Services for the purpose of administering, managing, monitoring, inspecting, evaluating compliance with, or otherwise overseeing a Design-Build Contract or performance under such a Contract resulting from a Design-Build Procurement; and

(b) To the County's Procurement of both pre-Construction Services and Construction Services through a single Procurement of Construction Manager/General Contractor Services, as that term is defined in ORS 279C.332(3). Provided, however, the restrictions of ORS 279C.307 do apply to the County's Procurement of Personal Services for the purpose of administering, managing, monitoring, inspecting, evaluating compliance with, or otherwise overseeing a Construction Manager/General Contractor Services Contract or performance under such a Contract resulting from a Procurement of Construction Manager/General Contractor Services.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.100 - 279C.125

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

II. SELECTION PROCEDURES

YCR 048-0200 Direct Appointments

(1) The County may enter into a Contract directly with a Consultant without following the selection procedures set forth elsewhere in these rules if:

- (a) Emergency. The County finds that an Emergency exists; or
- (b) Small Estimated Fee. The Estimated Fee to be paid under the Contract does not exceed \$100,000; or
- (c) Continuation of Project. Where a project is being continued as more particularly described below, the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services to be performed under the Contract must meet the following requirements:

(A) The services consist of or are related to Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, 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, Land Surveying Services, or Related Services rendered under the earlier Contract;

(B) The County used either a formal selection procedure under YCR 048-0220 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; and

(C) When the Estimated Fee exceeds \$250,000, the County makes Written findings that entering into a Contract with the Consultant, whether in the form of an Amendment to an existing Contract or a separate Contract for the additional scope of services, will:

- (i) Promote efficient use of public funds and resources and result in substantial cost savings to the County; and
- (ii) Protect the integrity of the Public Contracting process and the competitive nature of the Procurement by not encouraging favoritism or substantially diminishing competition in the award of the Contract.

(2) The County may select Consultants for Contracts under this rule from any Consultant(s) offering the required Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services that the County reasonably can identify under the circumstances.

(3) As part of the County's assessment of the qualifications of any Consultant being considered for award of a Contract under this rule, the County can, at any time before entering into a Contract with the Consultant, consider information pertaining to whether the Consultant owes a liquidated and delinquent debt to the State of Oregon.

(4) The County shall direct negotiations with Consultants selected under this rule toward obtaining a Written agreement on:

- (a) The specific scope of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services to be provided by the Consultant;
- (b) The Consultant's performance obligations and performance schedule;

(c) Payment methodology, the Consultant's rates and number of hours, and a maximum amount payable to the Consultant for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services required under the Contract that is fair and reasonable to the County as determined solely by the County, taking into account the value, scope, complexity and nature of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services; and

(d) Any other provisions the County believes to be in the County's best interest to negotiate.

STAT. AUTH.: ORS 279A.065 , OL 2011 & CH 458

STATS. IMPLEMENTED: ORS 279C110 & 279C.115

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0210 Informal Selection Procedure

(1) The County may use the informal selection procedure described in this rule to obtain a Contract if the Estimated Fee is expected not to exceed \$250,000.

(2) The County using the informal selection procedure on the basis of qualifications alone or, for Related Services, on the basis of price and qualifications shall:

(a) Create a Request for Proposals ("RFP") that includes at a minimum the following:

(A) A description of the project for which a Consultant's Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services or Related Services are needed and a description of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services that will be required under the resulting Contract;

(B) The anticipated Contract performance schedule;

(C) Conditions or limitations, if any, that may constrain or prohibit the selected Consultant's ability to provide additional services related to the project, including Construction Services;

(D) The date and time Proposals are due and other directions for submitting Proposals;

(E) Criteria upon which the most qualified Consultant will be selected. Selection criteria may include, but are not limited to, the following:

(i) The amount and type of resources and number of experienced staff the Consultant has committed to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP within the applicable time limits, including the current and projected workloads of such staff and the proportion of time such staff would have available for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services;

(ii) Proposed management techniques for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP;

(iii) A Consultant's capability, experience and past performance history and record in providing similar Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services or Related Services, including but not limited to quality of work, ability to meet schedules, cost control methods and Contract administration practices;

(iv) A Consultant's approach to Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP and design philosophy, if applicable;

(v) A Consultant's geographic proximity to and familiarity with the physical location of the project;

(vi) Volume of work, if any, previously awarded to a Consultant, with the objective of effecting equitable distribution of Contracts among qualified Consultants, provided such distribution does not violate the principle of selecting the most qualified Consultant for the type of professional services required;

(vii) A Consultant's ownership status and employment practices regarding women, minorities and emerging small businesses or historically underutilized businesses;

- (viii) Whether the Consultant owes a liquidated and delinquent debt to the State of Oregon; and
- (ix) If the County is selecting a Consultant to provide Related Service, pricing policies and pricing proposals or other pricing information, including the number of hours proposed for the services required, expenses, hourly rates and overhead.

(F) A Statement that Proposers responding to the RFP do so solely at their expense, and the County is not responsible for any Proposer expenses associated with the RFP;

(G) A statement directing Proposers to the protest procedures set forth in these Division 048 rules; and

(H) A sample form of the Contract.

(b) Provide an RFP to a minimum of five (5) prospective Consultants. If fewer than five prospective Consultants are available, The County shall provide the RFP to all available prospective Consultants and shall maintain a written record of the County's efforts to locate available prospective Consultants for the RFP. The County shall draw prospective Consultants from that the County 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.

(c) Review and rank all Proposals received according to the criteria set forth in the RFP and select the three (3) highest ranked Proposers.

(3)) If the County does not cancel the RFP after it reviews and ranks each Proposer and, following the completion of any price evaluations completed pursuant to YCR 048-0280, the County shall begin negotiating a Contract with the highest ranked Proposer. The County shall direct negotiations toward discussing, refining, and finalizing the following:

(a) The specific scope of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services to be provided by the Consultant;

(b) The Consultant's performance obligations and performance schedule;

(c) Payment methodology, Consultant's rates and number of hours, and a maximum amount payable to the Consultant for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services required under the Contract that is fair and reasonable to the County as determined solely by the County, taking into account the value, scope, complexity and nature of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services; and

(d) Any other provisions the County believes to be in the County's best interest to negotiate.

(4) The County shall, either orally or in Writing, formally terminate negotiations with the highest ranked Proposer if the County and Proposer are unable for any reason to reach agreement on a Contract within a reasonable amount of time. The County may thereafter negotiate with the second-ranked Proposer, and if necessary, with the third-ranked Proposer, in accordance with section (3) of this rule, until negotiations result in a Contract. If negotiations with any of the top three Proposers do not result in a Contract within a reasonable amount of time, the County may end the particular informal solicitation and thereafter may proceed with a new informal solicitation under this rule or proceed with a formal solicitation under YCR 048-0220 (Formal Selection Procedure).

(5) When the Estimated Fee in an informal selection procedure is expected not to exceed \$150,000, the County is only required to provide the RFP under subsection (2)(b) of this rule to three (3) prospective Consultants. If fewer than three prospective Consultants are available, the County shall provide the RFP to all available prospective Consultants and shall maintain a Written record of the County's efforts to locate available prospective Consultants for the RFP.

(6) The County shall terminate the informal selection procedure and proceed with the formal selection procedure under YCR 048-220 if the scope of the anticipated Contract is revised during negotiations so that the Estimated Fee will exceed \$250,000. Notwithstanding the foregoing, the County may continue Contract negotiations with the Proposer selected under the informal selection procedure if the County makes Written determinations that Contracting with that Proposer will:

(a) Promote efficient use of the County's resources and result in substantial cost savings to the County; and

(b) Protect the integrity of the Public Contracting process and the competitive nature of the Procurement by not encouraging favoritism or substantially diminishing competition in the award of the Contract.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.110

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0220 Formal Selection Procedure

(1) Subject to YCR 048-0130, the County shall use the formal selection procedure described in this rule to select Consultants if the Consultants cannot be selected under either YCR 048-0200 (Direct Appointment Procedure) or under YCR 048-0210 (Informal Selection Procedure). The formal selection procedure described in this rule may otherwise be used at County's discretion.

(2) Under this rule, the County shall obtain Contracts through public advertisement of Requests for Proposals (RFP), or Requests for Qualifications (RFQ) followed by a Request for Proposals.

(a) Except as provided in subsection (b) of this section, the County shall advertise each RFP and RFQ at least once in at least one newspaper of general circulation in Yamhill County and in as many other issues and publications as may be necessary or desirable to achieve adequate competition.

(A) The County shall publish the advertisement within a reasonable time before the deadline for the Proposal submission or response to the RFP or RFQ but in any event no fewer than fourteen (14) calendar days before the closing date set forth in the RFP or RFQ.

(B) The County shall include a brief description of the following items in the advertisement:

(i) The project;

(ii) A description of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services the County seeks;

(iii) How and where Consultants may obtain a copy of the RFP or RFQ; and

(iv) The deadline for submitting a Proposal or response to the RFP or RFQ.

(b) In the alternative to advertising in a newspaper as described in subsection (a) of this section, the County may publish each RFP and RFQ by one or more of the electronic methods identified in the YCR. The County shall comply with subsections 2(a)(A) and 2(a)(B) of this rule when publishing advertisements by electronic methods.

(c) The County may send notice of the RFP or RFQ directly to Consultants.

(3) Request for Qualifications Procedure. The County may use the RFQ procedure to evaluate potential Consultants and establish a short list of qualified Consultants to whom the County may issue an RFP for some or all of the Architectural, Engineering, Land Surveying Services, or Related Services described in the RFQ.

(a) *RFQ Required Contents*. The County shall include the following, at minimum, in each RFQ:

(A) A brief description of the project for which the County is seeking Consultants;

(B) A description of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services the County seeks for the project;

(C) Conditions or limitations, if any, that may constrain or prohibit the selected Consultant's ability to provide additional services related to the project, including Construction Services;

(D) The deadline for submitting a response to the RFQ;

(E) A description of the required Consultant qualifications for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services the County seeks;

(F) The RFQ evaluation criteria, including weights or points applicable to each criterion;

(G) A statement whether or not the County will hold a pre-qualification meeting for all interested Consultants to discuss the project, and if a pre-qualification meeting will be held, the location of the meeting and whether or not attendance is mandatory; and

(H) A statement that Consultants responding to the RFQ do so solely at their expense, and the County is not responsible for any Proposer expenses associated with the RFQ.

- (b) *RFQ Optional Contents*. The County may include a request for any or all of the following in each RFQ:
- (A) A statement describing the Consultant's general qualifications and related performance information;
 - (B) A description of the Consultant's specific qualifications to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFQ, including the Consultant's committed resources and recent, current, and projected workloads;
 - (C) A list of similar Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services and references concerning past performance, including, but not limited to, price and cost data from previous projects, quality of work, ability to meet schedules, cost control, and contract administration;
 - (D) A copy of all records, if any, of the Consultant's performance under contracts with any other government agencies;
 - (E) The number of the Consultant's experienced staff available to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFQ, including any such personnel's specific qualifications and experience and an estimate of the proportion of time that they would spend on those services;
 - (F) The Consultant's approach to Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFQ and their design philosophy, if applicable;
 - (G) The Consultant's geographic proximity to and familiarity with the physical location of the project;
 - (H) The Consultant's ownership status and employment practices regarding women, minorities and emerging small businesses, or historically underutilized businesses;
 - (I) Pricing policies, proposals and other pricing information pursuant to the requirements of YCR 048-280 and ORS 279C.110(5);
 - (J) The Consultant's ability to assist the County in complying with the energy technology requirements of ORS 279C.527 and 279C.528;
 - (K) Whether the Consultant owes a liquidated and delinquent debt to the State of Oregon; and
 - (L) Any other information the County deems reasonable and necessary to evaluate the Consultant's qualifications.
- (c) *RFQ Evaluation Committee*. The County shall establish an RFQ evaluation committee of at least two (2) individuals to review, score and rank the responding Consultants according to the evaluation criteria. The County may appoint to the evaluation committee County employees or employees of other public agencies with experience in Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, Related Services, Construction Services, or Public Contracting. The County may include on the evaluation committee private practitioners of architecture, engineering, photogrammetry, transportation planning, land surveying, or related professions. The County shall designate one member of the evaluation committee as the evaluation committee chairperson.
- (d) *RFQ Short List*. After the evaluation committee reviews, scores, and ranks the responding Consultants, the County shall establish a short list of at least three qualified Consultants, if feasible; provided however, if four (4) or fewer Consultants responded to the RFQ, or if fewer than three (3) Consultants fail to meet the County's minimum requirements, then: A) the County may establish a short list of fewer than three (3) qualified Consultants; or B) the County may cancel the RFQ and issue an RFP.
- (A) The County may use any reasonable screening or evaluation method to establish its short list of qualified Consultants, including but not limited to:
 - (i) Requiring Consultants responding to an RFQ to achieve a threshold score before qualifying for placement on the short list;
 - (ii) Placing a pre-determined number of the highest scoring Consultants on a short list; or

(iii) Placing on a short list only those Consultants with certain essential qualifications or experience, whose practice is limited to a particular subject area, or who practice in a particular geographic locale or region, provided that such factors are material, would not unduly restrict competition, and were announced as dispositive in the RFQ.

(B) No Consultant shall be eligible for placement on the County's short list established under subsection (3)(d) of this rule if Consultant, or any of Consultant's principals, partners, or associates, are members of the County's RFQ evaluation committee.

(C) Except when the RFQ is cancelled, the County shall provide a copy of the subsequent RFP to each Consultant on the short list.

(4) Selection through Request for Proposals. The County shall use the procedure described in this section (4) when issuing an RFP for a Contract described in section (1) of this rule.

(a) *RFP Required Contents*. Except as otherwise provided in sections (4)(b) and (4)(c) of this rule, the County shall include at least the following in each formal selection RFP, whether or not the RFP is preceded by an RFQ:

(A) General background information, including a description of the project and the specific Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services sought for the project, the estimated project cost, the estimated time period during which the project is to be completed, and the estimated time period in which the specific Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services sought will be performed;

(B) The RFP evaluation process and the criteria which will be used to select the most qualified Proposer, including the weights, points, or other classifications applicable to each criterion. If the County does not indicate the applicable number of points, weights, or other classifications, then each criterion is of equal value. Evaluation criteria may include, but are not limited to, the following:

(i) Proposers' availability and capability to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP;

(ii) Experience of Proposers' key staff persons in providing similar Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services on comparable projects;

(iii) The amount and type of resources, and number of experienced staff persons Proposers have committed to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP;

(iv) The recent, current and projected workloads of the staff and resources referenced in subsection (4)(a)(B)(iii), above;

(v) The proportion of time Proposers estimate that the staff referenced in subsection (4)(a)(B)(iii), above, would spend on the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP;

(vi) Proposers' demonstrated ability to complete successfully similar Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services on time and within budget, including whether or not there is a record of satisfactory performance under YCR 048-0120 (List of Interested Consultants; Performance Record);

(vii) References and recommendations from past clients;

(viii) Proposers' performance history in meeting deadlines, submitting accurate estimates, producing high quality work, meeting financial obligations, price and cost data from previous projects, cost controls and contract administration;

(ix) Status and quality of any required license or certification;

(x) Proposers' knowledge and understanding of the project and Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP as shown in Proposers' approaches to staffing and scheduling needs for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services and proposed solutions to any perceived design and constructability issues;

(xi) Results from interviews, if conducted;

(xii) Design philosophy, if applicable, and approach to the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services Related Services described in the RFP;

(xiii) Pricing policies, proposals, and other pricing information pursuant to the requirements of YCR 048-280 and ORS 279C.110(5); and

(xiv) Any other criteria that the County deems relevant to the project and the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP, including, where the nature and budget of the project so warrant, a design competition between competing Proposers.

(C) Conditions or limitations, if any, that may constrain or prohibit the selected Consultant's ability to provide additional services related to the project, including Construction Services;

(D) Whether interviews are possible and if so, the weight or points applicable to the potential interview;

(E) The date and time Proposals are due, and the delivery location for Proposals;

(F) Reservation of the right to seek clarifications of each Proposal;

(G) Reservation of the right to negotiate a final Contract that is in the best interest of the County;

(H) Reservation of the right to reject any or all Proposals and reservation of the right to cancel the RFP at any time if doing either would be in the public interest as determined by the County;

(I) A Statement that Proposers responding to the RFP do so solely at their expense, and the County is not responsible for any Proposer expenses associated with the RFP;

(J) A statement directing Proposers to the protest procedures set forth in these Division 48 rules;

(K) Special Contract requirements, including but not limited to disadvantaged business enterprise ("DBE"), minority business enterprise ("MBE"), women business enterprise ("WBE") and emerging small business enterprise ("ESB") participation goals or good faith efforts with respect to DBE, MBE, WBE and ESB participation, and federal requirements when federal funds are involved;

(L) A statement whether or not the County will hold a pre-Proposal meeting for all interested Consultants to discuss the project and the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP, and if a pre-Proposal meeting will be held, the location of the meeting and whether or not attendance is mandatory;

(M) A request for any information the County deems reasonably necessary to permit the County to evaluate, rank, and select the most qualified Proposer to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP; and

(N) A sample form of the Contract.

(b) *RFP Evaluation Committee*. The County shall establish a committee of at least three (3) individuals to review, score, and rank Proposals according to the evaluation criteria set forth in the RFP. If the RFP has followed an RFQ, the County may include the same members who served on the RFQ evaluation committee. The County may appoint to the evaluation committee County employees or employees of other public agencies with experience in Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying, Related Services, Construction Services, or Public Contracting. The County may include on the evaluation committee private practitioners of architecture, engineering, photogrammetry, transportation

planning, land surveying, or related professions. The County shall designate one of its employees who also is a member of the evaluation committee as the evaluation committee chairperson.

(A) No Proposer shall be eligible for award of the Contract under the RFP if Proposer, or any of Proposer's principals, partners, or associates, are members of the County's RFP evaluation committee for the Contract;

(B) If the RFP provides for the possibility of Proposer interviews, the evaluation committee may elect to interview Proposers if the evaluation committee considers it necessary or desirable. If the evaluation committee conducts interviews, it shall award up to the number of points indicated in the RFP for the anticipated interview; and

(C) The evaluation committee shall provide to the County the results of the scoring and ranking for each Proposer.

(c) If the County does not cancel the RFP after it receives the results of the scoring and ranking for each Proposer, and following the completion of any price evaluations completed pursuant to YCR 048-280, the County shall begin negotiating a Contract with the highest-ranked Proposer. The County shall direct negotiations toward discussing, refining and finalizing the following:

(A) The specific scope of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services to be provided by the Consultant;

(B) The Consultant's performance obligations and performance schedule;

(C) Payment methodology and a maximum amount payable to Contractor for the Architectural, Engineering, Land Surveying Services, or Related Services required under the Contract that is fair and reasonable to the County as determined solely by the County, taking into account the value, scope, complexity, and nature of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services; and

(D) Any other conditions or provisions the County believes to be in the County's best interest to negotiate.

(d) The County shall, either orally or in Writing, formally terminate negotiations with the highest-ranked Proposer if the County and Proposer are unable for any reason to reach agreement on a Contract within a reasonable amount of time. The County may thereafter negotiate with the second ranked Proposer, and if necessary, with the third ranked Proposer, and so on, in accordance with subsection (4)(c) of this rule, until negotiations result in a Contract. If negotiations with any Proposer do not result in a Contract within a reasonable amount of time, the County may end that particular formal solicitation. Nothing in this rule precludes the County from proceeding with a new formal solicitation for the same Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP that failed to result in a Contract.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.110, ORS 279C.527, OL 2015 & CH 565 (HB 3303)

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0230 Ties Among Proposers

(1) If the County is selecting a Consultant on the basis of qualifications alone and determines after the ranking of Proposers that two or more Proposers are equally qualified, the County may select a candidate through any process that the County believes will result in the best value for the County taking into account the scope, complexity, and nature of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services. The process shall instill public confidence through ethical and fair dealing, honesty, and good faith on the part of the County and Proposers and shall protect the integrity of the Public Contracting process. Once a tie is broken, the County and the selected Proposer shall proceed with negotiations under YCR 048-0210(3) or YCR 048-0220 (4)(c), as applicable.

(2) If the County is selecting a Consultant on the basis of price and qualifications and determines after the ranking of Proposers that two or more Proposers are identical in terms of price and qualifications, then the County shall follow the procedure set forth in YCR 047-0300.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.110, OL 2011 & CH 458

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0240 Protest Procedures

(1) RFP Protest and Request for Change. Pursuant to ORS 279C.110(8), Consultants may submit a protest of the County's selection of a Consultant for award of a Contract as follows: Consultants may submit a Written protest of anything contained in an RFP and may request a change to any provision or specification contained in an RFP, no later than seven (7) calendar days prior to the date Proposals are due, unless a different deadline is indicated in the RFP. Each protest and request for change must include the reasons for the protest or request, and any proposed changes to the RFP provisions or specifications. The County may not consider any protest or request for change that is submitted after the submission deadline.

(2) Protest of Consultant Selection. Pursuant to ORS 279C.110(8), Consultants may submit a protest of the County's selection of a Consultant for award of a Contract as follows:

(a) *Single Award*. The County shall provide to all Proposers a copy of the selection notice that the County sent to the highest-ranked Proposer. A Proposer who claims to have been adversely affected or aggrieved by the selection of the highest-ranked Proposer may submit a Written protest of the selection to the County no later than seven (7) calendar days after the date of the selection notice was issued unless a different deadline is indicated in the RFP. A Proposer submitting a protest must claim that the protesting Proposer is the highest-ranked Proposer because the Proposals of all higher-ranked Proposers failed to meet the requirements of the RFP, or because the higher-ranked Proposers otherwise are not qualified to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP.

(b) *Multiple Awards*. In the event of an award to more than one Proposer, the County shall provide to all Proposers copies of the selection notices that the County sent to the highest-ranked Proposers. A Proposer who claims to have been adversely affected or aggrieved by the selection of the highest ranked Proposers may submit a Written protest of the selection to the County no later than seven (7) calendar days after the date of the selection notices were issued, unless a different deadline is indicated in the RFP. A Proposer submitting a protest must claim that the protesting Proposer is one of the highest-ranked proposers because the Proposals of all higher ranked Proposers failed to meet the requirements of the RFP, or because a sufficient number of Proposals of higher-ranked Proposers failed to meet the requirements of the RFP. In the alternative, a Proposer submitting a protest must claim that the Proposals of all higher ranked Proposers, or a sufficient number of higher ranked Proposers, are not qualified to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP.

(c) *Effect of Protest Submission Deadline*. The County may not consider any protest that is submitted after the submission deadline.

(3) Resolution of Protests. A duly authorized representative of the County shall resolve all timely submitted protests within a reasonable time following the County's receipt of the protest and once resolved, shall promptly issue a decision on the protest to the Proposer who submitted the protest. If the protest results in a change to the RFP, the County shall revise the RFP accordingly and shall re-advertise the RFP in accordance with these rules.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279C.110

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0250 Solicitation Cancellation, Delay, or Suspension; Rejection; Responsibility for Costs

The County may cancel, delay, or suspend a solicitation, RFQ, or other preliminary Procurement document, whether related to a Direct Appointment Procedure (YCR 048-0200), the Informal Selection Procedure (YCR

048-0210), and the Formal Selection Procedure (YCR 048-0220), or reject all Proposals, responses to RFQs, responses to other preliminary Procurement documents, or any combination of the foregoing, if the County believes it is in the public interest to do so. In the event of any such cancellation, delay, suspension or rejection, the County is not liable to any Proposer for any loss or expense caused by or resulting from any such cancellation, delay, suspension, or rejection. Consultants responding to either solicitations, RFQs, or other preliminary Procurement documents, are responsible for all costs they may incur in connection with submitting Proposals, responses to RFQs, or responses to other preliminary Procurement documents.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279C.110

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0260 Two-tiered Selection Procedure for Public Improvement Projects Managed by the State

If the County requires a Consultant to perform Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services for a Public Improvement that is owned and maintained by the County, and a State agency will serve as the lead contracting agency and will enter into Contracts with Consultants for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, and/or Related Services for that Public Improvement, the State contracting agency shall utilize the two-tiered selection process described in ORS 279C.125 and OAR 137-048-0260.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.110, ORS 279C.125

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0270 Price Agreements

(1) The County may establish Price Agreements for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services, when the County cannot determine the precise quantities of those services which the County will require over a specified time period.

(2) When establishing Price Agreements under this rule, the County shall select no fewer than three (3) Consultants, when feasible. The selection procedures for establishing Price Agreements shall be in accordance with YCR 048-0130(1) or YCR 048-0130(2), as applicable. The County may select a single Consultant when a Price Agreement is awarded to obtain services for a specific project or a closely related group of projects.

(3) In addition to any other applicable solicitation requirements set forth in these Division 48 rules, the solicitation materials and the terms and conditions for a Price Agreement for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services must:

(a) Include a scope of services, menu of services, a specification for services, or a similar description of the nature, general scope, complexity and purpose of the Procurement that will reasonably enable a prospective bidder or Proposer to decide whether to submit a bid or proposal;

(b) Specify whether the County intends to award a Price Agreement to one Consultant or to multiple Consultants. If the County will award a Price Agreement to more than one Consultant, the Solicitation Document and Price Agreement shall describe the criteria and procedures the County will use to select a Consultant for each individual Task Order. Subject to the requirements of ORS 279C.110, the criteria and procedures to assign Task Orders that only involve or predominantly involve Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services are at the County's sole discretion. In accordance with YCR 048-0280 and ORS 279C.110, the selection criteria and procedures may be based solely on the qualifications of the Consultants or on a combination of both qualifications and pricing information. Pricing information may include the number of hours proposed for the services required, expenses, hourly rates, the number of hours, overhead and other price factors. Task Order or task order assignment procedures under Price Agreements may include direct appointments, subject to the requirements of YCR 048-0200; and

(c) Specify the maximum term for assigning Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services under the Price Agreement.

(4) When the solicitation materials and terms and conditions for a Price Agreement involve a two-tiered selection process pursuant to ORS 279C.125 and YCR 048-0260(1), the solicitation materials and terms and conditions for a Price Agreement must meet the requirements of subsection (3) of this rule, except as provided in this subsection (4). In the event of a planned multiple award of Price Agreements under a Procurement, the solicitation materials and terms and conditions for the Price Agreements must include assignment procedures for project-specific Task Orders that will allow the County to select a Consultant for a Task Order from the Consultants who have executed Price Agreements with the County.

(5) All Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services assigned under a Price Agreement require a Task Order issued by the County. Any Task Orders assigned under a Price Agreement must include, at a minimum, the following:

- (a) The specific scope of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services to be provided by the Consultant;
- (b) The Consultant's performance obligations and performance schedule;
- (c) The payment methodology, Consultant's rates and number of hours, and a maximum amount payable to the Consultant for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services required under the Task Order that is fair and reasonable to the County, as determined solely by the County, taking into account the value, scope, complexity and nature of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services being provided;
- (d) Language that incorporates all applicable terms and conditions of the Price Agreement into the Task Order; and
- (e) Any other conditions or provisions the County believes to be in the County's best interest.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.110 & ORS 279C.120

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0280 Using Pricing as Part of the Selection Process

(1) Pricing in an Informal Selection Process. When the County will be using pricing policies, proposals, or other pricing information as part of the County's screening and informal selection of prospective Consultants, pursuant to ORS 279C.110(5), the County shall:

- (a) Create an RFP that meets the requirements of YCR 048-0210. In providing an estimate of the cost of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP, the County may provide a specific estimate of that cost, or a range of estimated costs;
- (b) In the initial phase of the RFP, evaluate each prospective Consultant on the basis of each Consultant's qualifications to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP;
- (c) At the end of the initial phase of the RFP, announce the evaluation scores of each Consultant and rank each Consultant according to the evaluation scores. The County shall identify up to three (3) of the highest ranked prospective Consultants as being qualified to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP, and as being eligible to participate in the second phase of the RFP process;
- (d) In the second phase of the RFP, request a pricing proposal from the highest ranked prospective Consultants identified in the initial phase of the RFP, with each pricing proposal consisting of the following information:
 - (A) A schedule of hourly rates that the prospective Consultant will charge for the work of each individual or each labor classification that will perform the professional services the County is requesting, in the form of an offer that is irrevocable for not less than 90 days after the date of the proposal;
 - (B) A reasonable estimate of hours that the prospective Consultant will require to perform the professional services the County is requesting; and

(C) At the discretion of the County:

- (i) A description of each task that the prospective Consultant understands as comprising the professional services;
- (ii) A list of each individual or labor classification that will perform each task, together with the hourly rate that applies to the individual or labor classification; and
- (iii) A list of expenses, including travel expenses, that the prospective Consultant expects to incur in connection with providing the professional services.

(e) Complete the evaluation of the highest ranked prospective Consultants that have decided to provide price proposals. In the County's final evaluation of the prospective Consultants who have provided price proposals, the County cannot assign more than fifteen (15) percent of the overall weight of the evaluation criteria in the second phase of the RFP to each Consultant's price proposal;

(f) If the County does not cancel the RFP after it reviews the qualifications of all prospective Consultants, reviews the price proposals received from the highest ranked Consultants, and ranks the highest ranked Consultants from the second phase of the RFP, the County shall begin negotiating a Contract with the highest ranked prospective Consultant. The County shall direct Contract negotiations in accordance with YCR 048-0210(3)-(6).

(2) Pricing in a Formal Selection Process. When the County will be using pricing policies, proposals, or other pricing information as part of the County formal selection process of prospective Consultants, pursuant to ORS 279C.110(5), the County shall:

(a) Create an RFP that meets the requirements of YCR 048-0220(4). In providing an estimate of the cost of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the RFP, the County may provide a specific estimate of that cost, or a range of estimated costs;

(b) In the initial phase of the RFP, evaluate each prospective Consultant on the basis of each Consultant's qualifications to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services described in the RFP;

(c) At the end of the initial phase of the RFP, rank each Consultant according to the evaluation scores. The County shall identify up to five (5) of the highest ranked prospective Consultants as being qualified to perform the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services described in the RFP, and as being eligible to participate in the second phase of the RFP process;

(d) In the second phase of the RFP, request a pricing proposal from each of the highest ranked prospective Consultants identified in the initial phase of the RFP, with each pricing proposal consisting of the following information:

(A) A schedule of hourly rates that the prospective Consultant will charge for the work of each individual or each labor classification that will perform the professional services the County is requesting, in the form of an offer that is irrevocable for not less than 90 days after the date of the proposal;

(B) A reasonable estimate of hours that the prospective Consultant will require to perform the professional services the County is requesting; and

(C) At the discretion of the County:

- (i) A description of each task that the prospective Consultant understands as comprising the professional services;
- (ii) A list of each individual or labor classification that will perform each task, together with the hourly rate that applies to the individual or labor classification; and
- (iii) A list of expenses, including travel expenses, that the prospective Consultant expects to incur in connection with providing the professional services.

(e) Complete the evaluation of the highest ranked prospective Consultants that have decided to provide price proposals. In the County's final evaluation of the prospective Consultants who have provided price proposals,

the County cannot assign more than fifteen (15) percent of the overall weight of the evaluation criteria in the second phase of the RFP to each Consultant's price proposal.

(f) If the County does not cancel the RFP after it reviews the qualifications of all prospective Consultants, reviews the price proposals received from the highest ranked Consultants, and ranks the highest ranked Consultants from the second phase of the RFP, the County shall begin negotiating a Contract with the highest ranked prospective Consultant. The County shall direct Contract negotiations in accordance with YCR 048-(g) 0220(4)(c)-(d).

(3) If the County will use the Request for Qualifications process, as provided in YCR 048-0220(3), and the County intends to use pricing policies, proposals, or other pricing information as part of the County's screening and selection of prospective Consultants, the County cannot request cost proposals or otherwise use pricing policies, proposals or other pricing information as part of the Request for Qualifications. The County may only request cost proposals or otherwise use pricing policies, proposals, or other pricing information during the RFP phase of the RFQ process, following the establishment of a short list of qualified Consultants through the Request for Qualifications process.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED:

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

III. POST-SELECTION CONSIDERATIONS

YCR 048-0300 Prohibited Payment Methodology; Purchase Restrictions

(1) Except as otherwise allowed by law, the County shall not enter into any Contract which includes compensation provisions that expressly provide for payment of:

- (a) Consultant's costs under the Contract plus a percentage of those costs; or
- (b) A percentage of the project's construction costs or total project costs.

(2) Except as otherwise allowed by law, the County shall not enter into any Contract in which:

- (a) The compensation paid under the Contract is solely based on or limited to the Consultant's hourly rates for the Consultant's personnel working on the project and reimbursable expenses incurred during the performance of work on the project (sometimes referred to as a "time and materials" Contract); and
- (b) The Contract does not include a maximum amount payable to Contractor for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services required under the Contract.

(3) Except in cases of Emergency or in the particular instances noted in the subsections below, the County shall not purchase any building materials, supplies, or equipment for any building, structure, or facility constructed by or for the County from any Consultant under a Contract with the County to perform Architectural, Engineering Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services, for the building, structure, or facility. This prohibition does not apply if either of the following circumstances exists:

- (a) Consultant is providing Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services under a Contract with the County to perform Design-Build services, CM/GC Services, or Energy Savings Performance Contract services (see YCR 049-0670 through 049-0690); or
- (b) That portion of the Contract relating to the acquisition of building materials, supplies or equipment was awarded to Consultant pursuant to applicable law governing the award of such contracts.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0310 Expired or Terminated Contracts; Reinstatement

(1) If the County enters into a Contract for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services, and that Contract subsequently expires or is terminated, the County may proceed as follows, subject to the requirements of section (2) of this rule:

(a) *Expired Contracts*. If the Contract has expired as the result of project delay caused by the County, or caused by any other occurrence outside the reasonable control of the County or the Consultant, and if no more than one year has passed since the Contract expiration date, the County may amend the Contract to extend the Contract expiration date, revise the description of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services required under the Contract to reflect any material alteration of the project made as a result of the delay, and revise the applicable performance schedule. Beginning on the effective date of the Amendment, the County and the Consultant shall continue performance under the Contract as amended; or

(b) *Terminated Contracts*. If the County or both parties to the Contract have terminated the Contract for any reason, and if no more than one year has passed since the Contract termination date, then the County may enter into a new Contract with the same Consultant to perform the remaining Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services not completed under the original Contract, or to perform any remaining Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services not completed under the Contract as adjusted to reflect a material alteration of the project.

(2) The County may proceed under either subsection (1)(a) or subsection (1)(b) of this rule only after making Written findings that amending the existing Contract or entering into a new Contract with the Consultant will:

(a) Promote efficient use of public funds and resources and result in substantial cost savings to the County;
(b) Protect the integrity of the Public Contracting process and the competitive nature of the Procurement process by not encouraging favoritism or substantially diminishing competition in the award of Contracts;
and

(c) Result in a Contract that is still within the scope of the final form of the original Procurement document.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065 & 279C.110, OL 2011 & CH 458

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 048-0320 A&E Contract Amendments

(1) The County may amend any Contract if the County, in its sole discretion, determines that the Amendment is within the scope of services contemplated under the Solicitation Document and that the Amendment would not materially impact the field of competition for the for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services described in the final form of the original Procurement document. In making this determination, the County shall consider potential alternative methods of procuring the services contemplated under the proposed Amendment. An Amendment would not materially impact the field of competition for the services described in the Solicitation Document if the County reasonably believes that the number of Proposers would not significantly increase if the RFP were re-issued to include the additional services.

(2) The County may amend any Contract if the additional services are required by reason of existing or new laws, rules, regulations or ordinances of federal, state or local agencies, that affect performance of the original Contract.

(3) All Amendments to Contracts must be in Writing, must be signed by an authorized representative of the Consultant and the County, and must receive all required approvals before the Amendments will be binding on the County.

(4) Amendments authorized by this rule shall be executed in accordance with the provisions of YCR 046-0540

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065, ORS 279C.110, OL 2011 & CH 458

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR DIVISION 049

GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTS FOR CONSTRUCTION

I. GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTS FOR CONSTRUCTION SERVICES

YCR 049-0100 Application

(1) These Division 49 rules apply to Public Improvement Contracts as well as Public Contracts for ordinary Construction Services that are not Public Improvements. Rules that apply specifically to Public Improvement Contracts are so identified. These Division 49 rules also apply to Contracts for Construction Manager/General Contractor Services, whether the initial Contract between the parties includes both pre-Construction Services and Construction Services, or only contains pre-Construction Services, since the underlying procurement for Construction Manager/General Contractor Services authorizes the County to enter into Contracts for both pre-Construction Services and Construction Services.

(2) These Division 49 rules address matters covered in ORS Chapter 279C (with the exception of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, and Related Services, all of which are addressed in Division 48 of the YCR).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0110 Policies

In addition to the general Code policies set forth in ORS 279A.015, the 279C.300 policy on competition and the 279C.305 policy on least-cost for Public Improvements apply to these Division 49 rules.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.300

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0120 Definitions

(1) “**Alternative Contracting Methods**” means innovative techniques for soliciting Public Improvement Contracts and involves utilizing processes other than the traditional methods required in the design-bid-build Construction Contracting method (with Award of a Public Improvement Contract based solely on price, in which a final design is issued with formal Bid documents, Construction Work is obtained by sealed Bid Awarded to the Responsible Bidder submitting the lowest Responsive Bid, and the project is built in accordance with those documents).

(2) “**Bid Form**” means the documented Offer submitted in response to an ITB. It may include, but is not limited to, the pricing submittal form, the first-tier disclosure form, the certifications and acknowledgment form, and the Offeror signature form.

(3) “**Certified Firm**” means a business that possesses one or more current, valid certification(s) as a Disadvantaged Business Enterprise, Minority-Owned Business, Woman-Owned Business, Business That Service-Disabled Veterans Own, or Emerging Small Business by the Oregon Certification Office for Business Inclusion and Diversity, pursuant to ORS 200.055.

(4) “**Conduct Disqualification**” means a Disqualification pursuant to ORS 279C.440.

(5) **“Construction”** means the building of County buildings and other structures, or additions thereto, and of County highways and roads.

(6) **“Cost Estimate”** means the County’s most recent pre-Bid, good faith assessment of anticipated Contract costs, consisting either of an estimate of an architect, engineer, or other qualified professional, or confidential cost calculation work sheets, where available, and otherwise consisting of formal planning or budgetary documents.

(7) **“Findings”** has the meaning as set forth in ORS 279C.330.

(8) **“Foreign Contractor”** means a Contractor that is not domiciled in or registered to do business in the State of Oregon.

(9) **“Major Renovation”** means the remodeling or alteration of County buildings, structures, highways, and roads that is not a minor alteration, ordinary repair, or maintenance of the County building, structure, highway, or road.

(10) **“Notice”** means any of the alternative forms of public announcement of Procurements, as described in YCR 049-0210.

(11) **“Public Improvement”** means a project for Construction, Reconstruction, or Major Renovation on real property by or for the County. “Public Improvement” does not include: (a) projects for which no funds of the County are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or (b) emergency Work, minor alteration, ordinary repair, or maintenance necessary to preserve the real property.

(12) **“Public Works”** has the meaning as set forth in ORS 279C.800(6), and generally includes, but is not limited to, Construction, Reconstruction, Major Renovation, or painting projects where the total project cost is \$50,000 or greater, and where the project directly or indirectly uses County funds. In determining the total project cost, the County shall include the collective value of all Work being performed on the project, including Work performed by each and all Contractors, subcontractors, and/or any other Persons being paid by a Contractor or subcontractor to Work on the project.

(13) **“Reconstruction”** means the resurfacing and rebuilding of County highways and roads, the restoration of existing County highways and roads, and the restoration of County buildings and other structures, none of which is considered a minor alteration, ordinary repair, or maintenance of the County highway, road, building, or structure.

(14) **“Value Engineering”** means the identification of Alternative Construction Methods, materials, or systems which provide for comparable function at reduced initial or life-time cost. It includes proposed changes to the plans, Specifications, or other Contract requirements which may be made, consistent with industry practice, under the original Contract by mutual agreement in order to take advantage of potential cost savings without impairing the essential functions or characteristics of the Public Improvement. Cost savings include those resulting from life cycle costing, which may either increase or decrease absolute costs over varying time periods.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0130 Competitive Bidding Requirements

The County shall solicit Bids for Public Improvement Contracts by Invitation to Bid (“ITB”), except as otherwise allowed or required pursuant to ORS 279C.335 on competitive bidding exceptions and exemptions, 279A.030 on federal law overrides, or 279A.100 on affirmative action. Also see YCR 049-0600 to 049-0690 regarding the use of Alternative Contracting Methods, use of Alternative Contracting Methods for projects which are excepted or exempt from the competitive bidding process, use of Alternative Contracting Methods within the competitive bidding process, and the process for obtaining an exemption from competitive bidding requirements.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0140 Contracts for Construction other than Public Improvements

(1) Procurements Under Division 47 Rules and ORS Chapter 279B. Pursuant to ORS 279C.320, Public Contracts for Construction Services that are not Public Improvement Contracts may be procured and amended as general trade Services under the provisions of Division 47 rules and ORS Chapter 279B rather than under the provisions of ORS Chapter 279C and these Division 49 rules. Emergency Contracts for Construction Services are not Public Improvement Contracts and are regulated under ORS 279B.080 and YCR 047-0280.

(2) Application of ORS Chapter 279C. Non-procurement provisions of ORS Chapter 279C and these Division 49 rules may still be applicable to the resulting Contracts described in section (1) of this rule. [See, for example, particular statutes on Disqualification (ORS 279C.440, 279C.445, and 279C.450); Legal Actions (279C.460 and 279C.465); Required Contract Conditions (279C.505, 279C.515, 279C.520, and 279C.530); Hours of Labor (279C.540 and 279C.545); Retainage (279C.550, 279C.555, 279C.560, 279C.565, and 279C.570); Subcontracts (279C.580); Action on Payment Bonds (279C.600, 279C.605, 279C.610, 279C.615, 279C.620, and 279C.625); Termination (279C.650, 279C.660, and 279C.670); and all of the Prevailing Wage Rates requirements (279C.800 through 279C.870) for Public Works Contracts.]

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.320

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0150 Contracts for Emergency Work; Bidding and Bonding Exceptions

(1) Emergency Declaration. The County may declare that Emergency circumstances exist that require prompt execution of a Public Contract for Emergency Construction or repair Work. The declaration shall be made at an administrative level consistent with the County's internal policies, by a Written declaration that describes the circumstances creating the Emergency and the anticipated harm from failure to enter into an Emergency Contract. The Emergency declaration shall be kept on file as a public record.

(2) Competition for Emergency Contracts. Pursuant to ORS 279C.320(1), Emergency Contracts are regulated under ORS 279B.080, which provides that, for an emergency procurement of Construction Services, the County shall ensure competition that is reasonable and appropriate under the Emergency circumstances, and may include Written requests for Offers, oral requests for Offers or direct appointments without competition in cases of extreme necessity, in whatever solicitation time periods the County considers reasonable in responding to the Emergency.

(3) Emergency Contract Scope. Although no dollar limitation applies to Emergency Contracts, the scope of the Contract must be limited to Work that is necessary and appropriate to remedy the conditions creating the Emergency as described in the declaration.

(4) Emergency Contract Modification. Emergency Contracts may be modified by change order or amendment to address the conditions described in the original declaration or an amended declaration that further describes additional Work necessary and appropriate for related Emergency circumstances.

(5) Excusing Bonds. Pursuant to ORS 279C.380(4) and this rule, the Emergency declaration may also state that the County waives the requirement of furnishing a performance bond and payment bond for the Emergency Contract. After making such an Emergency declaration those bonding requirements are excused for the procurement, but this Emergency declaration does not affect the separate Public Works bond requirement for the benefit of the Bureau of Labor and Industries (BOLI) in enforcing prevailing wage rate and overtime payment requirements. See YCR 049-0860 and BOLI rules at OAR 839-025-0015.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279B.080, ORS 279C.320 & 279C.380

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0155 Small Construction Contracts Exempted from Competitive Bids

(1) Award. The County may Award a Public Improvement Contract with a value of less than \$10,000 (a "Small Public Improvement Contract") in any manner deemed practical or convenient by the County, including by direct selection, appointment, or Award.

(2) Modifications. A Small Public Improvement Contract may be modified in accordance with YCR 049-0910, but the cumulative modifications shall not increase the total Contract Price to greater than \$10,000. If the Contract Price exceeds \$10,000, the Work must be competitively bid or quoted as otherwise required herein.

(3) Artificial Division Prohibited. A Procurement may not be artificially divided or fragmented so as to establish a Small Public Improvement Contract under this rule.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279C.335

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0160 Intermediate Procurements; Competitive Quotes and Amendments

(1) Generally. Public Improvement Contracts estimated by the County not to exceed \$100,000 may be Awarded in accordance with intermediate level Procurement procedures for competitive quotes established by this rule.

(2) Selection Criteria. The selection criteria may be limited to price or some combination of price, experience, specific expertise, availability, project understanding, contractor capacity, responsibility and similar factors.

(3) Request for Quotes. The County shall utilize Written Requests for Quotes whenever reasonably practicable. Written Requests for Quotes shall include the selection criteria to be utilized in selecting a Contractor and, if the criteria are not of equal value, their relative value or ranking. When requesting quotations orally, prior to requesting the price quote the County shall state any additional selection criteria and, if the criteria are not of equal value, their relative value. For Public Works Contracts, oral quotations may be utilized only in the event that Written copies of the prevailing wage rates are not required by the Bureau of Labor and Industries.

(4) Number of Quotes; Record Required. The County shall seek at least three competitive quotes and keep a Written record of the sources and amounts of the quotes received. If three quotes are not reasonably available, the County shall make a Written record of the effort made to obtain those quotes.

(5) Award. If Awarded, the County shall Award the Contract to the prospective Contractor whose quote will best serve the interests of the County, taking into account the announced selection criteria. If Award is not made to the Offeror offering the lowest price, the County shall make a Written record of the basis for Award.

(4) Modifications. An Intermediate Public Improvement Contract may be modified in accordance with YCR 049-0910. Amendments of intermediate level Public Improvement Contracts that exceed the thresholds stated in subsection (1) with the following limitations:

(a) All Amendments in the aggregate may not increase the Contract Price more than 25% over the original Contract amount;

(b) The additional scope is reasonably related to the original scope of the project; and

(c) The Board determines in Writing that such a price increase is warranted.

(5) Artificial Division Prohibited. A Procurement may not be artificially divided or fragmented so as to establish an Intermediate Public Improvement Contract under this rule.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.412

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

II. FORMAL PROCUREMENT RULES

YCR 049-0200 Solicitation Documents; Required Provisions; Assignment or Transfer

(1) Solicitation Document. Pursuant to ORS 279C.365 and this rule, the Solicitation Document shall include the following:

(a) *General Information*.

(A) Identification of the Public Improvement project, including the character of the Work, and applicable plans, Specifications, and other Contract documents;

(B) Notice of any pre-Offer conference as follows:

(i) The time, date, and location of any pre-Offer conference;

(ii) Whether attendance at the conference will be mandatory or voluntary; and

(iii) That statements made by the County's representatives at the conference are not binding upon the County unless confirmed by Written Addendum.

(C) The deadline for submitting mandatory prequalification applications and the class or classes of Work for which Offerors must be prequalified if prequalification is a requirement;

(D) The name and title of the authorized County staff designated for receipt of Offers and contact staff (if different);

(E) Instructions and information concerning the form and submission of Offers, including the address of the office to which Offers must be delivered, any Bid or Proposal security requirements, and any other required information or special information, e.g., whether Offers may be submitted by facsimile or Electronic means (See YCR 049-0300 regarding facsimile Bids or Proposals and YCR 049-0310 regarding Electronic Procurement);

(F) The time, date, and place of Opening;

(G) The time and date of Closing after which the County will not accept Offers, time shall be not less than five (5) Days after the date of the last publication of the advertisement. If the County is issuing an ITB that may result in a Public Improvement Contract with a value in excess of \$100,000, the County shall designate a time of Closing consistent with the first-tier subcontractor disclosure requirements of ORS 279C.370(1)(b) and YCR 049-0360. For timing issues relating to Addenda, see YCR 049-0250;

(H) The office where the Specifications for the Work may be reviewed;

(I) A statement that each Bidder to an ITB must identify whether the Bidder is a "resident Bidder," as defined in ORS 279A.120;

(J) If the Contract resulting from a solicitation will be a Contract for a Public Work subject to ORS 279C.800 to 279C.870 or the Davis-Bacon Act (40 U.S.C. 3141 to 3148), a statement that no Offer will be received or considered by the County unless the Offer contains a statement by the Offeror as a part of its Offer that "Contractor agrees to be bound by and will comply with the provisions of 279C.838, 279C.840 or 40 U.S.C. 3141 to 3148."

(K) A statement that the County will not receive or consider an Offer for a Public Improvement Contract unless the Offeror is registered with the Construction Contractors Board, or is licensed by the State Landscape Contractors Board, as specified in YCR 049-0230;

(L) Whether a Contractor or a subcontractor under the Contract must be licensed under ORS 468A.720 regarding asbestos abatement projects;

(M) Contractor's certification of nondiscrimination in obtaining required subcontractors in accordance with ORS 279A.110(4);

(N) How the County will notify Offerors of Addenda and how the County will make Addenda available; and

(O) When applicable, instructions and forms regarding First-Tier Subcontractor Disclosure requirements, as set forth in YCR 049-0360.

(b) *Evaluation Process.*

(A) A statement that the County may reject any Offer not in compliance with all prescribed Public Contracting procedures and requirements, including the requirement to demonstrate the Bidder's responsibility under ORS 279C.375(3)(b), and may reject for good cause all Offers after finding that doing so is in the public interest;

(B) The anticipated solicitation schedule, deadlines, protest process and evaluation process, if any;

(C) Evaluation criteria, including the relative value applicable to each criterion, that the County will use to determine the Responsible Bidder with the lowest Responsive Bid (where Award is based solely on price) or the Responsible Proposer or Proposers with the best Responsive Proposal or Proposals (where use of competitive Proposals is authorized under ORS 279C.335 and YCR 049-0620), along with the process the County will use to determine acceptability of the Work;

(i) If the Solicitation Document is an Invitation to Bid, the County shall set forth any special price evaluation factors in the Solicitation Document. Examples of such factors include, but are not limited to, conversion costs, transportation cost, volume weighing, trade-in allowances, cash discounts, depreciation allowances, cartage penalties, and ownership or life-cycle cost formulas. Price evaluation factors need not be precise predictors of actual future costs; but, to the extent possible, such evaluation factors shall be objective, reasonable estimates based upon information the County has available concerning future use;

(ii) If the Solicitation Document is a Request for Proposals, the County shall refer to the additional requirements of YCR 049-0650; and

(c) *Contract Provisions.* The County shall include all Contract terms and conditions, including warranties, insurance and bonding requirements, that the County considers appropriate for the Public Improvement project. The County must also include all applicable Contract provisions required by Oregon law as follows:

(A) Prompt payment to all Persons supplying labor or material; contributions to Industrial Accident Fund; liens and withholding taxes (ORS 279C.505(1));

(B) Demonstrate that an employee drug testing program is in place (ORS 279C.505(2));

(C) If the Contract calls for demolition Work described in ORS 279C.510(1), a condition requiring the Contractor to salvage or recycle Construction and demolition debris, if feasible and cost-effective;

(D) If the Contract calls for lawn or landscape maintenance, a condition requiring the Contractor to compost or mulch yard waste material at an approved site, if feasible and cost effective (ORS 279C.510(2));

(E) Payment of claims by public officers (ORS 279C.515(1));

(F) Contractor and first-tier subcontractor liability for late payment on Public Improvement Contracts pursuant to ORS 279C.515(2), including the rate of interest;

(G) Person's right to file a complaint with the Construction Contractors Board for all Contracts related to a Public Improvement Contract (ORS 279C.515(3));

(H) Hours of labor in compliance with ORS 279C.520;

(I) Environmental and natural resources regulations (ORS 279C.525);

(J) Payment for medical care and attention to employees (ORS 279C.530(1));

(K) A Contract provision substantially as follows: "All employers, including Contractor, that employ subject workers who work under this Contract in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage, unless such employers are exempt under ORS 656.126. Contractor shall ensure that each of its subcontractors complies with these requirements." (ORS 279C.530(2));

(L) Maximum hours, holidays and overtime (ORS 279C.540);

(M) Time limitation on claims for overtime (ORS 279C.545);

(N) Prevailing wage rates, if applicable (ORS 279C.800 to 279C.870);

(O) BOLI Public Works bond, if applicable (ORS 279C.830(2));

(P) Retainage, if applicable (ORS 279C.550 to 279C.570);

(Q) Prompt payment policy, progress payments, rate of interest (ORS 279C.570);

(R) Contractor's relations with subcontractors (ORS 279C.580);

(S) Notice of claim (ORS 279C.605);

(T) Contractor's certification of compliance with the Oregon tax laws in accordance with ORS 305.385; and

(U) Contractor's certification that all subcontractors performing Work described in ORS 701.005(2) (i.e., Construction Work) will be registered with the Construction Contractors Board or licensed by the State Landscape Contractors Board in accordance with ORS 701.035 to 701.055 before the subcontractors commence Work under the Contract.

(2) Assignment or Transfer Restricted. Unless otherwise provided in the Contract, the Contractor shall not assign, sell, dispose of, or transfer rights, or delegate duties under the Contract, either in whole or in part, without the

County's prior Written consent. Unless otherwise agreed by the County in Writing, such consent shall not relieve the Contractor of any obligations under the Contract. Any assignee or transferee shall be considered the agent of the Contractor and be bound to abide by all provisions of the Contract. If the County consents in Writing to an assignment, sale, disposal or transfer of the Contractor's rights or delegation of Contractor's duties, the Contractor and its surety, if any, shall remain liable to the County for complete performance of the Contract as if no such assignment, sale, disposal, transfer or delegation had occurred unless the County otherwise agrees in Writing.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.110, ORS 279A.120, ORS 279C.365, ORS 279C.370, ORS 279C.390, ORS 279C.505 - 580, ORS 279C.605, ORS 305.385, ORS 468A.720, ORS 701.005 & ORS 701.055

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0210 Notice and Advertising Requirements; Posting

(1) Notice and Distribution Fee. The county shall furnish "Notice" as set forth below in subsections (a) through (c), to a number of Persons sufficient for the purpose of fostering and promoting competition. The Notice shall indicate where, when, how, and for how long the Solicitation Document may be obtained and generally describe the Public Improvement project or Work. The Notice may contain any other appropriate information. The county may charge a fee or require a deposit for the Solicitation Document. The County may furnish Notice using any method determined to foster and promote competition, including:

- (a) Mailing Notice of the availability of Solicitation Documents to Persons that have expressed an interest in the county's Procurements;
- (b) Placing Notice on the County's Electronic Procurement System; or
- (c) Placing Notice on the County's website.

(2) Advertising. Pursuant to ORS 279C.360 and this rule, the County shall advertise every solicitation for competitive Bids or competitive Proposals for a Public Improvement Contract, unless the Board has exempted the solicitation from the advertisement requirement as part of a competitive bidding exemption under ORS 279C.335.

- (a) Unless the County publishes by Electronic Advertisement as permitted under subsection 2(b), the County shall publish the advertisement for Offers at least once in at least one newspaper of general circulation in the area where the Contract is to be performed and in as many additional issues and publications as the County may determine to be necessary or desirable to foster and promote competition.
- (b) The County may publish by Electronic Advertisement if the Board determines Electronic Advertisement is likely to be cost effective and, by rule or order, authorizes Electronic Advertisement.
- (c) In addition to the County's publication required under subsection 2(a) or 2(b), the County shall also publish an advertisement for Offers in at least one trade newspaper of general statewide circulation if the Contract is for a Public Improvement with an estimated cost in excess of \$125,000.
- (d) All advertisements for Offers shall set forth:
 - (A) The Public Improvement project;
 - (B) The office where Contract terms, conditions and Specifications may be reviewed;
 - (C) The date that Persons must file applications for prequalification under ORS 279C.340, if prequalification is a requirement, and the class or classes of Work for which Persons must be prequalified;
 - (D) The scheduled Closing, which shall not be less than five Days after the date of the last publication of the advertisement;
 - (E) The name, title and address of the County staff authorized to receive Offers;
 - (F) The scheduled Opening; and
 - (G) If applicable, that the Contract is for a Public Work subject to ORS 279C.800 to 279C.870 or the Davis-Bacon Act (40 U.S.C. 3141 to 3148).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.360

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0220 Prequalification of Offerors

(1) Prequalification. Pursuant to ORS 279C.430 and this rule, two types of prequalification are authorized under Division 49:

(a) *Mandatory Prequalification*. The County may require mandatory prequalification of Offerors on a form substantially similar to the Contractor's Prequalification Form found in [Appendix 1](#), or as otherwise prescribed by the Board. The County shall indicate in the Solicitation Document if it will require mandatory prequalification. Mandatory prequalification is when the County conditions a Person's submission of an Offer upon the Person's prequalification. The County shall not consider an Offer from a Person that is not prequalified if the County required prequalification.

(b) *Permissive Prequalification*. The County may prequalify a Person for the County's solicitation list on forms prescribed by the Board; but in a permissive prequalification, the County shall not limit distribution of a solicitation to that list.

(2) Prequalification Presumed. If an Offeror is currently prequalified by either the Oregon Department of Transportation or the Oregon Department of Administrative Services to perform Contracts, the Offeror shall be rebuttably presumed qualified to perform similar Work for the County.

(3) Standards for Prequalification. A Person may prequalify by demonstrating to the County's satisfaction:

(a) That the Person's financial, material, equipment, facility and personnel resources and expertise, or ability to obtain such resources and expertise, indicate that the Person is capable of meeting all contractual responsibilities;

(b) The Person's record of performance;

(c) The Person's record of integrity;

(d) The Person is qualified to contract with the County. (See YCR 049-0390(2) regarding standards of responsibility.)

(4) Notice of Denial. If a Person fails to prequalify for a mandatory prequalification, the County shall notify the Person, specify the reasons under section (3) of this rule and inform the Person of the Person's right to a hearing under ORS 279C.445 and 279C.450.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.430 & 279C.435

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0230 Eligibility to Bid or Propose; Registration or License

(1) Construction Contracts. The County shall not consider a Person's Offer to do Work as a contractor, as defined in ORS 701.005(2), unless the Person has a current, valid certificate of registration issued by the Construction Contractors Board at the time the Offer is made.

(2) Landscape Contracts. The County shall not consider a Person's Offer to do Work as a landscape contractor as defined in ORS 671.520(2), unless the Person has a current, valid landscape contractors license issued pursuant to 671.560 by the State Landscape Contractors Board at the time the offer is made.

(3) Noncomplying Entities. The County shall deem an Offer received from a Person that fails to comply with this rule nonresponsive and shall reject the Offer as stated in ORS 279C.365(1)(k), unless contrary to federal law or subject to different timing requirements set by federal funding agencies.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365, ORS 671.530, & ORS 701.055

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0240 Pre-Offer Conferences

(1) Purpose. The County may hold pre-Offer conferences with prospective Offerors prior to Closing, to explain the Procurement requirements, obtain information, or to conduct site inspections.

(2) Required Attendance. The County may require attendance at the pre-Offer conference as a condition for making an Offer. Unless otherwise specified in the Solicitation Document, a mandatory attendance requirement

is considered to have been met if, at any time during the mandatory meeting, a representative of an offering firm is present.

(3) Scheduled Time. If the County holds a pre-Offer conference, it shall be held within a reasonable time after the Solicitation Document has been issued, but sufficiently before the Closing to allow Offerors to consider information provided at that conference.

(4) Statements Not Binding. Statements made by the County's representative at the pre-Offer conference do not change the Solicitation Document unless the County confirms such statements with a Written Addendum to the Solicitation Document.

(5) County Announcement. The County must set forth notice of any pre-Offer conference in the Solicitation Document in accordance with YCR 049-0200(1)(a)(B).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365 & ORS 279C.370

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0250 Addenda to Solicitation Documents

(1) Issuance; Receipt. The County may change a Solicitation Document only by Written Addenda. An Offeror shall provide Written acknowledgement of receipt of all issued Addenda with its Offer, unless the County otherwise specifies in the Addenda or in the Solicitation Document.

(2) Notice and Distribution. The County shall notify prospective Offerors of Addenda consistent with the standards of Notice set forth in YCR 049-0210. The Solicitation Document shall specify how the County will provide notice of Addenda and how the County will make the Addenda available. For example, "The County will not mail notice of Addenda, but will publish notice of any Addenda on the County's website. Addenda may be downloaded off the County's website. Offerors should frequently check the County's website until closing, i.e., at least once weekly until the week of Closing and at least once daily the week of the Closing."

(3) Timelines; Extensions. The County shall issue Addenda within a reasonable time to allow prospective Offerors to consider the Addenda in preparing their Offers. The County may extend the Closing if the County determines prospective Offerors need additional time to review and respond to Addenda. Except to the extent required by public interest, the County shall not issue Addenda less than 72 hours before the Closing unless the Addendum also extends the Closing.

(4) Request for Change or Protest. Unless a different deadline is set forth in the Addendum, an Offeror may submit a Written request for change or protest to the Addendum, as provided in YCR 049-0260, by the close of the County's next business day after issuance of the Addendum, or up to the last day allowed to submit a request for change or protest under YCR 049-0260, whichever date is later. The County shall consider only an Offeror's request for change or protest to the Addendum; the County shall not consider a request for change or protest to matters not added or modified by the Addendum unless the Offeror submits the request for change or protest before the deadline for the County's receipt of request for change or protests as set forth in YCR 049-0260(2) through (3).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.395 & ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0260 Request for Clarification or Change; Solicitation Protests

(1) Clarification. Prior to the deadline for submitting a Written request for change or protest, an Offeror may request that the County clarify any provision of the Solicitation Document. The County's clarification to an Offeror, whether orally or in Writing, does not change the Solicitation Document and is not binding on the County unless the County amends the Solicitation Document by Addendum.

(2) Request for Change.

(a) Delivery. An Offeror may request in Writing a change to the Specifications or Contract terms and conditions. Unless otherwise specified in the Solicitation Document, an Offeror must deliver the Written request for change to the County not less than ten (10) Days prior to Closing;

(b) *Content of Request for Change.*

(A) An Offeror's Written request for change shall include a statement of the requested change(s) to the Contract terms and conditions, including any Specifications, together with the reason for the requested change.

(B) An Offeror shall mark its request for change as follows:

(i) "Contract Provision Request for Change"; and

(ii) Solicitation Document number (or other identification as specified in the Solicitation Document).

(3) Protest.

(a) *Delivery.* An Offeror may protest Specifications or Contract terms and conditions. Unless otherwise specified in the Solicitation Document, an Offeror must deliver a Written protest on those matters to the County not less than ten (10) Days prior to Closing;

(b) *Content of Protest.*

(A) An Offeror's Written protest shall include:

(i) A detailed statement of the legal and factual grounds for the protest;

(ii) A description of the resulting prejudice to the Offeror; and

(iii) A statement of the desired changes to the Contract terms and conditions, including any Specifications.

(B) An Offeror shall mark its protest as follows:

(i) "Contract Provision Protest"; and

(ii) Solicitation Document number (or other identification as specified in the Solicitation Document).

(4) County Response. The County is not required to consider an Offeror's request for change or protest after the deadline established for submitting such request or protest. The County shall provide notice to the applicable Person if it entirely rejects a protest. If the County agrees with the Person's request or protest, in whole or in part, the County shall either issue an Addendum reflecting its determination under YCR 049-0260 or cancel the solicitation under YCR 049-0270.

(5) Extension of Closing. If the County receives a Written request for change or protest from an Offeror in accordance with this rule, the County may extend Closing if the County determines an extension is necessary to consider the request or protest and issue an Addendum, if any, to the Solicitation Document.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.345 & ORS 279C.365

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0270 Cancellation of Solicitation Document

(1) Cancellation in the Public Interest. The County may cancel a solicitation for good cause if it finds that cancellation is in the public interest. The reasons for cancellation shall be made part of the Procurement file.

(2) Notice of Cancellation. If the County cancels a solicitation prior to Opening, the County shall provide Notice of cancellation in accordance with YCR 049-0210. Such notice of cancellation shall:

(a) Identify the solicitation;

(b) Briefly explain the reason for cancellation; and

(c) If appropriate, explain that an opportunity will be given to compete on any resolicitation.

(3) Disposition of Offers.

(a) *Prior to Offer Opening.* If the County cancels a solicitation prior to Offer Opening, the County shall return all Offers it received to Offerors unopened, provided the Offeror submitted its Offer in a hard copy format with a clearly visible return address. If there is no return address on the envelope, the County shall open the Offer to determine the source and then return it to the Offeror.

(b) *After Offer Opening.* If the County rejects all Offers, the County shall retain all such Offers as part of the County's Procurement file.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.395

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0280 Offer Submissions

- (1) Offer and Acceptance. The Bid or Proposal is the Bidder's or Proposer's offer to enter into a Contract.
- (a) In competitive bidding and competitive Proposals, the Offer is always a "Firm Offer," i.e., the Offer shall be held open by the Offeror for the County's acceptance for the period specified in YCR 049-0410. The County may elect to accept the Offer at any time during the specified period, and the County's Award of the Contract to a Bidder constitutes acceptance of the Offer and binds the Offeror to the Contract.
- (b) Notwithstanding the fact that a competitive Proposal is a "Firm Offer" for the period specified in YCR 049-0410, the County may elect to discuss or negotiate certain contractual provisions, as identified in these rules or in the Solicitation Document, with the Proposer. See YCR 049-0650 on Requests for Proposals and YCR 049-0290 on Bid or Proposal Security. Where negotiation is permitted by the rules or the Solicitation Document, Proposers are bound to an obligation to negotiate in good faith and only on those terms that the rules or the Solicitation Document has reserved for negotiation.
- (2) Responsive Offer. The County may Award a Contract only to a Responsible Offeror with a Responsive Offer.
- (3) Contingent Offers. Except to the extent that an Offeror is authorized to propose certain terms and conditions pursuant to YCR 049-0650, an Offeror shall not make an Offer contingent upon the County's acceptance of any terms or conditions (including Specifications) other than those contained in the Solicitation Document.
- (4) Offeror's Acknowledgement. By signing and returning the Offer, the Offeror acknowledges it has read and understands the terms and conditions contained in the Solicitation Document and that it accepts and agrees to be bound by the terms and conditions of the Solicitation Document. If the Request for Proposals permits Proposal of alternative terms under YCR 049-0650, the Offeror's Offer includes the nonnegotiable terms and conditions and any proposed terms and conditions offered for negotiation upon and to the extent accepted by the County in Writing.
- (5) Instructions. An Offeror shall submit and Sign its Offer in accordance with the Solicitation Document. An Offeror shall initial and submit any correction or erasure to its Offer prior to the Opening in accordance with the requirements for submitting an Offer under the Solicitation Document.
- (6) Forms. An Offeror shall submit its Offer on the form(s) provided in the Solicitation Document unless an Offeror is otherwise instructed in the Solicitation Document.
- (7) Documents. An Offeror shall provide the County with all documents and Descriptive Literature required under the Solicitation Document.
- (8) Facsimile or Electronic Submissions. If the County permits facsimile or Electronic Offers in the Solicitation Document, the Offeror may submit facsimile or Electronic Offers in accordance with the Solicitation Document. The County shall not consider facsimile or Electronic Offers unless authorized by the Solicitation Document.
- (9) Product Samples and Descriptive Literature. The County may require Product Samples or Descriptive Literature if it is necessary or desirable to evaluate the quality, features or characteristics of the offered items. The County will dispose of Product Samples or return or make available for return Product Samples to the Offeror in accordance with the Solicitation Document.
- (10) Identification of Offers.
- (a) To ensure proper identification and handling, Offers shall be submitted in a sealed envelope appropriately marked or in the envelope provided by the County, whichever is applicable.
- (b) The County is not responsible for Offers submitted in any manner, format or to any delivery point other than as required in the Solicitation Document.
- (11) Receipt of Offers. The Offeror is responsible for ensuring that the County receives its Offer at the required delivery point prior to the Closing, regardless of the method used to submit or transmit the Offer.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365 & ORS 279C.375

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0290 Bid or Proposal Security

(1) Generally. The County shall not use Bid or Proposal security to discourage competition. The County shall clearly state any Bid or Proposal security requirements in its Solicitation Document. The Offeror shall forfeit Bid or Proposal security after Award if the Offeror fails to execute the Contract and promptly return it with any required performance bond, payment bond, and any required proof of insurance.

(2) Requirement for Bid Security (Optional for Proposals). Unless the County has otherwise exempted a solicitation or class of solicitations from Bid security pursuant to section (3) of this rule, the County shall require Bid security for its solicitation of Bids for Public Improvements. The County may require Proposal security in RFPs at its discretion.

(3) Exempted Solicitations. The following types of solicitations are exempted from Bid or Proposal security:

- (a) Public Improvement Contracts with a value, estimated by the County, of less than \$100,000; and
- (b) Contracts for highways, bridges, and other transportation projects with a value, estimated by the County, of less than \$50,000.

(4) Security Amount. If the County requires Bid or Proposal security, it shall be not more than 10% of the Offeror's Bid or Proposal, consisting of the base Bid or Proposal together with all additive alternates.

(5) Form of Bid or Proposal Security. The County may accept only the following forms of Bid or Proposal security:

- (a) A surety bond from a surety company authorized to do business in the State of Oregon;
- (b) An irrevocable letter of credit issued by an insured institution as defined in ORS 706.008; or
- (c) A cashier's check or Offeror's certified check.

(6) Return of Security. The County shall return or release the Bid or Proposal security of all unsuccessful Offerors after a Contract has been fully executed and all required bonds and insurance have been provided, or after all Offers have been rejected. The County may return the Bid or Proposal security of unsuccessful Offerors prior to Award if the return does not prejudice Contract Award and the security of at least the Bidders with the three lowest Bids, or the Proposers with the three highest scoring Proposals, is retained pending execution of a Contract.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365, ORS 279C.385, & ORS 279C.390

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0300 Facsimile Bids and Proposals

(1) County Authorization. The County may authorize Offerors to submit facsimile Offers. If the County determines that Bid or Proposal security is or will be required, the County shall not authorize facsimile Offers unless the County has established a method for receipt of such security. Prior to authorizing the submission of facsimile Offers, the County shall determine that the County's equipment and personnel are capable of receiving the size and volume of anticipated Offers within a short period of time. In addition, the County shall establish administrative procedures and controls:

- (a) To receive, identify, record and safeguard facsimile Offers;
- (b) To ensure timely delivery of Offers to the location of Opening; and
- (c) To preserve the Offers as sealed.

(2) Provisions To Be Included in Solicitation Document. In addition to all other requirements, if the County authorizes a facsimile Offer for Bids or Proposals, the County shall include in the Solicitation Document (other than in a Request for Quotes) the following:

- (a) A provision substantially in the form of the following: "A 'facsimile Offer,' as used in this Solicitation Document, means an Offer, modification of an Offer, or withdrawal of an Offer that is transmitted to and received by the County via a facsimile machine";
- (b) A provision substantially in the form of the following: "Offerors may submit facsimile Offers in response to this Solicitation Document. The entire response must arrive at the place and by the time specified in this Solicitation Document.";
- (c) A provision that requires Offerors to Sign their facsimile Offers;

- (d) A provision substantially in the form of the following: “The County reserves the right to Award the Contract solely on the basis of the facsimile Offer. However, upon the County’s request the apparent successful Offeror shall promptly submit its complete original Signed Offer.”;
- (e) The data and compatibility characteristics of the County’s receiving facsimile machine as follows:
- (A) Telephone number; and
 - (B) Compatibility characteristics, e.g., make and model number, receiving speed, communications protocol; and
- (f) A provision that the County is not responsible for any failure attributable to the transmission or receipt of the facsimile Offer including, but not limited to the following:
- (A) Receipt of garbled or incomplete documents;
 - (B) Availability or condition of the receiving facsimile machine;
 - (C) Incompatibility between the sending and receiving facsimile machine;
 - (D) Delay in transmission or receipt of documents;
 - (E) Failure of the Offeror to properly identify the Offer documents;
 - (F) Illegibility of Offer documents; and
 - (G) Security and confidentiality of data.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0310 Electronic Procurement

- (1) General. The County may utilize Electronic Advertisement of Public Improvement Contracts in accordance with ORS 279C.360(1), provided that advertisement of such Contracts with an estimated Contract Price in excess of \$125,000 must also be published in a trade newspaper of general statewide circulation and may post notices of intent to Award electronically as provided by ORS 279C.410(7).
- (2) Alternative Procedures. In the event that the County desires to direct or permit the submission and receipt of Offers for a Public Improvement Contract by electronic means, as allowed under ORS 279C.365(1)(d), it shall first promulgate supporting procedures substantially in conformance with YCR 047-0330 (Electronic Procurement under ORS Chapter 279B), taking into account ORS Chapter 279C requirements for Written bids, opening bids publicly, bid security, first-tier subcontractor disclosure and inclusion of prevailing wage rates.
- (3) Interpretation. Nothing in this rule shall be construed as prohibiting the County from making procurement documents for Public Improvement Contracts available in electronic format as well as in hard copy when Bids are to be submitted only in hard copy.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0320 Pre-Closing Modification or Withdrawal of Offers

- (1) Modifications. An Offeror may modify its Offer in Writing prior to the Closing. An Offeror shall prepare and submit any modification to its Offer to the County in accordance with YCR 049-0280, unless otherwise specified in the Solicitation Document. Any modification must include the Offeror’s statement that the modification amends and supersedes the prior Offer. The Offeror shall mark the submitted modification as follows:
- (a) Bid (or Proposal) Modification; and
 - (b) Solicitation Number (or Other Identification as specified in the Solicitation Document).
- (2) Withdrawals.
- (a) An Offeror may withdraw its Offer by Written notice submitted on the Offeror’s letterhead, Signed by an authorized representative of the Offeror, delivered to the location specified in the Solicitation Document (or the place of Closing if no location is specified), and received by the County prior to the Closing. The Offeror or authorized representative of the Offeror may also withdraw its Offer in Person prior to the Closing, upon presentation of appropriate identification and satisfactory evidence of authority.

(b) The County may release an unopened Offer withdrawn under subsection 2(a) to the Offeror, or its authorized representative, after voiding any date and time stamp mark.

(c) The Offeror shall mark the Written request to withdraw an Offer as follows:

(A) Bid (or Proposal) Withdrawal; and

(B) Solicitation Number (or Other Identification as specified in the Solicitation Document).

(3) Documentation. The County shall include all documents relating to the modification or withdrawal of Offers in the Procurement file.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.360, ORS 279C.365, ORS 279C.375, & ORS 279C.395

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0330 Receipt, Opening, and Recording of Offers; Confidentiality

(1) Receipt. The County shall electronically or mechanically time-stamp or hand-mark each Offer and any modification upon receipt. The County shall not open the Offer or modification upon receipt, but shall maintain it as confidential and secure until Opening. If the County inadvertently opens an Offer or a modification prior to the Opening, the County shall return the Offer or modification to its secure and confidential state until Opening. The County shall document the resealing for the Procurement file (e.g., “County inadvertently opened the Offer due to improper identification of the Offer”).

(2) Opening and Recording. The County shall publicly open Offers including any modifications made to the Offer pursuant to YCR 049-0320. In the case of Invitations to Bid, to the extent practicable, the County shall read aloud the name of each Bidder, the Bid price(s), and such other information as the County considers appropriate. In the case of Requests for Proposals or voluminous Bids, if the Solicitation Document so provides, the County will not read Offers aloud.

(3) Availability. After Opening, the County shall make Bids available for public inspection, but pursuant to ORS 279C.410, Proposals are not required to be available for public inspection until after notice of intent to award is issued. In any event, the County may withhold from disclosure those portions of an Offer that the Offeror designates as trade secrets or as confidential proprietary data in accordance with applicable law. To the extent the County determines such designation is not in accordance with applicable law, the County shall make those portions available for public inspection. The Offeror shall separate information designated as confidential from other nonconfidential information at the time of submitting its Offer. Prices, makes, model, or catalog numbers of items offered, scheduled delivery dates, and terms of payment are not confidential and shall be publicly available regardless of an Offeror’s designation to the contrary.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365, ORS 279C.375 & ORS 279C.395

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0340 Late Bids, Late Withdrawals, and Late Modifications

Any Offer received after Closing is late. An Offeror’s request for withdrawal or modification of an Offer received after Closing is late. The County shall not consider late Offers, withdrawals, or modifications except as permitted in YCR 049-0350 or 049-0390.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365, ORS 279C.375, & ORS 279C.395

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0350 Mistakes

(1) Generally. To protect the integrity of the competitive Procurement process, and to assure fair treatment of Offerors, the County shall carefully consider whether to permit waiver, correction, or withdrawal of Offers for certain mistakes.

(2) County Treatment of Mistakes. The County shall not allow an Offeror to correct or withdraw an Offer for an error in judgment. If the County discovers certain mistakes in an Offer after Opening, but before Award of the Contract, the County may take the following action:

(a) The County may waive, or permit an Offeror to correct, a minor informality. A minor informality is a matter of form rather than substance that is evident on the face of the Offer, or an insignificant mistake that can be waived or corrected without prejudice to other Offerors. Examples of minor informalities include an Offeror's failure to:

(A) Return the correct number of Signed Offers or the correct number of other documents required by the Solicitation Document;

(B) Sign the Offer in the designated block, provided a Signature appears elsewhere in the Offer, evidencing an intent to be bound; and

(C) Acknowledge receipt of an Addendum to the Solicitation Document, provided that it is clear on the face of the Offer that the Offeror received the Addendum and intended to be bound by its terms, or the Addendum involved did not affect price, quality, or delivery.

(b) The County may correct a clerical error if the error is evident on the face of the Offer or other documents submitted with the Offer, and the Offeror confirms the County's correction in Writing. A clerical error is an Offeror's error in transcribing its Offer. Unit prices shall prevail over extended prices in the event of a discrepancy between extended prices and unit prices.

(c) The County may permit an Offeror to withdraw an Offer based on one or more clerical errors in the Offer only if the Offeror shows with objective proof and by clear and convincing evidence:

(A) The nature of the error;

(B) That the error is not a minor informality under this subsection or an error in judgment;

(C) That the error cannot be corrected or waived under subsection (2)(b) of this rule;

(D) That the Offeror acted in good faith in submitting an Offer that contained the claimed error and in claiming that the alleged error in the Offer exists;

(E) That the Offeror acted without gross negligence in submitting an Offer that contained a claimed error;

(F) That the Offeror will suffer substantial detriment if the County does not grant the Offeror permission to withdraw the Offer;

(G) That the County's or the public's status has not changed so significantly that relief from the forfeiture will work a substantial hardship on the County or the public it represents; and

(H) That the Offeror promptly gave notice of the claimed error to the County.

(d) The criteria in subsection (2)(c) of this rule shall determine whether the County will permit an Offeror to withdraw its Offer after Closing. These criteria also shall apply to the question of whether the County will permit an Offeror to withdraw its Offer without forfeiture of its Bid bond (or other Bid or Proposal security), or without liability to the County based on the difference between the amount of the Offeror's Offer and the amount of the Contract actually awarded by the County, whether by Award to the next lowest Responsive and Responsible Bidder or the best Responsive and Responsible Proposer, or by resort to a new solicitation.

(3) Rejection for Mistakes. The County shall reject any Offer in which a mistake is evident on the face of the Offer and the intended correct Offer is not evident or cannot be substantiated from documents submitted with the Offer.

(4) Identification of Mistakes after Award. The procedures and criteria set forth above are Offeror's only opportunity to correct mistakes or withdraw Offers because of a mistake. Following Award, an Offeror is bound by its Offer and may withdraw its Offer or rescind a Contract entered into pursuant to these Division 49 rules only to the extent permitted by applicable law.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.375 & 279C.395

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0360 First-Tier Subcontractors; Disclosure and Substitution

(1) Required Disclosure. Within two working hours after the Bid Closing on an ITB for a Public Improvement having a Contract Price anticipated by the County to exceed \$100,000, all Bidders shall submit to the County a disclosure form as described by ORS 279C.370(2), identifying any first-tier subcontractors (those entities that

would be contracting directly with the prime contractor) that will be furnishing labor or labor and materials on the Contract, if Awarded, whose subcontract value would be equal to or greater than:

- (a) Five percent of the total Contract Price, but at least \$15,000; or
- (b) \$350,000, regardless of the percentage of the total Contract Price.

(2) Bid Closing, Disclosure Deadline and Bid Opening. For each ITB to which this rule applies, the County shall:

- (a) Set the Bid Closing on a Tuesday, Wednesday or Thursday, and at a time between 2 p.m. and 5 p.m., except that these Bid Closing restrictions do not apply to an ITB for maintenance or Construction of highways, bridges or other transportation facilities, and provided that the two-hour disclosure deadline described by this rule would not then fall on a legal holiday;
- (b) Open Bids publicly immediately after the Bid Closing; and
- (c) Consider for Contract Award only those Bids for which the required disclosure has been submitted by the announced deadline on forms prescribed by the County.

(3) Bidder Instructions and Disclosure Form. For the purposes of this rule, the County in its solicitation shall:

- (a) Prescribe the disclosure form that must be utilized, substantially in the form set forth in ORS 279C.370(2); and
- (b) Provide instructions in a notice substantially similar to the following:

“Instructions for First-Tier Subcontractor Disclosure: Bidders are required to disclose information about certain first-tier subcontractors (see ORS 279C.370). Specifically, when the contract amount of a first-tier subcontractor furnishing labor or labor and materials would be greater than or equal to: (i) 5% of the project Bid, but at least \$15,000; or (ii) \$350,000 regardless of the percentage, the Bidder must disclose the following information about that subcontract either in its Bid submission, or within two hours after Bid Closing:

- (A) The subcontractor’s name;
- (B) The category of Work that the subcontractor would be performing, and
- (C) The dollar value of the subcontract. If the Bidder will not be using any subcontractors that are subject to the above disclosure requirements, the Bidder is required to indicate ‘NONE’ on the accompanying form.

THE COUNTY MUST REJECT A BID IF THE BIDDER FAILS TO SUBMIT THE DISCLOSURE FORM WITH THIS INFORMATION BY THE STATED DEADLINE (see YCR 049-0360).”

(4) Submission. A Bidder shall submit the disclosure form required by this rule either in its Bid submission or within two working hours after Bid Closing in the manner specified by the ITB.

(5) Responsiveness. Compliance with the disclosure and submittal requirements of ORS 279C.370 and this rule is a matter of Responsiveness. Bids that are submitted by Bid Closing, but for which the disclosure submittal has not been made by the specified deadline, are not Responsive and shall not be considered for Contract Award.

(6) County Role. The County shall obtain, and make available for public inspection, the disclosure forms required by ORS 279C.370 and this rule. The County shall also provide copies of disclosure forms to the Bureau of Labor and Industries as required by ORS 279C.835. The County is not required to determine the accuracy or completeness of the information provided on disclosure forms.

(7) Substitution. Substitution of affected first-tier subcontractors shall be made only in accordance with ORS 279C.585. The County shall accept Written submissions filed under that statute as public records. Aside from issues involving inadvertent clerical error under ORS 279C.585, The County does not have a statutory role or duty to review, approve or resolve disputes concerning such substitutions. See ORS 279C.590 regarding complaints to the Construction Contractors Board on improper substitution.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.370, ORS 279C.585, ORS 279C.590 & 279C.835

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0370 Disqualification of Persons

(1) Authority. The County may disqualify a Person from consideration of Award of the County's Contracts after providing the Person with notice and a reasonable opportunity to be heard in accordance with sections (2) and (4) of this rule.

(a) *Standards for Conduct Disqualification*. As provided in ORS 279C.440, the County may disqualify a Person for:

- (A) Conviction for the commission of a criminal offense as an incident in obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;
- (B) Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty that currently, seriously, and directly affects the Person's responsibility as a contractor;
- (C) Conviction under state or federal antitrust statutes; or
- (D) Violation of a contract provision that is regarded by the County to be so serious as to justify Conduct Disqualification. A violation under this subsection (1)(a)(D) may include, but is not limited to, material failure to perform the terms of a contract or an unsatisfactory performance in accordance with the terms of the contract. However, a Person's failure to perform or unsatisfactory performance caused by acts beyond the Person's control is not a basis for Disqualification.

(b) *Standards for Disqualification*. As provided in ORS 200.065, ORS 200.075 or ORS 279A.110, the County may disqualify a Person's right to submit an Offer or to participate in a Contract (e.g., subcontractors) as follows:

- (A) For a Disqualification under ORS 200.065, the County may disqualify a Person upon finding that:
 - (i) The Person fraudulently obtained or retained or attempted to obtain or retain or aided another Person to fraudulently obtain or retain or attempt to obtain or retain certification as a disadvantaged business enterprise, minority-owned business, women-owned business, emerging small business, or a business that a service-disabled veteran owns;
 - (ii) The Person knowingly made a false claim that any Person is qualified for certification or is certified under ORS 200.055 for the purpose of gaining a Contract, subcontract, or other benefit; or
 - (iii) The Person has been disqualified by another county under ORS 200.065.
- (B) For a Disqualification under ORS 200.075, the County may disqualify a Person upon finding that:
 - (i) The Person has entered into an agreement representing that a disadvantaged business enterprise, minority-owned business, women-owned business, emerging small business, or a business that a service-disabled veteran owns, certified under ORS 200.055 ("Certified Enterprise"), will perform or supply materials under a Public Improvement Contract without the knowledge and consent of the Certified Enterprise;
 - (ii) The Person exercises management and decision-making control over the internal operations, as defined by ORS 200.075(1)(b), of any Certified Enterprise;
 - (iii) The Person uses a Certified Enterprise to perform Work under a Public Improvement Contract to meet an established Certified Enterprise goal, and such enterprise does not perform a commercially useful function, as defined by ORS 200.075(3), in performing its obligations under the Contract; or
 - (iv) If a Person is Disqualified for a Disqualification under ORS 200.075, the County shall not permit that Person to participate in any of the County's Contracts.
- (C) For a Disqualification under ORS 279A.110, the County may disqualify a Person if the County finds that the Person discriminated against a disadvantaged business enterprise, minority-owned business, women-owned business, emerging small business, or a business that a service-disabled veteran owns in awarding a subcontract under a Contract with that County.

(2) Notice of Intent to Disqualify. The County shall notify the Person in Writing of a proposed Disqualification personally or by registered or certified mail, return receipt requested. This notice shall:

- (a) State that the County intends to disqualify the Person;
 - (b) Set forth the reasons for the Disqualification;
 - (c) Include a statement of the Person's right to a hearing if requested in Writing within the time stated in the notice;
 - (d) State that if the County does not receive the Person's Written request for a hearing within the time stated, the Person shall have waived its right to a hearing;
 - (e) Include a statement of the authority under which the hearing will be held;
 - (f) Include a reference to the particular sections of the statutes and rules involved;
 - (g) State the proposed Disqualification period; and
 - (h) State that the Person may be represented by legal counsel.
- (3) Hearing. The County shall schedule a hearing upon the County's receipt of the Person's timely hearing request. Within a reasonable time prior to the hearing, the County shall notify the Person of the time and place of the hearing and provide information on the procedures, right of representation, and other rights related to the conduct of the hearing.
- (4) Notice of Disqualification. The County will notify the Person in Writing of its Disqualification, personally or by registered or certified mail, return receipt requested. The notice shall contain:
- (a) The effective date and period of Disqualification;
 - (b) The grounds for Disqualification; and
 - (c) A statement of the Person's appeal rights and applicable appeal deadlines. For a Conduct Disqualification or a Disqualification under ORS 279A.110, the disqualified person must notify the County in Writing within three (3) business Days after receipt of the County's notice of Disqualification if the Person intends to appeal the County's decision.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 200.065, 200.075, ORS 279A.110, ORS 279C.440, ORS 279C.445, & ORS 279C.450

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0380 Bid or Proposal Evaluation Criteria

- (1) General. A Public Improvement Contract, if Awarded, must be Awarded to the Responsible Bidder submitting the lowest Responsive Bid, or to the Responsible Proposer submitting the best Responsive Proposal.
- (2) Bid Evaluation Criteria. Invitations to Bid may solicit lump-sum Offers, unit-price Offers, or a combination of the two.
- (a) *Lump Sum*. If the ITB requires a lump-sum Bid, without additive or deductive alternates, or if the County elects not to award additive or deductive alternates, Bids must be compared on the basis of lump-sum prices, or lump-sum base Bid prices, as applicable. If the ITB calls for a lump-sum base Bid, plus additive or deductive alternates, the total Bid price must be calculated by adding to or deducting from the base Bid those alternates selected by the County, for the purpose of comparing Bids.
 - (b) *Unit Price*. If the Bid includes unit pricing for estimated quantities, the total Bid price must be calculated by multiplying the estimated quantities by the unit prices submitted by the Bidder and adjusting for any additive or deductive alternates selected by the County, for the purpose of comparing Bids. The County shall specify within the Solicitation Document the estimated quantity of the procurement to be used for determination of the low Bidder. In the event of mathematical discrepancies between unit price and any extended price calculations submitted by the Bidder, the unit price governs.
- (3) Proposal Evaluation Criteria. If the Board has exempted the Procurement of a Public Improvement from the competitive bidding requirements of ORS 279C.335(1), and has directed the County to use an Alternative Contracting Method under 279C.335(4), the County shall set forth the evaluation criteria in the Solicitation Documents.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0390 Offer Evaluation and Award; Determination of Responsibility

(1) General. If Awarded, the County shall Award the Contract to the Responsible Bidder submitting the lowest Responsive Bid or the Responsible Proposer or Proposers submitting the best Responsive Proposal or Proposals, provided that such Person is not listed by the Construction Contractors Board as disqualified to hold a Public Improvement Contract or is otherwise ineligible for Award. The County may Award by item, groups of items, or the entire Offer, provided such Award is consistent with the Solicitation Document and in the public interest. Where Award is based on competitive Bids, multiple Awards are permitted when specified in the ITB.

(2) Determination of Responsibility. Offerors are required to demonstrate their ability to perform satisfactorily under a Contract. Before Awarding a Contract, the County must have information that indicates that the Offeror meets the standards of responsibility set forth in ORS 279C.375(3)(b) and this rule. To be a Responsible Offeror, the County must determine that the Offeror:

- (a) Has available the appropriate financial, material, equipment, facility, and personnel resources and expertise, or ability to obtain the resources and expertise necessary to meet all contractual responsibilities;
- (b) Holds current licenses that businesses or service professionals operating in Oregon must hold in order to undertake or perform the work specified in the Contract;
- (c) Is covered by liability insurance and other insurance in amounts the County requires in the Solicitation Documents;
- (d) Qualifies as a carrier-insured employer or a self-insured employer under ORS 656.407 or has elected coverage under ORS 656.128;
- (e) Has made the first-tier disclosure required under YCR 049-0360;
- (f) Has completed previous contracts of a similar nature with a satisfactory record of performance. A satisfactory record of performance means that, to the extent the costs associated with and time available to perform a previous contract were within the Offeror's control, the Offeror stayed within the time and budget allotted for the procurement and otherwise performed the contract in a satisfactory manner. The County should carefully scrutinize an Offeror's record of contract performance if the Offeror is or recently has been materially deficient in contract performance. In reviewing the Offeror's performance, the County should determine whether the Offeror's deficient performance was expressly excused under the terms of the contract, or whether the Offeror took appropriate corrective action. The County may review the Offeror's performance on both private and public contracts in determining the Offeror's record of contract performance. The County shall make its basis for determining an Offeror not Responsible under this paragraph part of the Procurement file;
- (g) Has a satisfactory record of integrity. An Offeror may lack integrity if the County determines the Offeror demonstrates a lack of business ethics such as violation of state environmental laws or false certifications made to the County. The County may find an Offeror not Responsible based on the lack of integrity of any Person having influence or control over the Offeror (such as a key employee of the Offeror that has the authority to significantly influence the Offeror's performance of the Contract or a parent company, predecessor or successor Person). The standards for Conduct Disqualification under YCR 049-0370 may be used to determine an Offeror's integrity. The County may find an Offeror non-Responsible based on previous convictions of offenses related to obtaining or attempting to obtain a contract or subcontract or in connection with the Offeror's performance of a contract or subcontract. The County shall make its basis for determining that an Offeror is not Responsible under this paragraph part of the Procurement file;
- (h) Is legally qualified to contract with the County;
- (i) Has agreed in the bid or proposal to be bound by the terms and conditions of the Contract; and
- (j) Has supplied all necessary information in connection with the inquiry concerning responsibility. If the Offeror fails to promptly supply information requested by the County concerning responsibility, the County shall base the determination of Responsibility on any available information or may find the Offeror not Responsible.

(3) Documenting Agency Determinations. The County shall document their compliance with this rule on a Responsibility Determination Form substantially as set forth in ORS 279.375(3)(c) and file that form with the Construction Contractors Board within 30 days after Contract Award.

(4) County Evaluation. The County shall evaluate an Offer only as set forth in the Solicitation Document and in accordance with applicable law. The County shall not evaluate an Offer using any other requirement or criterion.

(5) Offeror Submissions.

(a) The County may require an Offeror to submit Product Samples, Descriptive Literature, technical data, or other material and may also require any of the following prior to Award:

(A) Demonstration, inspection, or testing of a product prior to Award for characteristics such as compatibility, quality, or workmanship;

(B) Examination of such elements as appearance or finish; or

(C) Other examinations to determine whether the product conforms to Specifications.

(b) The County shall evaluate product acceptability only in accordance with the criteria disclosed in the Solicitation Document to determine that a product is acceptable. The County shall reject an Offer providing any product that does not meet the Solicitation Document requirements. The County's rejection of an Offer because it offers nonconforming Work or materials is not Disqualification and is not appealable under ORS 279C.445.

(6) Evaluation of Bids. The County shall use only objective criteria to evaluate Bids as set forth in the ITB. The County shall evaluate Bids to determine which Responsible Offeror offers the lowest Responsive Bid.

(a) *Nonresident Bidders*. In determining the lowest Responsive Bid, the County shall, in accordance with YCR 046-0310, add a percentage increase to the Bid of a nonresident Bidder equal to the percentage, if any, of the preference given to that Bidder in the state in which the Bidder resides.

(b) *Clarifications*. In evaluating Bids, the County may seek information from a Bidder only to clarify the Bidder's Bid. Such clarification shall not vary, contradict, or supplement the Bid. A Bidder must submit Written and Signed clarifications and such clarifications shall become part of the Bidder's Bid.

(c) *Negotiation Prohibited*. The County shall not negotiate scope of Work or other terms or conditions under an Invitation to Bid process prior to Award.

(7) Evaluation of Proposals. See YCR 049-0650 regarding rules applicable to Requests for Proposals.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335, ORS 279C.365, ORS 279C.375, & ORS 279C.395

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0395 Notice of Intent to Award

(1) Notice. At least seven (7) days before the Award of a Public Improvement Contract, the County shall issue to each Bidder and each Proposer, or post electronically or otherwise, a notice of the County's intent to Award the Contract. This requirement does not apply to Award of a Small or Intermediate Procurement awarded under YCR 049-0155 or YCR 049-0160, respectively.

(2) Form and Manner of Posting. The form and manner of posting notice shall conform to customary practices within the County's Procurement process and may be done electronically.

(3) Finalizing Award. The County's Award shall not be final until the later of the following:

(a) Seven (7) Days after the date of the notice, unless the Solicitation Document provided a different period for protest; or

(b) The County provides a Written response to all timely-filed protests that denies the protest and affirms the Award.

(4) Prior Notice Impractical. Posting of notice of intent to award shall not be required when the County determines that it is impractical due to unusual time constraints for its immediate Procurement needs, documents the reasons for that determination in the Procurement file, and posts notice of that action as soon as reasonably practical.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.375

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0400 Documentation of Award; Availability of Award Decisions

- (1) Basis of Award. After Award, the County shall make a record showing the basis for determining the successful Offeror part of the County's Procurement file.
- (2) Contents of Award Record for Bids. The County's record shall include:
 - (a) All submitted Bids;
 - (b) Completed Bid tabulation sheet; and
 - (c) Written justification for any rejection of lower Bids.
- (3) Contents of Award Record for Proposals. Where the use of Requests for Proposals is authorized as set forth in YCR 049-0650, the County's record shall include:
 - (a) All submitted Proposals;
 - (b) The completed evaluation of the Proposals;
 - (c) Written justification for any rejection of higher scoring Proposals or for failing to meet mandatory requirements of the Request for Proposal; and
 - (d) If the County permitted negotiations in accordance with YCR 049-0650, the County's completed evaluation of the initial Proposals and the County's completed evaluation of final Proposals.
- (4) Contract Document. The County shall deliver a fully executed copy of the final Contract to the successful Offeror.
- (5) Bid Tabulations and Award Summaries. Upon request of any Person, the County shall provide tabulations of Awarded Bids, or evaluation summaries of Proposals, for a nominal charge which may be payable in advance. Requests must contain the Solicitation Document number and, if requested, be accompanied by a self-addressed, stamped envelope. County may also provide tabulations of Bids and Proposals Awarded on designated websites or on the County's Electronic Procurement System.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365 & ORS 279C.375

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0410 Time for County Acceptance; Extension

- (1) Time for Offer Acceptance. An Offeror's Bid, or Proposal submitted as a Firm Offer, is irrevocable, valid, and binding on the Offeror for not less than 30 Days from Closing unless otherwise specified in the Solicitation Document.
- (2) Extension of Acceptance Time. The County may request, orally or in Writing, that Offerors extend, in Writing, the time during which the County may consider and accept their Offer(s). If an Offeror agrees to such extension, the Offer shall continue as a Firm Offer, irrevocable, valid, and binding on the Offeror for the agreed-upon extension period.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.375

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0420 Negotiation with Bidders Prohibited

- (1) Bids. Except as permitted by ORS 279C.340 and YCR 049-0430 (i.e., when all Bids exceed the Cost Estimate), the County shall not negotiate with any Bidder prior to Contract Award. After Award of the Contract, the County and the Contractor may modify the resulting Contract only by change order or amendment to the Contract in accordance with YCR 049-0910.
- (2) Requests for Proposals. The County may conduct discussions or negotiations with Proposers only in accordance with the requirements of YCR 049-0650.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.340 & 279C.410

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0430 Negotiation when Bids Exceed Cost Estimate

(1) Generally. In accordance with ORS 279C.340, if all Responsive Bids from Responsible Bidders on a competitively Bid project exceed the County's Cost Estimate, prior to Contract Award, the County may negotiate Value Engineering and other options with the Responsible Bidder submitting the lowest, Responsive Bid in an attempt to bring the project within the County's Cost Estimate. The subcontractor disclosure and substitution requirements of YCR 049-0360 do not apply to negotiations under this rule.

(a) For the purposes of this rule, the term "other options" refers to those items generally considered appropriate for negotiation in the RFP process, relating to the details of Contract performance as specified in YCR 049-0650, but excluding any material requirements previously announced in the solicitation process that would likely affect the field of competition.

(2) Rejection of Bids. In determining whether all Responsive Bids from Responsible Bidders exceed the Cost Estimate, only those Bids that have been formally rejected, or Bids from Bidders who have been formally disqualified by the County, shall be excluded from consideration.

(3) Scope of Negotiations. The County shall not proceed with Contract Award if the scope of the project is significantly changed from the original Bid. The scope is considered to have been significantly changed if the pool of competition would likely have been affected by the change; that is, if other Bidders would have been expected by the County to have participated in the bidding process had the change been made during the solicitation process rather than during negotiation. This rule shall not be construed to prohibit re-solicitation of trade subcontracts.

(4) Discontinuing Negotiations. The County may discontinue negotiations at any time and shall do so if it appears to the County that the apparent low Bidder is not negotiating in good faith or fails to share cost and pricing information upon request. Failure to rebid any portion of the project, or to obtain subcontractor pricing information upon request, shall be considered a lack of good faith.

(5) Limitation. Negotiations may be undertaken only with the lowest Responsive, Responsible Bidder pursuant to ORS 279C.340. The County may only negotiate with Bidders next in line for Contract Award where expressly permitted in law or these Division 49 rules.

(6) Public Records. To the extent that a Bidder's records used in Contract negotiations are public records, they are exempt from disclosure until after the negotiated Contract has been awarded or the negotiation process has been terminated, at which time they shall be subject to disclosure pursuant to the provisions of the Oregon Public Records Law, ORS 192.311 to 192.478.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.340

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0440 Rejection of Offers

(1) Rejection of an Offer.

(a) The County may reject any Offer upon finding that to accept the Offer may impair the integrity of the Procurement process or that rejecting the Offer is in the public interest.

(b) The County shall reject an Offer upon the County's finding that the Offer:

(A) Is contingent on the County's acceptance of terms and conditions (including Specifications) that differ from the Solicitation Document;

(B) Takes exception to terms and conditions (including Specifications);

(C) Attempts to prevent public disclosure of matters in contravention of the terms and conditions of Solicitation Document or in contravention of applicable law;

(D) Offers Work that fails to meet the Specifications of the Solicitation Document;

(E) Is late;

(F) Is not in substantial compliance with the Solicitation Documents; or

(G) Is not in substantial compliance with all prescribed public solicitation procedures.

(c) The County shall reject an Offer upon the County's finding that the Offeror:

- (A) Has not been prequalified under YCR 049-0220, and the County required mandatory prequalification;
- (B) Has been Disqualified;
- (C) Has been declared ineligible under ORS 279C.860 by the Commissioner of Bureau of Labor and Industries;
- (D) Is listed as not qualified by the Construction Contractors Board;
- (E) Has not met the requirements of ORS 279A.105 if required by the Solicitation Document;
- (F) Has not submitted properly executed Bid or Proposal security as required by the Solicitation Document;
- (G) Has failed to provide the certification required under YCR 046-0230; or
- (H) Is not Responsible.

(2) **Form of Business.** For purposes of this rule, the County may investigate any Person submitting an Offer. The investigation may include that Person's officers, directors, owners, affiliates, or any other Person acquiring ownership of the Person to determine application of this rule or to apply the Disqualification provisions of ORS 279C.440 to 279C.450 and YCR 049-0370.

(3) **Rejection of All Offers Permitted.** The County may reject all Offers for good cause upon the County's Written finding it is in the public interest to do so. The County shall notify all Offerors of the rejection of all Offers, along with the good cause justification and finding.

(4) **Criteria for Rejection of All Offers.** The County may reject all Offers upon a Written finding that:

- (a) The content of or an error in the Solicitation Document, or the solicitation process unnecessarily restricted competition for the Contract;
- (b) The price, quality, or performance presented by the Offerors is too costly or of insufficient quality to justify acceptance of the Offer;
- (c) Misconduct, error, or ambiguous or misleading provisions in the Solicitation Document threaten the fairness and integrity of the competitive process;
- (d) Causes other than legitimate market forces threaten the integrity of the competitive Procurement process. These causes include, but are not limited to, those that tend to limit competition such as restrictions on competition, collusion, corruption, unlawful anti-competitive conduct, and inadvertent or intentional errors in the Solicitation Document;
- (e) The County cancels the solicitation in accordance with YCR 049-0270; or
- (f) Any other circumstance indicating that Awarding the Contract would not be in the public interest.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279C.375, ORS 279C.380, & ORS 279C.395

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0450 Protest of Contractor Selection, Contract Award

(1) **Purpose.** An adversely affected or aggrieved Offeror must exhaust all avenues of administrative review and relief before seeking judicial review of the County's Contractor selection or Contract Award decision.

(2) **Notice of Competitive Range.** Unless otherwise provided in the RFP, when the competitive Proposal process is authorized under YCR 049-0650, the County shall provide Written notice to all Proposers of the County's determination of the Proposers included in the Competitive Range. The County's notice of the Proposers included in the Competitive Range shall not be final until the later of the following:

- (a) Seven (7) Days after the date of the notice, unless otherwise provided therein; or
- (b) Until the County provides a Written response to all timely-filed protests that denies the protest and affirms the notice of the Proposers included in the Competitive Range.

(3) **Notice of Intent to Award.** The County shall provide Written notice to all Offerors of the County's intent to Award the Contract, as provided by YCR 049-0395.

(4) **Right to Protest Award.**

(a) An adversely affected or aggrieved Offeror may submit to the County a Written protest of the County's intent to Award within seven (7) Days after issuance of the notice of intent to Award the Contract, unless a different protest period is provided under the Solicitation Document.

(b) The Offeror's protest must be in Writing and must specify the grounds upon which the protest is based.

(c) An Offeror is adversely affected or aggrieved only if the Offeror is eligible for Award of the Contract as the Responsible Bidder submitting the lowest Responsive Bid or the Responsible Proposer submitting the best Responsive Proposal and is next in line for Award, i.e., the protesting Offeror must claim that all lower Bidders or higher-scored Proposers are ineligible for Award because:

(A) Their Offers were nonresponsive; or

(B) The County committed a substantial violation of a provision in the Solicitation Document or of an applicable Procurement statute or administrative rule, and the protesting Offeror was unfairly evaluated and would have, but for such substantial violation, been the Responsible Bidder offering the lowest Bid or the Responsible Proposer offering the highest-ranked Proposal.

(d) The County shall not consider a protest submitted after the time period established in this rule or such different period as may be provided in the Solicitation Document. A Proposer may not protest the County's decision not to increase the size of the Competitive Range above the size of the Competitive Range set forth in the RFP.

(5) Right to Protest Competitive Range.

(a) An adversely affected or aggrieved Proposer may submit to the County a Written protest of the County's decision to exclude the Proposer from the Competitive Range within seven (7) Days after issuance of the notice of the Competitive Range, unless a different protest period is provided under the Solicitation Document.

(b) The Proposer's protest shall be in Writing and must specify the grounds upon which the protest is based.

(c) A Proposer is adversely affected only if the Proposer is Responsible and submitted a Responsive Proposal and is eligible for inclusion in the Competitive Range, i.e., the protesting Proposer must claim it is eligible for inclusion in the Competitive Range if all ineligible higher-scoring Proposers are removed from consideration, and that those ineligible Proposers are ineligible for inclusion in the Competitive Range because:

(A) Their Proposals were not responsive; or

(B) The County committed a substantial violation of a provision in the RFP or of an applicable Procurement statute or administrative rule, and the protesting Proposer was unfairly evaluated and would have, but for such substantial violation, been included in the Competitive Range.

(d) The County shall not consider a protest submitted after the time period established in this rule or such different period as may be provided in the Solicitation Document. A Proposer may not protest the County's decision not to increase the size of the Competitive Range above the size of the Competitive Range set forth in the RFP.

(6) Authority to Resolve Protests. The County Administrative Officer, or designee, may settle or resolve a Written protest submitted in accordance with the requirements of this rule.

(7) Decision. If a protest is not settled, the County Administrative Officer, or designee, shall promptly issue a Written decision on the protest. Judicial review of this decision will be available if provided by statute.

(8) Award. The successful Offeror shall promptly execute the Contract after the Award is final and all protest periods have ended. The County shall execute the Contract only after it has obtained all applicable required documents and approvals.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.375, ORS 279C.380, ORS 279C.385, & ORS 279C.460

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0460 Performance and Payment Security; Waiver

(1) Performance and Payment Bonds. Unless the required performance bond is waived under ORS 279C.380(1)(a), excused in cases of emergency under 279C.380(4), or unless the Board exempts a Contract or

classes of contracts from the required performance bond and payment bond pursuant to 279C.390, the Contractor shall execute and deliver to the County a performance bond and a payment bond each in a sum equal to the Contract Price for all Public Improvement Contracts.

(a) This requirement applies only to Public Improvement Contracts with a value estimated by the County of more than \$100,000, or in the case of Contracts for highways, bridges, and other transportation projects, more than \$50,000.

(2) Requirement for Surety Bond. The County shall accept only a performance bond furnished by a surety company authorized to do business in Oregon unless otherwise specified in the Solicitation Document (i.e., the County may accept a cashier's check or certified check in lieu or all or a portion of the required performance bond if specified in the Solicitation Document). The payment bond must be furnished by a surety company authorized to do business in Oregon, and in an amount equal to the full Contract Price.

(3) Time for Submission. The apparent successful Offeror must promptly furnish the required performance security upon the County's request. If the Offeror fails to furnish the performance security as requested, the County may reject the Offer and Award the Contract to the Responsible Bidder with the next lowest Responsive Bid or the Responsible Proposer with the next highest-scoring Responsive Proposal, and, at the County's discretion, the Offeror shall forfeit its Bid or Proposal security.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED:

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0470 Substitute Contractor

If the Contractor provided a performance bond, the County may afford the Contractor's surety the opportunity to provide a substitute contractor to complete performance of the Contract. A substitute contractor shall perform all remaining Contract Work and comply with all terms and conditions of the Contract, including the provisions of the performance bond and the payment bond. Such substitute performance does not involve the Award of a new Contract and shall not be subject to the competitive Procurement provisions of ORS Chapter 279C and these Division 49 rules.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.365, ORS 279C.370, ORS 279C.375, ORS 279C.380, & ORS 279C.390

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0490 Foreign Contractor

If the Contract Price exceeds \$10,000 and the Contractor is a Foreign Contractor, the Contractor shall promptly report to the Oregon Department of Revenue, on forms provided by the Department of Revenue, the Contract Price, terms of payment, Contract duration, and such other information as the Department of Revenue may require before final payment can be made on the Contract. A copy of the report shall be forwarded to the County. The County shall satisfy itself that the above requirements have been complied with before it issues final payment on the Contract.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.120

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

III. ALTERNATIVE CONTRACTING METHODS

YCR 049-0600 Purpose

YCR 049-0600 to 049-0690 are intended to provide guidance to the County regarding the use of Alternative Contracting Methods for Public Improvement Contracts, as may be directed by Board under ORS 279C.335. These Alternative Contracting Methods include, but are not limited to, the following forms of Contracting: Design-Build, Energy Savings Performance Contract, and the Construction Manager/General Contractor Method.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED : ORS 279C.335

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0610 Definitions for Alternative Contracting Methods

The following definitions shall apply to these YCR 049-0600 to 049-0690 rules, unless the context requires otherwise:

- (1) **“Affiliate”** has the meaning set forth in ORS 279C.332(1).
- (2) **“Construction Manager/General Contractor”** (“CM/GC”) has the meaning set forth in ORS 279C.332(2).
- (3) **“Construction Manager/General Contractor Method”** (“CM/GC Method”) means the Alternative Contracting Method which involves the County’s selection of a CM/GC to perform CM/GC Services for a project or projects.
- (4) **“Construction Manager/General Contractor Services”** (“CM/GC Services”) has the meaning set forth in ORS 279C.332(3).
- (5) **“Design-Build”** means a form of Procurement that results in a Public Improvement Contract in which the Construction Services Contractor also provides or obtains specified design services, participates on the project team with the County, and manages both design and construction. In this form of Contract, a single Person provides the County with all of the A&E Consulting services and Construction Services necessary to both design and construct the project.
- (6) **“Early Work”** means Construction Services, pre-Construction-Services, construction materials, and other Work authorized by the County to be performed by the CM/GC under the CM/GC Contract in advance of the establishment of the GMP, fixed price, or other maximum, not-to-exceed price for the project.
- (7) **“Energy Conservation Measures”** (“ECMs”) (also known as “energy efficiency measures”) means, as used in ESPC Procurement, any equipment, fixture, or furnishing to be added to or used in an existing building or structure, and any repair, alteration, or improvement to an existing building or structure that is designed to reduce energy consumption and related costs, including those costs related to electrical energy, thermal energy, water consumption, waste disposal, and future contract-labor costs and materials costs associated with maintenance of the building or structure. For purposes of these YCR 049-0600 to 049-0690 rules, use of either or both of the terms “building” or “structure” shall be deemed to include existing energy, water, and waste disposal systems connected or related to or otherwise used for the building or structure when such system(s) are included in the project, either as part of the project together with the building or structure, or when such system(s) are the focus of the project. Maintenance services are not considered Energy Conservation Measures under these YCR 049-0600 to 049-0690 rules.
- (8) **“Energy Savings Guarantee”** means the energy savings and performance guarantee provided by the ESCO under an ESPC Procurement, which guarantees to the County that certain energy savings and performance will be achieved for the project covered by the RFP, through the installation and implementation of the agreed-upon ECMs for the project. The Energy Savings Guarantee shall include, but shall not be limited to, the specific energy savings and performance levels and amounts that will be guaranteed, provisions related to the financial remedies available to the County in the event the guaranteed savings and performance are not achieved, the specific conditions under which the ESCO will guarantee energy savings and performance (including the specific responsibilities of the County after final completion of the design and construction phase), and the term of the energy savings and performance guarantee.
- (9) **“Energy Savings Performance Contract”** (“ESPC”) means a Public Improvement Contract between the County and a Qualified Energy Service Company for the identification, evaluation, recommendation, design, and construction of Energy Conservation Measures, including a Design-Build Contract, that guarantee energy savings or performance.
- (10) **“General Conditions Work”** (“GC Work”) means a general grouping of project Work required to support construction operations on the project that is not included within the Contractor’s overhead or fee.
- (11) **“Guaranteed Maximum Price”** (“GMP”) has the meaning set forth in ORS 279C.332(4), pertaining to procurements for CM/GC Services. For Alternative Contracting Methods other than the CM/GC Method, “Guaranteed Maximum Price” or “GMP” means the total maximum price provided to the County by the

Contractor and accepted by the County that includes all reimbursable costs and fees for completion of the Contract Work and any particularly identified contingency amounts, as defined by the Public Improvement Contract.

(12) **“Measurement and Verification”** (“M & V”) means, as used in ESPC Procurement, the examination of installed ECMs using the International Performance Measurement and Verification Protocol (“IPMVP”), or any other comparable protocol or process, to monitor and verify the operation of energy-using systems pre-installation and post-installation.

(13) **“Project Development Plan”** means a secondary phase of Personal Services and Work performed by an ESCO in an ESPC Procurement when the ESCO performs more extensive design of the agreed-upon ECMs for the project, provides the detailed provisions of the ESCO’s Energy Savings Guarantee that the fully installed and commissioned ECMs will achieve a particular energy savings level for the building or structure, and prepares an overall report or plan summarizing the ESCO’s Work during this secondary phase of the Work and otherwise explaining how the agreed-upon ECMs will be implemented during the design and construction phase of the Work; The term “Project Development Plan” can also refer to the report or plan provided by the ESCO at the conclusion of this phase of the Work.

(14) **“Qualified Energy Service Company”** (“ESCO”) means, as used in ESPC Procurement, a company, firm, or other legal Person with the following characteristics: demonstrated technical, operational, financial and managerial capabilities to design, install, construct, commission, manage, measure and verify, and otherwise implement Energy Conservation Measures and other Work on building systems or building components that are directly related to the ECMs in existing buildings and structures; a prior record of successfully performing ESPCs on projects involving existing buildings and structures that are comparable to the project under consideration by the County; and the financial strength to effectively guarantee energy savings and performance under the ESPC for the project in question, or the ability to secure necessary financial measures to effectively guarantee energy savings under an ESPC for that project.

(15) **“Savings”** has the meaning set forth in ORS 279C.337(4) when pertaining to CM/GC Services Procurements. For other Alternative Contracting Methods, “Savings” means a positive difference between a Guaranteed Maximum Price or other maximum not-to-exceed price set forth in a Public Improvement Contract and the actual cost of the Contractor’s performance of the Contract Work payable by the County under the terms of the Contract, including costs for which the County reimburses a Contractor and fees, profits, or other payments the Contractor earns.

(16) **“Technical Energy Audit”** means, as used in ESPC Procurement, the initial phase of pre-Construction Services to be performed by an ESCO that includes a detailed evaluation of an existing building or structure, an evaluation of the potential ECMs that could be effectively utilized at the facility, and preparation of a report to the County of the ESCO’s Findings during this initial phase of the Work; the term “Technical Energy Audit” can also refer to the report provided by the ESCO at the conclusion of this phase of the Work.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.332, ORS 279C.335, & ORS 279A.065

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0620 Use of Alternative Contracting Methods

(1) Competitive Bidding Exemptions. ORS Chapter 279C requires a competitive bidding process for Public Improvement Contracts unless a statutory exception applies, a class of Contracts has been exempted, or an individual Contract has been exempted, in accordance with ORS 279C.335 and the YCR. Use of Alternative Contracting Methods may be directed by the Board, however, when use of the Alternative Contracting Method requires an exemption to the prescribed competitive bidding requirement of 279C.335. In any of these circumstances, use of Alternative Contracting Methods must be justified in accordance with the Code and YCR 049-0600 to 049-0690. See YCR 049-0630 regarding required Findings and restrictions on exemptions from the competitive bidding requirement under ORS 279C.335.

(2) Energy Savings Performance Contracts. ESPCs may be exempted from the competitive bidding process for Public Improvement Contracts pursuant to ORS 279C.335(1)(f), if the County complies with YCR 049-0600 to

049-0690 related to the Solicitation, negotiation, and Contracting for ESPC Work. If those procedures are not followed, an ESPC Procurement may still be exempted from competitive bidding requirements by following the general exemption procedures within 279C.335.

(3) Post-Project Evaluation. ORS 279C.355 requires that the County prepare a formal post-project evaluation of Public Improvement projects in excess of \$100,000 for which the competitive bidding process was not used. The purpose of this evaluation is to determine whether it was actually in the County's best interest to use an Alternative Contracting Method outside the competitive bidding process. The evaluation must be delivered to the Board within 30 Days of the date the County "accepts" the Public Improvement project, which event is typically defined in the Contract. In the absence of such definition, acceptance of the Public Improvement project occurs on the later of the date of final payment or the date of final completion of the Work. In the absence of such definition, acceptance of the Public Improvement project occurs on the later of the date of final payment or the date of final completion of the Contract Work. ORS 279C.355 describes the timing and content of this evaluation, with three required elements:

- (a) Financial information, consisting of cost estimates, any Guaranteed Maximum Price, changes and actual costs;
- (b) A narrative description of successes and failures during design, engineering, and construction; and
- (c) An objective assessment of the use of the Alternative Contracting Method as compared to the exemption Findings.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335, ORS 279C.355

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0630 Findings, Notice, and Hearing

(1) Cost Savings Factors and Other Substantial Benefits Factors. When Findings are required under ORS 279C.335 to exempt a Contract or class of Contracts from competitive bidding requirements, the "substantial cost savings" criterion at ORS 279C.335(2)(b) requires consideration of the type, cost, and amount of the Contract, and to the extent applicable, the other factors set forth in 279C.335(2)(b). If a particular factor has no application whatsoever to the particular Public Improvement Contract or class of Public Improvement Contracts, the Board does not need to consider that factor, and the County is not required to address the factor, other than to explain why the factor has no application whatsoever to the particular Public Improvement Contract or class of Public Improvement Contracts.

(2) Required Information. The statutory definition of "Findings" at ORS 279C.330(2), which applies to exemptions from competitive bidding under ORS 279C.335, means the justification for a County conclusion regarding the factors listed in both ORS 279C.335(2)(a) and 279C.335(2)(b) or, in the alternative, both 279C.335(2)(a) and 279C.335(2)(c).

(3) Addressing Cost Savings. Accordingly, when the Contract or class of Contracts under consideration for an exemption contemplates the use of Alternative Contracting Methods, the "substantial cost savings and other substantial benefits" requirement may be addressed by a combination of:

- (a) Specified Findings that address the factors and other information specifically identified by statute, including, but not limited to, an analysis or reasonable forecast of future cost savings as well as present cost savings and other substantial benefits; and
- (b) Additional Findings that address industry practices, surveys, trends, past experiences, evaluations of completed projects required by ORS 279C.355, and related information regarding the expected benefits and drawbacks of particular Alternative Contracting Methods. To the extent practicable, such Findings shall relate back to the specific characteristics of the Public Improvement project or projects at issue in the exemption request.

(4) Favoritism and Competition. The criteria at ORS 279C.335(2)(a) that the exemption is "unlikely to encourage favoritism" or "substantially diminish competition" may be addressed in contemplating the use of Alternative Contracting Methods by specifying the manner in which an RFP process will be utilized, that the Procurement

will be formally advertised with public notice and disclosure of the planned Alternative Contracting Method, that competition will be encouraged, that Award will be made based upon identified selection criteria, and that there will be an opportunity to protest that Award.

(5) Class Exemptions. In making the Findings supporting a class exemption, the County shall clearly identify the class with respect to its defining characteristics. The class must meet the following requirements:

(a) The class cannot be based on a single characteristic or factor, so that the County directly or indirectly creates a class whereby the County uses, for example, the CM/GC Method for all County Public Improvement projects or all County Public Improvement projects over a particular dollar amount, unidentified future County Public Improvement projects of a particular Work category, or all County Public Improvement projects from a particular funding source such as the sale of bonds; and

(b) The class must include a combination of factors, must be defined by the County through characteristics that reasonably relate to the exemption criteria set forth in ORS 279C.335(2), and must reflect a detailed evaluation of those characteristics so that the class is defined in a limited way that effectively meets the County's objectives while allowing for impartial and open competition, and protecting the integrity of the exemption process. An example of a class that might be permitted under the statute is a series of Public Improvement projects, such as a specific group of building renovation projects, that:

(A) Involve renovations for a common purpose;

(B) Require completion on a related schedule in order to avoid unnecessary disruption of County operations;

(C) Share common characteristics, such as historic building considerations, the presence of asbestos or other hazardous substances, or the presence of County staff during construction;

(D) Otherwise possess characteristics that meet the requirements of ORS 279C.335(2); and

(E) Otherwise meet the requirements of the Board, as applicable.

(6) Public Hearing. Before final adoption of Findings exempting a Public Improvement Contract from the requirement of competitive bidding, the County shall give notice and hold a public hearing as required by ORS 279C.335(4). The hearing shall be for the purpose of receiving public comment on the County's draft Findings.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0640 Competitive Proposals; Procedure

(1) Generally. The County may utilize an RFP process for Public Improvement Contracts, allowing flexibility in both Proposal evaluation and Contract negotiation, only in accordance with ORS 279C.400 to 279C.410 and YCR 049-0600 to 049-690, unless other applicable statutes control the County's use of competitive Proposals for Public Improvement Contracts.

(2) Proposal Evaluation. Factors in addition to price may be considered in the selection process of a Public Improvement Contract under this rule, but only as set forth in the RFP. Proposal evaluations shall be as objective as possible. Evaluation factors need not be precise predictors of future costs and performance, but to the extent possible, such evaluation factors shall:

(a) Be reasonable estimates based on information available to the County;

(b) Treat all Proposals equitably; and

(c) Recognize that public policy requires that Public Improvements be constructed at the least overall cost to the County. For ESPC Proposal evaluations, the County may provide in the RFP that qualifications-based evaluation factors will outweigh the County's consideration of price-related factors, due to the fact that prices for the major components of the Work to be performed during the ESPC process contemplated by the RFP will likely not be determinable at the time of Proposal evaluation. For CM/GC Services Proposal evaluations, the County shall comply with the requirements set forth in ORS 279C.337.

(3) Evaluation Factors:

(a) For basic negotiated Public Improvement Contracts where the main justification for utilizing an RFP process is to consider factors other than price, evaluation factors may consist of firm and personnel experience on similar projects, adequacy of equipment and physical plant, sources of supply, availability of key personnel, financial capacity, past performance, safety records, project understanding, proposed methods of construction, proposed milestone dates, references, service, and related matters that affect the cost or quality of the Work.

(b) For CM/GC Contracting, in addition to the factors set forth in subsection (a), evaluation factors may also include the ability to respond to the technical complexity or unique character of the Public Improvement project, the capacity to analyze and propose solutions or approaches to complex project problems, the coordination of multiple disciplines, the time required to commence and complete the Public Improvement, and related matters that affect the cost or quality of the Work.

(c) For Design-Build Contracting, in addition to the factors set forth in subsections (a) and (b), evaluation factors may also include design professional qualifications, specialized experience, preliminary design submittals, technical merit, design-builder team experience, and related matters that affect the cost or quality of the Work.

(d) For ESPC Contracting, in addition to the factors set forth in subsections (a), (b) and (c), evaluation factors may also include sample Technical Energy Audits from similar projects, sample M & V reports, financial statements and related information of the ESCO for a time period established in the RFP, financial statements and related information of joint venturers comprising the ESCO, the ESCO's capabilities and experience in performing energy baseline studies for facilities (independently or in cooperation with an independent third-party energy baseline consultant), past performance of the ESCO in meeting energy guarantee Contract levels, the specific Person that will provide the Energy Savings Guarantee to be offered by the ESCO, the ESCO's management plan for the Public Improvement project, information on the specific methods, techniques and equipment that the ESCO will use in the performance of the Work under the ESPC, the ESCO's team members and consultants to be assigned to the Public Improvement project, the ESCO's experience in the Energy Savings Performance Contracting field, the ESCO's experience acting as the prime contractor on previous ESPC projects (as opposed to a subcontractor or consultant to a prime ESCO), the ESCO's vendor and product neutrality related to the development of ECMs, the ESCO's project history related to removal from an ESPC project or the inability or unwillingness of the ESCO to complete an ESPC project, the ESCO's M & V capabilities and experience (independently or in cooperation with an independent third-party M & V consultant), the ESCO's ability to explain the unique risks associated with ESPC projects and the assignment of risk in the particular Public Improvement project between the County and the ESCO, the ESCO's equipment performance guarantee policies and procedures, the ESCO's energy savings and cost savings guarantee policies and procedures, the ESCO's project cost guarantee policies and procedures, the ESCO's pricing methodologies, the price that the ESCO will charge for the Technical Energy Audit phase of the Work and the ESCO's fee structure for all phases of the ESPC.

(4) Contract Negotiations. Contract terms may be negotiated to the extent allowed by the RFP and YCR 049-0600 to 049-0690, provided that the general Work scope remains the same and that the field of competition does not change as a result of material changes to the requirements stated in the Solicitation Document. Terms that may be negotiated consist of details of Contract performance, methods of construction, timing, assignment of risk in specified areas, fee, and other matters that affect the cost or quality of the Work. For the CM/GC Method, terms that may be negotiated also include the specific scope of pre-construction services, the GC Work, any early Work and other construction Work to be performed by the CM/GC, and any other terms that the County has identified as being subject to negotiation, consistent with the requirements of YCR 049-0680. For ESPC Contracting, terms that may be negotiated also include the scope of preliminary design of ECMs to be evaluated by the parties during the Technical Energy Audit phase of the Work, the scope of services to be performed by the ESCO during the Project Development Plan phase of the Work, the detailed provisions of the Energy Savings Guarantee to be

provided by the ESCO and scope of Work, methodologies and compensation terms and conditions during the design and construction phase and M & V phase of the Work, consistent with the requirements of YCR 049-0690.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0645 Request for Qualifications (RFQ)

As provided by ORS 279C.405(1), the County may utilize Requests for Qualifications (RFQs) to obtain information useful in the preparation or distribution of a RFPs. When using RFQs as the first step in a two-step Procurement, in which distribution of the RFPs will be limited to the firms identified as most qualified through their submitted statements of qualification, the County shall first advertise and provide notice of the RFQ in the same manner in which RFPs are advertised, specifically stating that RFPs will be distributed only to the firms selected in the RFQ process. In such cases the County shall also provide within the RFQ a protest provision substantially in the form of YCR 049-0450(5) regarding protests of the Competitive Range. Thereafter, the County may distribute RFPs to the selected firms without further advertisement of the solicitation.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.405

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0650 Request for Proposals (RFP)

(1) Generally. The use of competitive Proposals must be specially authorized for a Public Improvement Contract under the competitive bidding requirement of ORS 279C.335, YCR 049-0130, and YCR 049-0600 to 049-0690.

(2) Solicitation Documents. In addition to the Solicitation Document requirements of YCR 049-0200, this rule applies to the requirements for Requests for Proposals. RFP Solicitation Documents shall conform to the following standards:

(a) The County shall set forth selection criteria in the Solicitation Document. Examples of evaluation criteria include price or cost, quality of a product or service, past performance, management, capability, personnel qualification, prior experience, compatibility, reliability, operating efficiency, expansion potential, experience of key personnel, adequacy of equipment or physical plant, financial wherewithal, sources of supply, references, and warranty provisions. See YCR 049-0640 regarding Proposal evaluation and evaluation factors. Evaluation factors need not be precise predictors of actual future costs and performance, but to the extent possible, such factors shall be reasonable estimates based on information available to the County. Subject to ORS 279C.410(4), the Solicitation Document may provide for discussions with Proposers to be conducted for the purpose of Proposal evaluation prior to award or prior to establishing any Competitive Range;

(b) When the County is willing to negotiate terms and conditions of the Contract or allow submission of revised Proposals following discussions, the County shall identify the specific terms and conditions in or provisions of the Solicitation Document that are subject to negotiation or discussion and authorize Offerors to propose certain alternative terms and conditions in lieu of the terms and conditions the County has identified as authorized for negotiation. The County shall describe the evaluation and discussion or negotiation process, including how the County will establish the Competitive Range, if any;

(c) When the County intends to Award Contracts to more than one Proposer, the County shall identify in the Solicitation Document the manner in which it will determine the number of Contracts it will Award. The County shall also include the criteria it will use to determine how the County will endeavor to achieve optimal value, utility, and substantial fairness when selecting a particular Contractor to provide Construction Services from those Contractors Awarded Contracts.

(3) Evaluation. The County shall evaluate Proposals only in accordance with criteria set forth in the RFP and applicable law. The County shall evaluate Proposals to determine the Responsible Proposer or Proposers submitting the best Responsive Proposal or Proposals.

(a) *Clarifications*. In evaluating Proposals, the County may seek information from a Proposer to clarify the Proposer's Proposal. A Proposer must submit Written and Signed clarifications and such clarifications shall become part of the Proposer's Proposal.

(b) *Limited Negotiation*. If the County did not permit negotiation in its Request for Proposals, the County may, nonetheless, negotiate with the highest-ranked Proposer, but may then only negotiate the:

(A) Statement of Work; and

(B) Contract Price as it is affected by negotiating the statement of Work. The process for discussions or negotiations that is outlined and explained in subsections (5)(b) and (6) of this rule does not apply to this limited negotiation.

(4) Discussions; Pre-Award Negotiations. If the County permitted discussions or negotiations in the Request for Proposals, the County shall evaluate Proposals and establish the Competitive Range and may then conduct discussions and negotiations in accordance with this rule.

(a) If the Solicitation Document provided that discussions or negotiations may occur at County's discretion, the County may forego discussions and negotiations and evaluate all Proposals in accordance with this rule.

(b) If the County proceeds with discussions or negotiations, the County shall establish a negotiation team tailored for the acquisition. The County's team may include legal, technical, and negotiating personnel.

(5) Cancellation. Nothing in this rule shall restrict or prohibit the County from canceling the Solicitation at any time.

(6) Competitive Range; Protest; Award.

(a) *Determining Competitive Range*.

(A) If the County does not cancel the Solicitation after the Opening, the County shall evaluate all Proposals in accordance with the evaluation criteria set forth in the RFP. After evaluation of all Proposals in accordance with the criteria set forth in the RFP, the County shall determine and rank the Proposers based on the County's scoring and determine in Competitive Range.

(B) The County may increase the number of Proposers in the Competitive Range if the County's evaluation of Proposals establishes a natural break in the scores of Proposers indicating a number of Proposers greater than the initial Competitive Range are closely competitive or have a reasonable chance of being determined the best Proposer after the County's evaluation of revised Proposals submitted in accordance with the process described in this rule.

(b) *Protesting Competitive Range*. The County shall provide notice to all Proposers identifying Proposers in the Competitive Range. A Proposer that is not within the Competitive Range may protest the County's evaluation and determination of the Competitive Range in accordance with YCR 049-0450.

(c) *Intent to Award; Discuss or Negotiate*. After the protest period provided in accordance with these rules expires, or after the County has provided a final response to any protest, whichever date is later, the County may either:

(A) Provide Written notice to all Proposers in the Competitive Range of its intent to Award the Contract to the highest-ranked Proposer in the Competitive Range.

(i) An unsuccessful Proposer may protest the County's intent to Award in accordance with YCR 049-0450.

(ii) After the protest period provided in accordance with YCR 049-0450 expires, or after the County has provided a final response to any protest, whichever date is later, the County shall commence final Contract negotiations with the highest-ranked Proposer in the Competitive Range; or

(B) Engage in discussions with Proposers in the Competitive Range and accept revised Proposals from them, and, following such discussions and receipt and evaluation of revised Proposals, conduct negotiations with the Proposers in the Competitive Range.

(7) Discussions; Revised Proposals. If the County chooses to enter into discussions with and receive revised Proposals from the Proposers in the Competitive Range, the County shall proceed as follows:

(a) *Initiating Discussions.* The County shall initiate oral or Written discussions with all of the Proposers in the Competitive Range regarding their Proposals with respect to the provisions of the RFP that the County identified in the RFP as the subject of discussions. The County may conduct discussions for the following purposes:

- (A) Informing Proposers of deficiencies in their initial Proposals;
- (B) Notifying Proposers of parts of their Proposals for which the County would like additional information; and
- (C) Otherwise allowing Proposers to develop revised Proposals that will allow the County to obtain the best Proposal based on the requirements and evaluation criteria set forth in the Request for Proposals.

(b) *Conducting Discussions.* The County may conduct discussions with each Proposer in the Competitive Range as necessary to meet the intent of this section (5), but it need not conduct the same amount of discussions with each Proposer. The County may terminate discussions with any Proposer in the Competitive Range at any time. However, the County shall offer all Proposers in the Competitive Range the opportunity to discuss their Proposals with the County before the County notifies Proposers, pursuant to subsection (7)(c) of this rule, of the date and time that revised Proposals will be due.

(A) In conducting discussions, the County shall:

- (i) Treat all Proposers fairly and shall not favor any Proposer over another;
- (ii) Not discuss other Proposers' Proposals;
- (iii) Not suggest specific revisions that a Proposer should make to its Proposal and shall not otherwise direct the Proposer to make any specific revisions to its Proposal.

(B) At any time during the time allowed for discussions, the County may:

- (i) Continue discussions with a particular Proposer;
- (ii) Terminate discussions with a particular Proposer and continue discussions with other Proposers in the Competitive Range; or
- (iii) Conclude discussions with all remaining Proposers in the Competitive Range and provide notice to the Proposers in the Competitive Range to submit revised Proposals.

(c) *Revised Proposals.* If the County does not cancel the solicitation at the conclusion of the County's discussions with all remaining Proposers in the Competitive Range, the County shall give all remaining Proposers in the Competitive Range notice of the date and time by which they must submit revised Proposals. This notice constitutes the County's termination of discussions, and Proposers must submit revised Proposals by the date and time set forth in the County's notice.

(A) Upon receipt of the revised Proposals, the County shall score the revised Proposals based upon the evaluation criteria set forth in the Request for Proposals and rank the revised Proposals based on the County's scoring.

(B) The County may conduct discussions with and accept only one revised Proposal from each Proposer in the Competitive Range unless otherwise set forth in the Request for Proposals.

(8) Intent to Award; Protest. The County shall provide notice to all Proposers in the Competitive Range of the County's intent to Award the Contract. An unsuccessful Proposer may protest the County's intent to Award in accordance with YCR 049-0450. After the protest period provided in accordance with that rule expires, or after the County has provided a final response to any protest, whichever date is later, the County shall commence final Contract negotiations.

(9) Contract Negotiations.

(a) *Initiating Negotiations.* The County may commence negotiations with the highest ranked Proposer in the Competitive Range following the:

- (A) Initial determination of the Competitive Range; or
- (B) Conclusion of discussions with all Proposers in the Competitive Range and evaluation of revised Proposals.

(b) *Conducting Negotiations; Scope.* The County may negotiate:

- (A) The statement of Work;
- (B) The Contract Price as it is affected by negotiating the statement of Work; and
- (C) Any other terms and conditions reasonably related to those expressly authorized for negotiation in the RFP. Accordingly, Proposers shall not submit, and County shall not accept, for negotiation any alternative terms and conditions that are not reasonably related to those expressly authorized for negotiation in the RFP.

(c) *Continuing Negotiations.* If the County terminates negotiations with a Proposer, the County may then commence negotiations with the next highest scoring Proposer in the Competitive Range, and continue the process described in this rule until the County has:

- (A) Determined to Award the Contract to the Proposer with whom it is currently negotiating; or
- (B) Completed one round of negotiations with all Proposers in the Competitive Range, unless the County provided for more than one round of discussions or negotiations in the RFP, in which case the County may proceed with any authorized further rounds of discussions or negotiations.

(d) *Terminating Discussions or Negotiations.* At any time during discussions or negotiations that the County conducts in accordance with this rule, the County may terminate discussions or negotiations with the highest-ranked Proposer, or the Proposer with whom it is currently discussing or negotiating if the County reasonably believes that:

- (A) The Proposer is not discussing or negotiating in good faith; or
- (B) Further discussions or negotiations with the Proposer will not result in the parties agreeing to the terms and conditions of a final Contract in a timely manner.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.400, ORS 279C.405, & ORS 279C.410

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0660 RFP Pricing Mechanisms

(1) An RFP may result in a Contract with a lump-sum Contract Price or a fixed Contract Price, as in the case of competitive bidding. Alternatively, an RFP may result in a cost reimbursement Contract with a GMP or some other maximum price specified in the Contract.

(2) Economic incentives or disincentives may be included to reflect stated County purposes related to time of completion, safety, or other Public Contracting objectives, including but not limited to total least cost mechanisms such as life cycle costing.

(3) A Guaranteed Maximum Price may be used as the pricing mechanism for CM/GC Services Contracts where a total Contract Price is provided in the design phase in order to assist the County in determining whether the project scope is within the County's budget and allowing for design changes during preliminary design rather than after final design services have been completed.

(a) If the collaborative process described above in this rule's section (3) is successful, the Contractor shall propose a final GMP, which may be accepted by the County and included within the Contract.

(b) If the collaborative process described above in this rule's section (3) is not successful, and no mutually agreeable resolution on the GMP for the project construction Work can be achieved with the Contractor, then the County shall terminate the Contract. The County may then proceed to negotiate a new Contract (and GMP) with the firm that was next ranked in the original selection process or employ other means for continuing the project under ORS Chapter 279C.

(4) When cost reimbursement Contracts are utilized, regardless of whether a GMP is included, the County shall provide for audit controls that will effectively verify rates and ensure that costs are reasonable, allowable and properly allocated.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0670 Design Build Contracts

(1) General. The Design-Build form of Contracting, as defined at YCR 049-0610(5), has technical complexities that are not readily apparent. The County shall use this Contracting method only with the assistance of knowledgeable staff or consultants who are experienced in its use. In order to use the Design-Build process, the County must be able to reasonably anticipate the following types of benefits:

- (a) Obtaining, through a Design-Build team, engineering design, plan preparation, value engineering, construction engineering, construction, quality control, and required documentation as a fully integrated function with a single point of responsibility;
- (b) Integrating value engineering suggestions into the design phase, as the construction Contractor joins the project team early with design responsibilities under a team approach, with the potential of reducing Contract changes;
- (c) Reducing the risk of design flaws, misunderstandings, and conflicts inherent in construction Contractors building from designs in which they have had no opportunity for input, with the potential of reducing Contract claims;
- (d) Shortening project time as construction activity (early submittals, mobilization, subcontracting and advance Work) commences prior to completion of a “Biddable” design, or where a design solution is still required (as in complex or phased projects); or
- (e) Obtaining innovative design solutions through the collaboration of the Contractor and design team, which would not otherwise be possible if the Contractor had not yet been selected.

(2) Authority. The County shall utilize the Design-Build form of Contracting only in accordance with the requirements of these YCR 049-0600 to 049-0690 rules.

(3) Selection. Design-Build selection criteria may include those respective factors set forth in YCR 049-0640(3).

(4) QBS Inapplicable. Because the value of construction Work predominates the Design-Build form of Contracting, the qualifications-based selection (QBS) process mandated by YCR 048-0130 is not applicable.

(5) Licensing. If a Design-Build Contractor is not an Oregon licensed design professional, the County shall require that the Design-Build Contractor disclose in its Written Offer that it is not an Oregon licensed design professional and identify the Oregon licensed design professional(s) who will provide design services.

(6) Performance Security. ORS 279C.380(1)(a) provides that for Design-Build Contracts the surety’s obligation on performance bonds, or the Bidder’s obligation on cashier’s or certified checks accepted in lieu thereof, includes the preparation and completion of design and related Personal Services specified in the Contract. This additional obligation, beyond performance of construction Work, extends only to the provision of design revisions and corrective Work and their associated costs prior to final completion of the Contract (or for such longer time as may be defined in the Contract). The obligation is not intended to be a substitute for professional liability insurance and does not include errors and omissions or latent defects coverage.

(7) Contract Requirements. The County shall conform their Design-Build Contracting practices to the following requirements:

- (a) *Design Services*. The level or type of design services required must be clearly defined within the Procurement documents and Contract, along with a description of the level or type of design services previously performed for the project. The design services and Work to be performed shall be clearly delineated as either design Specifications or performance standards, and performance measurements must be identified.
- (b) *Professional Liability*. The Contract shall clearly identify the liability of design professionals with respect to the Design-Build Contractor and the County, as well as requirements for professional liability insurance.
- (c) *Risk Allocation*. The Contract shall clearly identify the extent to which the County requires an express indemnification from the Design-Build Contractor for any failure to perform, including professional errors and omissions, design warranties, construction operations and faulty Work claims.
- (d) *Warranties*. The Contract shall clearly identify any express warranties made to the County regarding characteristics or capabilities of the completed project (regardless of whether errors occur as the result of

improper design, construction, or both), including any warranty that a design will be produced that meets the stated project performance and budget guidelines.

(e) *Incentives*. The Contract shall clearly identify any economic incentives and disincentives, the specific criteria that apply and their relationship to other financial elements of the Contract.

(f) *Honoraria*. If allowed by the RFP, honoraria or stipends may be provided for early design submittals from qualified finalists during the solicitation process on the basis that the County is benefited from such deliverables.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335 & 279C.110

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0680 Construction Manager/General Contractor (CM/GC) Services

(1) General. The CM/GC Method, as defined at YCR 049-0610(4), is a technically complex project delivery system. The County shall use this Contracting method only with the assistance of legal counsel with substantial experience and necessary expertise in using the CM/GC Method, as well as knowledgeable staff, consultants, or both staff and consultants who have a demonstrated capability of managing the CM/GC process in the necessary disciplines of engineering, construction scheduling and cost control, accounting, legal, Public Contracting and project management. Unlike the Design-Build form of Contracting, the CM/GC Method does not contemplate a “single point of responsibility” under which the CM/GC is responsible for successful completion of all Work related to a performance Specification. The CM/GC has defined Contract obligations, including responsibilities as part of the project team along with the County and design professional, although with the CM/GC Method there is a separate Contract between the County and design professional. In order to utilize the CM/GC Method, the County must be able to reasonably anticipate the following types of benefits:

(a) *Time Savings*. With the CM/GC Method, the Public Improvement has significant schedule ramifications, such that concurrent design and construction are necessary in order to meet critical deadlines and shorten the overall duration of construction. The County may consider operational and financial data that show significant savings or increased opportunities for generating revenue as a result of early completion, as well as less disruption to public facilities as a result of shortened construction periods;

(b) *Cost Savings*. With the CM/GC Method, early CM/GC input during the design process is expected to contribute to significant cost savings. The County may consider value engineering, building systems analysis, life cycle costing analysis, and construction planning that lead to cost savings. The County shall specify any special factors influencing this analysis, including high rates of inflation, market uncertainty due to material and labor fluctuations or scarcities, and the need for specialized construction expertise due to technical challenges; or

(c) *Technical Complexity*. With the CM/GC Method, the Public Improvement presents significant technical complexities that are best addressed by a collaborative or team effort between the County, design professionals, any County project management or technical consultants, and the CM/GC, in which the CM/GC will assist in addressing specific project challenges through pre-construction design services. The County may consider the need for CM/GC input on issues such as operations of the facility during construction, tenant occupancy, public safety, delivery of an early budget or GMP, financing, historic preservation, difficult remodeling projects, and projects requiring complex phasing or highly coordinated scheduling.

(2) Authority. The County shall use the CM/GC form of contracting only in accordance with the requirements of these Division 49 rules and ORS 279C.337 when a competitive bidding exemption is approved.

(3) Selection. CM/GC selection criteria may include those respective factors set forth in YCR 049-0640(3).

(4) Basis for Payment. The CM/GC process adds specified construction manager design services to traditional design-bid-build general contractor Work, requiring full Contract performance within a negotiated GMP, fixed Contract Price, or other maximum Contract Price. For a GMP pricing method, the basis for payment is reimbursable direct costs as defined under the Contract, plus a fee constituting full payment for construction Work and design services rendered, which together shall not exceed the GMP.

(5) Contract Requirements. The County shall conform their CM/GC contracting practices to the following requirements:

(a) *Nature of the Initial CM/GC Services Contract Document*. A solicitation for CM/GC Services is a Procurement for a Public Improvement, since the scope of the Procurement includes not only pre-construction design services to be performed by the CM/GC, but also construction Work that is expected to result in a completed Public Improvement. In the traditional CM/GC Services Contracting approach, the text of the resulting CM/GC Services Contract will include comprehensive contract provisions that will not only fully govern the relationship between the County and the CM/GC for the pre-construction design services, but will also include the general contract provisions that will control the CM/GC's providing of the construction Work necessary to complete the project (with any remaining necessary construction-related contract provisions being added through Early Work amendments to the Contract, the GMP amendment to the Contract or, if necessary, a conventional amendment to the Contract). The traditional CM/GC Services Contracting approach, however, also contemplates that the County will only authorize the CM/GC to perform the pre-construction design services when the Contract is first executed unless construction Work is specifically included in the initial CM/GC Contract. Under this approach, the construction phase or phases of the CM/GC Services project are not yet authorized and the Contract only becomes a Public Improvement Contract once the parties amend the Contract, through an Early Work or a GMP amendment, to authorize the construction of a portion of the project or the entire project. See also OAR 839-025-0020, regarding the Bureau of Labor and Industries' determination of when a Contract for CM/GC Services becomes a "Public Works" Contract for purposes of paying prevailing wage rates for construction Work under the CM/GC Contract.

(b) *Setting the GMP, Fixed Contract Price or Other Maximum Contract Price*. The GMP, fixed Contract Price or other maximum Contract Price shall be set at an identified time consistent with industry practice and project conditions and after supporting information reasonably considered necessary to its use has been developed, which will normally take place by the end of the design development phase of the project. The supporting information for the GMP must define with particularity both what design services and construction Work are included and excluded from the GMP, fixed Contract Price, or other maximum Contract Price. A set of project drawings and Specifications shall be produced establishing the scope of construction Work contemplated by the GMP, fixed Contract Price, or other maximum Contract Price.

(c) *Adjustments to the GMP, Fixed Contract Price, or Other Maximum Contract Price*. The Contract shall clearly identify the standards or factors under which changes or additional construction Work will be considered outside of the Work scope that warrants an increase in the GMP, fixed Contract Price, or other maximum Contract Price, as well as criteria for decreasing the GMP, fixed Contract Price, or other maximum Contract Price. The GMP, fixed Contract Price, or other maximum Contract Price shall not be increased without a simultaneous increase to the scope of the Work defined at the establishment of the GMP, fixed Contract Price, or other maximum Contract Price, or most recent amendment to the GMP, fixed Contract Price, or other maximum Contract Price. An increase to the scope of the Work may take the form of conventional additions to the project scope, as well as corrections to the Contract terms and conditions, additions to insurance coverage required by the County, and other changes to the Work.

(d) *Cost Savings*. The Contract shall clearly identify the disposition of any Cost Savings resulting from completion of the Work below the GMP, fixed Contract Price or other maximum Contract Price; that is, under what circumstances, if any, the CM/GC might share in those Cost Savings, or whether the Cost Savings accrue only to the County's benefit. Unless there is a clearly articulated reason for sharing the Cost Savings set forth in the Contract, the Cost Savings must accrue to the County.

(e) *Cost Reimbursement*. The Contract shall clearly identify what items or categories of items are eligible for cost reimbursement within the GMP, fixed Contract Price, or other maximum Contract Price, including any category of GC Work costs, and may also incorporate a mutually agreeable cost-reimbursement standard.

(f) *Audit*. Cost reimbursements shall be made subject to final audit adjustment, and the Contract shall establish an audit process to ensure that Contract costs are allowable, properly allocated, and reasonable.

(g) *Fee*. Compensation for the CM/GC's design services and construction Work, where the Contract uses a GMP, shall include a fee that is inclusive of profit, overhead, and all other indirect or non-reimbursable costs. Costs determined to be included within the fee shall be expressly defined in the Contract terms and conditions at the time the County selects the CM/GC. The fee, which may be expressed as either a fixed dollar amount or as a proposed percentage of all reimbursable costs, shall be identified during and become an element of the selection process. It shall subsequently be expressed as a fixed amount for particular construction Work authorized to be performed, when Early Work is added to the Contract through an amendment, and when the GMP is established. The CM/GC fee does not include any fee paid to the CM/GC for performing pre-construction services during a separate pre-construction phase.

(h) *Incentives*. The Contract shall clearly identify any economic incentives, the specific criteria that apply, and their relationship to other financial elements of the Contract (including the GMP, fixed Contract Price, or other maximum Contract Price).

(i) *Controlled Insurance Programs*. For projects where a County-controlled or Contractor-controlled insurance program is permitted under ORS 737.602, the Contract shall clearly identify whether a County-controlled or Contractor-controlled insurance program is anticipated or allowable. If so, the Contract shall clearly identify: (1) anticipated cost savings from reduced premiums, claims reductions, and other factors; (2) the allocation of cost savings; and (3) safety responsibilities, incentives, or both safety responsibilities and incentives.

(j) *Early Work*. The RFP shall clearly identify, whenever feasible, the circumstances under which any Early Work may be authorized and undertaken for compensation prior to establishing the GMP, fixed Contract Price, or other maximum Contract Price.

(k) *Subcontractor Selection*. Subcontracts under the Contract are not Public Contracts within the meaning of the Code. However, the Contract must include provisions that clearly meet the requirements of ORS 279C.337(3) and other County requirements. Within the scope of ORS 279C.337(3), the CM/GC's subcontractor selection process must meet the following parameters:

(A) Absent a written justification prepared by the CM/GC and approved by the County as more particularly provided for in this section, the CM/GC's Subcontractor selection process must be "competitive", meaning that the process should include publicly-advertised subcontractor solicitations and be based on a low-bid competitive method, a low-quote competitive method for contracts in a specified dollar range agreeable to the County, or a method whereby both price and qualifications of the subcontractors are evaluated in a competitive environment, consistent with the RFP and Contract requirements;

(B) When the Subcontractor selection process for a particular Work package will not be "competitive" as provided for in this section, the process must meet the following requirements:

(i) The CM/GC must prepare and submit a written justification to the County, explaining the project circumstances that support a non-competitive Subcontractor selection process for a particular Work package, including, but not limited to, Emergency circumstances, the CM/GC's need to utilize a key Subcontractor member of the CM/GC's project team consistent with the CM/GC's project Proposal, the need to meet other specified Contract requirements, the continuation or expansion of an existing Subcontractor agreement that was awarded through a "competitive process" along with facts supporting the continuation or expansion of the Subcontractor agreement, or a "sole source" justification;

(ii) For a "sole source" selection of a subcontractor to proceed, the County must evaluate the written justification provided by the CM/GC and must find that: (1) critical project efficiencies require utilization of labor, services, or materials from one subcontractor; (2) that technical compatibility issues on the project require labor, services, or materials from one subcontractor; (3) that particular labor, services, or materials are needed as part of an experimental or pilot project or as part of an

experimental or pilot aspect of the project; or (4) that other project circumstances exist to support the conclusion that the labor, services, or materials are available from only one subcontractor;

(iii) The CM/GC must provide an independent cost estimate for the Work package that will be subject to the non-competitive process, if required by the County;

(iv) The CM/GC must fully respond to any questions or comments submitted to the CM/GC by the County; and

(v) The County must approve the CM/GC's use of the non-competitive Subcontractor selection process prior to the CM/GC's pursuit of the non-competitive process.

(C) A competitive selection process may be preceded by a publicly advertised subcontractor pre-qualification process, with only those subcontractors meeting the pre-qualification requirements being invited to participate in the later competitive process through which the CM/GC will select the subcontractor to perform the construction Work described in the selection process; and

(D) If the CM/GC, or an Affiliate or subsidiary of the CM/GC, will be included in the subcontractor selection process to perform particular construction Work on the project, the CM/GC must disclose that fact in the selection process documents and announcements. The Contract must also identify the conditions, processes, and procedures the CM/GC will utilize in that competitive process in order to make the process impartial, competitive and fair, including but not limited to objective, independent review and opening of Bids or Proposals for the elements of Work involved, by a representative of the County or another independent third party.

(l) *Subcontractor Approvals and Protests.* The Contract shall clearly establish whether the County must approve subcontract awards, and to what extent, if any, the County will resolve or be involved in the resolution of protests of the CM/GC's selection of subcontractors and suppliers. The procedures and reporting mechanisms related to the resolution of sub-contractor and supplier protests shall be established in the Contract with certainty, including the CM/GC's roles and responsibilities in this process and whether the CM/GC's subcontracting records are considered to be public records. In any event, the County must retain the right to monitor the subcontracting process in order to protect the County's interests and to confirm the CM/GC's compliance with the Contract and with applicable statutes, administrative rules, and other legal requirements.

(m) *CM/GC Self-Performance or Performance by CM/GC Affiliates or Subsidiaries Without Competition.* Consistent with the requirements of ORS 279C.337(3)(c), the Contract must establish the conditions under which the CM/GC, or an Affiliate or subsidiary of the CM/GC, may perform elements of the construction Work without competition from subcontractors, including, for example, job-site construction Work. Other than for job-site construction Work, in order for the CM/GC, or an Affiliate or subsidiary of the CM/GC, to perform elements of the construction Work without competition from subcontractors, the CM/GC must provide, or must have included in the CM/GC's RFP Proposal to perform CM/GC Services for the project, a detailed proposal for performance of the Work by the CM/GC, or an Affiliate or subsidiary of the CM/GC. If required by the County, the CM/GC's proposal to perform the construction Work must be supported by at least one independent cost estimate prior to the Work being included in the Contract.

(n) *Unsuccessful Subcontractor Briefing.* ORS 279C.337(3)(e) is designed to allow a subcontractor who was not selected by the CM/GC to perform a particular element of the construction Work to obtain specific information from the CM/GC, and meet with the CM/GC to discuss the subcontractor qualification and selection process involved and the CM/GC's subcontractor selection decisions, in order to better understand why the subcontractor was not successful in being selected to perform the particular element of the Work and to improve the subcontractor's substantive qualifications or the subcontractor's methods in competing for elements of the Work for the particular project involved or future projects. The briefing meetings may be held with individual subcontractors or, if the subcontractors agree, in groups of subcontractors, with those groups established by Bid package or other designation agreed to by the County and the CM/GC. Nevertheless, the CM/GC is not obligated to provide this briefing opportunity unless the CM/GC receives a written request

from a subcontractor to discuss the subcontractor qualification and selection process involved. Unless the County and the CM/GC agree on a different schedule, the CM/GC Contract should include provisions:

- (A) Allowing a subcontractor 60 days from the CM/GC's notice of award of a subcontract for a particular Work package to request, in writing, a post-selection meeting with the CM/GC under this section; and
- (B) Requiring the CM/GC to set a meeting with the subcontractor under this section within 45 days of the subcontractor's written request.

(o) *Performance and Payment Bonds.* Provided no construction Work is included with the pre-construction services to be performed under the initial form of the CM/GC Contract, no performance bond or payment bond is required to be provided by the CM/GC at the time of Contract signing, consistent with ORS 279C.380. Once construction Work is included in the Contract and authorized by the County to be performed by the CM/GC, however, the CM/GC must provide a performance bond and payment bond each in the full amount of any Early Work to be performed by the CM/GC, or the full amount of the GMP, fixed Contract Price, or other maximum Contract Price, as applicable. Furthermore, in the event additional Early Work is added to the CM/GC Contract after the initial Early Work or in the event an amendment to the CM/GC Contract is made so that the GMP, fixed Contract Price, or other maximum Contract Price must be increased, the performance bond and the payment bond must each be increased in an amount equal to the additional Early Work or the increased GMP, fixed Contract Price, or other maximum Contract Price.

(p) *Independent Review of CM/GC Performance; Conflicts of Interest.* If the County requires independent review, monitoring, inspection, or other oversight of a CM/GC's performance of pre-construction design services, construction Work, or both pre-construction design services and construction Work, the County must obtain those independent review services from a Contractor independent of the CM/GC, the CM/GC's Affiliates and the CM/GC's Subcontractors, pursuant to the requirements of ORS 279C.307. However, ORS 279C.307 does not prohibit the following:

- (A) The CM/GC's performance of both pre-construction design services and construction Work that are included within the definition of CM/GC Services, consistent with ORS 279C.307(2); or
- (B) The CM/GC's performance of internal quality control services, quality assurance services, or other internal peer review of CM/GC work product that is intended to confirm the CM/GC's performance of the CM/GC Contract according to its terms.

(q) *Socio-Economic Programs.* The Contract shall clearly identify conditions relating to any required socio-economic programs (such as Affirmative Action or Prison Inmate Labor Programs), including the manner in which such programs affect the CM/GC's subcontracting requirements, the enforcement mechanisms available, and the respective responsibilities of the CM/GC and the County.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335, ORS 279C.337, & ORS 279C.380(2)

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0690 Energy Savings Performance Contracts (ESPC)

(1) Generally. These YCR 049-0600 to 049-0690 rules include a limited, efficient method for the County to enter into ESPCs outside the competitive bidding requirements of ORS 279C.335 for existing buildings or structures, but not for new construction. See ORS 279C.335(1)(f). If the County chooses not to utilize the ESPC Procurement method provided for by these rules, the County may still enter into an ESPC by complying with the competitive bidding exemption process set forth in ORS 279C.335, or by otherwise complying with the Procurement requirements described in these Division 49 rules.

(2) ESPC Contracting Method. The ESPC form of Contracting, as defined at YCR 049-0610(9), has unique technical complexities associated with the determination of what ECMs are feasible for the County, as well as the additional technical complexities associated with a Design-Build Contract. The County shall only utilize the ESPC contracting method with the assistance of knowledgeable staff or consultants who are experienced in its use. In order to utilize the ESPC contracting process, the County must be able to reasonably anticipate one or more of the following types of benefits:

- (a) Obtaining, through an ESCO, the following types of integrated design services and Work: facility profiling, energy baseline studies, ECMs, Technical Energy Audits, project development planning, engineering design, plan preparation, cost estimating, life cycle costing, construction administration, project management, construction, quality control, operations and maintenance staff training, commissioning services, M & V services, and required documentation as a fully integrated function with a single point of responsibility;
 - (b) Obtaining, through an ESCO, an Energy Savings Guarantee;
 - (c) Integrating the Technical Energy Audit phase and the Project Development Plan phase into the design and construction phase of Work on the project;
 - (d) Reducing the risk of design flaws, misunderstandings, and conflicts inherent in the construction process through the integration of ESPC design services and Work;
 - (e) Obtaining innovative design solutions through the collaboration of the members of the ESCO integrated ESPC team;
 - (f) Integrating cost-effective ECMs into an existing building or structure so that the ECMs pay for themselves through savings realized over the useful life of the ECMs;
 - (g) Preliminary design, development, implementation, and an Energy Savings Guarantee of ECMs into an existing building or structure through an ESPC as a distinct part of a major remodel of that building or structure that is being performed under a separate remodeling Contract; and
 - (h) Satisfying local energy efficiency design criteria or requirements.
- (3) Authority. The County desiring to pursue an exemption from the competitive bidding requirements of ORS 279C.335 shall utilize the ESPC form of Contracting only in accordance with the requirements of these YCR 049-0600 to 049-0690 rules.
- (4) No Findings Required. The County is only required to comply with the ESPC Contracting procedures set forth in these YCR 049-0600 to 049-0690 rules in order for the ESPC to be exempt from the competitive bidding processes of ORS 279C.335. No Findings are required for an ESPC to be exempt from the competitive bidding process for Public Improvement Contracts pursuant to ORS 279C.335, unless the County is subject to the requirements of ORS 279C.335 and chooses not to comply with the ESPC Contracting procedures set forth in YCR 049-0600 to 049-0690.
- (5) Selection. ESPC selection criteria may include those respective factors set forth in YCR 049-0640(3). Since the Energy Savings Guarantee is such a fundamental component in the ESPC Contracting process, Proposers must disclose in their Proposals the identity of any Person providing (directly or indirectly) any Energy Savings Guarantee that may be offered by the successful ESCO during the course of the performance of the ESPC, along with any financial statements and related information pertaining to any such Person.
- (6) QBS Inapplicable. Because the value of construction Work predominates in the ESPC method of Contracting, the qualifications-based selection (QBS) process mandated by YCR 048-0130 is not applicable.
- (7) Licensing. If the ESCO is not an Oregon licensed design professional, the County shall require that the ESCO disclose in the ESPC that it is not an Oregon licensed design professional and identify the Oregon licensed design professional(s) who will provide design services.
- (8) Performance Security. At the point in the ESPC when the parties enter into a binding Contract that constitutes an ESPC Contract, the ESCO must provide a performance bond and a payment bond, each for 100% of the full Contract Price, including the construction Work and design and related design services specified in the ESPC Contract, pursuant to ORS 279C.380(1)(a). For ESPC Contracts, these “design and related services” include conventional design services, commissioning services, training services for the County’s operations and maintenance staff, and any similar design services provided by the ESCO under the ESPC Contract prior to final completion of construction. M & V services, and any design services or Work associated with the ESCO’s Energy Savings Guarantee are not included in these ORS 279C.380(1)(a) “design and related services.” Nevertheless, the County may require that the ESCO provide performance security for M & V services and any design services or Work associated with the ESCO’s Energy Savings Guarantee, if the County so provides in the RFP.

(9) Contracting Requirements. The County shall conform their ESPC Contracting practices to the following requirements:

(a) *General ESPC Contracting Practices*. An ESPC involves a multi-phase project, which includes the following contractual elements:

(A) A contractual structure which includes general Contract terms describing the relationship of the parties, the various phases of the Work, the contractual terms governing the Technical Energy Audit for the project, the contractual terms governing the Project Development Plan for the project, the contractual terms governing the final design and construction of the project, the contractual terms governing the performance of the M & V services for the project, and the detailed provisions of the ESCO's Energy Savings Guarantee for the project.

(B) The various phases of the ESCO's Work will include the following:

(i) The Technical Energy Audit phase of the Work;

(ii) The Project Development Plan phase of the Work;

(iii) A third phase of the Work that constitutes a Design-Build Contract, during which the ESCO completes any plans and Specifications required to implement the ECMs that have been agreed to by the parties to the ESPC, and the ESCO performs all construction, commissioning, construction administration, and related design services or Work necessary to construct the project; and

(iv) A final phase of the Work, whereby the ESCO, independently or in cooperation with an independent consultant hired by the County, performs M & V services to ensure that the Energy Savings Guarantee identified by the ESCO in the earlier phases of the Work and agreed to by the parties has actually been achieved.

(b) *Design-Build Contracting Requirements in ESPCs*. At the point in the ESPC when the parties enter into a binding Contract that constitutes a Design-Build Contract, the County shall conform its Design-Build Contracting practices to the Design-Build Contracting requirements set forth in YCR 049-0670(7).

(c) *Pricing Alternatives*. The County may utilize one of the following pricing alternatives in an ESPC:

(A) A fixed price for each phase of the design services and Work to be provided by the ESCO;

(B) A cost reimbursement pricing mechanism, with a maximum not-to-exceed price or a GMP; or

(C) A combination of a fixed fee for certain components of the design services to be performed, a cost reimbursement pricing mechanism for the construction Work to be performed with a GMP, a single or annual fixed fee for M & V services to be performed for an identified time period after final completion of the construction Work, and a single or annual Energy Savings Guarantee fixed fee payable for an identified time period after final completion of the construction Work that is conditioned on certain energy savings being achieved at the facility by the ECMs that have been implemented by the ESCO during the project (in the event an annual M & V services fee and annual Energy Savings Guarantee fee is utilized by the parties, the parties may provide in the Design-Build Contract that, at the sole option of the County, the ESCO's M & V services may be terminated prior to the completion of the M & V/Energy Savings Guarantee period and the County's future obligation to pay the M & V services fee and Energy Savings Guarantee fee will likewise be terminated, under terms agreed to by the parties).

(d) *Permitted ESPC Scope of Work*. The scope of Work under the ESPC is restricted to implementation and installation of ECMs, as well as other Work on building systems or building components that are directly related to the ECMs, and that, as an integrated unit, will pay for themselves over the useful life of the ECMs installed. The permitted scope of Work for ESPCs resulting from a solicitation under these YCR 049-0600 to 049-0690 rules does not include maintenance services for the project facility.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335 & ORS 279C.110

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

IV. CONTRACT PROVISIONS

YCR 049-0800 Required Contract Clauses

The County shall include in all Public Improvement Contracts the following required Contractual conditions:

- (a) The Contractor shall make payment promptly, as due, to all persons supplying to the Contractor labor or material for the performance of the work provided for in the Contract (see ORS 279C.505(1)(a)).
- (b) The Contractor shall pay all contributions or amounts due the Industrial Accident Fund from the Contractor or subcontractor incurred in the performance of the Contract. See ORS 279C.505(1)(b).
- (c) The Contractor shall not permit any lien or claim to be filed or prosecuted against the County on account of any labor or material furnished (see ORS 279C.505(1)(c)).
- (d) The Contractor shall pay to the Department of Revenue all sums withheld from employees under ORS 316.167 (see ORS 279C.505(1)(d)).
- (e) The Contractor shall demonstrate that an employee drug testing program is in place (see ORS 279C.505(2)).
- (f) The Contractor shall salvage or recycle construction and demolition debris if feasible and cost-effective. If the Contract includes lawn and landscape maintenance, the Contractor shall compost or mulch yard waste material at an approved site if feasible and cost-effective (see ORS 279C.510(1)).
- (g) The Contractor and any subcontractor shall promptly pay, as due, all persons supplying labor and services furnished to the Contractor or first-tier subcontractor by any person in connection with this Contract as the claim becomes due. If the Contractor or subcontractor fails to pay any such claim, the County may pay the claim and charge the payment against the funds due or to become due the Contractor by reason of the Contract (see ORS 279C.515(1)).
- (h) The Contractor and/or any first-tier subcontractor shall make payment to any person furnishing labor or materials in connection with a Public Improvement Contract within 30 days after receipt of payment from the County or the Contractor. If the Contractor or a first-tier subcontractor fails, neglects, or refuses to pay a person within 30 days after receiving payment, the Contractor or first-tier subcontractor shall owe the person the amount due plus interest charges that shall begin at the end of the 10-day period within which payment is due under ORS 279C.580(4) and shall end upon final payment, unless payment is subject to a good faith dispute as defined in ORS 279C.580. The rate of interest on the amount due is 9 percent per annum. The amount of interest may not be waived (see ORS 279C.515(2)).
- (i) If the Contractor or a subcontractor fails, neglects, or refuses to pay a person that provides labor or materials in connection with a Public Improvement Contract, that person may file a complaint with the Construction Contractors Board, unless payment is subject to a good faith dispute as defined in ORS 279C.580 (see ORS 279C.515(3)).
- (j) The Contractor may not employ an employee for more than 10 hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency or when the public policy absolutely requires otherwise, and in such cases, the Contractor shall pay the employee at least time and a half pay for:
 - (A) All overtime in excess of:
 - (i) Eight hours in any one day or 40 hours in any one week if the work week is five consecutive days, Monday through Friday; or
 - (ii) Ten hours in any one day or 40 hours in any one week if the work week is four consecutive days, Monday through Friday; and
 - (B) All work the employee performs on Saturday and on any legal holiday specified in ORS 279C.540 (see ORS 279C.520(1)(a)).
- (k) The Contractor shall comply with the prohibition set forth in ORS 652.220, that compliance is a material element of the Contract, and that a failure to comply is a breach that entitles the County to terminate the Contract for cause (see ORS 279C.520(1)(b)).

(l) The Contractor may not prohibit any of the Contractor's employees from discussing the employee's rate of wage, salary, benefits, or other compensation with another employee or another person and may not retaliate against an employee who discusses the employee's rate of wage, salary, benefits, or other compensation with another employee or another person (see ORS 279C.520(1)(c)).

(m) The Contractor shall give notice in writing to all its employees providing labor or services under a Public Improvement Contract, either at the time of hire or before work begins on the Contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the Contractor may require the employees to work (see ORS 279C.520(2)).

(n) The Contractor and any subcontractor shall comply with all applicable provisions of federal, state, or local statutes, ordinances, and regulations dealing with the prevention of environmental pollution and the preservation of natural resources that affect the Work under a Public Improvement Contract (see ORS 279C.525).

(o) The Contractor shall promptly, as due, make payment to any person, co-partnership, association, or corporation furnishing medical, surgical, and hospital care services, or the needed care and attention incident to sickness or injury, to the employees of the Contract, of all sums that the Contractor agrees to pay for the services and all moneys and sums that the Contractor collected or deducted from the wages of employees under any law, contract, or agreement for the purpose of providing or paying for the services (see ORS 279C.530(1)).

(p) If the Contractor is a subject employer, the Contractor shall comply with ORS 656.017 (see ORS 279C.530(2)).

(q) The Contractor shall comply with ORS 279C.550 to 279C.570 regarding withholding of retainage. The withholding of retainage by the Contractor shall be done only in accordance with ORS 701.420 and 701.430.

(r) The Contractor shall certify that all subcontractors performing work described in ORS 701.005(2) have registered with the Construction Contractors Board or are otherwise licensed by the State Landscape Contractors Board in accordance with ORS 701.035 to 701.055 before the subcontractors commence work under the Contract.

(s) The Contractor shall not discriminate against a disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns, or an emerging small business, in the awarding of subcontracts (see ORS 279A.110).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 297C.505 - 279C.570

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0810 Waiver of Delay Damages Against Public Policy

The County shall not place any provision in a Public Improvement Contract purporting to waive, release, or extinguish the rights of a Contractor to damages resulting from the County's unreasonable delay in performing the Contract. However, Contract provisions requiring notice of delay, providing for alternative dispute resolution such as arbitration (where allowable) or mediation, providing other procedures for settling contract disputes, or providing for reasonable liquidated damages, are permissible.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.315

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0815 Green Energy Technology

If the County intends to enter into a Public Improvement Contract where either: i) the total Contract Price is \$5 million or more for Constructing a public building, or (ii) the cost of the Reconstruction or Major Renovation exceeds 50 percent of the value of the public building, the County shall first make a determination as to whether green energy technology is appropriate for the public building in accordance with ORS 279C.527.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.527

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0820 Retainage

(1) Withholding of Retainage. The County shall not retain an amount in excess of five percent of the Contract Price for Work completed. If the Contractor has performed at least 50 percent of the Contract Work and is progressing satisfactorily, upon the Contractor's submission of Written application containing the surety's Written approval, the County may, in its discretion, reduce or eliminate retainage on any remaining progress payments. The County shall respond in Writing to all such applications within a reasonable time. When the Contract Work is 97-1/2 percent completed, the County may, at its discretion and without application by the Contractor, reduce the retained amount to 100 percent of the value of the remaining unperformed Contract Work. The County may at any time reinstate retainage. Retainage shall be included in the final payment of the Contract Price.

(2) Cash Retainage - Contract Price \$500,000 or Less. When the Contract Price for a Public Improvement Contract is \$500,000 or less, the County may reserve as retainage from any progress payment an amount not to exceed five percent. The County shall hold all retained moneys in a County fund or account, and interest is not required to accrue on the retained moneys.

(3) Cash Retainage - Contract Price in Excess of \$500,000. When the Contract Price for a Public Improvement Contract exceeds \$500,000, the County shall, in the ordinary course, deposit cash retainage in an amount not to exceed five percent from any progress payment due under the Public Improvement Contract into an interest-bearing escrow account pursuant to the requirements of ORS 279C.570. The Contractor under the Public Improvement Contract is entitled to receive interest on the retained moneys from the date the Contractor's related payment request is fully approved by the County until the date the retained moneys are paid by the County to the Contractor. For purposes of this section, a payment of retainage is deemed to be "paid" by the County when the payment is transmitted to the Contractor, or otherwise applied against an obligation of the Contractor under the Public Improvement Contract.

(4) Alternatives In Lieu of Cash Retainage. Unless the County that reserves an amount as retainage finds in writing that accepting bonds, securities, or other instruments as described in subsection (a) below, or a surety bond as described in subsection (b), poses an extraordinary risk that is not typically associated with the bonds, securities, other instruments, or surety bond, as applicable, the County, in lieu of withholding moneys from payment, shall accept from the Contractor:

(a) Bonds, securities, or other instruments that are deposited and accepted as provided in subsection (6)(a) of this rule; or

(b) A surety bond deposited as provided in subsection (6)(b) of this rule.

(5) Deposit in interest-bearing accounts. Upon election of the Contractor and when the Contract Price in the Public Improvement Contract is \$500,000 or less, the County shall deposit cash retainage in an interest-bearing account in a bank, savings bank, trust company, or savings association, for the benefit of the County. Earnings on such an account shall accrue on the cash retainage from the date the Contractor's related payment request is fully approved by the County until the date the retained moneys are paid by the County to the Contractor. For purposes of this section, a payment of retainage is deemed to be "paid" by the County when the payment is transmitted to the Contractor, or otherwise applied against an obligation of the Contractor under the Public Improvement Contract. When the contractor makes an election for deposit of retainage into an interest-bearing account and the Contract Price in the Public Improvement Contract exceeds \$500,000, the Contractor's election shall be satisfied by the County's establishment of an interest-bearing escrow account.

(6) Alternatives In Lieu of Cash Retainage - Requirements. In lieu of cash retainage to be held by the County, the Contractor may substitute one of the following:

(a) *Deposit of bonds, securities, or other instruments:*

(A) The Contractor may deposit bonds, securities, or other instruments with the County or in any bank or trust company to be held for the benefit of the County. If the County accepts the deposit, the County shall

reduce the cash retainage by an amount equal to the value of the bonds and securities and reimburse the excess to the Contractor.

(B) Bonds, securities, or other instruments deposited or acquired in lieu of cash retainage must be of a character approved by the Oregon Department of Administrative Services, which may include, without limitation:

- (i) Bills, certificates, notes, or bonds of the United States;
- (ii) Other obligations of the United States or agencies of the United States;
- (iii) Obligations of a corporation wholly owned by the Federal Government;
- (iv) Indebtedness of the Federal National Mortgage Association;
- (v) General obligation bonds of the State of Oregon or a political subdivision thereof; or
- (vi) Irrevocable letters of credit issued by an insured institution, as defined in ORS 706.008.

(C) Upon the County's determination that all requirements for the protection of the County's interests have been fulfilled, it shall release to the Contractor all bonds and securities deposited in lieu of retainage.

(b) *Deposit of surety bond.* The County may, at its discretion, allow the Contractor to deposit a surety bond in a form acceptable to the County in lieu of all or a portion of funds retained or to be retained. A Contractor depositing such a bond shall accept surety bonds from its subcontractors and suppliers in lieu of retainage. In such cases, retainage shall be reduced by an amount equal to the value of the bond, and the excess shall be reimbursed.

(7) Recovery of Additional Costs. The County may recover from the Contractor all additional costs incurred in the proper handling of retainage alternatives requested by the Contractor, whether a request for the deposit of bonds, securities, or other instruments in lieu of cash retainage, a request for a surety bond in lieu of cash retainage, or an election for an interest-bearing account. If the County incurs costs associated with establishing a fund or account under section (2) of this rule, or with establishing an interest-bearing escrow account under section (3) of this rule, the County is not permitted to recover such costs from the Contractor.

(8) Additional Retainage When Certified Payroll Statements Not Filed. If a Contractor is required to file certified payroll statements and fails to do so, the County shall retain 25 percent of any amount earned by the Contractor on a Public Works Contract until the Contractor has filed such statements with the County. The County shall pay the Contractor the amount retained under this provision within 14 days after the Contractor files the certified statements, regardless of whether a subcontractor has filed such statements (but also see ORS 279C.845(1) regarding the requirement for both contractors and subcontractors to file certified statements with the County). See BOLI rule at OAR 839-025-0010.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.560, ORS 279C.570, & ORS 701.420

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0830 Contractor Progress Payments

(1) Request for Progress Payments. Each month, the Contractor shall submit to the County its Written request for a progress payment based upon an estimated percentage of Contract completion. At the County's discretion, this request may also include the value of material to be incorporated in the completed Work that has been delivered to the premises and appropriately stored. The sum of these estimates is referred to as the "value of completed Work." With these estimates as a base, the County will make a progress payment to the Contractor, which shall be equal to:

- (a) The value of completed Work;
- (b) Less those amounts that have been previously paid;
- (c) Less other amounts that may be deductible or owing and due to the County for any cause; and
- (d) Less the appropriate amount of retainage.

(2) Progress Payments Do Not Mean Acceptance of Work. Progress payments shall not be construed as an acceptance or approval of any part of the Work and shall not relieve the Contractor of responsibility for defective workmanship or material.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.570

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0840 Interest

(1) Prompt Payment Policy. The County shall pay promptly all payments due and owing to the Contractor on Contracts for Public Improvements.

(2) Interest on Progress Payments. Late payment interest shall begin to accrue on payments due and owing on the earlier of 30 Days after receipt of invoice or 15 Days after County approval of payment (the “Progress Payment Due Date”). The interest rate shall equal three times the discount rate on 90-day commercial paper in effect on the Progress Payment Due Date at the Federal Reserve Bank in the Federal Reserve district that includes Oregon, up to a maximum rate of 30 percent.

(3) Interest on Final Payment. Final payment on the Contract Price, including retainage, shall be due and owing no later than 30 Days after Contract completion and acceptance of the Work. Late-payment interest on such final payment shall thereafter accrue at the rate of one and one-half percent per month until paid.

(4) Settlement or Judgment Interest. In the event of a dispute as to compensation due a Contractor for Work performed, upon settlement or judgment in favor of the Contractor, interest on the amount of the settlement or judgment shall be added to, and not made part of, the settlement or judgment. Such interest, at the discount rate on 90-day commercial paper in effect at the Federal Reserve Bank in the Federal Reserve District that includes Oregon, shall accrue from the later of the Progress Payment Due Date, or thirty Days after the Contractor submitted a claim for payment to the County in Writing or otherwise in accordance with the Contract requirements.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.570

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0850 Final Inspection

(1) Notification of Completion; Inspection. The Contractor shall notify the County in Writing when the Contractor considers the Contract Work completed. Within 15 Days of receiving Contractor’s notice, the County will inspect the project and project records and will either accept the Work or notify the Contractor of remaining Work to be performed.

(2) Acknowledgment of Acceptance. When the County finds that all Work required under the Contract has been completed satisfactorily, the County shall acknowledge acceptance of the Work in Writing.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.570

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0860 Public Works Contracts

(1) Generally. ORS 279C.800 through 279C.870 regulates Public Works Contracts, as defined in 279C.800(6), and requirements for payment of prevailing wage rates. Also see administrative rules of the Bureau of Labor and Industries (BOLI) at OAR chapter 839.

(2) Public Works Bond Required. Pursuant to ORS 279C.830(2), the Specifications for every Public Works Contract shall contain a provision stating that the Contractor and every subcontractor must have a Public Works bond filed with the Construction Contractors Board before starting Work on the Public Improvement project, unless otherwise exempt. This bond is in addition to performance bond and payment bond requirements. See BOLI rule at OAR 839-025-0015.

(3) Requirements for Specifications. The Specifications for every Public Works Contract, consisting of the Procurement package (such as the project manual, Bid or Proposal booklets, request for quotes or similar Specifications), must contain the following provisions:

(a) The state prevailing rate of wage, and, if applicable, the federal prevailing rate of wage, as required by ORS 279C.830(1)(a) shall be:

(A) Physically contained within or attached to hard copies of the Specifications;

(B) Included via statement incorporating the applicable wage rate publication into the Specifications by reference, in compliance with OAR 839-025-0020; or

(C) When the rates are available electronically or by Internet access, incorporated into the Specifications by referring to the rates and providing adequate information on how to access them in compliance with OAR 839-025-0020.

(b) If both state and federal prevailing rates of wage apply, a requirement that the Contractor shall pay the higher of the applicable state or federal prevailing rate of wage to all workers. See BOLI rules at OAR 839-025-0020 and 0035.

(c) A requirement for filing a Public Works bond by the Contractor and every subcontractor, as set forth in ORS 279C.830(2).

(4) Required Contract Conditions. In addition to the conditions required under YCR 049-0200, every Public Works Contract must contain the following provisions:

(a) A requirement Workers employed under this Contract shall be paid not less than the applicable state prevailing rate of wage. If both state and federal prevailing rates of wage apply, the Contract and every subcontract must provide that all workers must be paid the higher of the applicable state or federal prevailing rate of wage (see ORS 279C.830(1)(c); OAR 839-025-0020(3)(a));

(b) A requirement for filing a Public Works bond by the Contractor and every subcontractor (see ORS 279C.830(2); OAR 839-025-0020(e)); and

(c) A requirement for providing the County with a copy of the certified payroll weekly for recording purposes (see ORS 279C.845; OAR 839-025-0010).

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.540, & ORS 279C.800 - 279C.870

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0870 Specifications; Brand Name Products

(1) Generally. The County's Solicitation Document shall not expressly or implicitly require any product by brand name or mark, nor shall it require the product of any particular manufacturer or seller, except pursuant to an exemption granted under ORS 279C.345(2).

(2) Equivalents. The County may identify products by brand names as long as the following language: "approved equal"; "or equal"; "approved equivalent"; "or equivalent"; or similar language is included in the Solicitation Document. The County shall determine, in its sole discretion, whether an Offeror's alternate product is "equal" or "equivalent."

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.345

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0880 Records Maintenance; Right to Audit Records

(1) Records Maintenance; Access. Contractors and subcontractors shall maintain all fiscal records relating to Contracts in accordance with generally accepted accounting principles ("GAAP"). In addition, Contractors and subcontractors shall maintain all other records necessary to clearly document: (i) their performance; and (ii) any claims arising from or relating to their performance under a Public Contract. Contractors and subcontractors shall make all records pertaining to their performance and any claims under a Contract (the books, fiscal records, and all other records, hereafter referred to as "Records") accessible to the County at reasonable times and places, whether or not litigation has been filed as to such claims.

(2) Inspection and Audit. The County may, at reasonable times and places, have access to and an opportunity to inspect, examine, copy, and audit the records of any Person that has submitted cost or pricing data according to the terms of a Contract to the extent that the records relate to such cost or pricing data. If the Person must provide cost or pricing data under a Contract, the Person shall maintain such records that relate to the cost or pricing data for 3 years from the date of final payment under the Contract, unless a shorter period is otherwise authorized in Writing.

(3) Records Inspection; Contract Audit. The County, and its authorized representatives, shall be entitled to inspect, examine, copy, and audit any Contractor's or subcontractor's records, as provided in section (1) of this rule. The Contractor and subcontractor shall maintain the records and keep the records accessible and available at reasonable times and places for a minimum period of ten (10) years from the date of final payment under the Contract or subcontract, as applicable, or until the conclusion of any audit, controversy or litigation arising out of or related to the Contract, whichever date is later, unless a shorter period is otherwise authorized in law.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279A.030, ORS 279C.375, ORS 279C.380, & ORS 279C.440

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0890 County's Payment for Unpaid Labor or Supplies

(1) Contract Incomplete. If the Contract is still in force, the County may, in accordance with ORS 279C.515(1), pay a valid claim to the Person furnishing the labor or services and charge the amount against payments due or to become due to the Contractor under the Contract. If the County chooses to make such a payment as provided in ORS 279C.515(1), the Contractor and the Contractor's surety shall not be relieved from liability for unpaid claims.

(2) Contract Completed. If the Contract has been completed and all funds disbursed to the prime Contractor, all claims shall be referred to the Contractor's surety for resolution. The County shall not make payments to subcontractors or suppliers for Work already paid for by the County.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.515

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

V. CONTRACT CHANGES

YCR 049-0900 Contract Suspension; Termination Procedures

(1) Suspension of Work. In the event that the County suspends performance of Work for any reason considered by the County to be in the public interest other than a labor dispute, the Contractor shall be entitled to a reasonable extension of Contract time and to reasonable compensation for all costs, including a reasonable allowance for related overhead, incurred by the Contractor as a result of the suspension.

(2) Termination of Contract by Mutual Agreement for Reasons other than Default.

(a) *Reasons for termination*. The parties may agree to terminate the Contract or a divisible portion thereof if:

(A) The County suspends Work under the Contract for any reason considered to be in the public interest (other than a labor dispute, or any judicial proceeding relating to the Work filed to resolve a labor dispute); and

(B) Circumstances or conditions are such that it is impracticable within a reasonable time to proceed with a substantial portion of the Work.

(b) *Payment*. When a Contract, or any divisible portion thereof, is terminated pursuant to this section (2), the County shall pay the Contractor a reasonable amount of compensation for preparatory Work completed, and for costs and expenses arising out of termination. The County shall also pay for all Work completed, based on the Contract Price. Unless the Work completed is subject to unit or itemized pricing under the Contract, payment shall be calculated based on percent of Contract completed. No claim for loss of anticipated profits will be allowed.

(3) Public Interest Termination by the County. The County may include in its Contracts terms detailing the circumstances under which the Contractor shall be entitled to compensation as a matter of right in the event the County unilaterally terminates the Contract for any reason considered by the County to be in the public interest.

(4) Responsibility for Completed Work. Termination of the Contract or a divisible portion thereof pursuant to this rule shall not relieve either the Contractor or its surety of liability for claims arising out of the Work performed.

(5) Remedies Cumulative. The County may, at its discretion, avail itself of any or all rights or remedies set forth in these rules, in the Contract, or available at law or in equity.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.650, ORS 279C.655, ORS 279C.660, ORS 279C.665, & ORS 279C.670

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YCR 049-0910 Contract Changes Orders and Amendments

(1) Changes Provisions. Changes to the Work are anticipated in Public Improvement Contracts, and, accordingly, the County shall include changes provisions in all Public Improvement Contracts that detail the scope of the changes clause, provide pricing mechanisms, authorize the County or its authorized representatives to issue Change Orders, and provide a procedure for addressing Contractor claims for additional time or compensation. When Amendments or Change Orders are agreed to or issued consistent with the Contract's changes provisions, they are not considered to be new Procurements and an exemption from competitive bidding is not required in order to add components or phases of Work specified in or reasonably implied from the Solicitation Document.

(2) Change Order Authority. The County may establish internal limitations and delegations for authorizing Change Orders, including dollar limitations. Dollar limitations on Change Orders are not set by these rules, but such changes are limited by the above definition of that term.

(3) Contract Amendments. Contract Amendments to a Public Improvement Contract may be made only when:

(a) They are within the general scope of the original Procurement;

(b) The field of competition and Contractor selection would not likely have been affected by the Contract modification. Factors to be considered in making that determination include similarities in Work, project site, relative dollar values, differences in risk allocation and whether the original Procurement was accomplished through competitive bidding, competitive Proposals, competitive quotes, sole source, or Emergency contract;

(c) In the case of a Contract obtained under an Alternative Contracting Method, any additional Work was specified or reasonably implied within the findings supporting the competitive bidding exemption; and

(d) The Amendment is made consistent with this rule, YCR 046-0540, and any other applicable legal requirement.

STAT. AUTH.: ORS 279A.065

STATS. IMPLEMENTED: ORS 279C.335 & ORS 279C.400

[ADOPTED BY ORDINANCE NO. 924, ENACTED 5/17/23]

YAMHILL COUNTY PUBLIC CONTRACTING CODE

LEGISLATIVE HISTORY

- Yamhill County Ordinance No. 411 on 06/19/1985; eff. 06/19/1985
 - Repealed by Ordinance No. 646 on 06/11/1998; eff. 07/11/1998
- Yamhill County Ordinance No. 646 on 06/11/1998; eff. 07/11/1998
 - Amended by Ordinance No. 744 on 08/19/2004; eff. 08/19/2004
 - Repealed by Ordinance No. 761 on 02/28/2005; eff. 03/01/2005
- Yamhill County Ordinance No. 761 on 02/28/2005; eff. 03/01/2005
 - Repealed by ORDINANCE NO. 924 on 02/16/2023; eff. 05/17/2023
- Yamhill County ORDINANCE NO. 924 on 02/16/2023; eff. 05/17/2023

APPENDIX 1



For County Use Only	
Date Received	Deemed Prequalified? ☐ Yes ☐ No

YAMHILL COUNTY CONTRACTOR PREQUALIFICATION FORM

Date of Application: _____

Legal Name of Company: _____

DBA: _____

Company Contact: _____

Address: _____

Phone: _____ Fax: _____

Email: _____ Website: _____

Project applying for: _____

Date of Bid Opening: _____

Remit completed application to:

[INSERT AGENCY CONTACT]

[ADDRESS]

[CITY, STATE ZIP]

Phone:

Fax:

Email:

TERMS AND CONDITIONS

1. INTRODUCTORY STATEMENT

In accordance with the statutes of the State of Oregon, and Yamhill County Public Contracting Rules, Yamhill County (the "County") may require any prospective bidder on a public improvement contract (herein referred to as the "applicant") to submit a full and complete statement concerning their equipment and experience in constructing public improvements. This Contractor Prequalification Form complies with the requirements of public contracting rules and must be used in determining the qualifications of applicants and in assigning limits as to the size and kinds of projects for which the applicant may submit bids.

The applicant should use care and integrity in preparing this information. The County may make independent inquiries concerning the contractor's past performance and/or capabilities.

2. COMPLETING THE APPLICATION

This application shall include equipment and experience information for only the specific single business organization or entity that is applying for prequalification and that would be the signatory on a contract with the County. All responses and other entries on the forms, except signatures, should be filled in electronically or printed. It shall be the responsibility of the applicant to provide all requested information. All answers and entries shall be specific and complete in detail.

Failure to respond completely may result in rejection of the application at the sole discretion of the County.

This application shall be signed by the applicant and sworn to as the form indicates. The signatory of the statement guarantees the truth and accuracy of all responses contained in this application.

3. USE OF ATTACHMENTS

Schedules, reports, and other forms of prequalification statement may be used as attachments to the prescribed form, provided that the information contained therein specifically includes the information required by this form.

4. SUBMISSION

Name:

Mail:

[ADDRESS]

Phone:

Fax:

Email:

5. TIME OF SUBMISSION

A prequalification must be received by the County (or postmarked) not less than ten (10) days prior to the date of the solicitation's closing date unless otherwise provided in the solicitation document. The solicitation document shall indicate if a prequalification application is mandatory. Only Offers from prequalified applicants will be considered if the solicitation document requires mandatory prequalification.

6. APPEAL

Applicant shall have the right to appeal the County's decision in accordance with ORS 279C.445-450 and YCR 049-0220.

7. NOTIFICATION OF ACTION TAKEN BY THE COUNTY

The applicant will be notified, in writing, of the action of the County on their application. Applicant will then be allowed to bid on such projects as are within the limits of size and kind of work for which applicant has been **declared qualified.**

8. TYPES OF WORK

- a. Facilities-Related Projects. Applicants requesting prequalification for facilities-related projects must respond to Section 6, PART A and PART C of the application.
- b. Transportation Projects. Applicants requesting prequalification for Transportation projects must respond to Section 6, PART B and PART C of the application.
- c. Other Projects. Applicants requesting prequalification for projects other than facilities or transportation must respond to all portions of Section 6 of the application as prescribed in the solicitation documents.

[FORM CONTINUES ON FOLLOWING PAGE]

APPLICATION

1. Are you prequalified with ODOT? ☐ No ☐ Yes (If Yes, skip Section 6 and attach the approval letter received from ODOT.)

ODOT Prequalification expires on: _____

2. LICENSING. State which of the following licenses and registrations are held by the applicant and provide the requested information:

a. Oregon Secretary of State Business Registry No. _____

b. Construction Contractors Board No. _____

c. Landscape Contractors License No. _____

d. Electrical License No. _____

e. Plumbing License No. _____

f. Other License No. [Describe] _____

3. BONDING CAPACITY. State the total amount of work, in dollars, which the applicant can be bonded at one time: \$_____

4. BID AND PERFORMANCE SURETY BONDS. If the contract for this prequalification requires bid and performance bonds, the applicant shall state the name of the agent and name, address, and telephone number of the surety company that the applicant expects to provide the bonds.

Agent's Name: _____

Agent's Address: _____

Agent's Telephone No.: _____

5. PRIOR ACTIONS.

- a. Has the applicant ever been denied prequalification by any federal, state, or local agency in Oregon or any other state? ☐ No ☐ Yes

If yes, explain: _____

- b. Has the applicant ever been debarred from bidding on contracts by any federal, state, or local agency in Oregon or any other state? ☐ No ☐ Yes

If Yes, explain: _____

- c. Has the applicant ever failed to complete a federal, state, or local public improvement (public works) contract in Oregon or any other state? ☐ No ☐ Yes

If Yes, explain: _____

6. CLASSES OF WORK. Fill in the classes of work you wish to provide services. Classes of work include, but are not limited to, work listed in parentheses.

PART A: FACILITIES-RELATED PROJECTS

For Each Class of Work:

- A. Enter the maximum dollar amount of work you can perform;
- B. Enter the maximum dollar amount of work you are qualified to undertake in Oregon;
and
- C. Enter the number of years of experience in this class of work.

CLASS	A. MAX DOLLAR AMOUNT	B. QUALIFIED DOLLAR AMOUNT	C. YEARS EXPERIENCE
HVAC			
Boilers			
Building Alteration and Repair			
Building Construction			
Carpentry			
Chillers			
Demolition & Related Excavation & Clearing			
Electrical Wiring			
Painting, Commercial			
Plumbing			
Roofing			
Sewer Construction			
Sheet Metal Work (HVAC)			
Sheet Metal Work (Architectural)			
Finish Carpentry			
Carpet and Flooring, Commercial			
Other (List specific class:_____)			

PART B: TRANSPORTATION-RELATED PROJECTS

For Each Class of Work:

- A. Enter the maximum dollar amount of work you can perform;
- B. Enter the maximum dollar amount of work for which you have been prequalified in other states;
- C. Enter the state(s) in which you have qualified for the amount(s) shown in column "B"; and
- D. Enter the number of years of experience in this class of work.

CLASS	A. MAX DOLLAR AMOUNT	B. QUALIFIED DOLLAR AMOUNT	C. STATE(S) QUALIFIED	D. YEARS EXPERIENCE
Earthwork and Drainage				
Bridges and Structures				
Painting				
Rock Production				
Aggregate Bases				
Asphalt, Concrete, Paving and Oiling				
Portland Cement Concrete Paving				
Pavement Markings				
Signing				
Electrical				
Landscaping				
Misc. Highway Appurtenances				
Temporary Traffic Control				
Storm Drainage Construction				
Wastewater Construction				
Water Line				
Construction				
Water or Wastewater Pumping Station(s)				
Water Reservoirs				
Water Tanks (steel, concrete)				
Other (List specific class:_____)				

PART C: ADDITIONAL INFORMATION

- A. APPLICANT'S EQUIPMENT. List equipment and tools owned by the applicant. List only major items and lump together small equipment and tools.

Quantity, Description and Capacity of Items	Age in Years	Condition of Equipment

If the applicant intends to rent equipment for a specific project, generally describe equipment and terms of lease:

- B. APPLICANT'S EXPERIENCE. List major projects the applicant has undertaken in the last five years; list most recent projects first [attach additional sheets as needed].

Project Name	
Project Owner's Name	
Project Owner's Address	
Manager Name	
Manager Phone No.	
Class(es) of Work	
Contract Amount	
Date of Completion (if completed)	
Name of Architect & Engineering Firm	
A&E Phone Number	

Project Name	
Project Owner's Name	
Project Owner's Address	
Manager Name	
Manager Phone No.	
Class(es) of Work	
Contract Amount	
Date of Completion (if completed)	
Name of Architect & Engineering Firm	
A&E Phone Number	

Project Name	
Project Owner's Name	
Project Owner's Address	
Manager Name	
Manager Phone No.	
Class(es) of Work	
Contract Amount	
Date of Completion (if completed)	
Name of Architect & Engineering Firm	
A&E Phone Number	

7. AFFIDAVIT.

STATE OF _____)
) SS.
County of _____)

I, _____, being duly sworn, state that I am
_____ of the applicant herein, and that the
[Title]
statements made in this application are true and I acknowledge that any false, deceptive or
fraudulent statements on the application or at a hearing will result in the denial of the
prequalification and may subject me to charges of false swearing or perjury; should there be
any subsequent material reduction in applicant's ability to carry out any project for which
applicant desires to submit a bid, the applicant shall give written notice of such change to
the designated officer to whom this application is submitted at least ten days prior to the bid
opening, and that it is understood that such notice may change the eligibility of applicant to
submit the bid.

Signature

Signed and sworn to before me on this _____ day of _____ year _____.

Notary seal or stamp

Notary Signature

Notary Public for the State of _____

My Commission Expires: _____



503-537-2909
fax 503-538-9669
125 South Elliott Road
Newberg, OR 97132
cprdnewberg.org

Board Letter

Hearing Date: December 4, 2025

Staff: Julie Petersen, Special
Services Supervisor

Kat Ricker, Public Information
Director

Subject: Resolution in Recognition and Appreciation of
the Pickleball Citizens Advisory Committee

Order on Agenda: Action Items

RECOMMENDATION

Motion to adopt Resolution 2025-10 in recognition of the Pickleball Citizens Advisory Committee and its contributions to Chehalem Park and Recreation District.

DISCUSSION

Resolution 2025-10 formally acknowledges the significant contributions of individuals who served on the Pickleball Citizens Advisory Committee during the 2021–2024 and 2024–2026 terms. Resolution 2025-10 provides a historical summary of the committee’s formation, the appointment of Pickleball Citizens Advisory Committee members and the major accomplishments achieved over the past several years.

With the completion of the primary objectives that led to the creation of this advisory group, the work completed by this committee has laid a strong foundation for future initiatives within the District.

ATTACHMENTS

Resolution 2025-10: Recognition and Appreciation of the Pickleball Citizens Advisory Committee

**CHEHALEM PARK AND RECREATION DISTRICT
RESOLUTION 2025-10**

**A RESOLUTION IN RECOGNITION AND APPRECIATION OF THE
PICKLEBALL CITIZENS ADVISORY COMMITTEE**

WHEREAS, the Chehalem Park and Recreation District (CPRD) formed the Pickleball Citizens Advisory Committee to provide guidance, support and community insight for the development, planning and promotion of pickleball within the District;

WHEREAS, the collective efforts of the CPRD Pickleball Citizens Advisory Committee created meaningful opportunities for multigenerational players to gather; and

WHEREAS, the committee played a vital role in supporting the ongoing development and enjoyment of the sport for the benefit of local residents and strengthening community connection through shared recreation;

WHEREAS, on September 23, 2021, the CPRD Board of Directors appointed applicants to the inaugural Pickleball Citizens Advisory Committee, and the Committee held its first meeting on October 28, 2021;

WHEREAS, the 2021–2024 Pickleball Citizens Advisory Committee members were Hunter Wylie, Nick Konen, Mike Kringlen, Linda Sandberg, Sheryl Greiner, and Lance Trantham;

WHEREAS, on October 24, 2024, the CPRD Board appointed initial members of the 2024–2026 Pickleball Citizens Advisory Committee members, and subsequently added two additional members, and the Committee held its first meeting on January 27, 2025;

WHEREAS, the 2024–2026 Pickleball Citizens Advisory Committee members were Nick Konen, Sheryl Greiner, Bob Oleson, Linda Sandberg, Lance Trantham, and Laurie Rauch;

WHEREAS, the 2021–2024 and 2024-2026 chapters of the Pickleball Citizens Advisory Committee conducted regular meetings and provided recommendations, as reflected in publicly available agendas, minutes and other materials.

WHEREAS, throughout its tenure, the Pickleball Citizens Advisory Committee contributed significantly to community engagement; planning of future pickleball facilities; discussions on design, amenities and maintenance and assisted CPRD staff in gathering community feedback and shaping strategies for sustained pickleball development; and

WHEREAS, the District completed the primary objectives for which the Pickleball Citizens Advisory Committee was established, and ongoing pickleball planning, operations and

community engagement can now be effectively managed by CPRD staff and standard District public involvement processes;

WHEREAS, the Board of Directors recognizes the time, effort and dedication of all committee members from 2021–2024 and 2024–2026 for their contributions to the growth and success of Pickleball within the District, plus the support provided by Staff Liaison Julie Petersen and Administrative Liaison Kat Ricker;

NOW THEREFORE, BE IT RESOLVED THAT

The CPRD Board of Directors extends its sincere appreciation to all past and present committee members and recognizes them for their service, leadership, and commitment to enhancing pickleball opportunities for the community.

Signed this ____ day of _____, 2025, by the Board of Directors of the Chehalem Park and Recreation District.

Jim McMaster, Board President

Matt Smith, Secretary of Board



Board Letter

Hearing Date: December 4, 2025

Staff: Clay Downing, Superintendent

Subject: Presentation of the Results of a Districtwide
Community Input Survey

Order on Agenda: Action

RECOMMENDATION

1. Receive an informational presentation related to the results of Chehalem Park and Recreation District's 2025 community input survey.

DISCUSSION

Chehalem Park and Recreation District (CPRD) released a community input survey which accepted responses from September 19, 2025, through October 31, 2025. During that time period 829 responses were collected. The presentation (Attachment 1) and report (Attachment 2) provide a description of the survey's objectives, methods, and results.

FISCAL IMPACT

No impact.

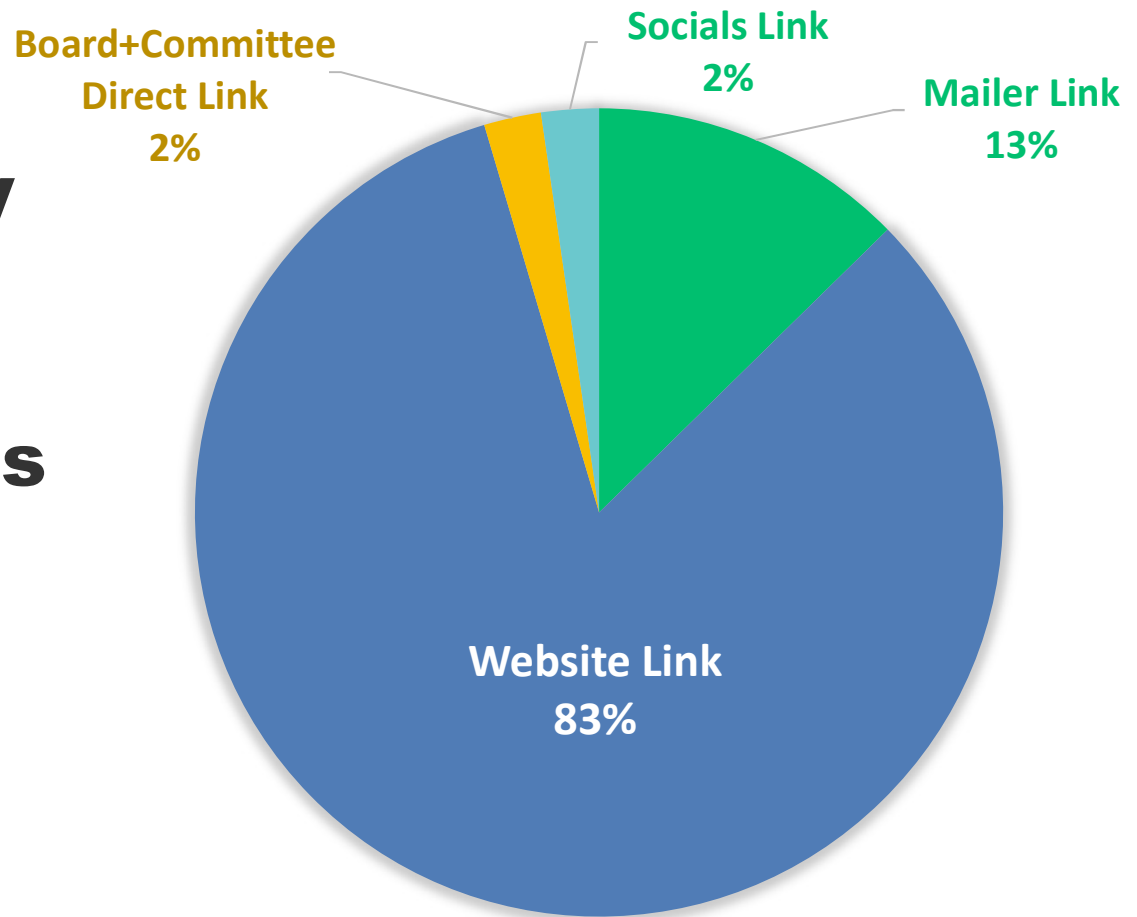
ATTACHMENTS

1. Presentation of 2025 Community Input Survey Results
2. 2025 Community Input Survey Results Report

2025 Community Input Survey Results

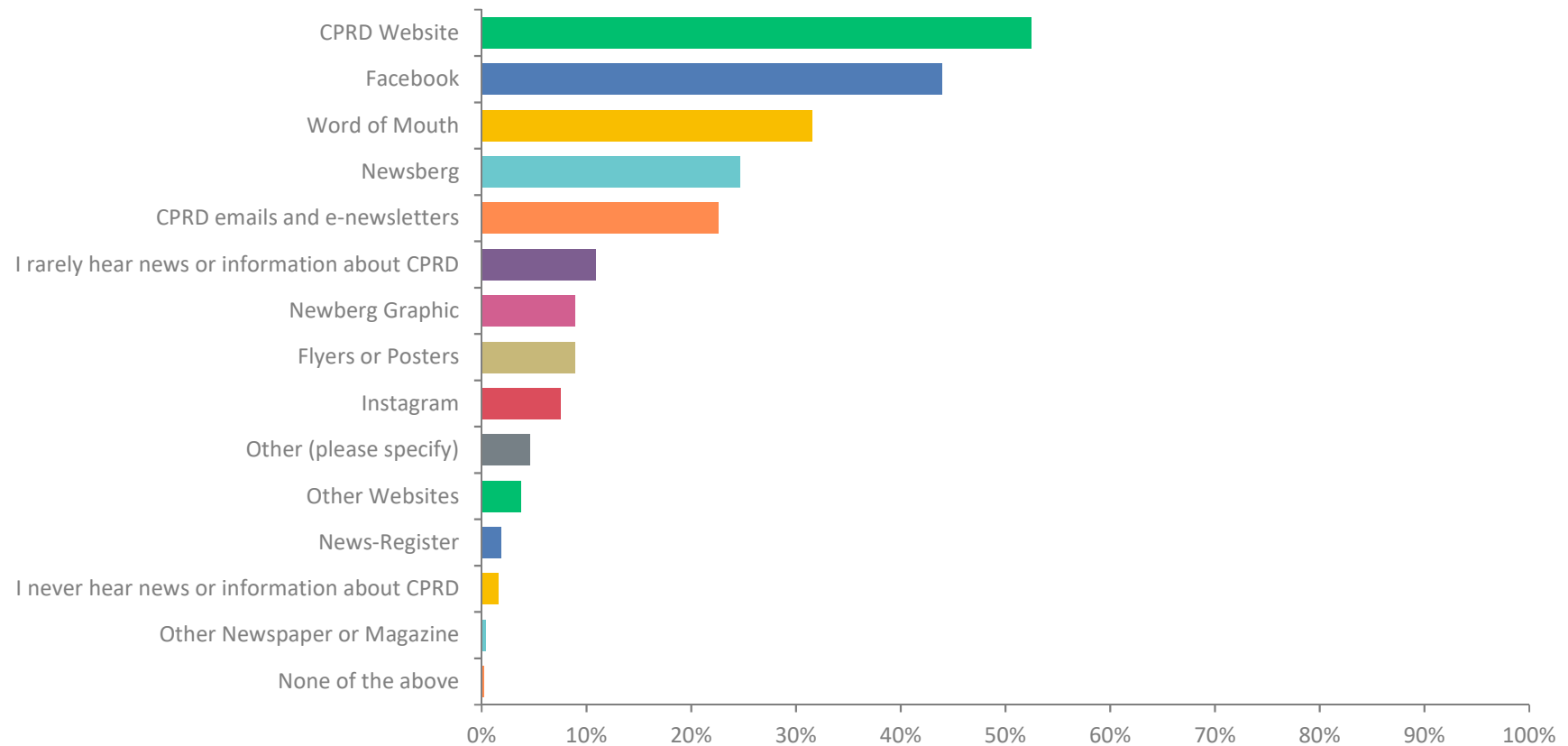


The Community Input Survey Received 829 Total Responses



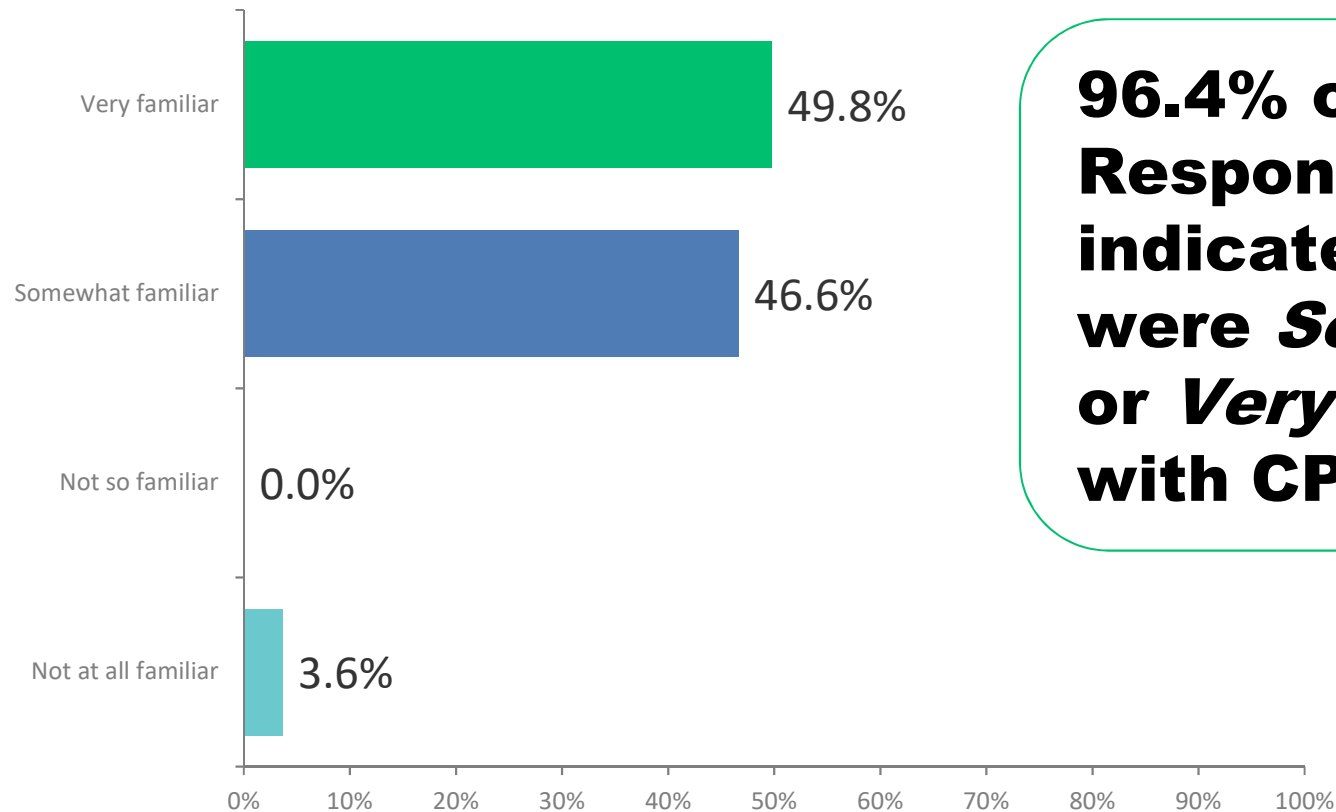
Q1: Where do you find information about park and recreation opportunities such as program registrations, event announcements, new projects, or park closures?

Answered: 827 Skipped: 2



Q2: How familiar are you with Chehalem Park and Recreation District, also referred to as CPRD?

Answered: 828 Skipped: 1



96.4% of Respondents indicated they were *Somewhat* or *Very Familiar* with CPRD.

Q4: How would you rate the park facilities and recreation service currently provided by Chehalem Park and Recreation District?

Answered: 665 Skipped: 164

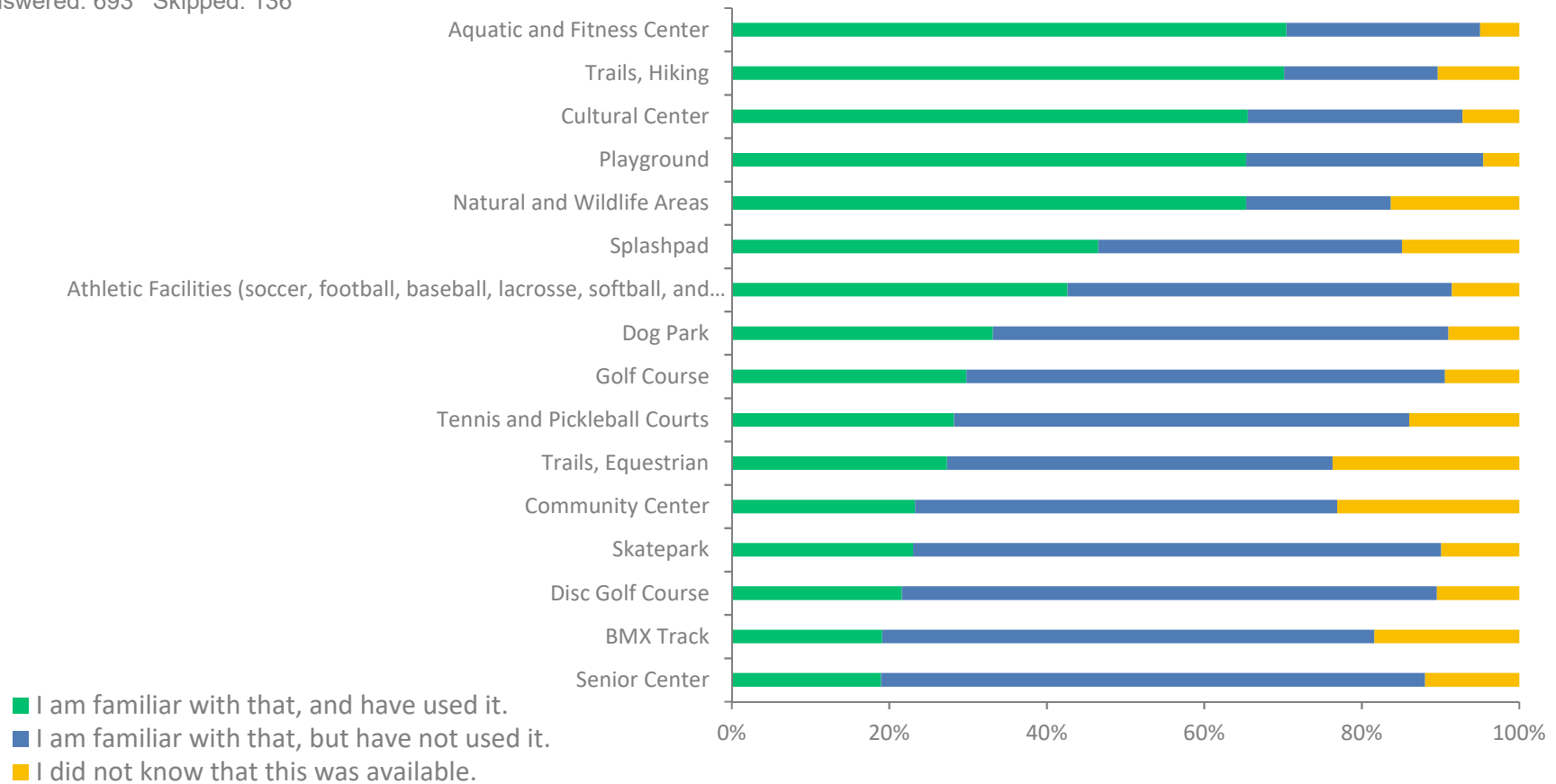
Average Rating: 3.7



Failing / Very Poor	Poor	Adequate	Pretty Good	Excellent
2.1%	5.1%	28.4%	49.3%	15.0%

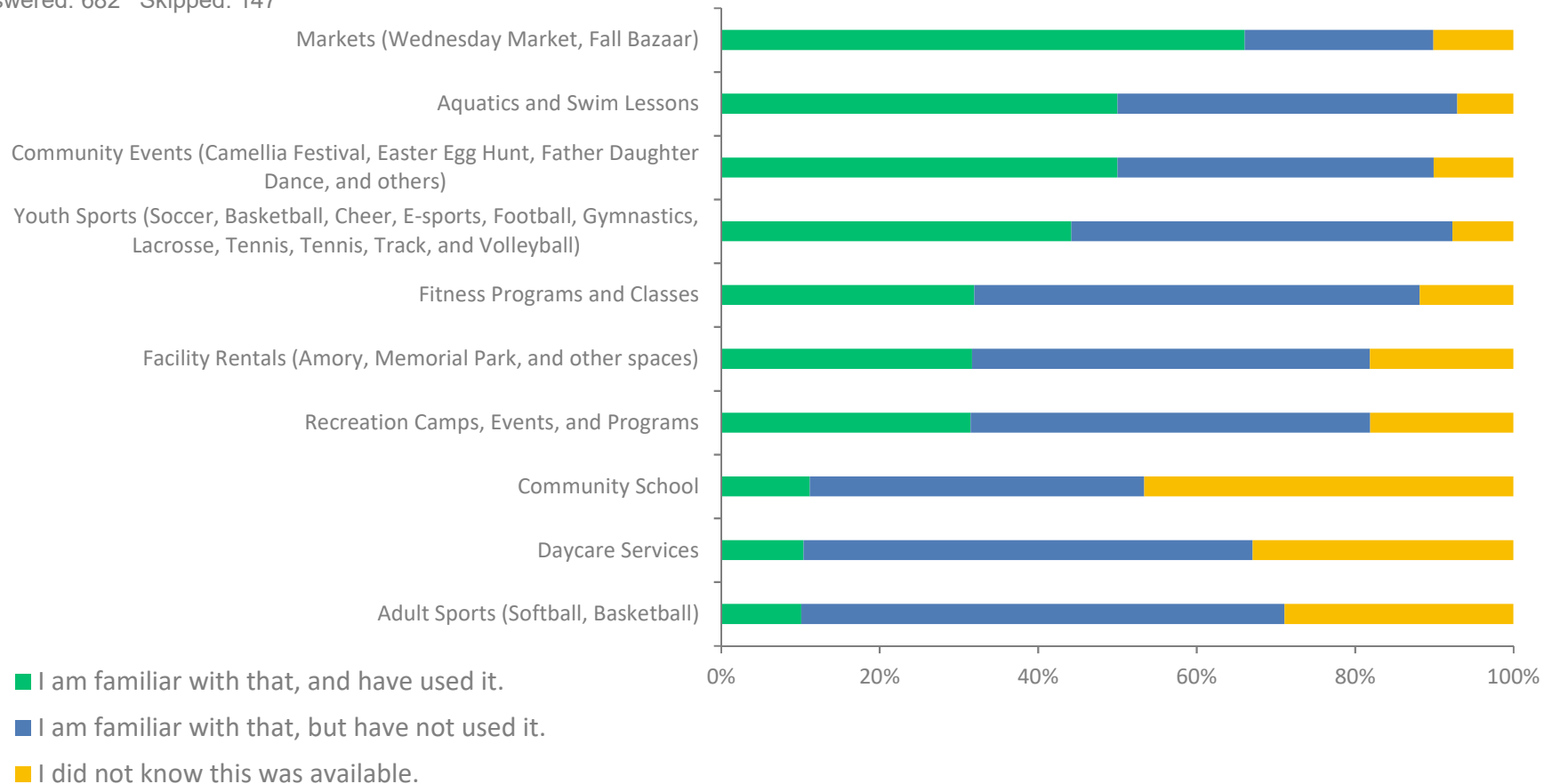
Q5: How familiar are you with the parks and facilities already available to you?

Answered: 693 Skipped: 136



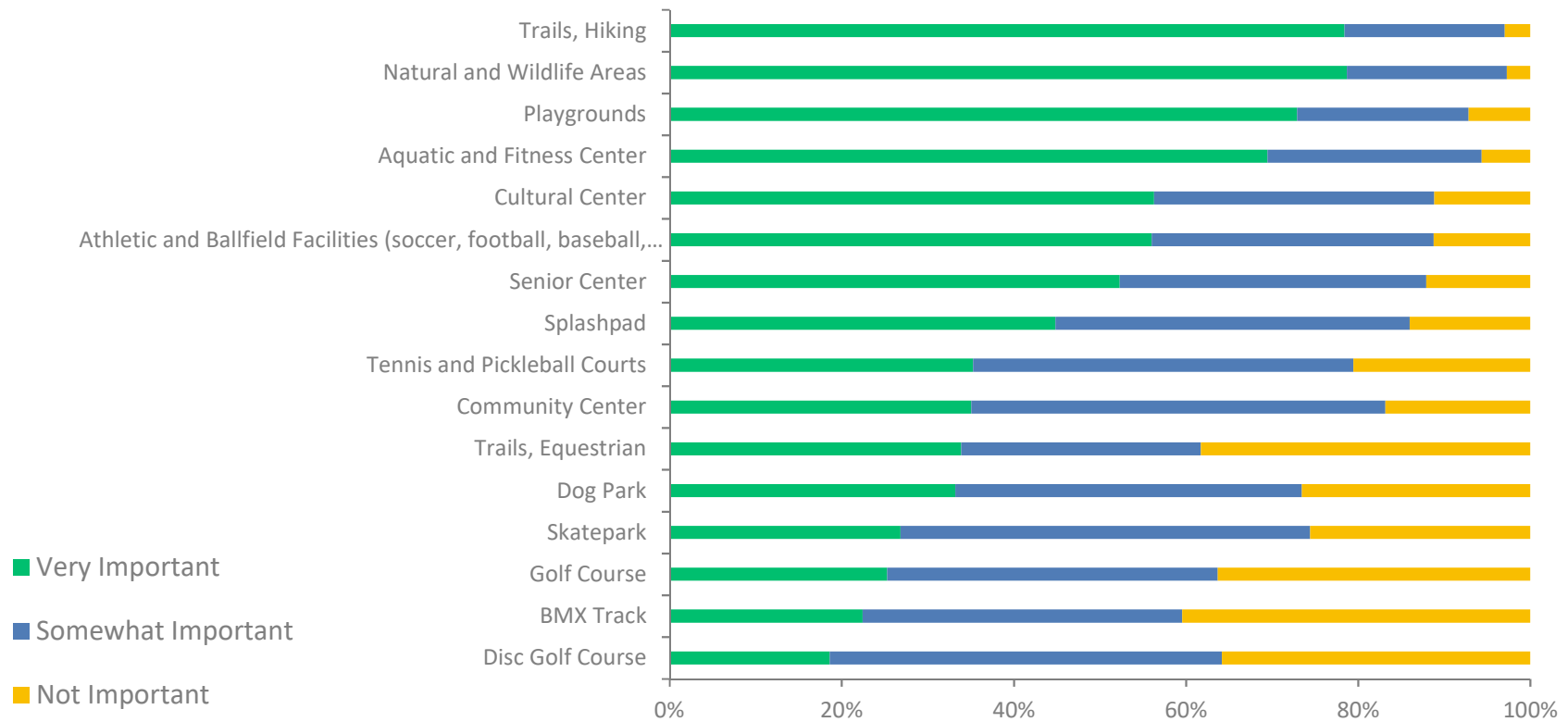
Q6: How familiar are you with the recreation programs, camps and activities that are already available to you?

Answered: 682 Skipped: 147



Q7: How important are park and recreation facilities to you?

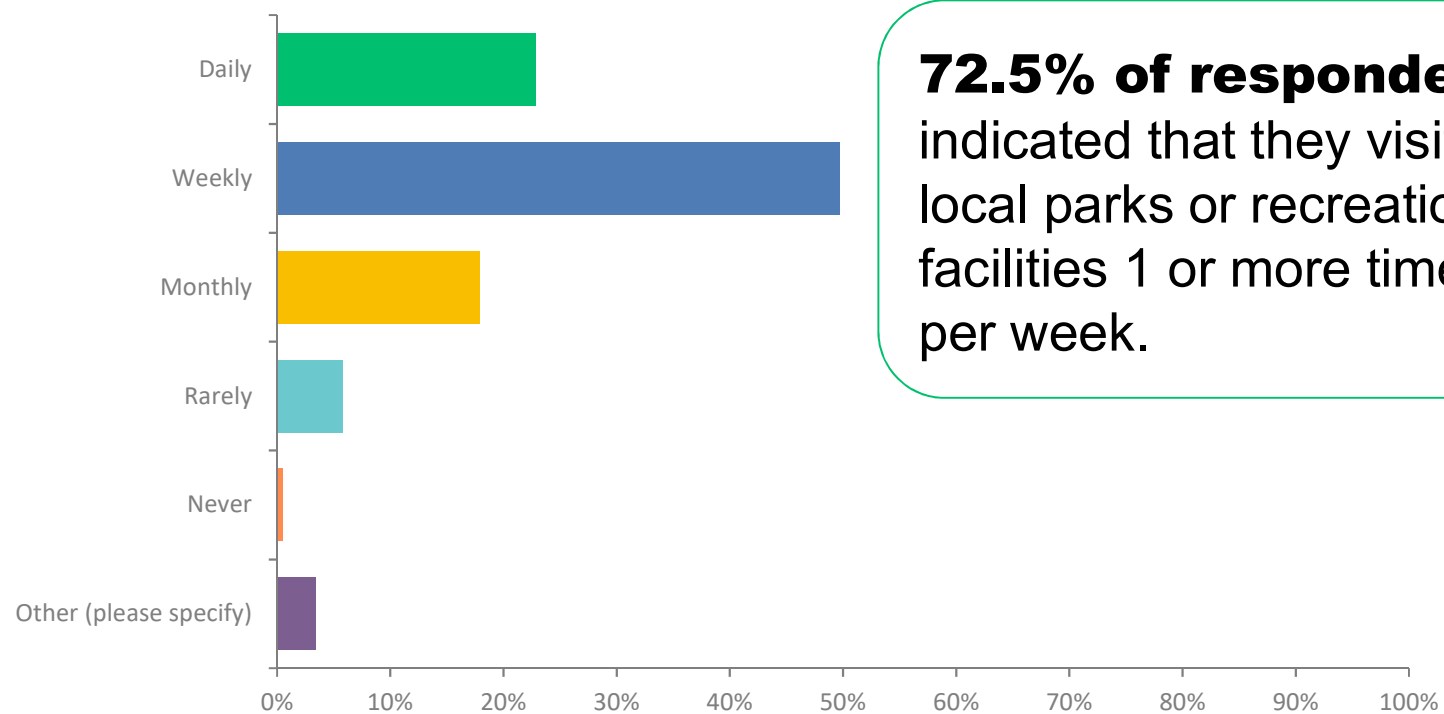
Answered: 648 Skipped: 181



"Not Applicable" responses not shown

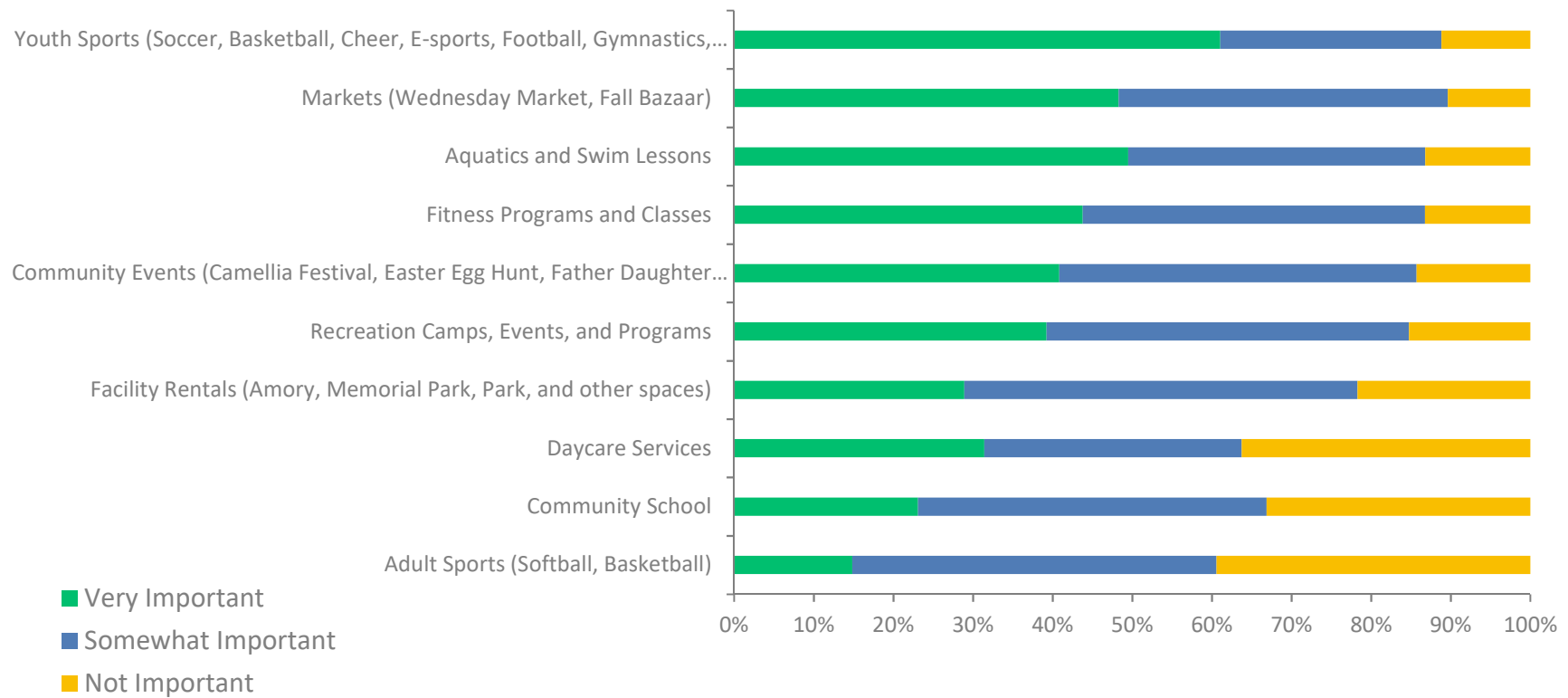
Q9: How often do you visit local parks or recreation facilities?

Answered: 644 Skipped: 185



Q10: How important are recreation programs and activities to you?

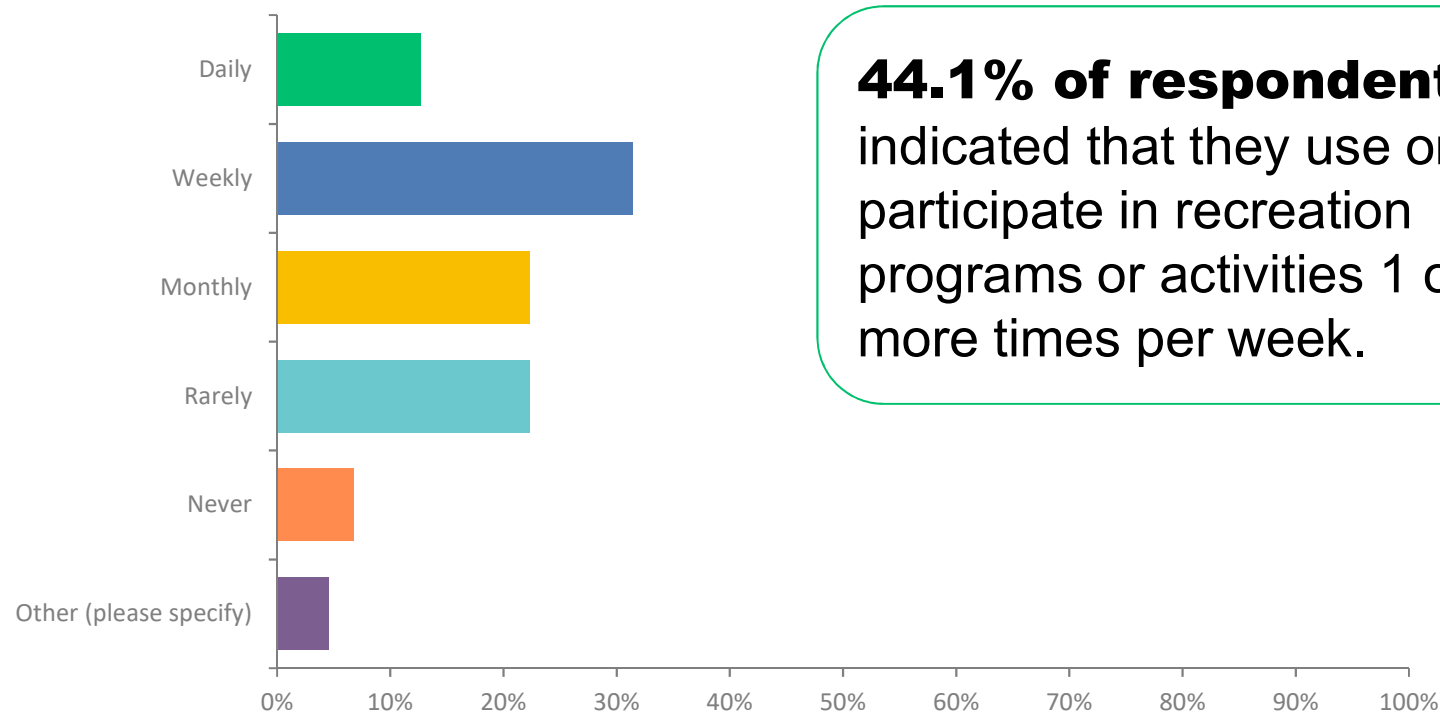
Answered: 641 Skipped: 188



"Not Applicable" responses not shown

Q12: How often do you use or participate in recreation programs or activities?

Answered: 633 Skipped: 196



Q13: Of all the activities listed, which is your household's favorite activity?

Answered: 597 Skipped: 232



Q14: How would you rate your overall satisfaction with local park and facility maintenance in your area?

Answered: 610 Skipped: 219

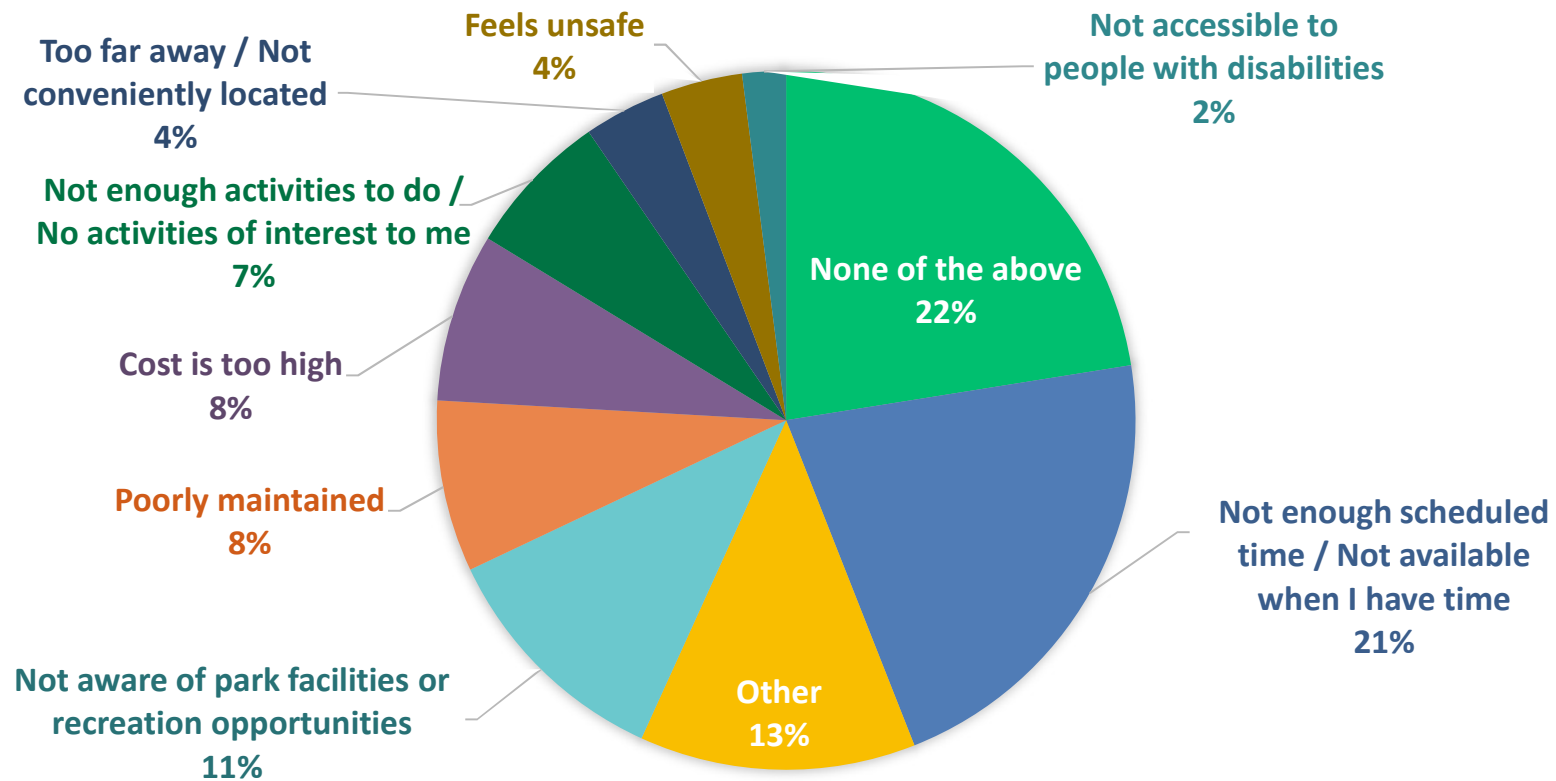
Average Rating: 3.9



Failing / Very Poor	Poor	Adequate	Pretty Good	Excellent
2.5%	6.1%	21.2%	44.8%	25.6%

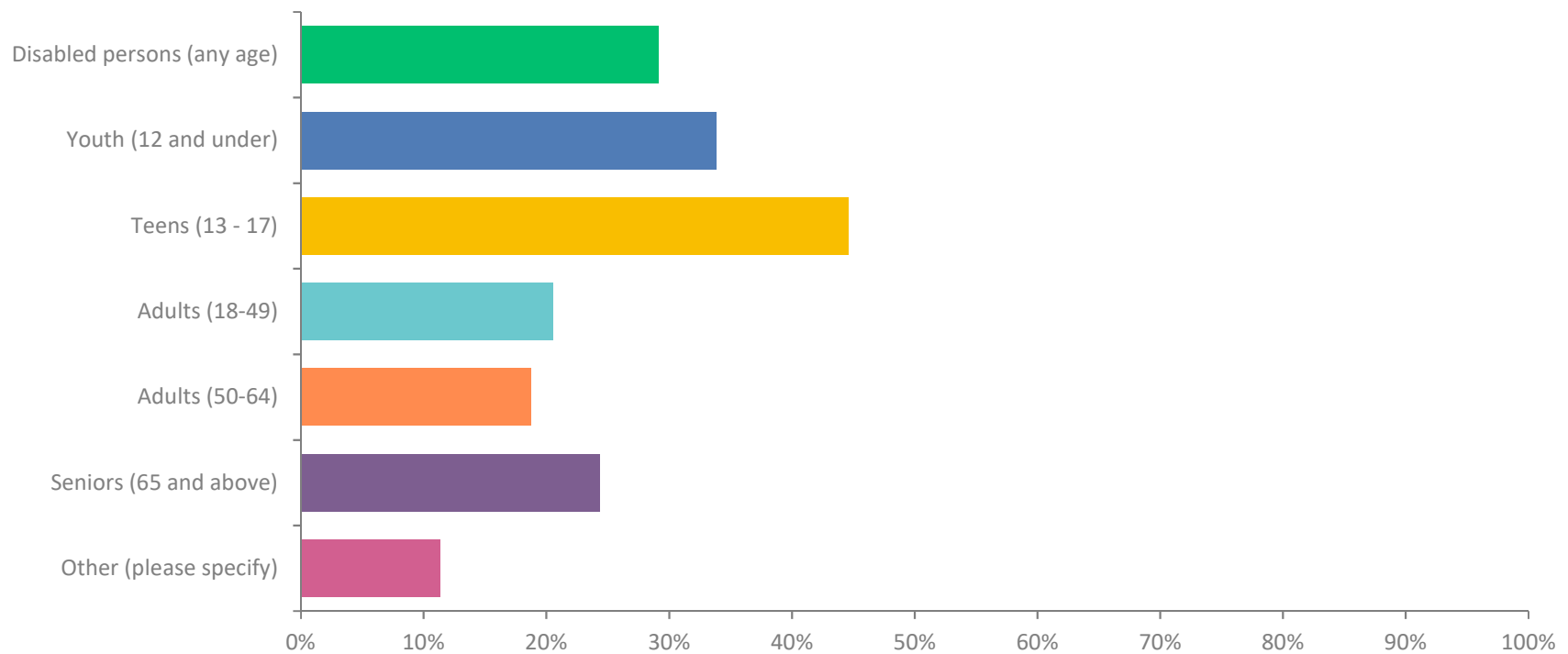
Q16: What prevents you from using park facilities or participating in recreation activities?

Answered: 605 Skipped: 224



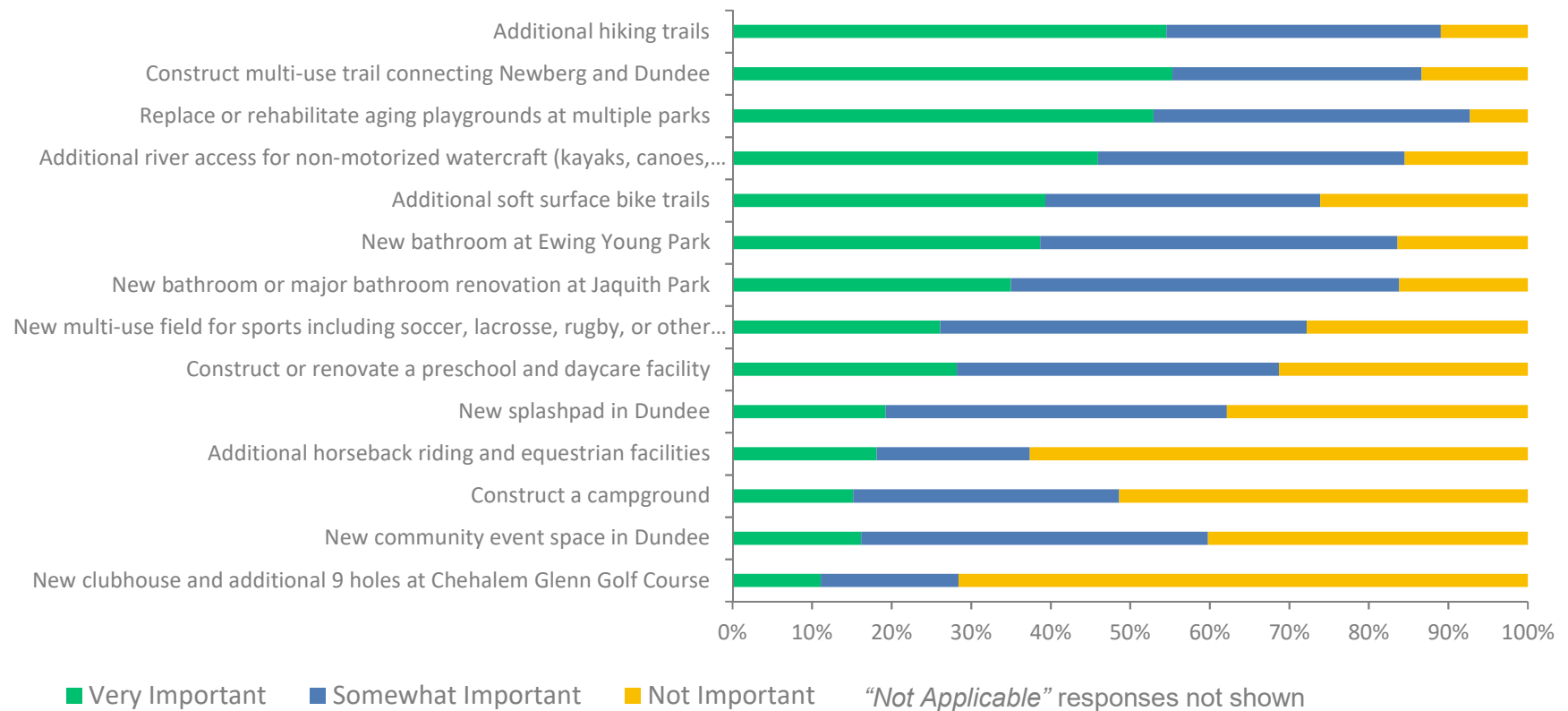
Q17: Which groups of people need more or improved facilities and services?

Answered: 502 Skipped: 327



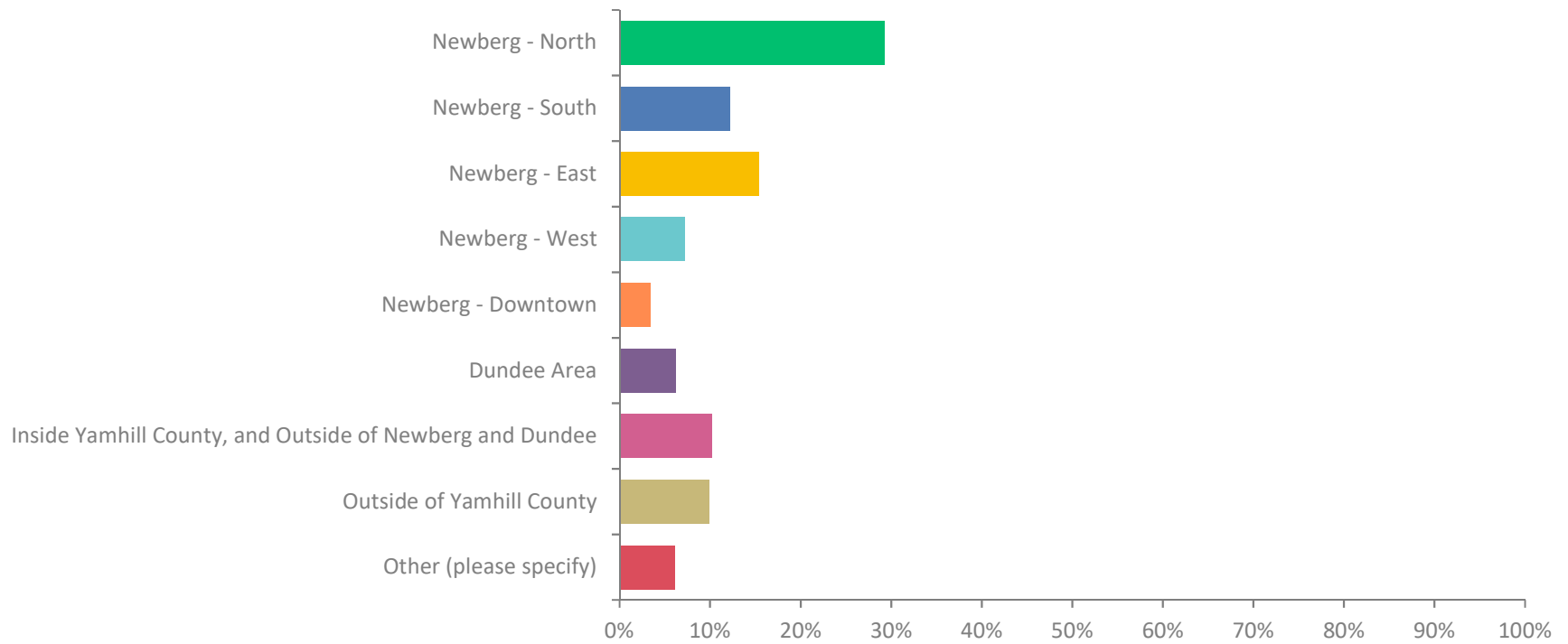
Q18: How important are the following potential new projects?

Answered: 635 Skipped: 194



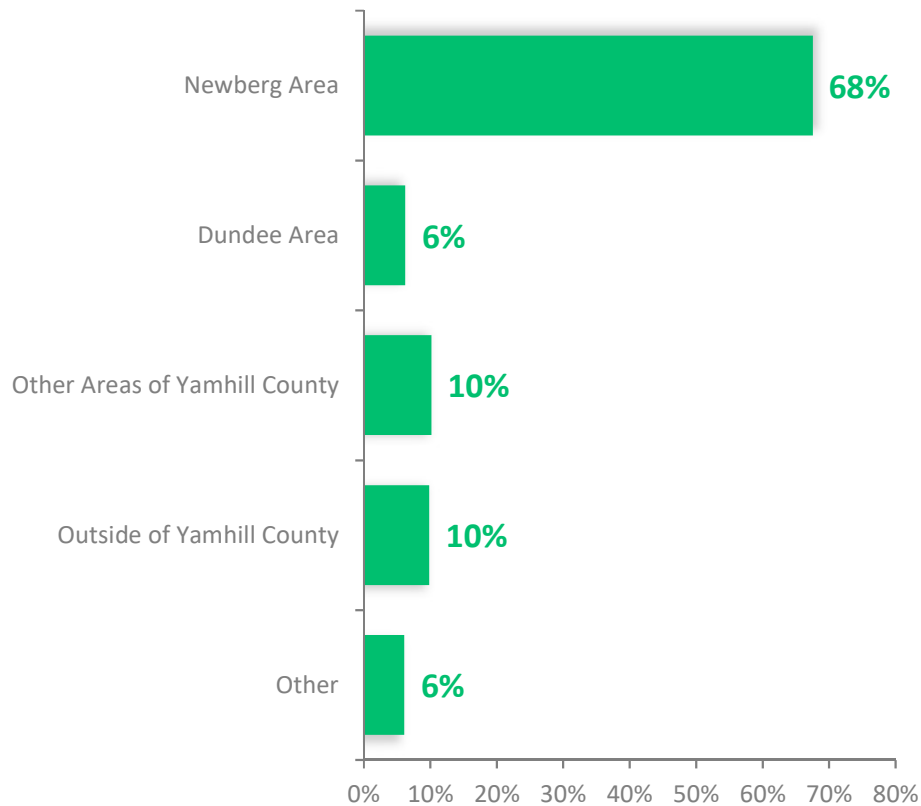
Q19: Where is your place of residence?

Answered: 638 Skipped: 191



Q19: Where is your place of residence?

Answered: 638 Skipped: 191



Who does CPRD Serve?

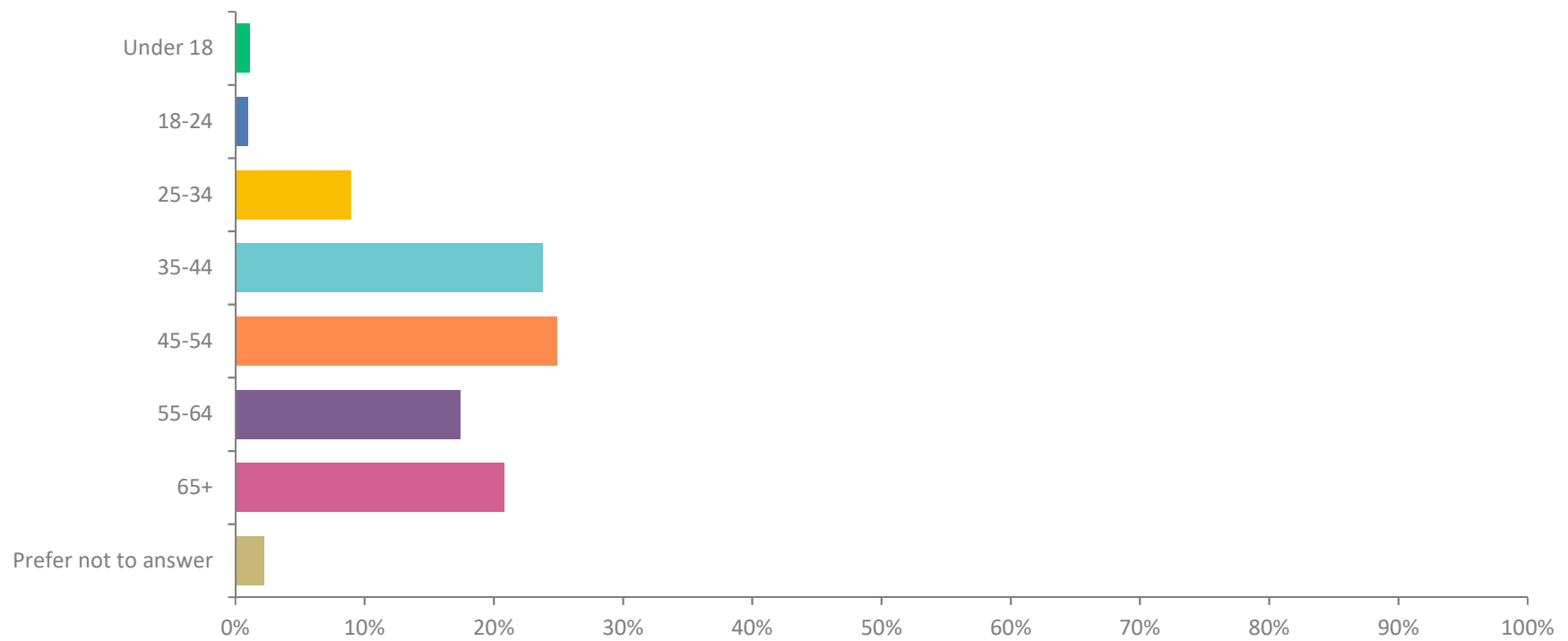
Service Area	Estimated Population	Estimated Percent of Service Area Population
Newberg*	26,095	70.9%
Dundee*	3,215	8.7%
Unincorporated Areas**	7,518	20.4%
Total	36,828	

* American Community Survey (2023), U.S. Census Bureau

** Chehalem Park and Recreation District Master Plan (2020)

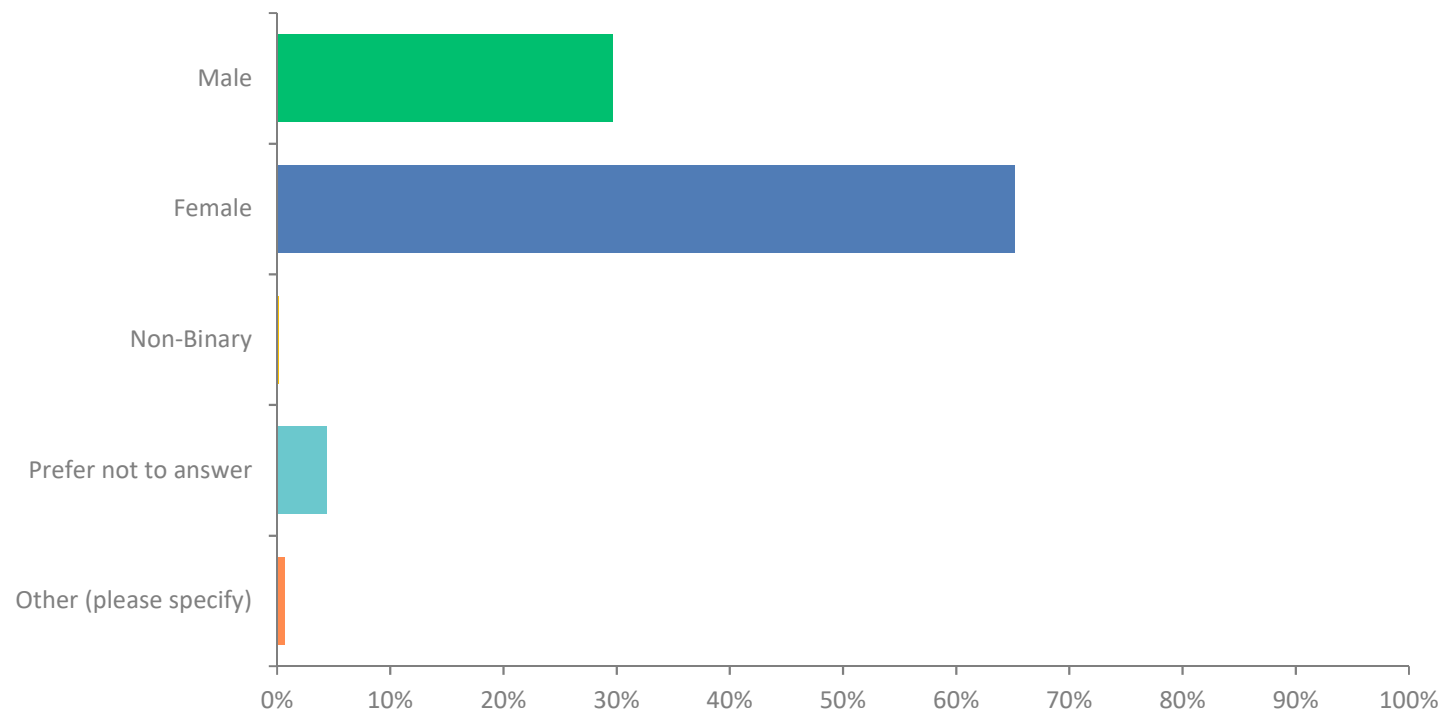
Q20: What is your age?

Answered: 639 Skipped: 190



Q21: What is your gender?

Answered: 638 Skipped: 191





2025 COMMUNITY INPUT SURVEY RESULTS

Chehalem Park & Recreation District | Last Revised November 2025

The mission of CHEHALEM PARK AND RECREATION DISTRICT is to connect and enrich our community through parks, recreation, open space, natural resources, and educational opportunities.

Table of Contents

Introduction..... 2

 Survey Objectives 2

 Survey Methods 2

Executive Summary..... 3

Community Input Survey Results..... 19

Introduction

Chehalem Park and Recreation District (CPRD) released a community input survey which accepted responses from September 19, 2025, through October 31, 2025. During that time period 829 responses were collected. The following report provides a description of the survey's objectives, methods used to gather survey responses, an executive summary describing survey results, and a full publication of the survey's questions and results.

Survey Objectives

CPRD released a community input survey to better understand:

- What our residents value about local park and recreation opportunities;
- Which park facilities and recreation programs people are using today;
- Where CPRD should invest additional resources into parks, facilities, and programs that we already have; and
- What CPRD should do to make park and recreation opportunities better for everyone in the future.

Survey Methods

The community input survey used a mixed methodology for collection of responses from the public. Response collection used in this survey included:

- Direct mail with printed QR code sent via United States Postal Service to all households within the District boundaries;
- District website information on homepage and designated webpage;
- Press releases to local media contacts resulting in publication of the survey in two (2) local newspapers (Newberg Graphic and Newsberg);
- Five (5) posts on CPRD's Facebook and Instagram social media channels;
- Placement of QR codes and url for online access within Board of Directors' public meeting materials during the survey period, and
- Placement of hard copy surveys at high traffic CPRD facilities including the Chehalem Aquatic and Fitness Center, Senior Center, and Chehalem Glenn Golf Course Clubhouse.

The 2025 community input survey is not considered a statistically valid survey. The methodology did not rely on a recognized sampling method, no verification of sample size adequacy was conducted, it was not verified as reducing bias in sample questions, and margin of error within the responses collected is unknown.

Executive Summary

Chehalem Park and Recreation District (CPRD) opened a public input survey on September 19, 2025, which remained open for 42 days. The survey closed on October 31, 2025, with a total of 829 survey responses collected. The survey questions were organized to meet the major objectives of understanding respondents' familiarity with CPRD and its facilities and services, understanding the importance that respondents place on existing CPRD facilities and services, and understanding the importance that respondents place on priority projects that CPRD may develop in the future. Figures 1 through 18 depict the results of questions occurring throughout the survey.

As shown in Figures 1 and 2, a majority of respondents completed the survey using CPRD's website and CPRD's website is where the majority of respondents (52.5%) typically find information about park and recreation opportunities. Other common sources of information amongst respondents included Facebook, word of mouth, Newsberg, and direct emails from CPRD.

As shown in Figure 3, survey results indicated that 96.4% of respondents were *Very Familiar* or *Somewhat Familiar* with CPRD. However, the survey was completed by only a limited number of people — 3.6% of respondents — who indicated they were *Not So Familiar* or *Not At All Familiar* with CPRD. Highest levels of respondent familiarity with parks and facilities were demonstrated with Cultural Center, hiking trails, playgrounds, and Aquatic and Fitness Center as depicted in Figure 5. Respondent's familiarity with programmatic offerings indicated that highest levels occurred with market-related events, aquatics programs and classes, and community events as depicted in Figure 6. Results indicated that 72.5% of respondents visit local parks or recreation facilities one or more times per week. Results indicated that 44.1% of respondents use or participate in recreation programs or activities one or more times per week.

Respondents noted their overall satisfaction with CPRD's parks, facilities, and programs as 3.7 out of 5, falling somewhere within the range of *Adequate* to *Pretty Good* as shown in Figure 4. However, respondents gave a slightly higher satisfaction rating – 3.9 out of 5 – for local park and facility maintenance.

As shown in Figure 7, respondents rated Hiking Trails, Natural and Wildlife Areas, and the Aquatic and Fitness Centers as those of highest importance. Respondents expressed lower levels of importance for facilities that were more specialized in nature including BMX Track, Equestrian Trails, Golf, and Disc Golf facilities. As shown in Figure 9, respondents placed the highest levels of importance on Youth Sports and Market-related programs, while placing somewhat lower levels of importance on Daycare Services, Community School, and Adult Sports. Where the survey asked respondents to select their household's favorite activity, respondents' most frequently selected activities were Hiking (11.6%), Bicycling (10.7%), Horseback Riding / Equestrian (9.4%), Swimming, and Playgrounds (7.7%) as shown in Figure 11. It is noted that additional

"The fact that you've asked for feedback is critical! Will community members get to see the results?"

~ Community Input Survey Response No. 289 for Question 15

activities were written into the *Other* response which included a high number of Mountain Biking write-in's.

As shown in Figure 15, the survey asked respondents to consider potential new projects which were related to the Board of Directors' Strategic Planning Priorities (2025) goals and objectives. Highest levels of support — including *Very Important* and *Somewhat Important* — were demonstrated for replacement or rehabilitation of aging playgrounds at multiple parks (87.2%), additional hiking trails (87.0%), construction of a multi-use trail connecting Newberg and Dundee (82.5%), and additional river access for non-motorized watercraft (79.5%). A majority of respondents indicated that a limited number of potential new projects were *Not Important* including additional equestrian trails (51.5%) and development of a new clubhouse and additional nine holes of golf at Chehalem Glenn Golf Course (62.5%).

Depicted in Figure 13, when asked about what prevents respondents from using park facilities or participating in recreation activities, 21% of respondents indicated *Not enough*

scheduled time / Not available when I have time. When asked which group(s) of people need more or improved facilities and services, respondents provided most support for *Teens (13-17)* at 44.6% followed by *Youth (12 and under)* at 33.9%.

The survey included multiple open-ended questions (Q3, Q8, Q11, and Q15) that asked people to share an item of high importance regarding a valued facility or program, or an opportunity for improvement. In each case, hundreds of qualitative responses were provided that spanned an immense number of topics, requests, and suggestions. Common themes that were observed in these responses included:

- Comments regarding the importance of maintaining or improving quality at existing facilities;
- Multiple user groups advocating for installation of a bathroom at Ewing Young Park including the BMX, skateboarding, dog park, and hiking enthusiasts;
- High levels of frustration by the mountain biking community regarding loss of trail access and a failure to replace this recreational option within the District in a timely manner;
- High satisfaction with trail access by equestrian users, often paired with appreciation for perceived reductions in conflict with other users and overall safety improvement;
- Desire to retain affordability in pricing;
- Desire to expand diversity of programming options;
- Comments regarding playground improvements related to inclusive and special needs oriented design including requests that mentioned fencing, sound/noise reduction, surfacing, and other features;
- Comments regarding the Newberg Old Fashion Festival which almost exclusively referenced the festival's fireworks show;
- Differing perspectives on swimming pool utilization and access including comments calling for more public swim time as well as comments requesting more club/group swim time; and
- Comments referencing maintenance non-CPRD owned facilities or programs operated by other entities.

The Community Input Survey Received 829 Total Responses

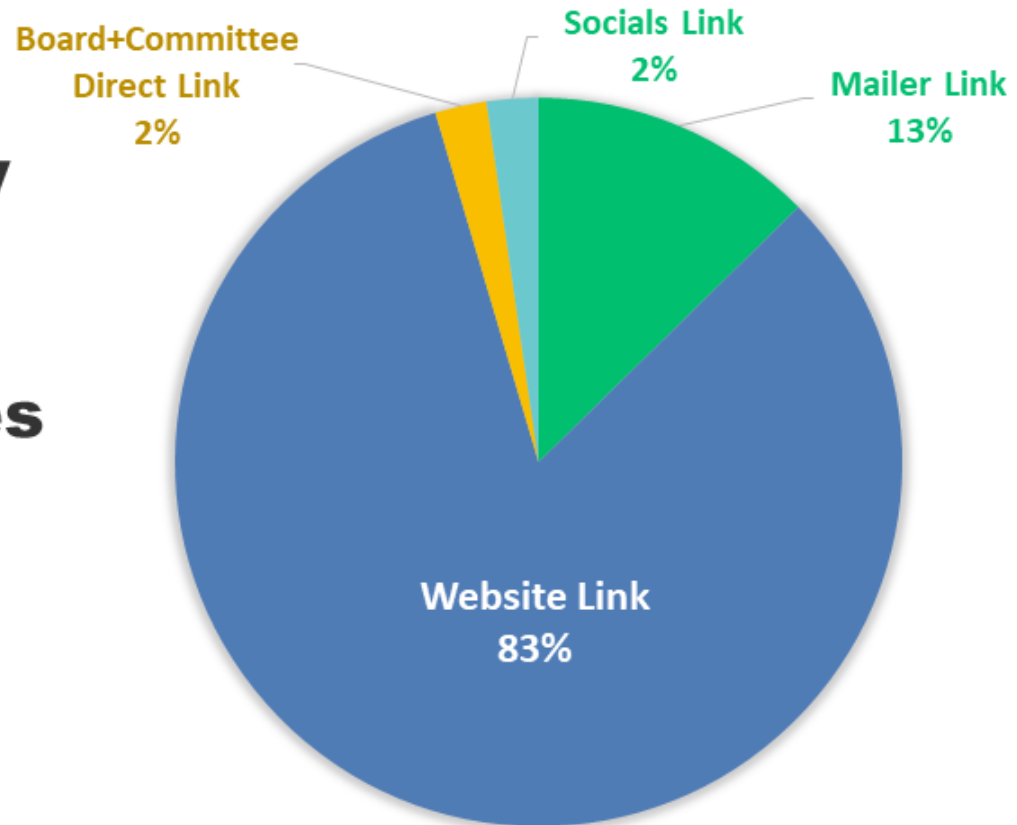


Figure 1. Number of Responses and Source for 2025 Community Input Survey Results

Q1: Where do you find information about park and recreation opportunities such as program registrations, event announcements, new projects, or park closures?

Answered: 827 Skipped: 2

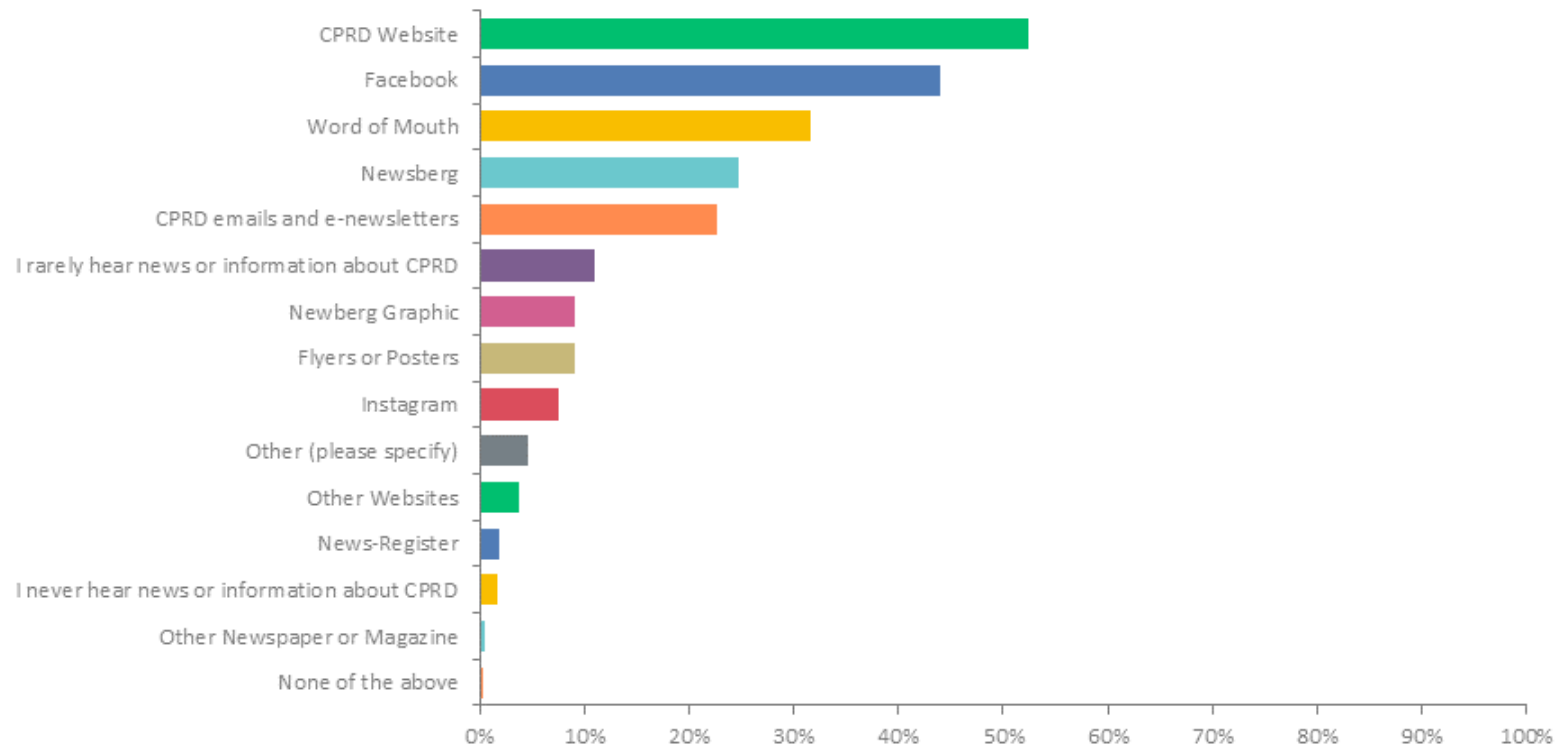


Figure 2. Information Sources for Park and Recreation Information (Q1)

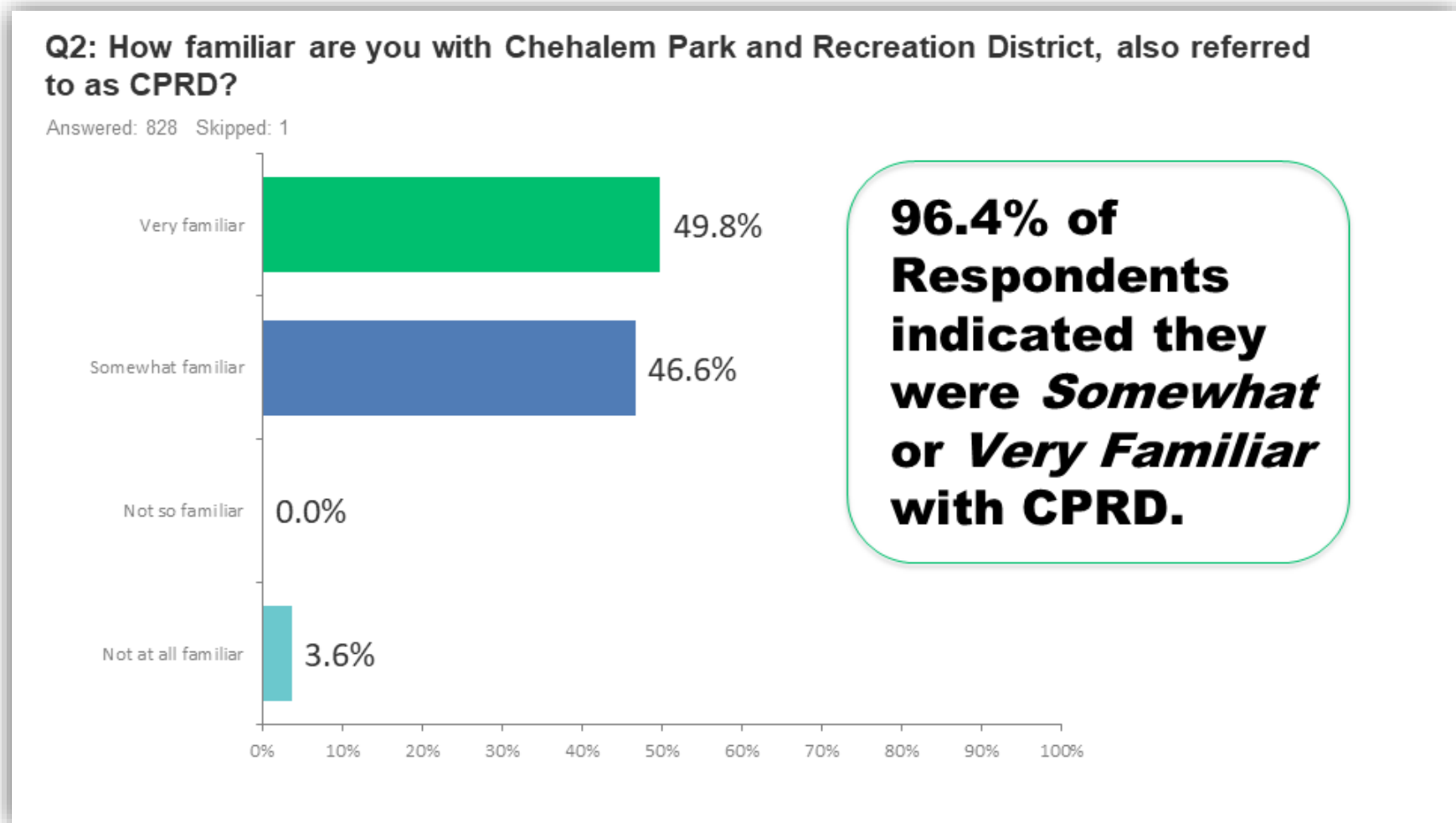


Figure 3. Familiarity with Chehalem Park and Recreation District (Q2)

Q4: How would you rate the park facilities and recreation service currently provided by Chehalem Park and Recreation District?

Answered: 665 Skipped: 164

Average Rating: 3.7



Failing / Very Poor	Poor	Adequate	Pretty Good	Excellent
2.1%	5.1%	28.4%	49.3%	15.0%

Figure 4. Respondent Rating for Current Park Facilities and Recreation Services (Q4)

Q5: How familiar are you with the parks and facilities already available to you?

Answered: 693 Skipped: 136

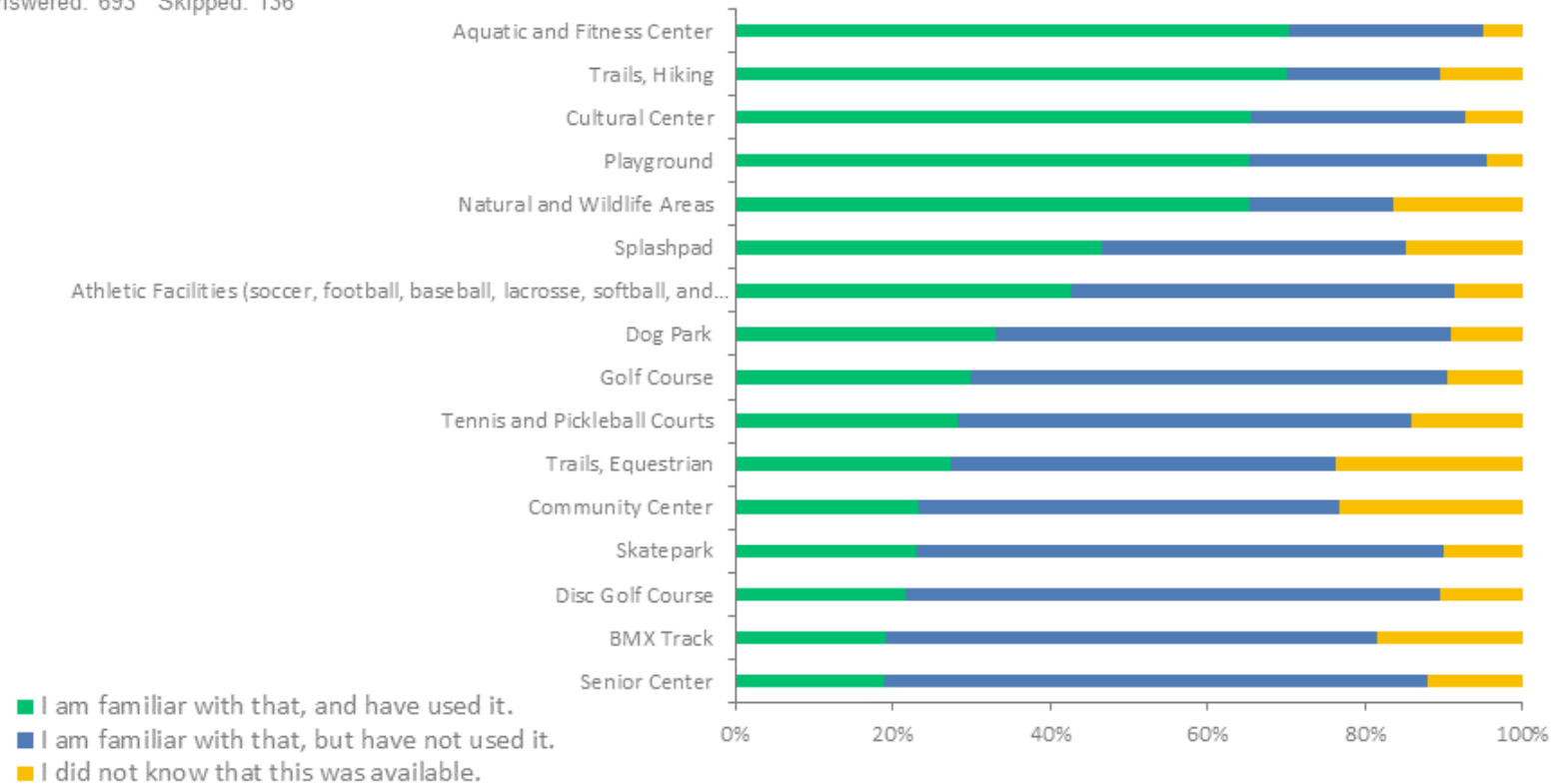


Figure 5. Familiarity with Current Parks and Facilities (Q5)

Q6: How familiar are you with the recreation programs, camps and activities that are already available to you?

Answered: 682 Skipped: 147

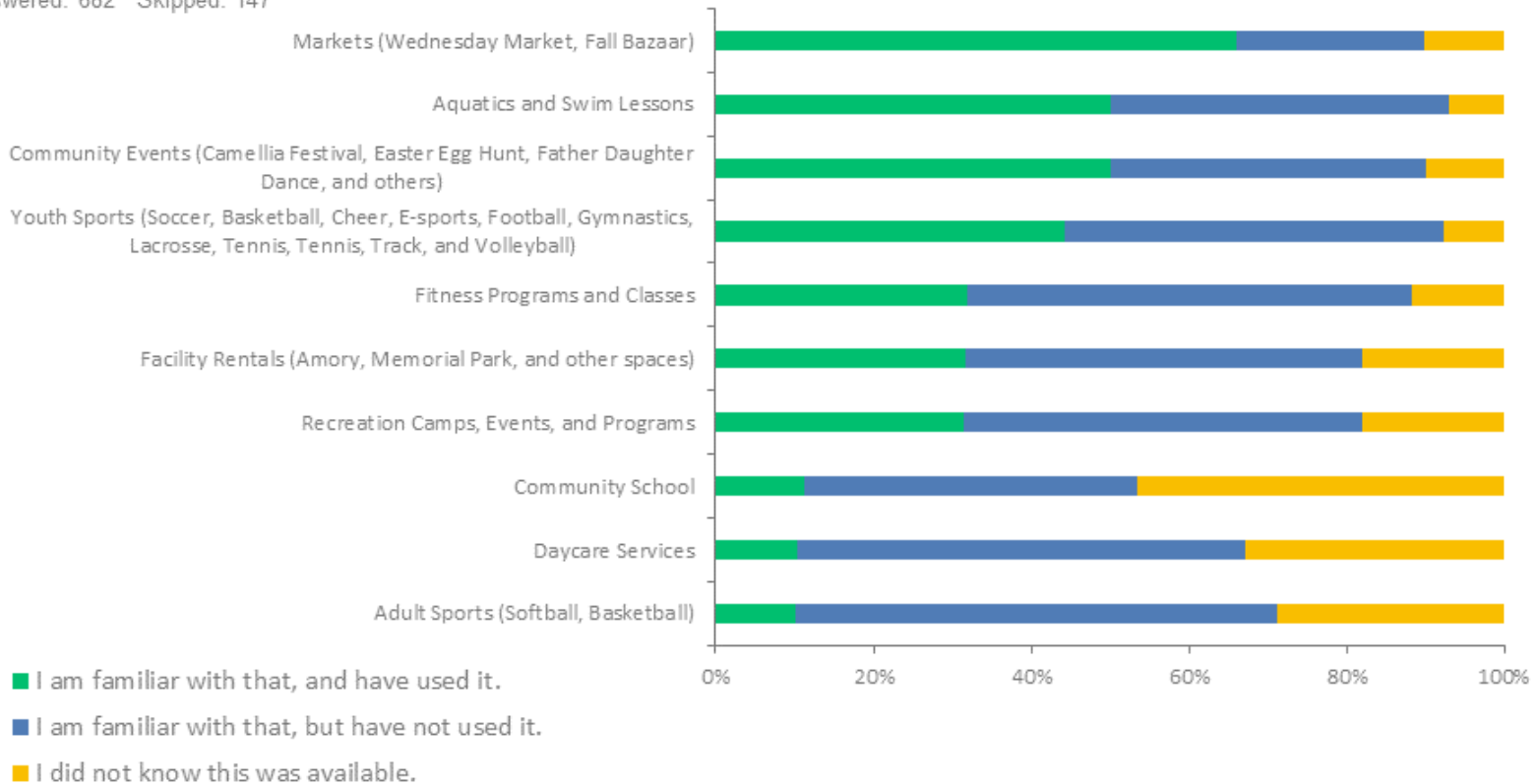


Figure 6. Familiarity with Current Recreation Programs, Camps, and Activities (Q6)

Q7: How important are park and recreation facilities to you?

Answered: 648 Skipped: 181

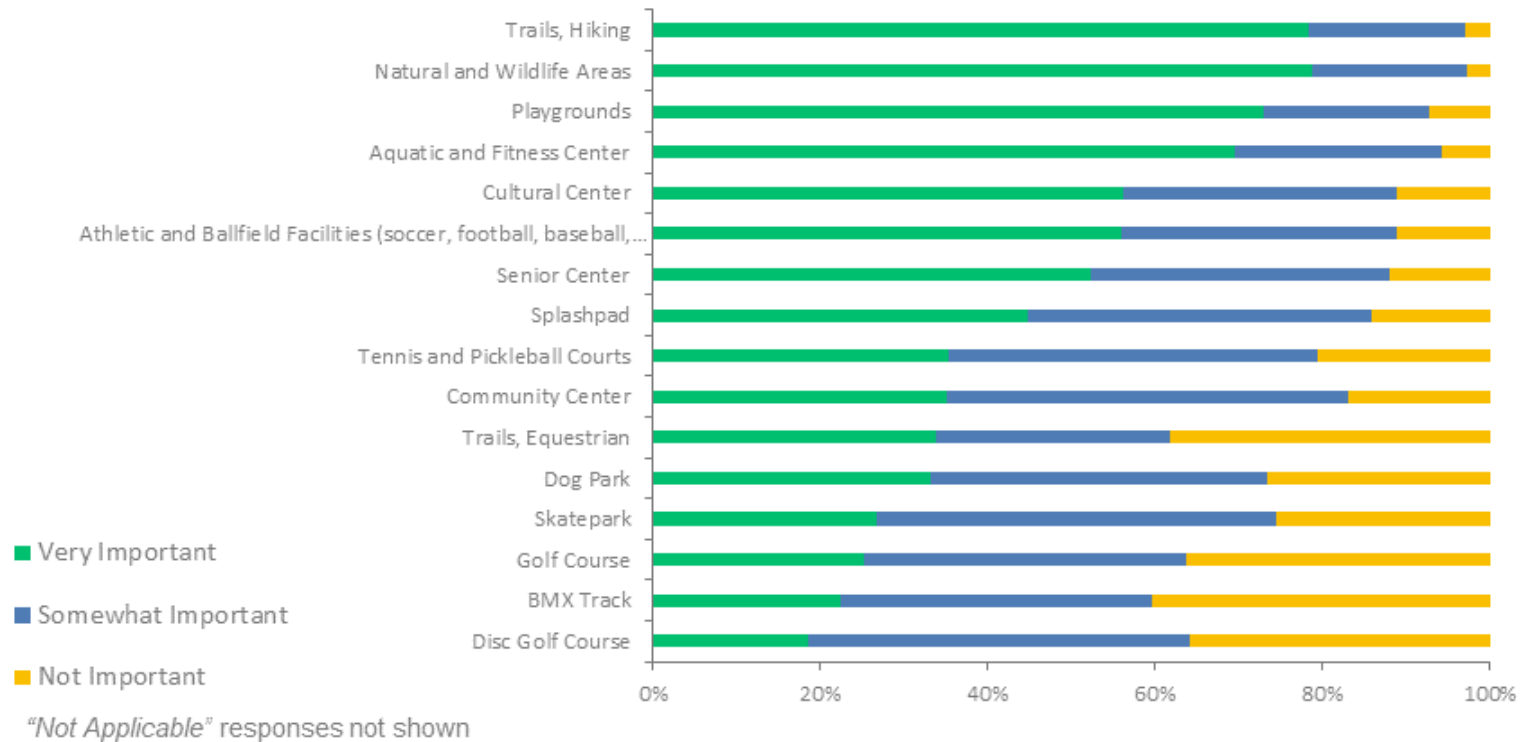


Figure 7. Importance of Park and Recreation Facilities (Q7)

Q9: How often do you visit local parks or recreation facilities?

Answered: 644 Skipped: 185

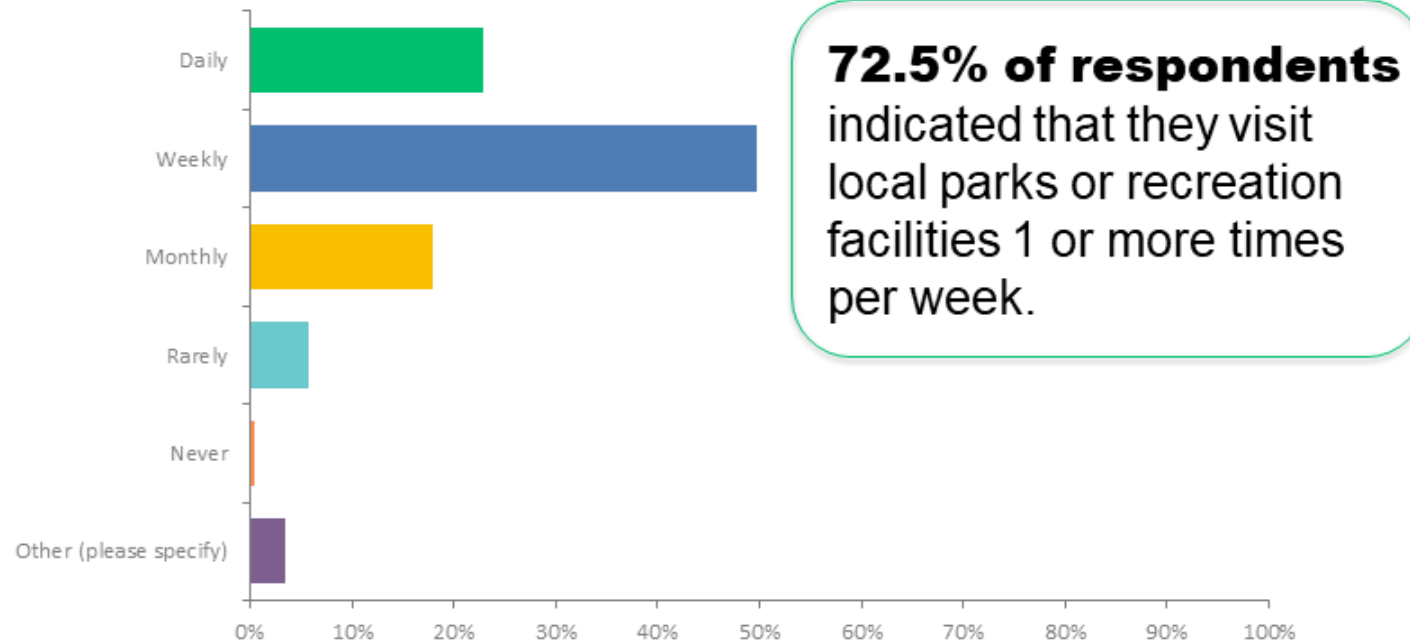


Figure 8. Frequency of Park and Facility Visitation (Q9)

Q10: How important are recreation programs and activities to you?

Answered: 641 Skipped: 188

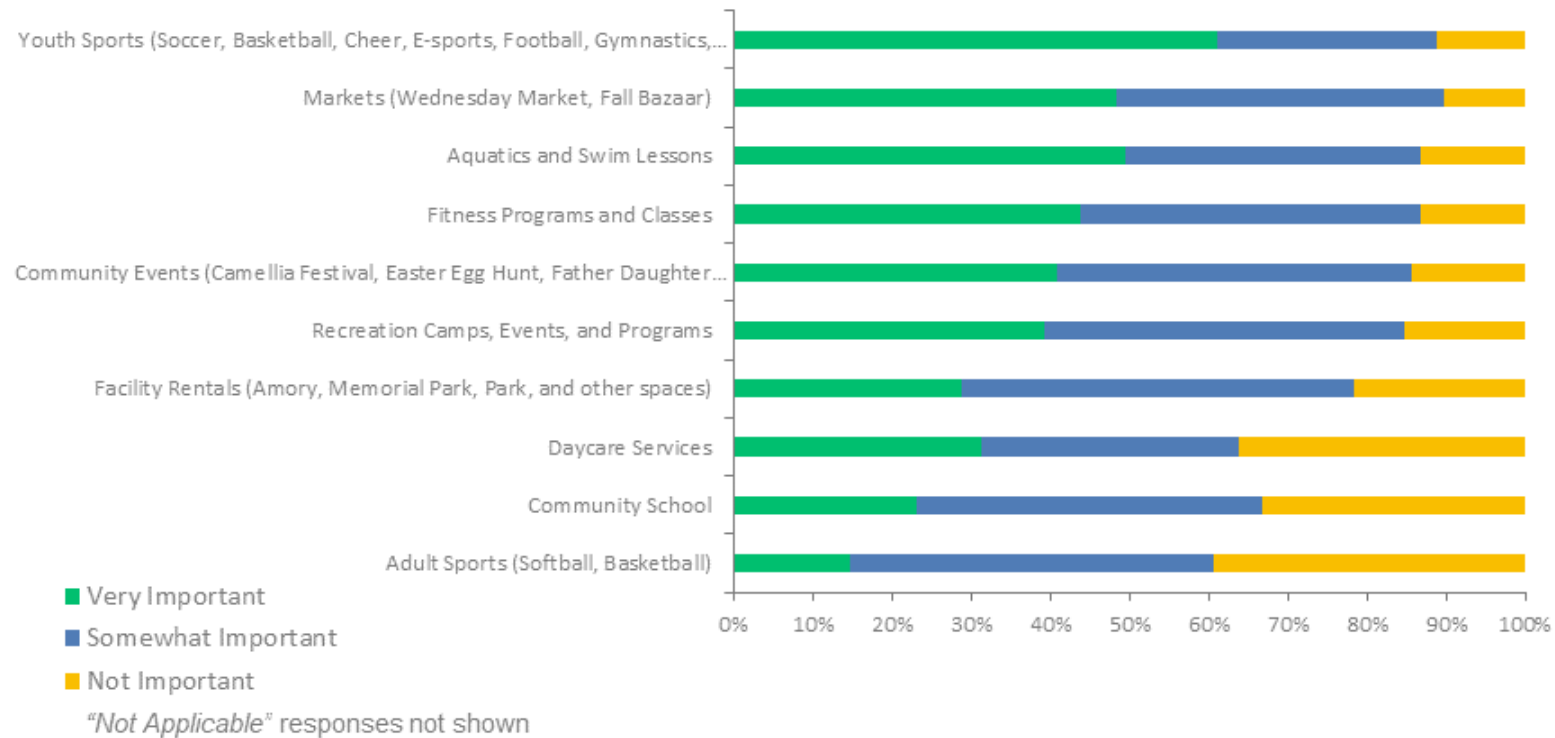


Figure 9. Importance of Recreation Programs and Activities (Q10)

Q12: How often do you use or participate in recreation programs or activities?

Answered: 633 Skipped: 196

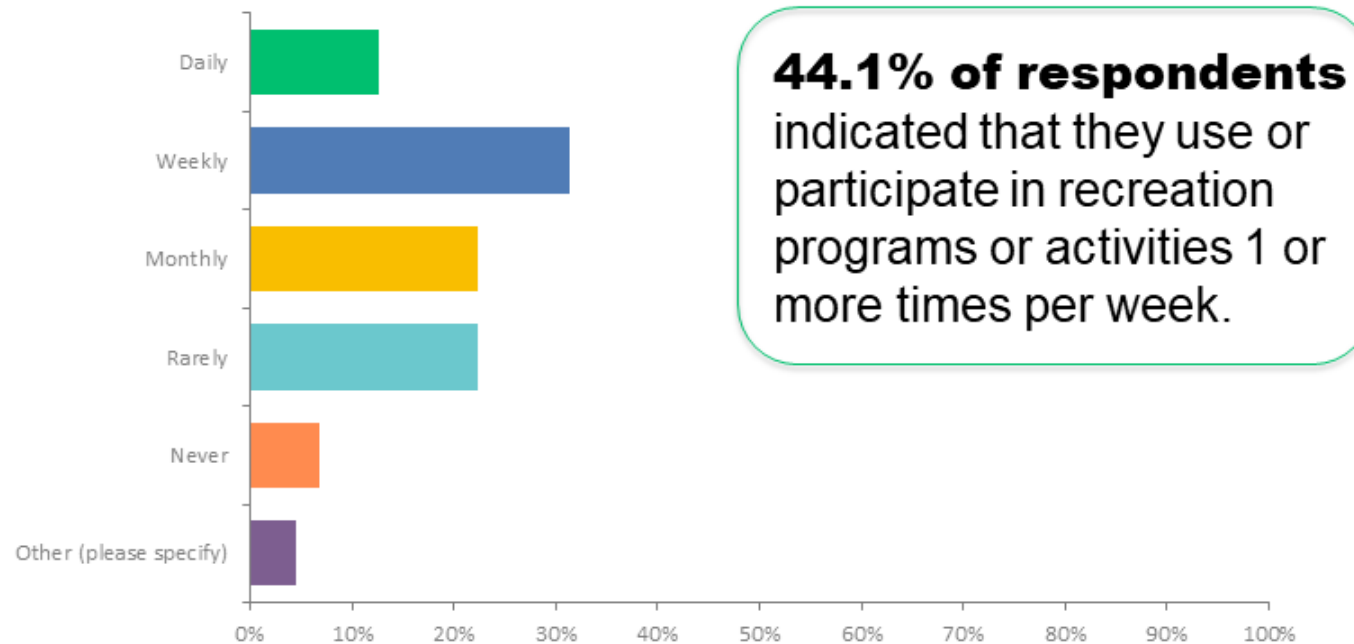


Figure 10. Frequency of Participation in Recreation Programs (Q12)

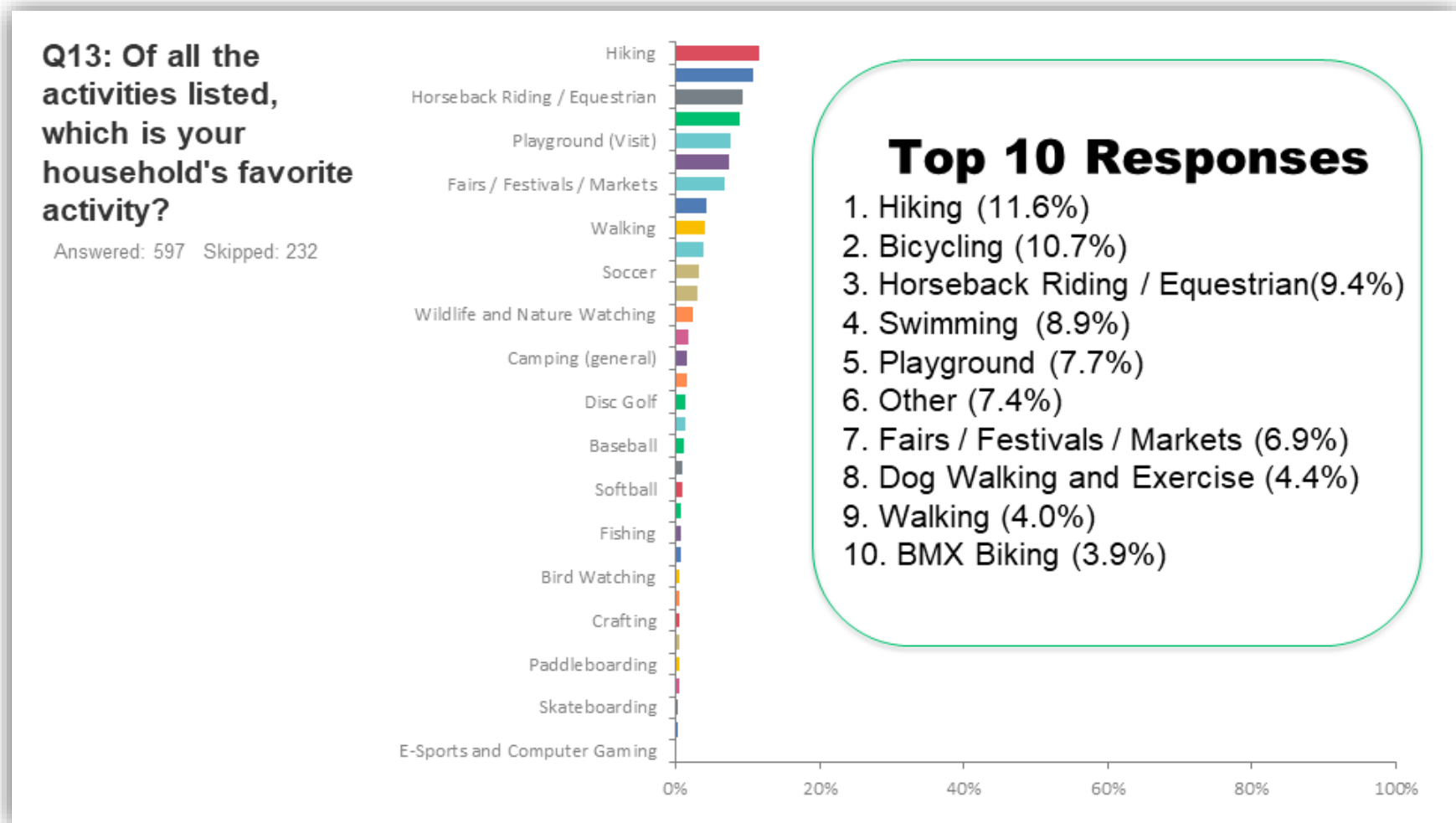


Figure 11. "Favorite" Activities for Respondents' Households (Q13)

Q14: How would you rate your overall satisfaction with local park and facility maintenance in your area?

Answered: 610 Skipped: 219

Average Rating: 3.9



Failing / Very Poor	Poor	Adequate	Pretty Good	Excellent
2.5%	6.1%	21.2%	44.8%	25.6%

Figure 12. Respondent Satisfaction with Park and Facility Maintenance (Q14)

Q16: What prevents you from using park facilities or participating in recreation activities?

Answered: 605 Skipped: 224

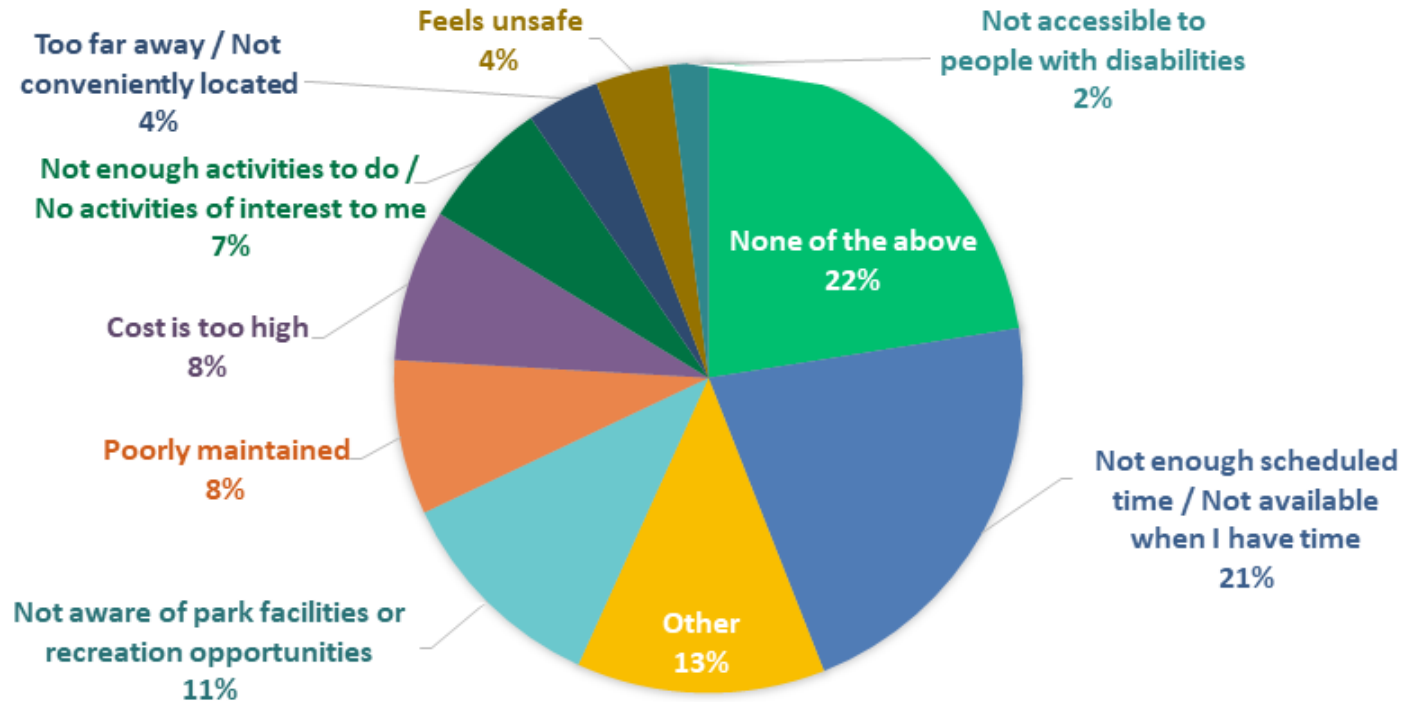


Figure 13. Barriers to Facilities and Participation (Q16)

Q17: Which groups of people need more or improved facilities and services?

Answered: 502 Skipped: 327

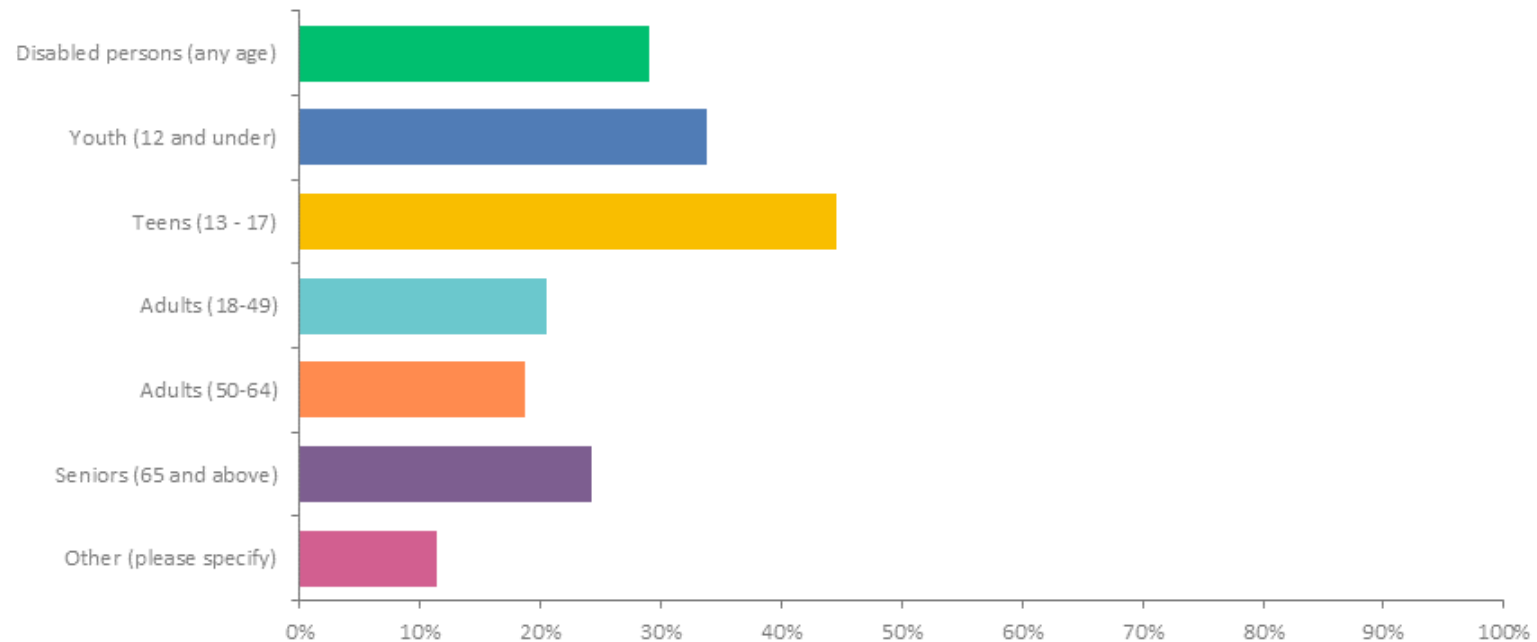


Figure 14. Perceived User Need (Q17)

Q18: How important are the following potential new projects?

Answered: 635 Skipped: 194

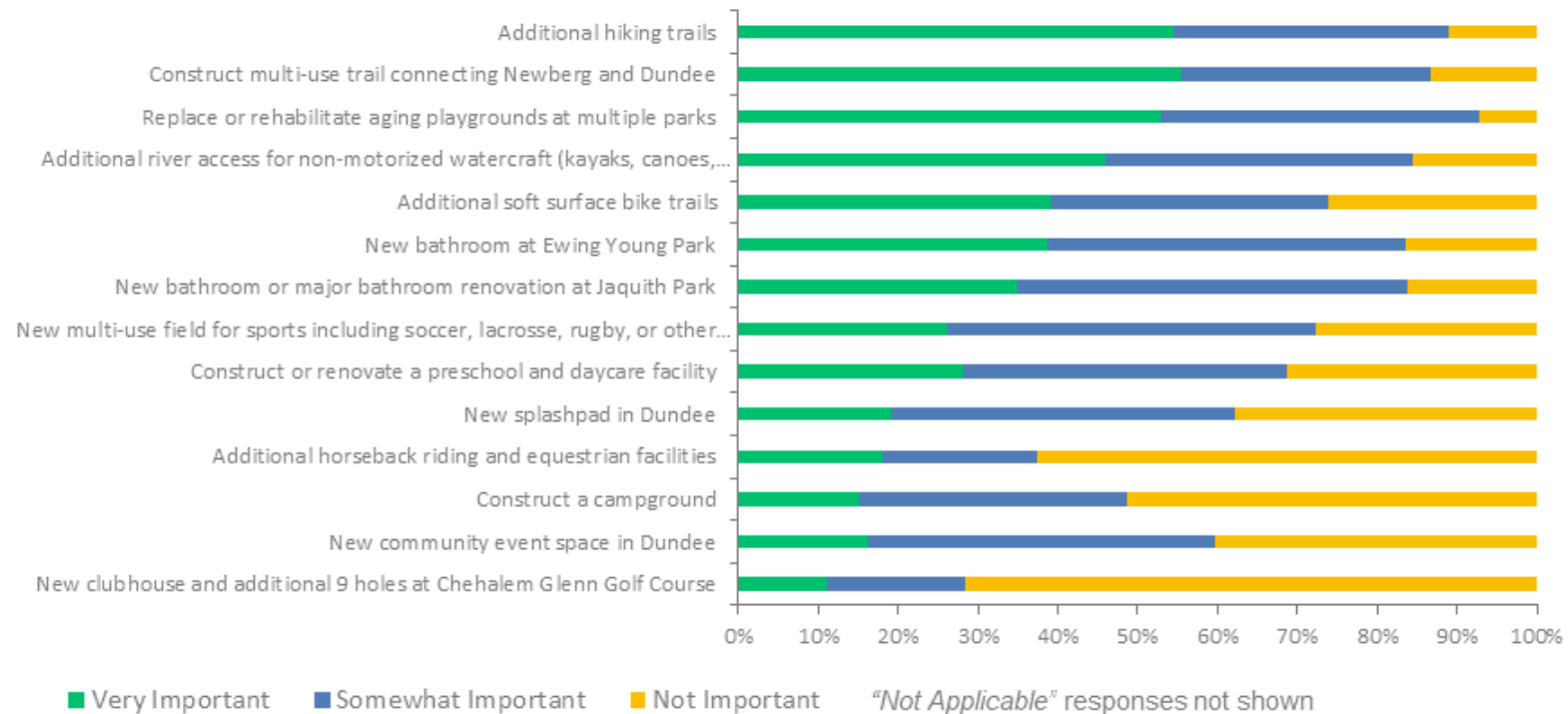


Figure 15. Importance of CPRD Initiatives and Priorities (Q18)

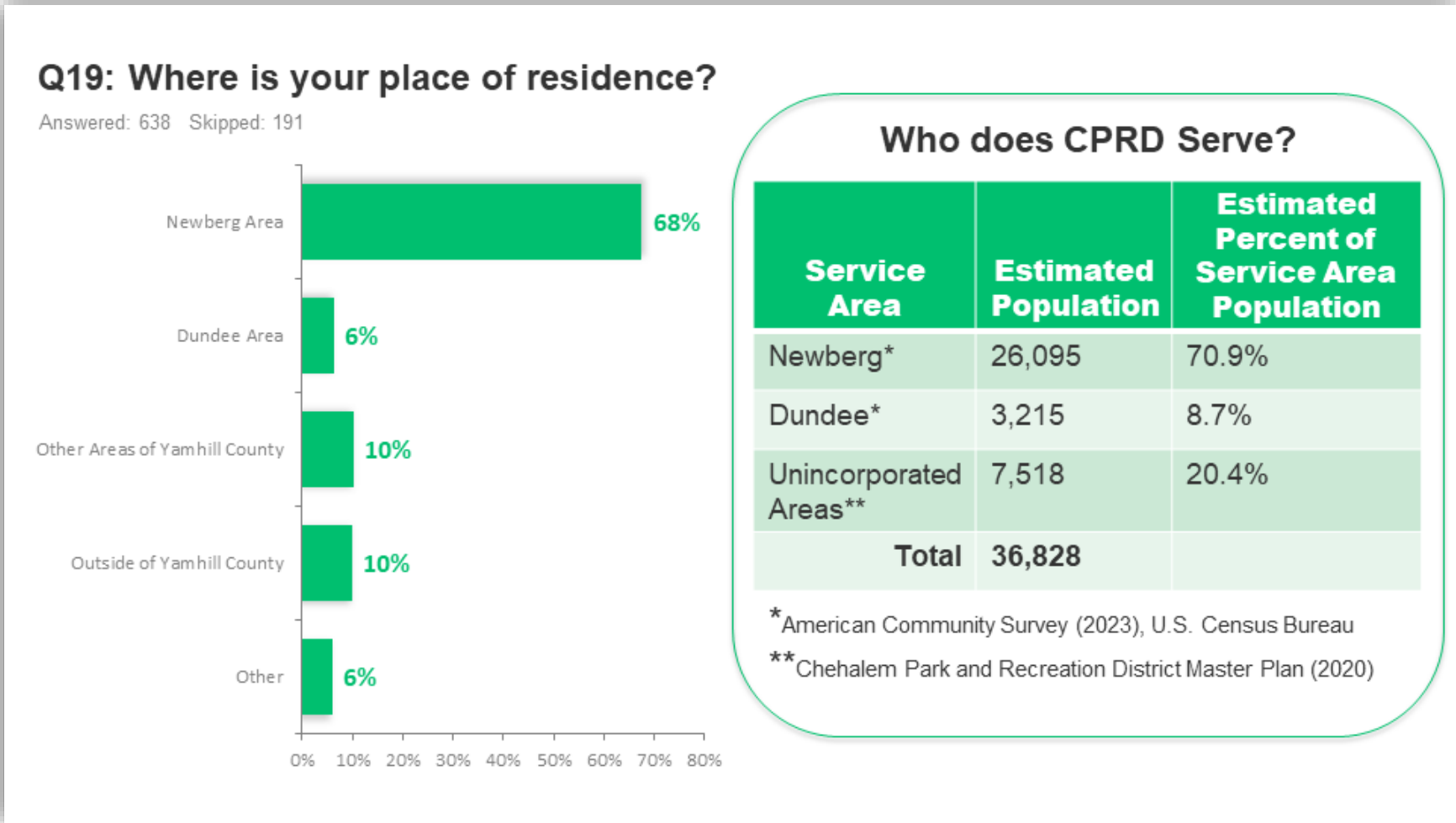


Figure 16. Respondent Place of Residence (Q19) and Local Demographics

Q21: What is your gender?

Answered: 638 Skipped: 191

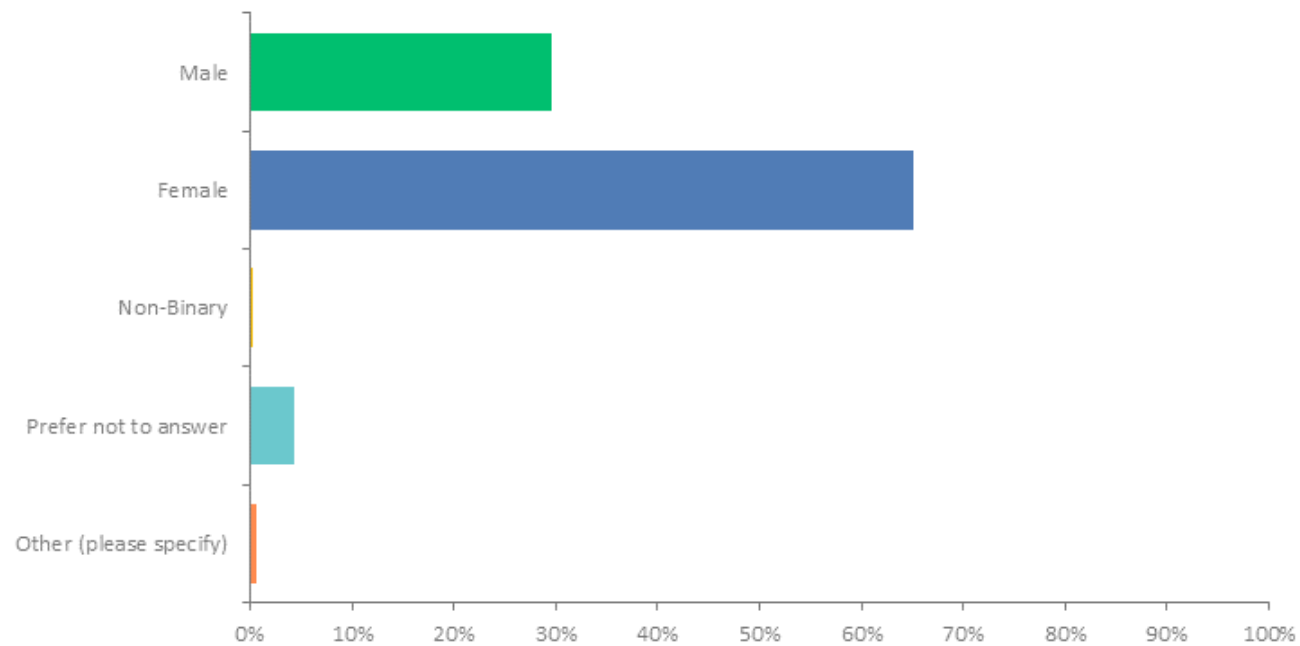


Figure 17. Gender of Respondents (Q21)

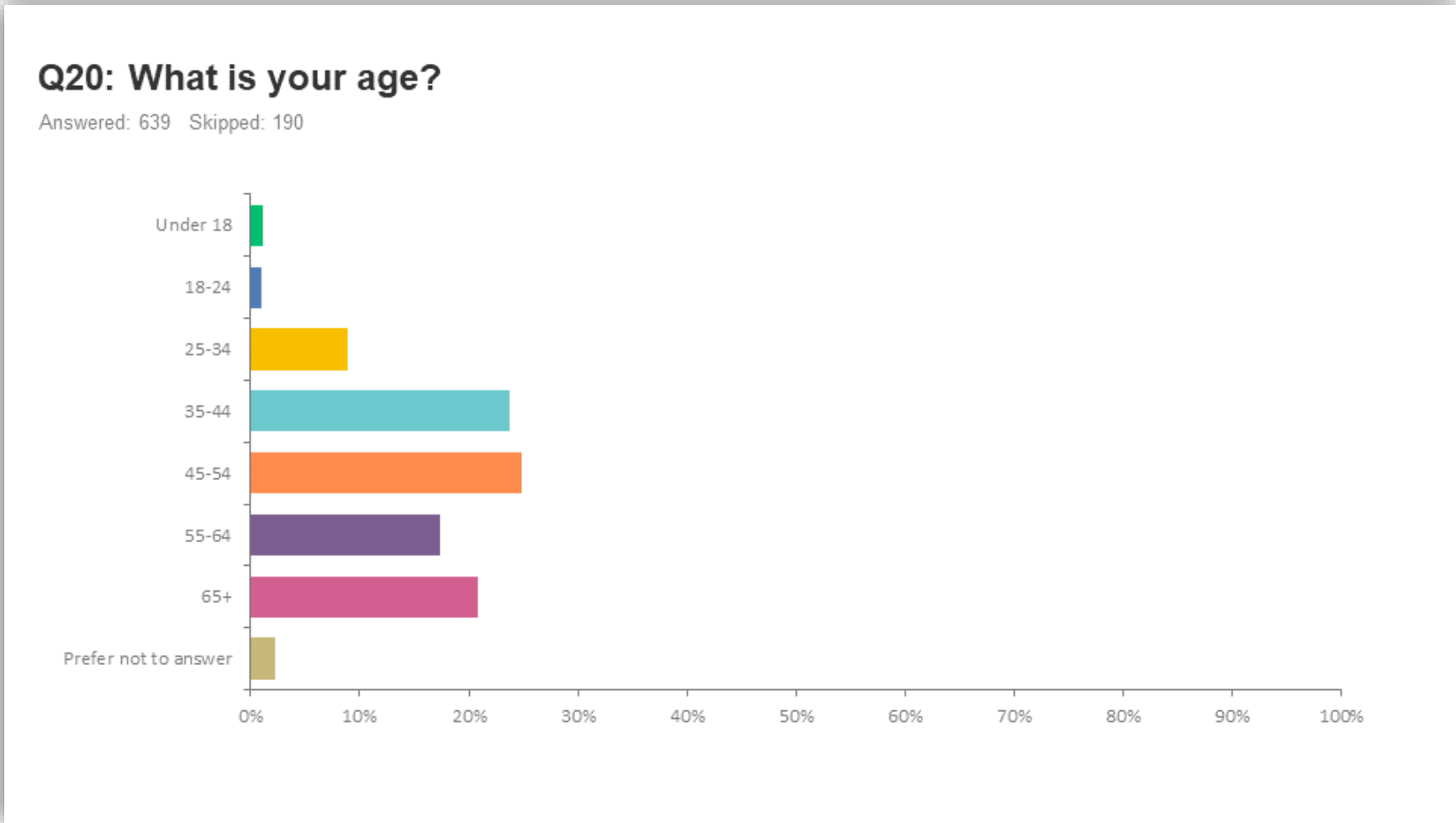


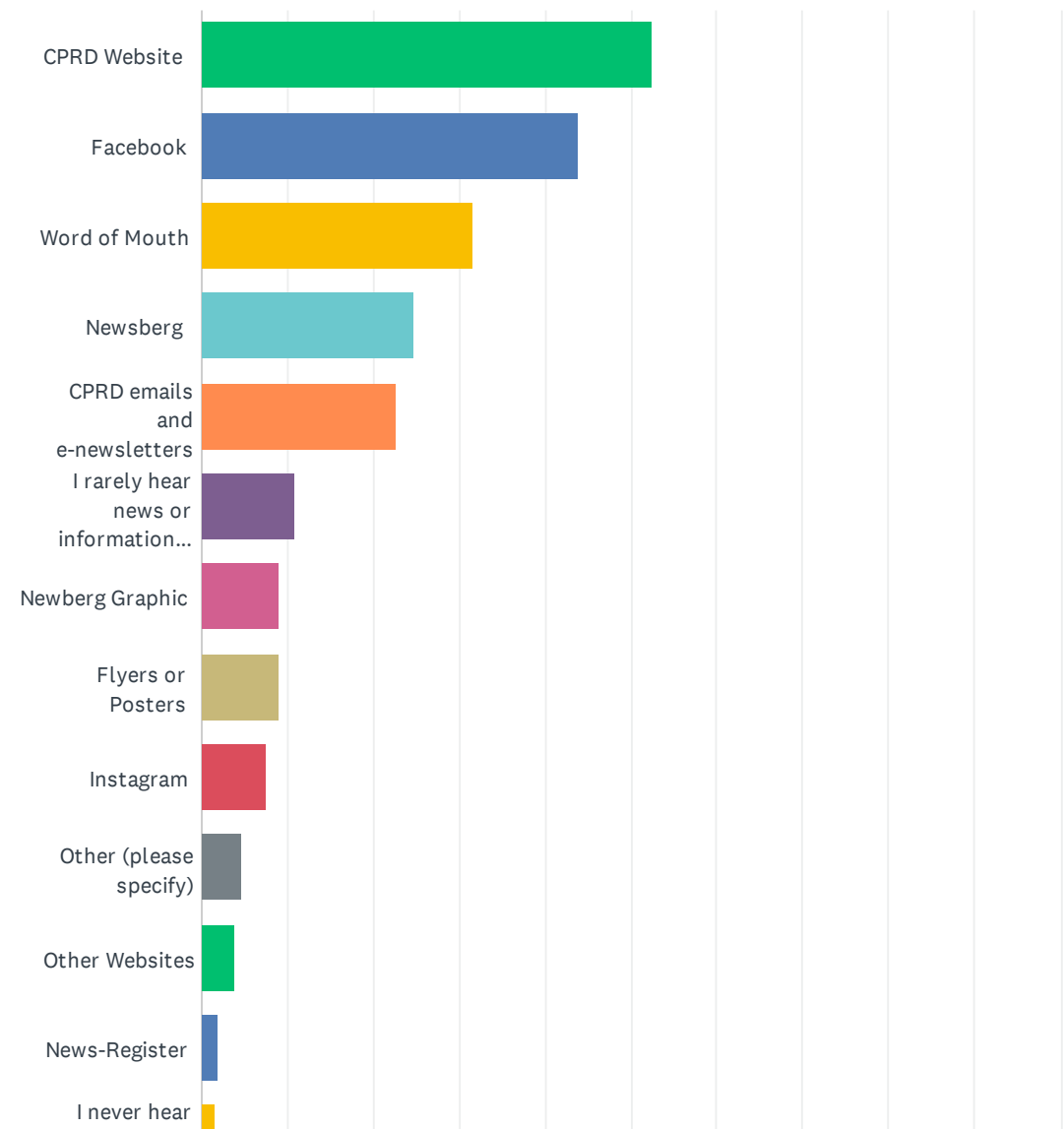
Figure 18. Age of Respondents

Community Input Survey Results

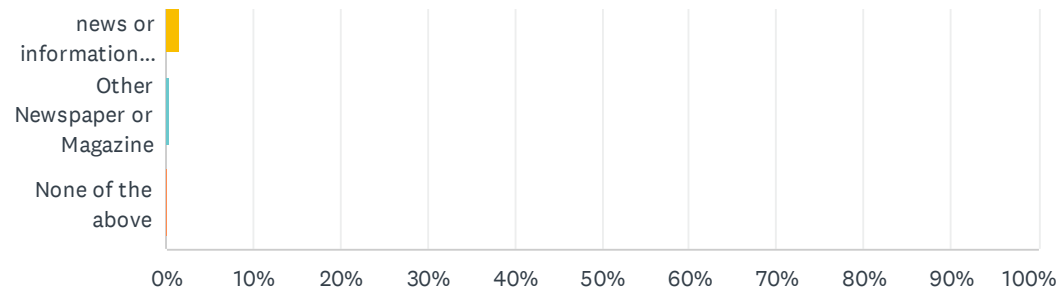
The following pages provide results from all respondents who submitted a survey.

Q1 Where do you find information about park and recreation opportunities such as program registrations, event announcements, new projects, or park closures?

Answered: 827 Skipped: 2



Chehalam Park and Recreation District | Community Input Survey



ANSWER CHOICES	RESPONSES	
CPRD Website	52.48%	434
Facebook	43.89%	363
Word of Mouth	31.56%	261
Newsberg	24.67%	204
CPRD emails and e-newsletters	22.61%	187
I rarely hear news or information about CPRD	10.88%	90
Newberg Graphic	8.95%	74
Flyers or Posters	8.95%	74
Instagram	7.50%	62
Other (please specify)	4.59%	38
Other Websites	3.75%	31
News-Register	1.81%	15
I never hear news or information about CPRD	1.57%	13
Other Newspaper or Magazine	0.36%	3
None of the above	0.24%	2
Total Respondents: 827		

Chehalem Park and Recreation District | Community Input Survey

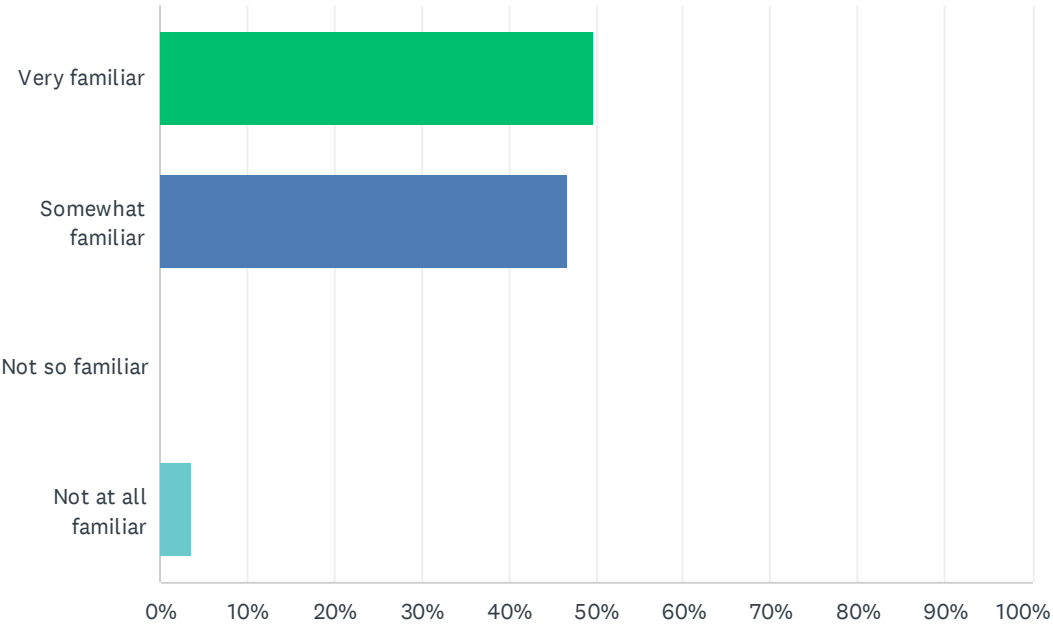
#	OTHER (PLEASE SPECIFY)	DATE
1	Direct contact with staff	10/28/2025 9:08 AM
2	Your website could use an overhaul. It's not very user friendly or easy to find information.	10/21/2025 8:25 PM
3	Oregon Horse Council	10/15/2025 5:26 PM
4	Nextdoor website	10/10/2025 12:47 PM
5	Notices at the pool. (regular attendee)	10/10/2025 6:06 AM
6	Newsberg & Friends of Chehalem Trails	10/9/2025 6:17 PM
7	CPRD board meetings	10/9/2025 8:24 AM
8	Cv bmx	10/9/2025 2:31 AM
9	I'm at the BMX track a lot so I see and hear about park related things a lot.	10/8/2025 7:31 PM
10	CV BMX	10/8/2025 7:21 PM
11	Friends	10/8/2025 7:19 PM
12	Some road side signs	10/8/2025 3:42 PM
13	Friendsview Announcements	10/7/2025 12:16 PM
14	OET	10/7/2025 7:58 AM
15	Lake Oswego Mountain Bike Team	10/7/2025 7:14 AM
16	Pickleball scheduler	10/7/2025 6:38 AM
17	At the pool	10/6/2025 5:31 PM
18	Lake Oswego Collective Mountain Bike Team	10/6/2025 11:49 AM
19	Valley View Riders club	10/2/2025 12:09 PM
20	Aquatic Center	10/1/2025 7:33 PM
21	Am an employee	10/1/2025 11:41 AM
22	Newsberg	10/1/2025 7:39 AM
23	Emails	9/30/2025 7:00 PM
24	Email	9/30/2025 2:59 PM
25	School emails	9/30/2025 10:46 AM
26	Have had children n grandchildren that have use cprd.	9/30/2025 9:09 AM
27	Chamber of Commerce	9/27/2025 6:08 AM

Chehalem Park and Recreation District | Community Input Survey

28	Participation	9/26/2025 5:56 PM
29	Senior center posters	9/26/2025 3:21 PM
30	Chamber	9/26/2025 11:00 AM
31	Our Facebook page for Parrett mountain horse riders	9/26/2025 7:47 AM
32	No good info anywhere	9/25/2025 5:39 PM
33	school	9/25/2025 2:49 PM
34	Library, schools	9/24/2025 11:48 PM
35	Elementary school	9/24/2025 7:53 PM
36	Flyer at the pool	9/24/2025 7:31 AM
37	Board meetings	9/23/2025 11:30 AM
38	Chamber	9/21/2025 10:34 PM

Q2 How familiar are you with Chehalem Park and Recreation District, also referred to as CPRD?

Answered: 828 Skipped: 1



ANSWER CHOICES	RESPONSES	
Very familiar	49.76%	412
Somewhat familiar	46.62%	386
Not so familiar	0.00%	0
Not at all familiar	3.62%	30
TOTAL		828

Q3 In your own words, what is your favorite thing about CPRD's parks, facilities, or programs?

Answered: 299 Skipped: 530

#	RESPONSES	DATE
1	I like that CPRD offers a wide variety of activities. I also feel like CPRD will try new activities.	10/29/2025 9:30 AM
2	Crystal Rilee Park for Equestrians and hikers only	10/28/2025 9:50 AM
3	Nice facilities and friendly staff	10/24/2025 11:22 AM
4	Community building	10/24/2025 10:42 AM
5	The pool is the best!	10/24/2025 9:59 AM
6	Events, parks, athletic programs and camps, basketball court/gym	10/23/2025 4:11 PM
7	Aquatic Center facility and classes	10/23/2025 3:45 PM
8	Wide array of opportunities	10/22/2025 10:43 AM
9	I like the amount of recreational spaces we have in our community	10/21/2025 6:55 AM
10	they are close to me!	10/20/2025 10:49 AM
11	Just having the CPRD is encouraging	10/19/2025 9:47 PM
12	Variety of spaces	10/18/2025 4:29 PM
13	I love how committed the senior staff is in serving the community. And I love the parks and how well maintained they are.	10/18/2025 4:23 PM
14	They are clean. Great place for friends and family gatherings	10/18/2025 3:16 PM
15	amount of parks and playgrounds	10/18/2025 11:01 AM
16	The aquatic center! And all the staff are always friendly and helpful.	10/17/2025 3:13 PM
17	While I have grown too old to enjoy most activities offered I support ALL	10/14/2025 3:46 PM
18	Activity offerings for children	10/14/2025 9:30 AM
19	Hiking trails	10/13/2025 8:26 PM
20	Golf course	10/13/2025 3:39 PM
21	Good places to walk, and work out. Need more trails.	10/13/2025 10:50 AM
22	Dundee Billick Park is somewhere our family spends time in each week and have for over a decade. We've also enjoyed other programs over the years.	10/12/2025 7:57 PM

Chehalem Park and Recreation District | Community Input Survey

23	Pool and rec center	10/12/2025 1:18 PM
24	The variety of options provided to families and residents.	10/12/2025 8:01 AM
25	BMX track and skatepark	10/11/2025 8:47 PM
26	So much variety.	10/11/2025 7:27 PM
27	the gym	10/11/2025 1:27 PM
28	I love our local parks, the Chehalem Cultural Center, and the swim/recreation center. I take lunches in the park in nice weather as it allows me to decompress and relax. I use the trails to walk. I have taken yoga, a weights class, and other classes at the swim center through the years.	10/10/2025 4:22 PM
29	Not so much now, but in the past, parks were built along with homes, so there are some parks around town.	10/10/2025 12:52 PM
30	The affordable cost for classes and being able to access them as a low income earner	10/10/2025 12:02 PM
31	Affordable classes for youth, well maintained parks and services, free or inexpensive opportunities	10/10/2025 11:53 AM
32	I have three young children and frequent CPRD parks as well as the fitness center 4-5days/wk. Additionally in the summer, we enroll in several CPRD programs like gymnastics, safety camp, tennis, track and field, etc. One of the primary reasons we love living in Newberg and growing our family here is because of CPRD.	10/10/2025 9:44 AM
33	The Aquatics Center and trails	10/10/2025 6:14 AM
34	Pool offerings. # of parks.	10/10/2025 6:08 AM
35	The aquatic center's basketball courts and gym.	10/9/2025 8:29 PM
36	The Pool complex	10/9/2025 6:05 PM
37	CARE program	10/9/2025 3:49 PM
38	Once I'm able to find information about CPRD events and classes, I'm impressed with how much is going on and it's all affordable.	10/9/2025 11:44 AM
39	Natural settings, safe playgrounds and well kept facilities	10/9/2025 11:31 AM
40	Lots of parks	10/9/2025 10:39 AM
41	Love the parks, and the summer activities for the kids.	10/9/2025 9:55 AM
42	Golf course	10/9/2025 9:54 AM
43	My favorite program is the BMX track. So good for the kids.	10/9/2025 8:53 AM
44	The huge amount of open spaces and places to enjoy being outside	10/9/2025 8:27 AM
45	Uniqueness to each individual person	10/9/2025 2:32 AM
46	Chehalem Swim Team and Chehalem Valley BMX	10/8/2025 10:20 PM
47	The gym and the number of parks	10/8/2025 9:01 PM

Chehalem Park and Recreation District | Community Input Survey

48	BMX Racing	10/8/2025 8:29 PM
49	the many varied parks and facilities	10/8/2025 8:28 PM
50	The bmx track	10/8/2025 8:18 PM
51	Variety of opportunities	10/8/2025 8:11 PM
52	Chehalem Valley BMX	10/8/2025 7:36 PM
53	The variety of parks, the parks being all around residential areas, the BMX track and skate park. The trails in Ewing young	10/8/2025 7:36 PM
54	The bmx track	10/8/2025 7:29 PM
55	BMX Bike track, aquatic center	10/8/2025 7:25 PM
56	I really like the pool and fitness center and the bonus of my insurance paying for my membership.	10/8/2025 6:00 PM
57	It's well maintained.	10/8/2025 5:13 PM
58	Very little.	10/8/2025 5:09 PM
59	Variety for kids	10/8/2025 4:16 PM
60	Parks	10/8/2025 4:02 PM
61	the affordable cost of activities for my kids	10/8/2025 2:03 PM
62	Used to be nice when it wasn't overrun by the unhoused	10/8/2025 1:21 PM
63	My children enjoyed the sports programs all through grade school and middle school. Our family continues to enjoy hiking in the parks, particularly the Gettman Loop trail near the golf course.	10/8/2025 1:10 PM
64	Their variety	10/8/2025 1:09 PM
65	I love walking within the parks; excellent gym	10/8/2025 12:25 PM
66	They are well maintained and available to everyone.	10/8/2025 12:02 PM
67	Family options	10/8/2025 11:28 AM
68	variety of parks, facilities, and programs	10/8/2025 10:54 AM
69	Open for all to use	10/8/2025 10:48 AM
70	The pool, sauna and outdoor patio. Also the bark trails at Crystal Riley and Ewing Young Parks	10/8/2025 10:42 AM
71	Variety of activities for multiple age groups.	10/8/2025 10:41 AM
72	Splash pad, kid/toddler activities, toddler swim	10/8/2025 10:41 AM
73	Childrens sports are super for our citizens. Same for Sr Center, Aquatic Center,	10/8/2025 10:41 AM
74	We have a variety of parks, hiking trails and facilities that meet my family's needs.	10/8/2025 10:35 AM

Chehalem Park and Recreation District | Community Input Survey

75	The pool and weight room. Classes and facilities. Parks around town.	10/8/2025 10:27 AM
76	They exist, are accessible, are popular, are well cared for by CPRD, are clean and fun!	10/8/2025 10:09 AM
77	Parks and programs	10/8/2025 10:05 AM
78	CPRD is not what it used to be 10 years ago. They had fun classes with teacher teachers from our community.	10/8/2025 10:05 AM
79	The wide variety of outdoor experiences you offer	10/8/2025 10:02 AM
80	Youth sports	10/8/2025 10:00 AM
81	Quick response to maintenance requests when I find something broken.	10/8/2025 9:55 AM
82	Most trails are well maintained. Aquatic center	10/8/2025 8:54 AM
83	Very accessible, good condition	10/8/2025 6:35 AM
84	The swim center, and the Pickleball courts	10/8/2025 6:21 AM
85	The wide variety of facilities and activities available	10/7/2025 9:06 PM
86	Mountain biking opportunities at Rilee Park.	10/7/2025 5:01 PM
87	The open space, tennis courts (not pickleball) and open run basketball	10/7/2025 3:08 PM
88	Programming for kids	10/7/2025 12:42 PM
89	Old Fashioned Festival with Fireworks	10/7/2025 12:19 PM
90	Variety	10/7/2025 7:06 AM
91	Trails	10/7/2025 7:04 AM
92	Fitness center classes	10/7/2025 6:58 AM
93	New management direction that invokes timely progress	10/7/2025 6:45 AM
94	The aquatics center, Chehalem Cultural Center, the landscaping.	10/7/2025 6:43 AM
95	lots of space	10/7/2025 6:36 AM
96	Bob & Crystal Rilee Park	10/6/2025 9:20 PM
97	running trails	10/6/2025 8:35 PM
98	Trails, programs for kids, the golf course is super nice	10/6/2025 7:26 PM
99	Pool, gym, traild	10/6/2025 5:38 PM
100	Great programs, people and facilities	10/6/2025 5:33 PM
101	Aquatic and fitness center, golf course	10/6/2025 5:31 PM
102	Golf course and fitness center	10/6/2025 5:31 PM

Chehalem Park and Recreation District | Community Input Survey

103	Love the outdoor parts, well maintained. The fitness center is always adding new things and having equipment repaired if needed. Shows they see the community is using it and likes it in nice condition and working order.	10/6/2025 5:21 PM
104	Everyone is welcome	10/6/2025 5:20 PM
105	The variety and locations. Good quality.	10/6/2025 5:07 PM
106	The trails!	10/6/2025 3:10 PM
107	all the trails	10/6/2025 1:31 PM
108	Trails and access	10/6/2025 1:24 PM
109	Securing sustainable access to parks, trails and activities at low to no-cost	10/6/2025 9:29 AM
110	Bringing people together	10/6/2025 7:16 AM
111	favorite thing is that the board advises there will be a place for mountain biking soon	10/6/2025 7:10 AM
112	All the programs are great! We love this community!	10/6/2025 6:25 AM
113	Arts/ especially the pottery studio	10/5/2025 9:46 PM
114	We love the disc golf course!	10/5/2025 9:11 PM
115	Bob and Crystal park is by far my favorite place - lots of trails to hike and ride, I enjoy walking around the house area and looking at the old farm equipment. The trails for bike riding were stellar and really miss being able to take my family there and ride bikes	10/5/2025 8:52 PM
116	The raging river or lazy one but need better adult hours	10/5/2025 5:45 PM
117	J	10/4/2025 9:32 PM
118	Opportunities for kids to play sports locally.	10/4/2025 7:19 PM
119	Parks, trails (need more) exercise classes and equipment	10/4/2025 5:55 PM
120	Classes in the arts, local trails for hiking and riding my horse	10/4/2025 5:32 PM
121	Many activities at a reasonable price- thank you volunteers	10/4/2025 2:48 PM
122	Being able to ride my horse at Crystal Rilee Park.	10/4/2025 11:08 AM
123	The amount of parks and services	10/4/2025 8:02 AM
124	Proximity to my home	10/4/2025 8:01 AM
125	The city has a ton of parks for a town it's size	10/4/2025 7:49 AM
126	The aquatic center, natural areas	10/3/2025 7:19 PM
127	The great availability of trails, especially at Bob & Crystal Rilee Park	10/3/2025 2:16 PM
128	Love the aquatics and fitness facility	10/2/2025 8:00 PM

Chehalem Park and Recreation District | Community Input Survey

129	Pool, parks and seniors activities	10/2/2025 3:20 PM
130	The wonderful range of offerings throughout the district. Places such as parks, playgrounds and facilities as well as programming for all ages	10/2/2025 2:48 PM
131	The biking paths, all thing cultural center, classes at the fitness center, & hiking & walking trails.	10/2/2025 2:31 PM
132	Trails	10/2/2025 10:31 AM
133	The well maintained trails available for public use is my favorite thing. The pool is a close second.	10/2/2025 9:34 AM
134	How clean easy access they have	10/2/2025 7:21 AM
135	Riding our horses at Bob & Crystal Rilee	10/2/2025 7:21 AM
136	Nice clean safe places to take my children for sports activities and all around outdoor good fun	10/2/2025 6:22 AM
137	Clean, well maintained	10/2/2025 4:45 AM
138	No favorite	10/2/2025 1:28 AM
139	Old Fashioned Festival	10/1/2025 9:33 PM
140	Love the accessibility, and all the different offerings	10/1/2025 8:28 PM
141	variety of indoor and outdoor facilities	10/1/2025 7:39 PM
142	they bring the community together	10/1/2025 6:23 PM
143	That the pool opens early.	10/1/2025 4:39 PM
144	The safe horse trails and hiking trails	10/1/2025 3:16 PM
145	Crystal Rilee park. The park maintenance is extraordinary. The trails are well maintained.	10/1/2025 2:57 PM
146	The ability for the community to use most of the basic services for free.	10/1/2025 2:25 PM
147	The staff that puts it all together	10/1/2025 11:44 AM
148	Aquatic facility	10/1/2025 7:41 AM
149	The trails are wonderful and well maintained.	10/1/2025 7:25 AM
150	That they upkeep them and keep them clean for all to use.	10/1/2025 6:52 AM
151	We LOVE the OFF fireworks. They are the BEST we have seen in the area. We have been watching them for the last 25 years. They are a Newberg tradition. Please make sure they are kept around for a long time!	10/1/2025 5:40 AM
152	Options for kids	10/1/2025 5:39 AM
153	The swimming pool was a favorite when I was young and when my children were young. Since they have grown, I have not spent as much time using the CPRD facilities.	9/30/2025 11:07 PM
154	The people in charge of kids programs like swimming and sports are very helpful!	9/30/2025 10:32 PM

Chehalem Park and Recreation District | Community Input Survey

155	Family and community oriented and open for all ages and incomes	9/30/2025 7:27 PM
156	Safety town	9/30/2025 7:02 PM
157	I love the old time festival and thw fireworks every year! I love our parks!	9/30/2025 6:48 PM
158	They keep the parks clean	9/30/2025 6:13 PM
159	The pool! And old fashioned days!! Especially the parade and fireworks!!	9/30/2025 5:33 PM
160	How well things run	9/30/2025 5:17 PM
161	The Playgrounds	9/30/2025 5:15 PM
162	I have little great-grands and they enjoy the kids' areas at the parks.	9/30/2025 5:11 PM
163	Sports for kids all all ages without having one out and be turned away	9/30/2025 5:02 PM
164	What they're able to do for our community	9/30/2025 4:40 PM
165	Clean playground and walking trails	9/30/2025 4:34 PM
166	The trails and the skatepark	9/30/2025 3:23 PM
167	Youth sports	9/30/2025 3:03 PM
168	Having facilities for my grandkids to play soccer and basketball.	9/30/2025 3:00 PM
169	Well, when you actually find out about it, then you can join in. Miss the old booklet they used to mail out.	9/30/2025 2:13 PM
170	Park space	9/30/2025 1:48 PM
171	Pool	9/30/2025 1:35 PM
172	Sports/Activities for my kids	9/30/2025 1:31 PM
173	Community	9/30/2025 1:29 PM
174	The cleanliness	9/30/2025 12:09 PM
175	OFF fireworks	9/30/2025 12:05 PM
176	I love how many parks we have access to.	9/30/2025 12:03 PM
177	We have a pretty large selection for a small town	9/30/2025 11:53 AM
178	Options for kids	9/30/2025 10:43 AM
179	Newberg local, so I love all of it!	9/30/2025 10:36 AM
180	The Old Fashion Festival & fireworks bringing the community (all) together in the parks.	9/30/2025 10:36 AM
181	Taking my children to play at parks	9/30/2025 10:26 AM
182	Fun had meeting other friends	9/30/2025 10:23 AM

Chehalem Park and Recreation District | Community Input Survey

183	was dog park (my pooch passed), Aquatic Center, & always Gettman Loop trail	9/30/2025 10:22 AM
184	Ease of access	9/30/2025 10:16 AM
185	Old Fashioned Festival. Tunes on Tuesday, youth sports, the pool.	9/30/2025 10:04 AM
186	CPRD makes Newberg proud	9/30/2025 9:37 AM
187	Everything they offer to the community	9/30/2025 9:35 AM
188	Youth programs	9/30/2025 9:35 AM
189	Cultural center, parks well maintained	9/30/2025 9:26 AM
190	I lived in Newberg nearly all my life and raised our children there, signing them up for sports teams every year. We also attend the Old fashioned festival, mostly for the music and fireworks, but appreciate The number of activities available for families. Our favorite event is the fireworks. We have a number of friends and family that h gather in the field to visit and reminisce. It's a time we look forward to all year long. I believe festival attendance would go way down if this favorite tradition was cancelled.	9/30/2025 9:17 AM
191	I like that they are easily accessible and casual for our small town.	9/30/2025 9:14 AM
192	Keeps kiddos safe n active n of streets n tablets	9/30/2025 9:12 AM
193	Old Fashion Festival Fireworks	9/30/2025 9:10 AM
194	There is an abundance for the size of the town.	9/30/2025 8:52 AM
195	Memorial Park.	9/30/2025 8:50 AM
196	So many different playgrounds, the amazing cultural center and the vast events	9/30/2025 8:41 AM
197	All of he different programs that are offered for all ages	9/30/2025 8:36 AM
198	Trails	9/30/2025 8:32 AM
199	Scholarships for students	9/30/2025 8:27 AM
200	The old fashioned festival, clean parks	9/30/2025 8:25 AM
201	Old fashioned festival and fireworks	9/30/2025 8:22 AM
202	Easy access	9/30/2025 8:09 AM
203	Easy access	9/30/2025 8:00 AM
204	I don't have a favorite thing.	9/29/2025 2:40 PM
205	Programs for children.	9/29/2025 1:15 PM
206	The.Beautiful grounds located at the pool	9/28/2025 8:50 PM
207	Sports and affordable	9/28/2025 4:45 PM
208	Youth sports	9/28/2025 3:41 PM

Chehalem Park and Recreation District | Community Input Survey

209	My favorite part about CPRD is that they offer scholarships for families that may need a little support.	9/28/2025 2:56 PM
210	Kids sports	9/28/2025 1:37 PM
211	The great care the employees take to keep the golf course and landscape beautiful	9/28/2025 1:01 PM
212	I love the variety of activities and facilities offered/available.	9/28/2025 11:49 AM
213	The aquatic and fitness center are a great asset for our community. I attend often.	9/28/2025 8:05 AM
214	Newberg parks! Aquatic center! Trails! BMX	9/27/2025 8:39 PM
215	I enjoy the fitness center and pools	9/27/2025 5:23 PM
216	Appreciate all the facilities but I'm especially thankful for the gym, weight area and walking track.	9/27/2025 1:14 PM
217	Well maintained	9/27/2025 10:59 AM
218	I love walking in the natural areas, like Ewing Young park trails. I also like using the lap pool. I wish the tennis courts at Renne Field were usable for tennis.	9/27/2025 10:30 AM
219	Trails, parks, youth sports	9/27/2025 9:04 AM
220	I appreciate options that encourage safe participation for a variety of folks. I love the mountain bike-free hiking and riding adventures at Bob and Crystal Rilee - so much safer for all that way! I enjoy the seniors and disability time at the aquatic center/gym. It's a wonderful space with activities I cherish.	9/27/2025 8:15 AM
221	how beautiful they are! -however, our neighborhood park is being overrun by dogs off leash and bad dog owners	9/27/2025 7:38 AM
222	I love the natural areas, like walking on the trails at Ewing Young Park. I also swim at the lap pool.	9/27/2025 7:19 AM
223	Variety of options . . . swim, golf, hike, bike, relax	9/27/2025 7:13 AM
224	Chehalem Cultural Center. It truly is the gem of the community.	9/27/2025 6:10 AM
225	The commitment to preserving the Crystal Rilee Park as an agricultural and historical resource.	9/26/2025 11:13 PM
226	Equestrian trails	9/26/2025 8:51 PM
227	Affordability and the pool.	9/26/2025 8:34 PM
228	Swimming pool, kids sports then parks and trails	9/26/2025 8:25 PM
229	Youth involvement	9/26/2025 8:01 PM
230	Everything	9/26/2025 6:24 PM
231	Aquatic center, trails	9/26/2025 5:58 PM
232	The amount of parks in the district	9/26/2025 12:47 PM
233	I love the opportunities to get outside in the parks or get some exercise inside at the aquatic facility.	9/26/2025 12:39 PM
234	Close by; family friendly	9/26/2025 11:47 AM

Chehalem Park and Recreation District | Community Input Survey

235	I have 5 parks that are walking distance to my home. I like the accessibility	9/26/2025 11:41 AM
236	Diversity of parks/facilities.	9/26/2025 11:36 AM
237	The pool is great.	9/26/2025 11:15 AM
238	Community sports, playgrounds that build community	9/26/2025 10:53 AM
239	Able to provide services with little resources	9/26/2025 9:18 AM
240	Park Maintenance	9/26/2025 7:05 AM
241	Having many different options to exercise.	9/25/2025 11:37 PM
242	They are expansive and affordable	9/25/2025 9:58 PM
243	I love that You can go hiking and horseback riding at Bob and Crystal Rilee Park is Bike Free, especially from e-bikes.	9/25/2025 7:19 PM
244	The parks. They're all kept and safe.	9/25/2025 6:45 PM
245	Parks are nice	9/25/2025 6:17 PM
246	Nothing, I live in city but county and can't utilize	9/25/2025 5:42 PM
247	The amazing aquatic center and gym. We also love the skatepark and BMX track!	9/25/2025 5:25 PM
248	Turf fields and soccer fields	9/25/2025 5:25 PM
249	Always clean and safe. Great community	9/25/2025 5:01 PM
250	Love the amount of parks our city has.	9/25/2025 4:35 PM
251	Trails	9/25/2025 4:19 PM
252	The improvements they are trying to make! We still have a lot of work to do, but it feels like we are trying to improve	9/25/2025 4:17 PM
253	Kid classes and aquatic fitness center	9/25/2025 3:57 PM
254	Various activities, friendly staff	9/25/2025 3:28 PM
255	My	9/25/2025 3:14 PM
256	That there are so many parks. Aquatic center, too.	9/25/2025 2:56 PM
257	They try.	9/25/2025 2:53 PM
258	ease of sign up	9/25/2025 2:51 PM
259	Walking trails, sports for little kids, woodworking classes :)	9/25/2025 1:18 PM
260	Free parks	9/25/2025 12:16 PM
261	Facilities and programs are close to my home.	9/25/2025 11:36 AM
262	clean and available at reasonable price	9/25/2025 10:59 AM

Chehalem Park and Recreation District | Community Input Survey

263	Trails!parks!open spaces	9/24/2025 11:51 PM
264	Community feel, outdoor places to walk & play	9/24/2025 9:14 PM
265	Rilee Park, natural surface singletrack	9/24/2025 9:05 PM
266	Many options	9/24/2025 7:56 PM
267	There are several offerings for the community across all ages.	9/24/2025 2:59 PM
268	They are clean, well-maintained, and safe. Wonderful!	9/24/2025 11:18 AM
269	varied park facilities for families, aquatic center	9/24/2025 10:46 AM
270	The community events	9/24/2025 8:22 AM
271	The pool and the kids sport options. All children need the option to play	9/24/2025 8:01 AM
272	Parka	9/24/2025 7:43 AM
273	Parks are clean and well maintained. New rec building and pool are great.	9/24/2025 7:33 AM
274	Aquatic center	9/24/2025 6:23 AM
275	Beautiful pool facility, fun kids sports camps and seasonal sports	9/24/2025 6:20 AM
276	I like to use the tennis courts at Jaquith to play pickleball	9/24/2025 6:12 AM
277	I appreciate the green space provided. We use the tennis courts as long as they're available.	9/24/2025 6:00 AM
278	I think the community school program is a great offering.	9/24/2025 5:46 AM
279	My kids enjoyed CPRD sports programs for many years. I love the golf course.	9/24/2025 12:21 AM
280	The preschool program and children's programs.	9/23/2025 10:15 PM
281	So much done for the good of our community	9/23/2025 8:33 PM
282	Developing the walking path behind the skateboard park	9/23/2025 5:08 PM
283	The pools!	9/23/2025 4:18 PM
284	We have many parks throughout town.	9/23/2025 2:32 PM
285	Too many things to list !	9/23/2025 1:06 PM
286	That they exist. Just wish they were well maintained.	9/23/2025 1:00 PM
287	Was Bonnie Benedict Preschool	9/23/2025 12:53 PM
288	The parks	9/23/2025 12:51 PM
289	Trails	9/23/2025 12:40 PM
290	Variety of parks for kids	9/23/2025 11:30 AM

Chehalem Park and Recreation District | Community Input Survey

291	Friendliness and community building	9/23/2025 11:21 AM
292	Equestrian Trails	9/23/2025 11:11 AM
293	The multitude of parks and recreational activities the district offers!	9/22/2025 7:06 AM
294	Affordability and availability	9/21/2025 11:17 PM
295	The variety of activities CPRD has to offer.	9/21/2025 11:02 PM
296	The thing I use most are the park trails	9/21/2025 10:36 PM
297	How many parks there are within the community and the aquatic/fitness center	9/21/2025 10:12 PM
298	Diversity of facilities	9/21/2025 9:27 PM
299	The variety of programs that are offered.	9/21/2025 9:08 PM

Q4 How would you rate the park facilities and recreation service currently provided by Chehalem Park and Recreation District?

Answered: 665 Skipped: 164

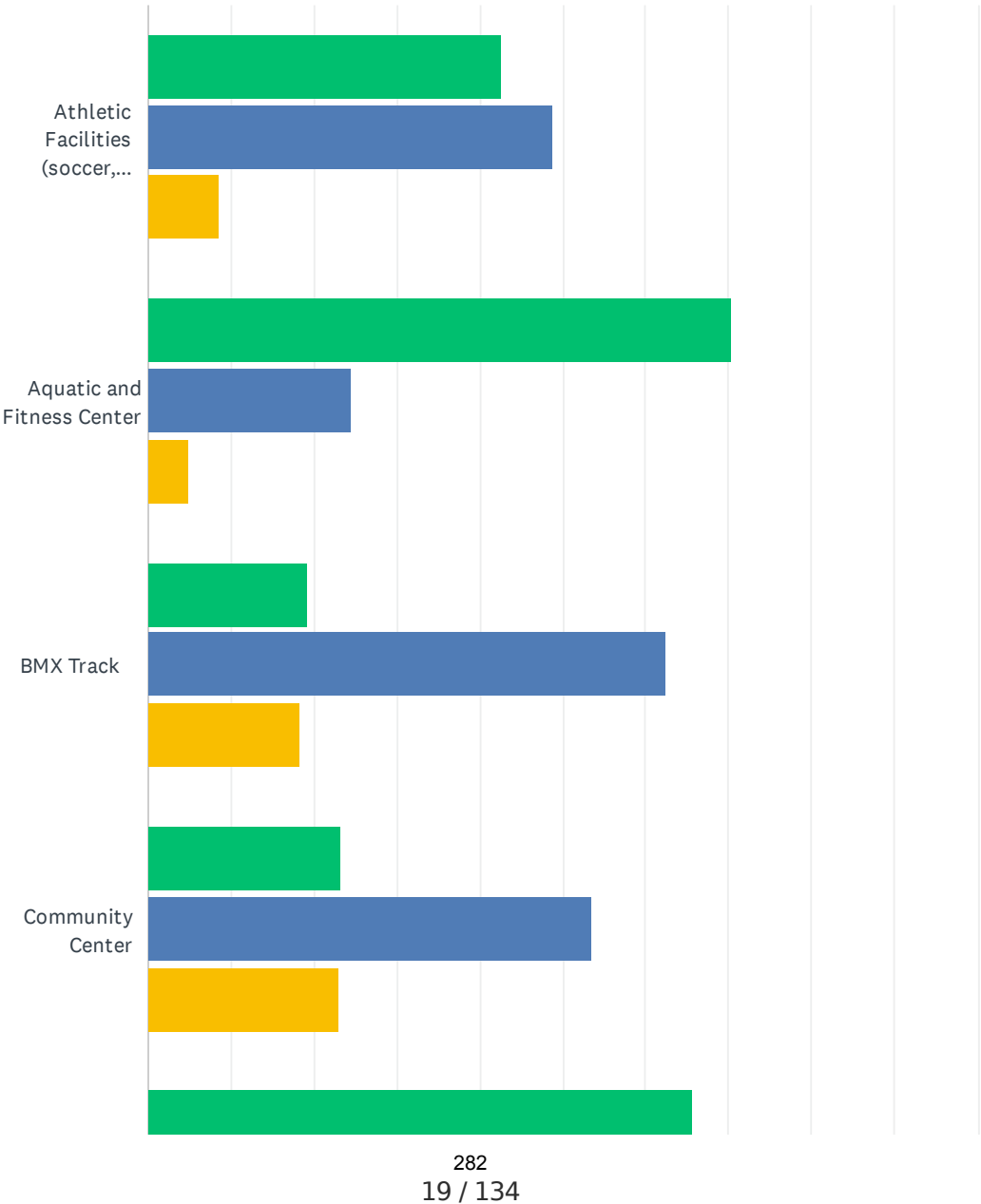
3.7★
average rating



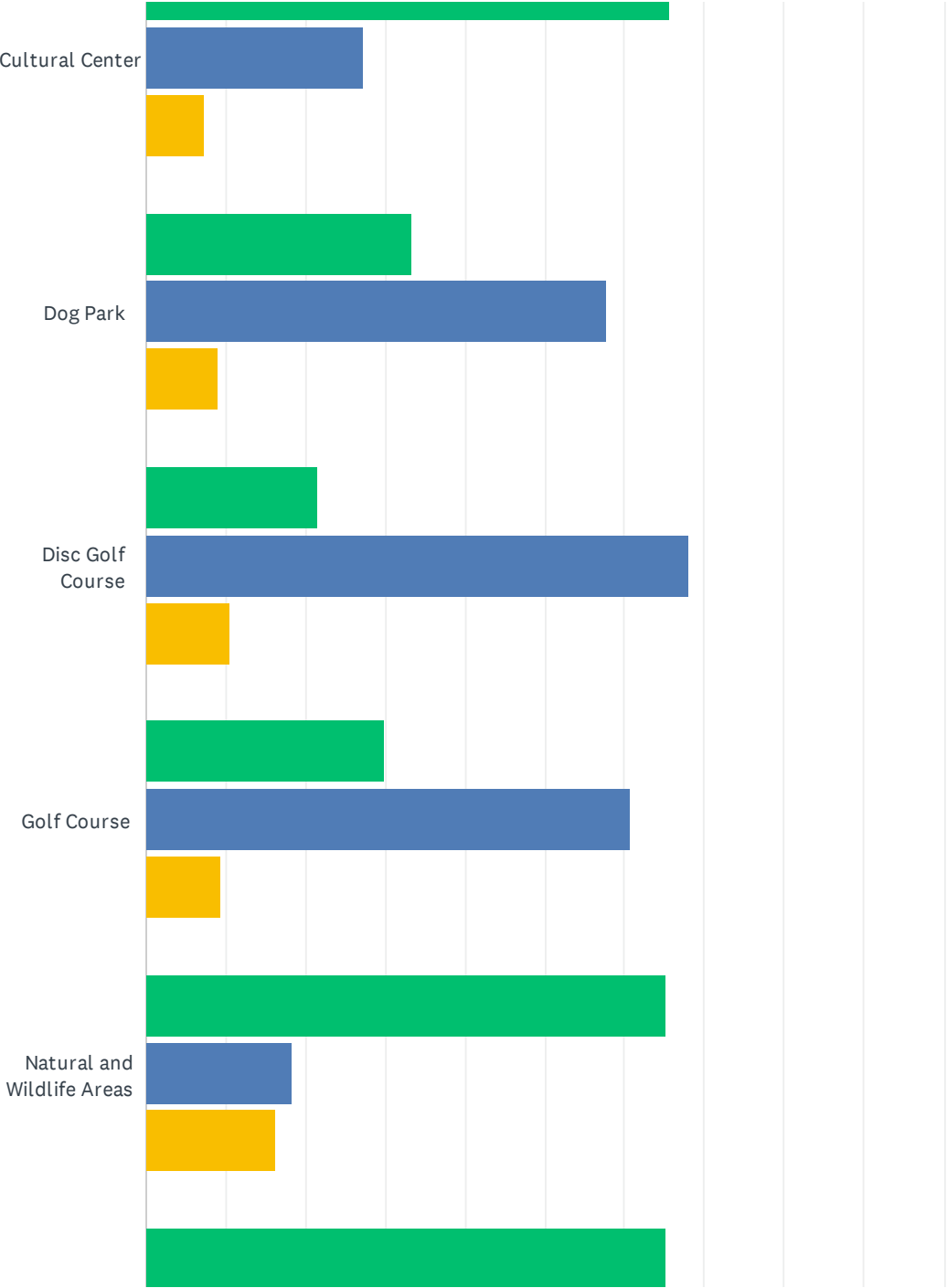
	FAILING / VERY POOR	POOR	ADEQUATE	PRETTY GOOD	EXCELLENT	TOTAL	WEIGHTED AVERAGE
☆	2.11% 14	5.11% 34	28.42% 189	49.32% 328	15.04% 100	665	3.70

Q5 How familiar are you with the parks and facilities already available to you?

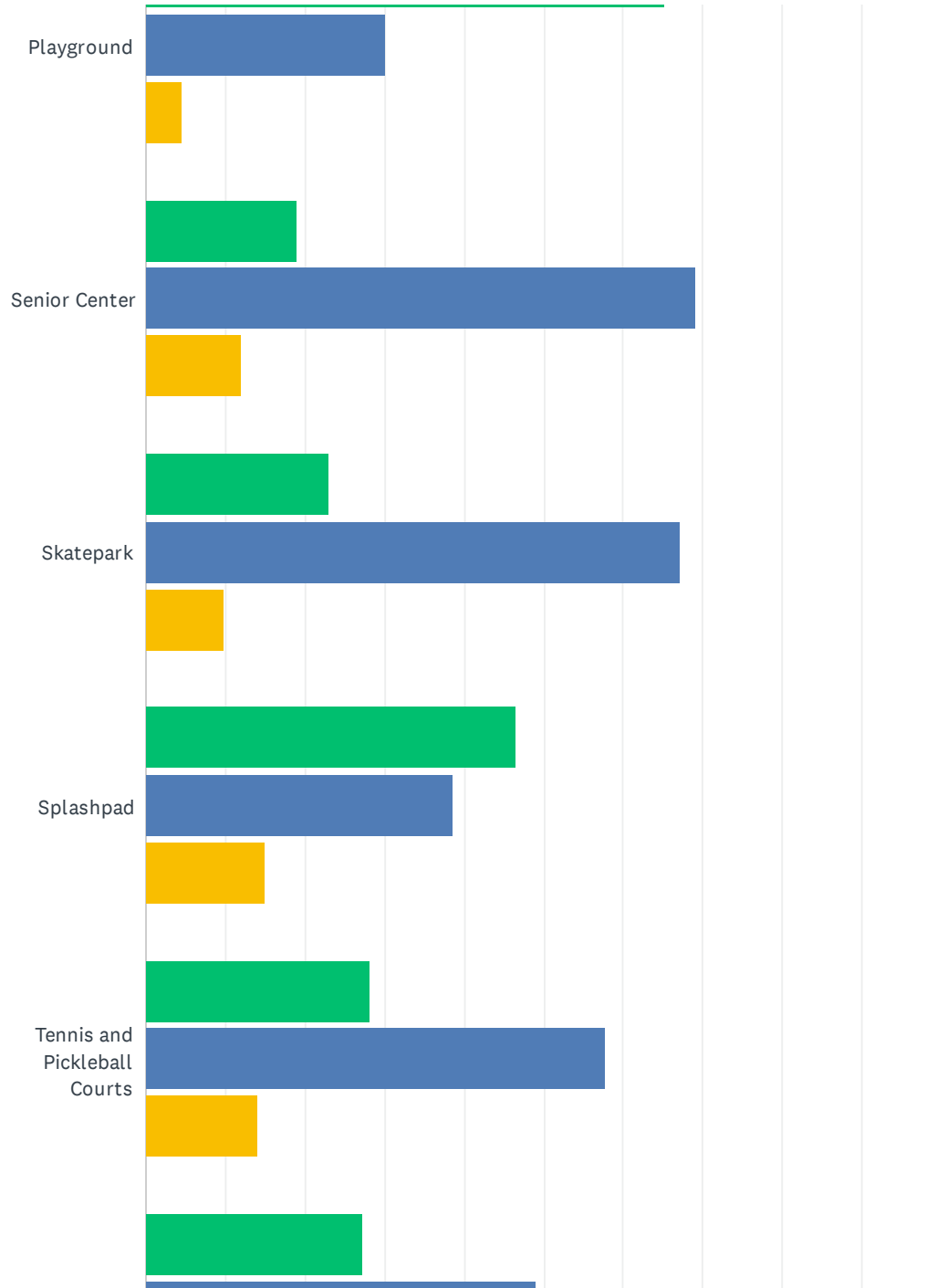
Answered: 693 Skipped: 136



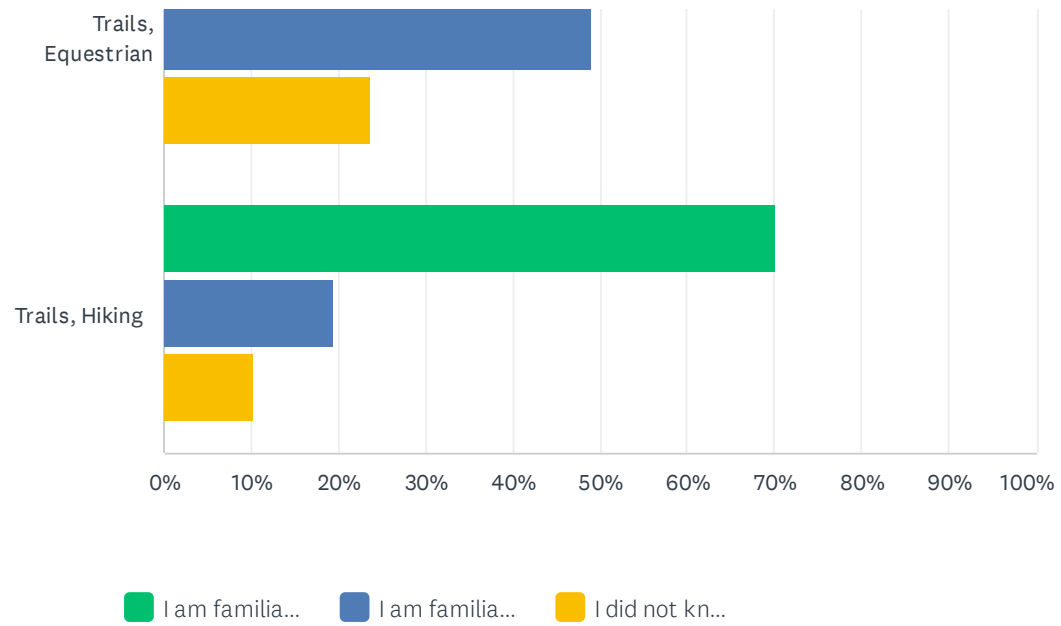
Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey

	I AM FAMILIAR WITH THAT, AND HAVE USED IT.	I AM FAMILIAR WITH THAT, BUT HAVE NOT USED IT.	I DID NOT KNOW THAT THIS WAS AVAILABLE.	TOTAL
Athletic Facilities (soccer, football, baseball, lacrosse, softball, and other sports)	42.65% 290	48.82% 332	8.53% 58	680
Aquatic and Fitness Center	70.43% 455	24.61% 159	4.95% 32	646
BMX Track	19.13% 127	62.50% 415	18.37% 122	664
Community Center	23.27% 155	53.60% 357	23.12% 154	666
Cultural Center	65.57% 438	27.25% 182	7.19% 48	668
Dog Park	33.18% 222	57.85% 387	8.97% 60	669
Disc Golf Course	21.61% 145	67.96% 456	10.43% 70	671
Golf Course	29.79% 199	60.78% 406	9.43% 63	668
Natural and Wildlife Areas	65.32% 437	18.39% 123	16.29% 109	669
Playground	65.34% 443	30.09% 204	4.57% 31	678
Senior Center	18.96% 127	69.10% 463	11.94% 80	670
Skatepark	23.04% 156	67.06% 454	9.90% 67	677
Splashpad	46.54% 316	38.59% 262	14.87% 101	679
Tennis and Pickleball Courts	28.23% 190	57.80% 389	13.97% 94	673
Trails, Equestrian	27.34% 187	48.98% 335	23.68% 162	684
Trails, Hiking	70.16% 475	19.50% 132	10.34% 70	677

Chehalem Park and Recreation District | Community Input Survey

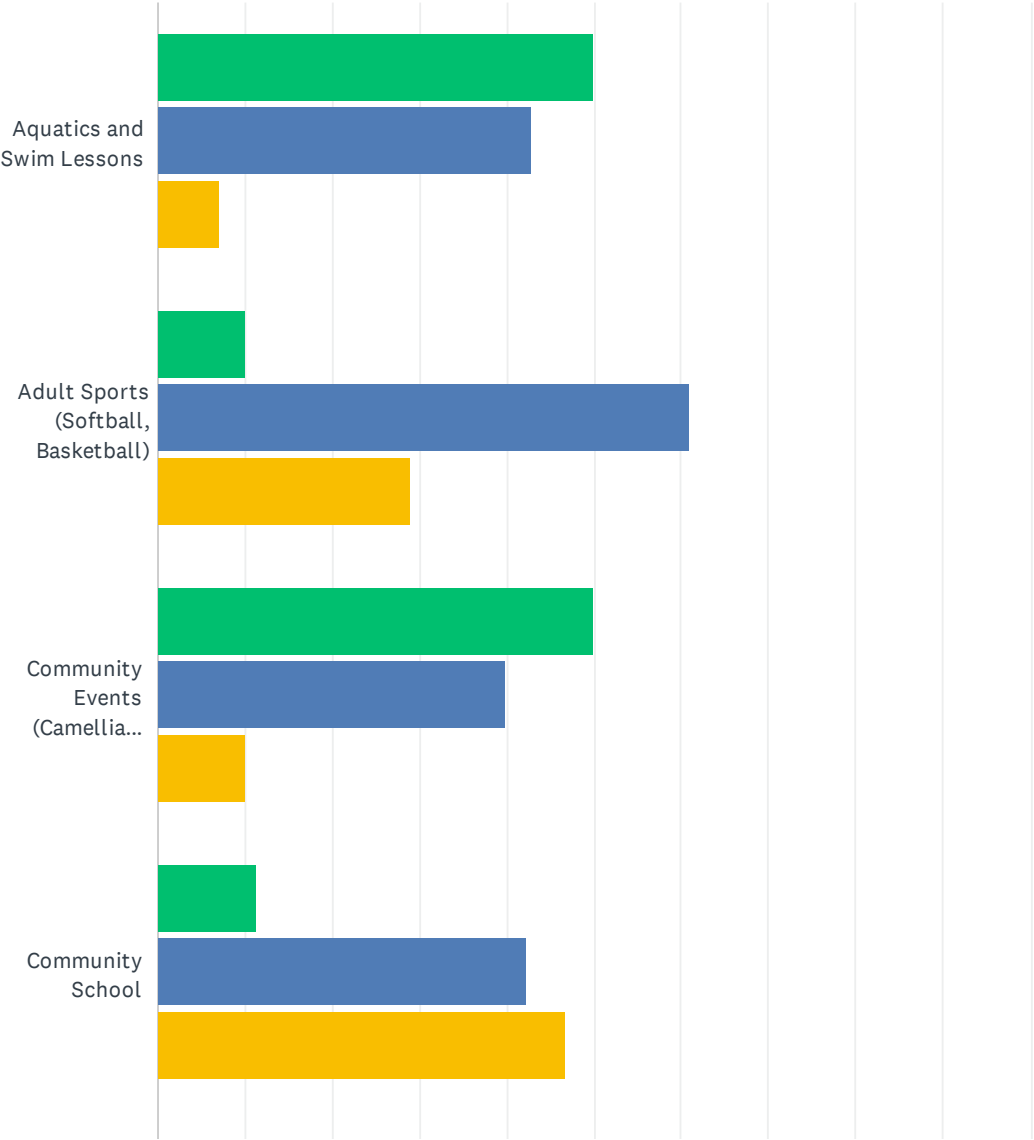
#	OTHER (PLEASE SPECIFY)	DATE
1	\$90 to reserve a park picnic area is too costly!	10/23/2025 3:45 PM
2	Biking trails (at Riley when they were available)	10/21/2025 1:48 AM
3	Trails, Cycling	10/20/2025 6:07 PM
4	I previously cycled at bob and crystal rilee park	10/20/2025 2:01 PM
5	Trails, Mountain Biking	10/20/2025 10:49 AM
6	Biking Trails at Rilee Park	10/19/2025 1:45 PM
7	Memorial Park for annual celebration	10/14/2025 3:46 PM
8	I love to hike trails but am disappointed to see all the destruction and poop the horses cause. Wish no horses on trail and I could bike since that's my passion. Why do we cater to the very few that own horses?	10/12/2025 1:30 PM
9	Walking paths in Jaquith Park are used.	10/10/2025 12:52 PM
10	Mountain biking on the trails	10/9/2025 8:46 PM
11	It's been wonderful hiking at Bob & Crystal Rilee Park without the worry of a bikes, especially e-bikes.	10/8/2025 6:51 PM
12	When I saw "community center" I thought of the senior center as community events are sometimes there.	10/8/2025 12:25 PM
13	Need restroom at Ewing Young. Not porta-potty's	10/8/2025 10:41 AM
14	Need more off road biking trails.	10/8/2025 10:02 AM
15	Allow bikes on trails again. Please!	10/7/2025 5:01 PM
16	Renne Field Fireworks	10/7/2025 12:19 PM
17	Used to mtb at Riley park before it was banned. Miss having that so close.	10/7/2025 11:24 AM
18	Trails, mountain biking	10/7/2025 9:17 AM
19	Used to bike at Bob and Crystal Riley Park	10/7/2025 7:17 AM
20	Need to add Mountain Biking	10/7/2025 7:04 AM
21	The trails at Bob and Crystal Rilee need better directional signs along the trail.	10/6/2025 5:21 PM
22	Trails, cycling (probably not on here due to losing access to Rilee park trails?)	10/6/2025 9:29 AM
23	I have used trails in the past that were accessible to mountain bikes. but DO NOT RIDE HORSES OR HIKE	10/6/2025 7:10 AM
24	I am familiar with and have used Bob & Crystal Rilee park for mountain biking, and would love to again	10/5/2025 10:35 PM
25	Trails for mountain biking	10/5/2025 9:46 PM
26	Have used trails for cycling when previously allowed.	10/5/2025 9:06 PM

Chehalem Park and Recreation District | Community Input Survey

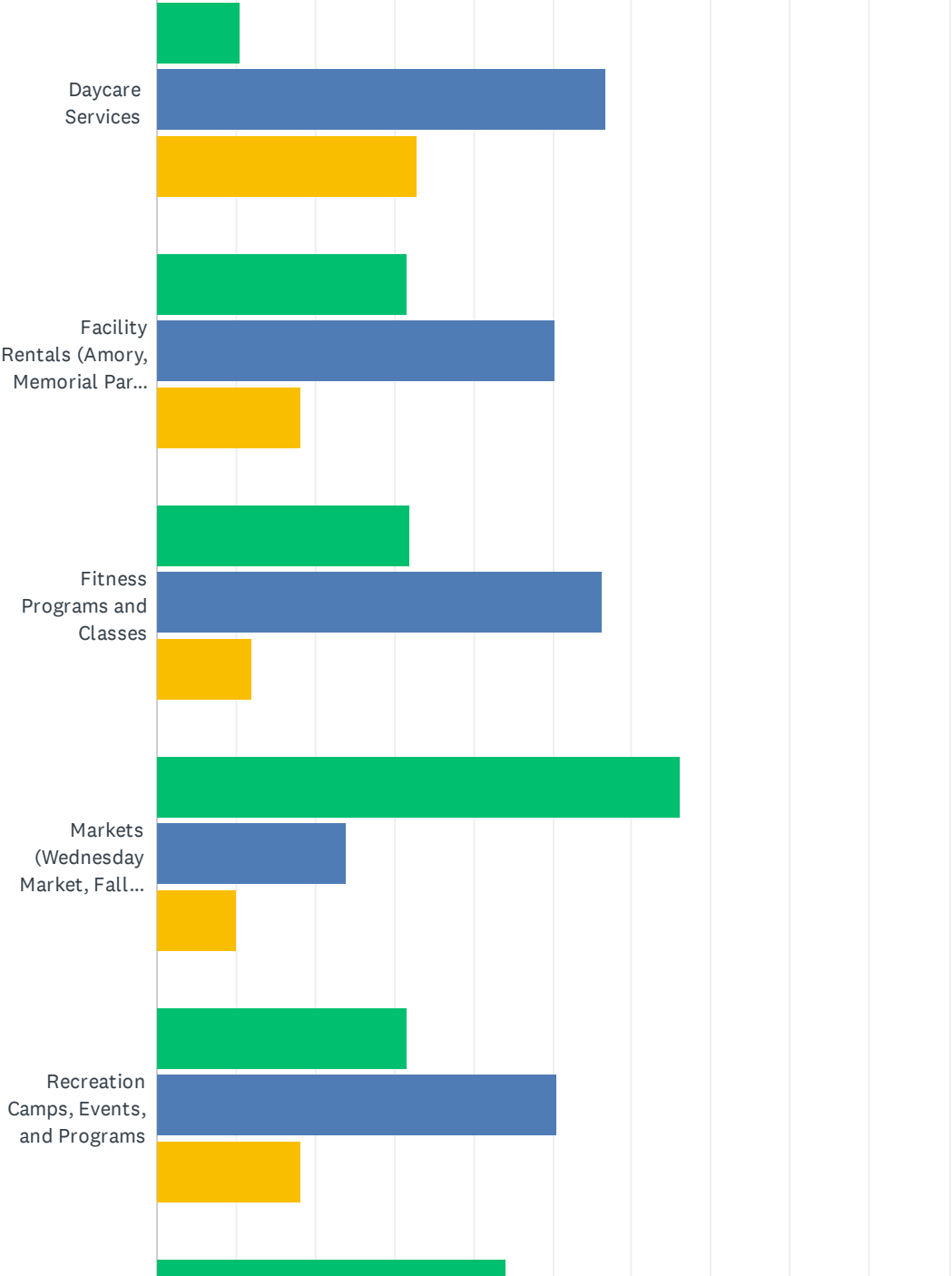
27	I love hiking but would also like to access trails for cycling.	10/5/2025 9:03 PM
28	Used to use Rilee park for mountain biking but now there are no mtn bike trails available	10/5/2025 9:02 PM
29	Very disappointed that CPRD has not rebuilt mountain biking activities. Strongly suggest CPRD re open bob and rilee for mountain biking g. Many many municipalities have shared use trails with no issues. The fact that CPRD has not done this is very disappointing.	10/3/2025 7:31 PM
30	I ride horses at Crystal Rilee park	10/2/2025 9:21 AM
31	Please maintain the equestrian trails for hikers and horses only!!! Please!!	10/1/2025 8:05 PM
32	Bonnie Benedict Preschool	10/1/2025 2:25 PM
33	I'm not sure if which or how many there are	10/1/2025 9:35 AM
34	Old Fashioned Festival Fireworks	9/30/2025 5:15 PM
35	Too many and low maintenance	9/30/2025 9:35 AM
36	Golf course	9/30/2025 8:27 AM
37	dogs off leash has become a problem	9/27/2025 7:38 AM
38	The equestrian trails are amazing. Thank you for removing the bikes from the trails.	9/26/2025 8:51 PM
39	We need Mountain Bike Trails.	9/26/2025 8:01 PM
40	Are the trails safe for seniors?	9/26/2025 3:24 PM
41	What is the community center?	9/26/2025 11:47 AM
42	We LOVED the bike trails at Bob and Crystal Rilee but you closed them for horses only. So sad.	9/25/2025 4:17 PM
43	Awesome Rilee MTB riding, before cyclist were discriminated against	9/24/2025 9:05 PM
44	Used to ride my bicycle at Rilee Park before it was outlawed. :(	9/23/2025 2:32 PM
45	Bonnie Benedict Preschool	9/23/2025 12:53 PM

Q6 How familiar are you with the recreation programs, camps and activities that are already available to you?

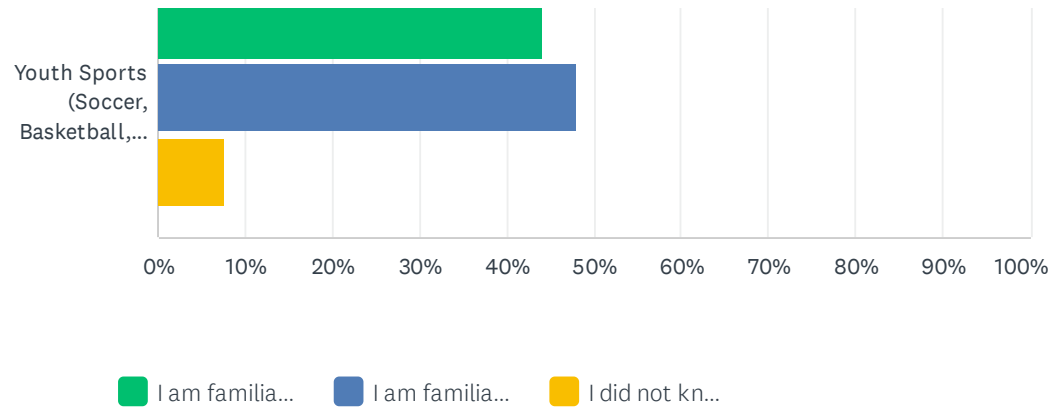
Answered: 682 Skipped: 147



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



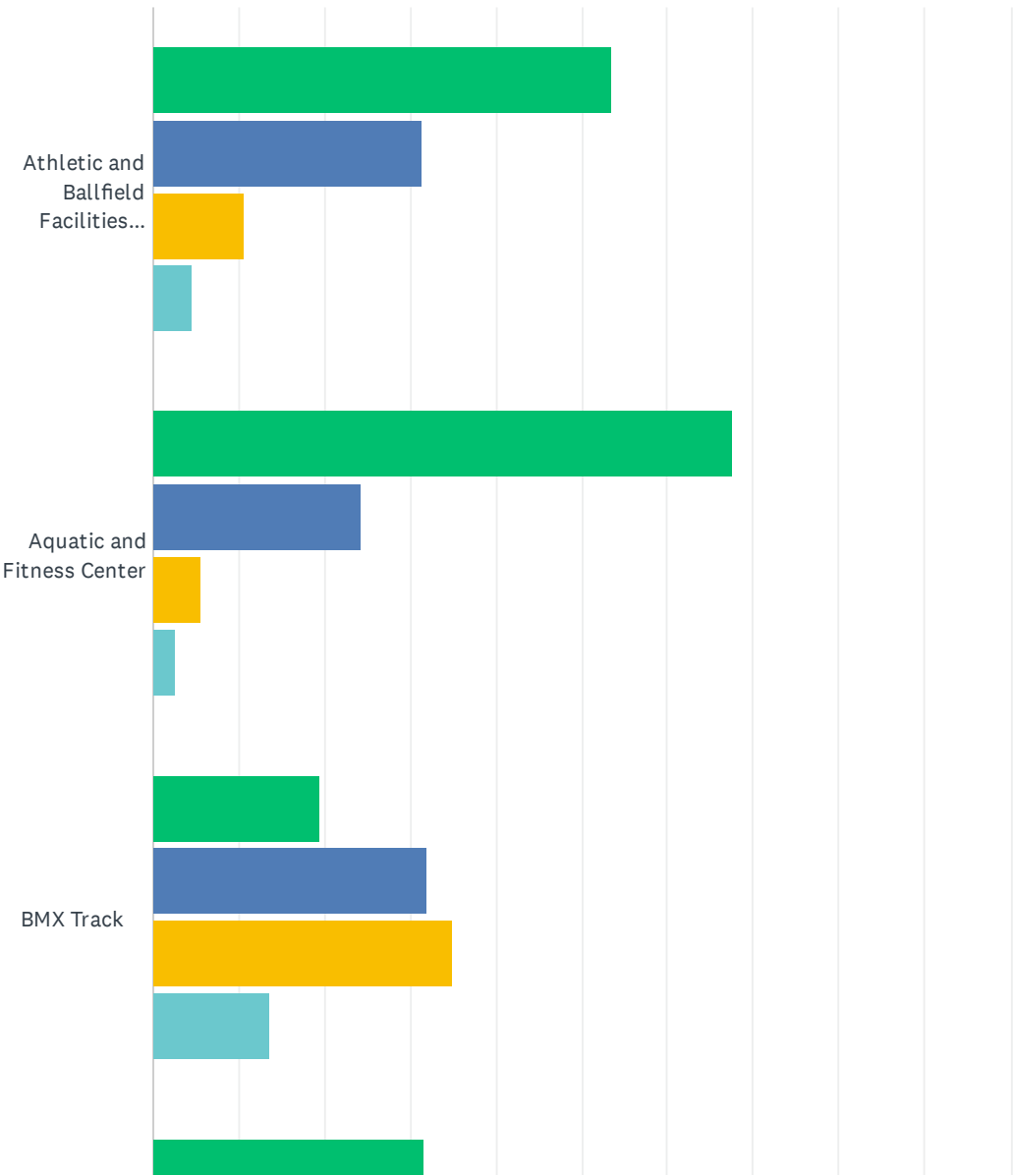
	I AM FAMILIAR WITH THAT, AND HAVE USED IT.	I AM FAMILIAR WITH THAT, BUT HAVE NOT USED IT.	I DID NOT KNOW THIS WAS AVAILABLE.	TOTAL
Aquatics and Swim Lessons	50.00% 339	42.92% 291	7.08% 48	678
Adult Sports (Softball, Basketball)	10.09% 66	61.01% 399	28.90% 189	654
Community Events (Camellia Festival, Easter Egg Hunt, Father Daughter Dance, and others)	50.00% 338	39.94% 270	10.06% 68	676
Community School	11.20% 74	42.21% 279	46.60% 308	661
Daycare Services	10.38% 69	56.69% 377	32.93% 219	665
Facility Rentals (Amory, Memorial Park, and other spaces)	31.65% 213	50.22% 338	18.13% 122	673
Fitness Programs and Classes	31.93% 213	56.22% 375	11.84% 79	667
Markets (Wednesday Market, Fall Bazaar)	66.07% 444	23.81% 160	10.12% 68	672
Recreation Camps, Events, and Programs	31.48% 209	50.45% 335	18.07% 120	664
Youth Sports (Soccer, Basketball, Cheer, E-sports, Football, Gymnastics, Lacrosse, Tennis, Tennis, Track, and Volleyball)	44.21% 298	48.07% 324	7.72% 52	674

Chehalem Park and Recreation District | Community Input Survey

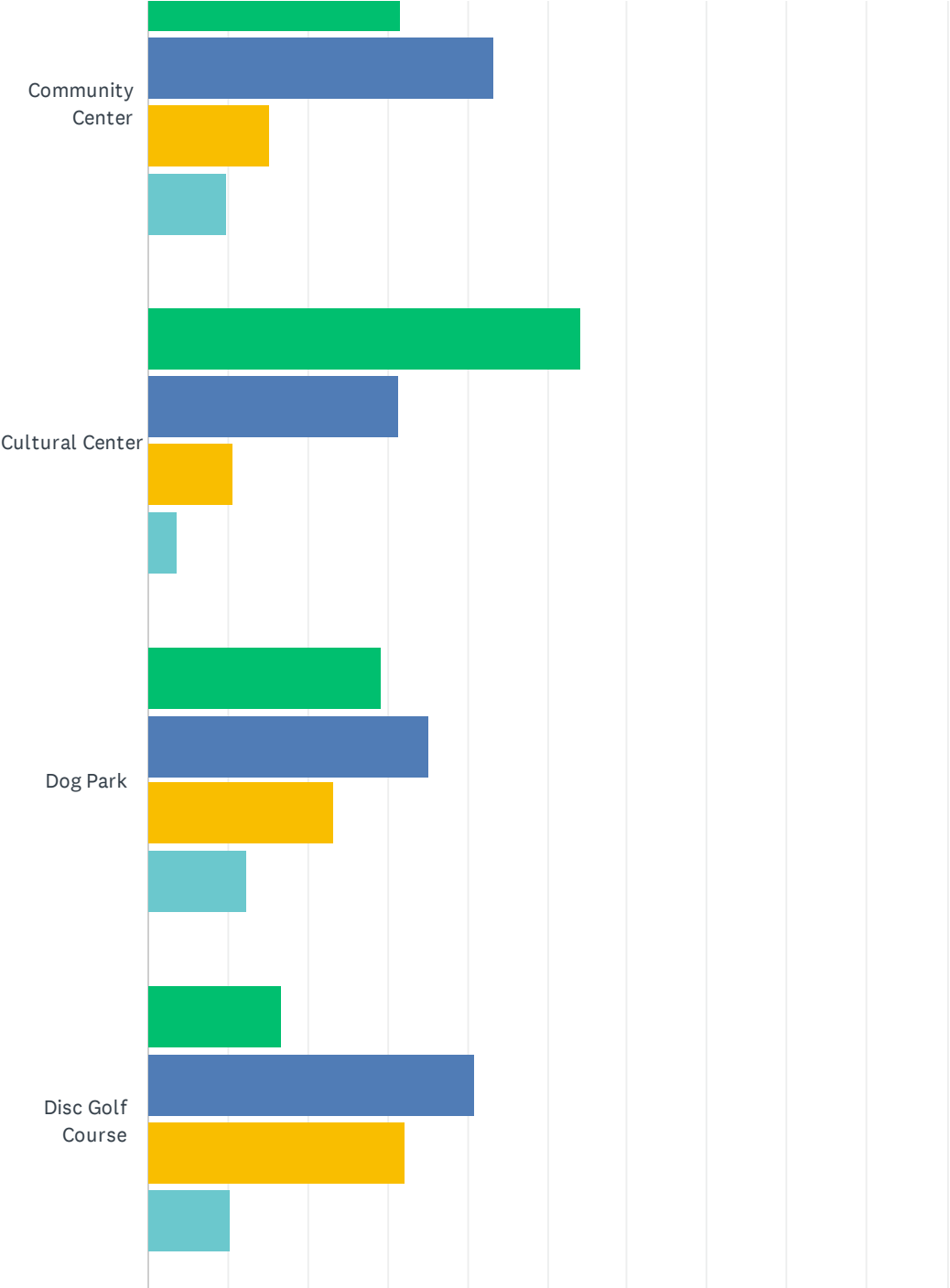
#	OTHER (PLEASE SPECIFY)	DATE
1	Need Mountain Biking	10/7/2025 7:04 AM
2	Pottery	10/5/2025 9:46 PM
3	Previously would mountain bike at Rilee park and now not allowed	10/5/2025 9:18 PM
4	Bob and Crystal Rilee Park - love this park would love for cyclists to have access again.	10/5/2025 8:52 PM
5	Bob and Crystal Rilee park	10/2/2025 9:24 AM
6	I ride horses at Crystal Rilee Park	10/2/2025 9:21 AM
7	Na	10/1/2025 11:17 PM
8	I use Bob and Crystal Riley equestrian park regularly and appreciate having a safe place to ride my horse without having to worry motorbikes and bikes. Well kept park and truly a gem.	10/1/2025 8:24 AM
9	The Camellia Festival was extremely small last year and it used to be a hallmark event in the community. Please work to regrow it to a vibrant celebration of flowers and culture!	9/27/2025 7:19 AM
10	Wednesday market was full too soon. We could not get a table for this reason. Could it be expanded to a bigger venue like for example the Chehalem cultural center PCC?	9/26/2025 11:47 AM
11	Love the amount of parks our city has. HATE the lack of hours for swimming and adult leisure swim time. The cost of Child Care- it's way too much for something CPRD doesn't even have to pay for the facilities.	9/25/2025 4:35 PM
12	Would love to see more offerings for community school middle school ages	9/24/2025 5:46 AM
13	Bonnie Benedict Preschool	9/23/2025 12:53 PM

Q7 How important are park and recreation facilities to you?

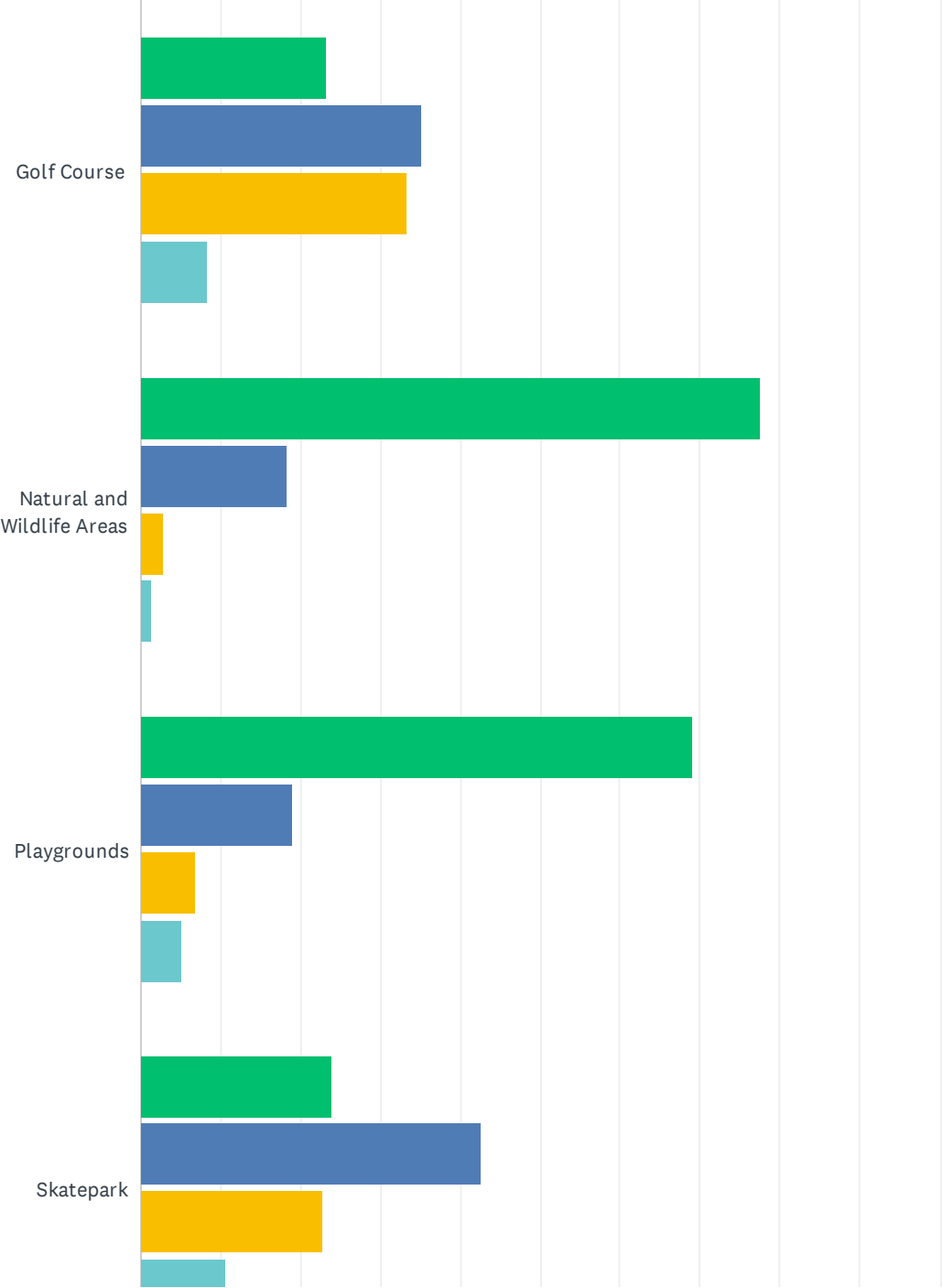
Answered: 648 Skipped: 181



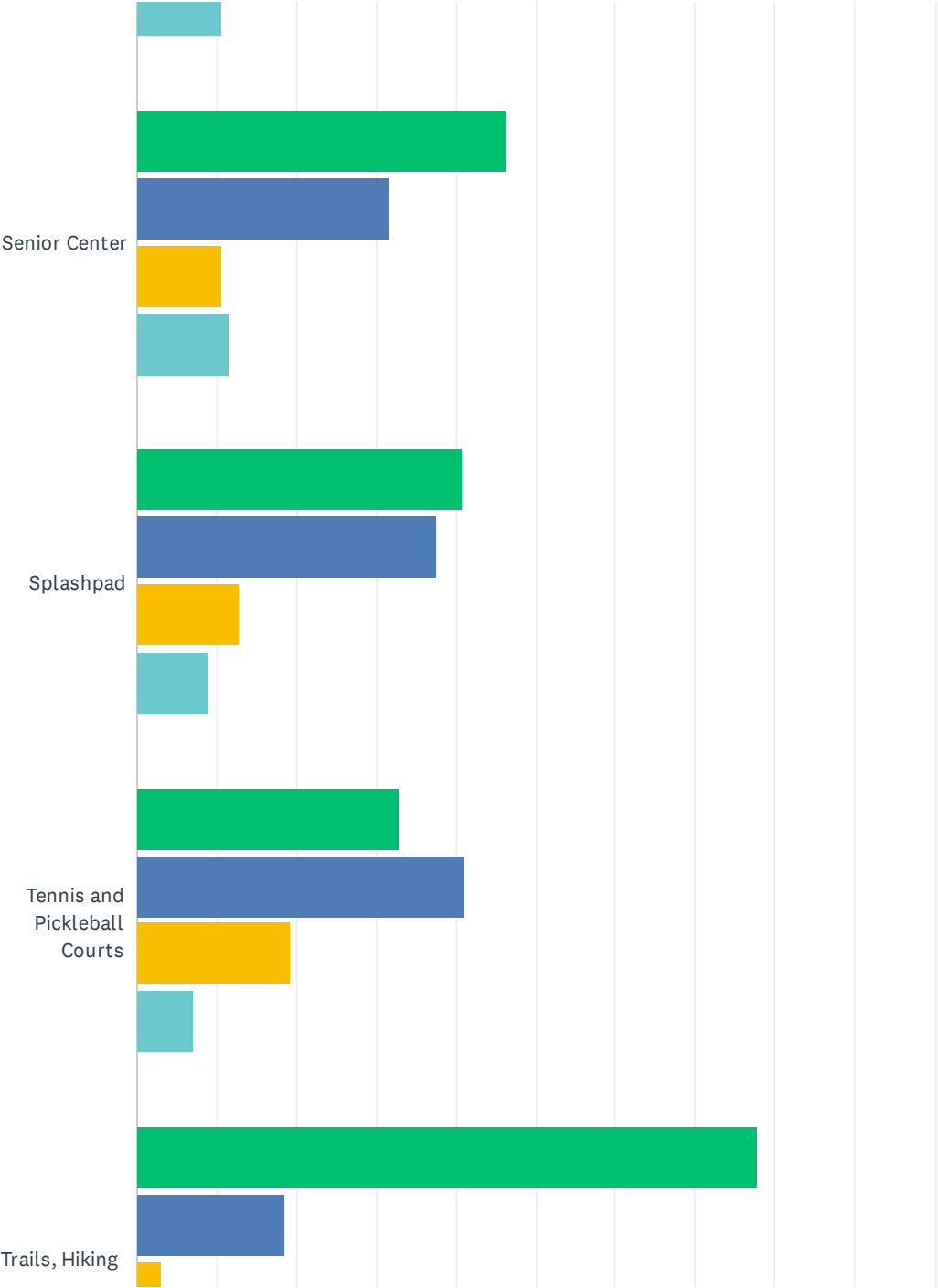
Chehalem Park and Recreation District | Community Input Survey



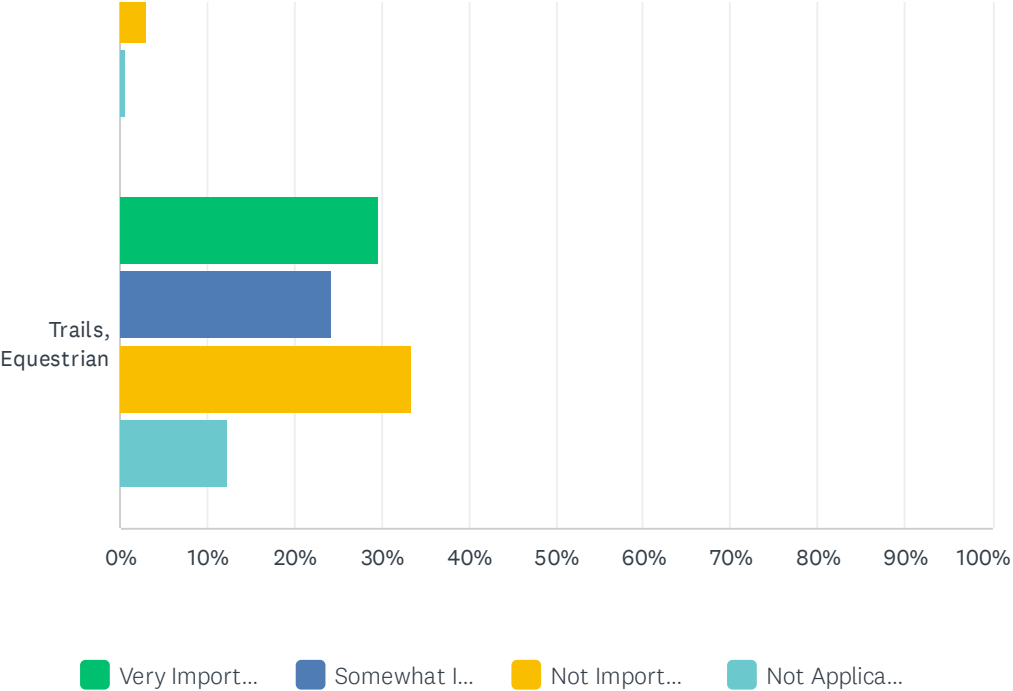
Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey

	VERY IMPORTANT	SOMEWHAT IMPORTANT	NOT IMPORTANT	NOT APPLICABLE	TOTAL
Athletic and Ballfield Facilities (soccer, football, baseball, lacrosse, softball, and other sports)	53.46% 340	31.29% 199	10.69% 68	4.56% 29	636
Aquatic and Fitness Center	67.69% 419	24.23% 150	5.49% 34	2.58% 16	619
BMX Track	19.37% 122	32.06% 202	34.92% 220	13.65% 86	630
Community Center	31.58% 198	43.38% 272	15.15% 95	9.89% 62	627
Cultural Center	54.26% 344	31.39% 199	10.73% 68	3.63% 23	634
Dog Park	29.11% 184	35.28% 223	23.26% 147	12.34% 78	632
Disc Golf Course	16.72% 105	40.92% 257	32.17% 202	10.19% 64	628
Golf Course	23.22% 147	35.23% 223	33.33% 211	8.21% 52	633
Natural and Wildlife Areas	77.71% 495	18.37% 117	2.67% 17	1.26% 8	637
Playgrounds	69.13% 439	18.90% 120	6.77% 43	5.20% 33	635
Skatepark	23.97% 151	42.54% 268	22.86% 144	10.63% 67	630
Senior Center	46.31% 295	31.55% 201	10.68% 68	11.46% 73	637
Splashpad	40.83% 256	37.48% 235	12.76% 80	8.93% 56	627
Tennis and Pickleball Courts	32.80% 206	41.08% 258	19.11% 120	7.01% 44	628
Trails, Hiking	77.92% 501	18.51% 119	2.95% 19	0.62% 4	643
Trails, Equestrian	29.70% 185	24.40% 152	33.55% 209	12.36% 77	623

Q8 What is the most important thing that CPRD should know about your park and recreation facility needs?

Answered: 459 Skipped: 370

#	RESPONSES	DATE
1	The poll needs larger changing rooms and more parking. Pickleball needs indoor spaces that are separate from the aquatic center.	10/31/2025 11:02 AM
2	I would like to see the trails open to cyclists.	10/28/2025 2:27 PM
3	Update Renne Field track!	10/28/2025 10:49 AM
4	Crystal Rilee is bike free. Thank you for keeping equestrians safe.	10/28/2025 9:54 AM
5	Chehalem aquatic center weight & exercise area needs to be expanded. Very crowded.	10/28/2025 7:32 AM
6	Would like more paved walking/cycling trails and one connecting Newberg with Dundee	10/27/2025 9:03 PM
7	There needs to be sanctioned mountain bike trails	10/26/2025 9:26 PM
8	updating	10/24/2025 2:47 PM
9	The lap swim area needs the AC fixed. It's incredibly warm in there for both spectators and athletes.	10/24/2025 11:27 AM
10	As the community grows it is important to have places for people to gather and build community around various interests.	10/24/2025 10:48 AM
11	My kids should be allowed to ride their bikes at Rilee Park again. The bike ban was really bad for the community and the board members should be ashamed of themselves for kicking kids out of a park.	10/24/2025 10:01 AM
12	Playgrounds need updating	10/23/2025 4:14 PM
13	We need paths that connect our parks, schools, and downtown like sherwood, tigard, beaverton, etc.	10/21/2025 8:39 PM
14	I probably won't be using them, but families should have safe places to ride their bikes in our parks.	10/21/2025 1:45 PM
15	Bob and Crystal Riley park needs to allow people who want to bike on their trails to do so.	10/21/2025 8:46 AM
16	Trails for bikes	10/21/2025 1:51 AM
17	I would like to see more opportunity for cycling on dirt trails in the community.	10/20/2025 6:09 PM
18	Allow Bob and Riley park to be used for biking again.	10/20/2025 5:50 PM
19	It would be incredibly beneficial to myself and hundreds of other community members if there was more cycling infrastructure, especially at bob and crystal rilee park, since it was shut down to cyclists, lots of people have lost the ability	10/20/2025 3:50 PM

Chehalem Park and Recreation District | Community Input Survey

to spend the time doing what they love in nature, and I believe that having more cycling infrastructure would help the community an incredible amount.

20	I coach a local mountain by team and and part of that community and know that there is a need for opportunities more local to the Portland area. A couple years back when Bob and Crystal Riley Park was made exclusive to equestrian use it excluded an entire population of potential users who would benefit.	10/20/2025 10:56 AM
21	my mountain biking spot was taken away! :(	10/20/2025 10:50 AM
22	We love riding our horses on the horse trails	10/20/2025 10:36 AM
23	upkeep and maintenance are important for existing assetes	10/19/2025 9:51 PM
24	Keeping horse trails open	10/19/2025 4:40 PM
25	Facility rules should be enforced or removed. If you have a leash rule, then enforce it. If equestrian trails require special treatment then the equestrians should pay a usage fee for their maintenance.	10/19/2025 2:00 PM
26	Sports fields need expansion and improvement	10/18/2025 4:35 PM
27	It seems like some of the facilities are aging and money needs to be available to repair and or replace structures.	10/18/2025 4:27 PM
28	We need a bowling center. An indoor winter activity for all ages.	10/18/2025 3:24 PM
29	Bikes should be allowed at Rilee park. stop catering to rich horse owners. please share these public spaces with everyone.	10/18/2025 11:03 AM
30	Indoor soccer or futsal would be awesome! And an additional splash pad in newberg	10/17/2025 3:16 PM
31	We often go to the playground at Scott Leavitt Park and it is out of date and dangerous. It needs an update badly! We also walk to Renee field and play there often and very much want the heads to stay! Please don't turf it! The grass provides cool air.	10/15/2025 6:11 PM
32	We have access to some exceptional facilities/parks, but they need to be maintained well so that they continue to be utilized. I personally think that the wednesday market is waste (as it currently exists)--it doesn't attract many vendors and is incredibly small for the size of our town.	10/15/2025 3:53 PM
33	I prefer activities where I'm interacting with nature, but I value facilities that others in the community use. Except golf courses - I think they're a waste of money & resources.	10/14/2025 8:25 PM
34	I wish I was physically able to use more of them.	10/14/2025 3:55 PM
35	We recently visited Dundee Billick Park and were very disappointed that the history QR codes are not working. We love learning about the communities history and those who were here before us. It's important!	10/14/2025 3:40 PM
36	The buildings need upgrading, but outside maintenance is wonderful	10/14/2025 9:33 AM
37	Need more disk Golf courses?	10/13/2025 3:41 PM
38	I really look forward to a nice walking/biking trail between Dundee and Newberg, along the river would be great well lit and maintained.	10/13/2025 10:54 AM
39	I use hiking and biking trails	10/12/2025 10:07 PM

Chehalem Park and Recreation District | Community Input Survey

40	Dundee Billick Park needs new basketball nets, new backboards would be great too.	10/12/2025 8:01 PM
41	I'm offended and upset that the very rich few whom own horses get access to ruin miles of trails while my children whom love bikes have no access. Makes no sense.	10/12/2025 1:40 PM
42	Continue to provide a wide variety of services and spaces for residents.	10/12/2025 8:04 AM
43	I would like to be able to walk between all parks and schools, and from Newberg to Dundee.	10/12/2025 7:38 AM
44	Lights at the skatepark and bmx track so that kids can have something to do in the evenings when it gets dark early (winter).	10/11/2025 8:52 PM
45	a shooting machine for basketball	10/11/2025 1:35 PM
46	Would love to see more of the parks expanded to include more hiking and biking trails..	10/10/2025 4:32 PM
47	We need much more maintenance in the city parks so that walking paths, grounds and facilities are in good shape. Currently, they are a mess.	10/10/2025 12:59 PM
48	Safe trail between Newberg and Dundee!!! Making this accessible will further unite our communities!!	10/10/2025 12:05 PM
49	We need the preschool back, it was an affordable option when my daughter was in preschool, and it is scary that it is closed, it directly impacts our community negatively, because even if a small portion of families were enrolled, it allows a peace of mind for the community that the option is there. We also need more affordable access to the swimming pool, it cost too much for myself and my daughter to visit often, which is disappointing because she loves swimming so much.	10/10/2025 11:56 AM
50	It is important the well maintained trails at Bob & Crystal Rilee Park remain bike free, especially e-bikes. Horses can freak out at bikes and it can be dangerous.	10/10/2025 10:16 AM
51	We love what you do. It would be wonderful to have more parks, especially with the volume of new housing going in. Some parks need a refresh on the equipment, but we know the capital investment means that takes time.	10/10/2025 9:49 AM
52	maintain clean and safe parks	10/10/2025 8:40 AM
53	Keeping parks maintained and safe for the kids in the community should be towards the top of priorities.	10/9/2025 10:56 PM
54	Mountain biking on trails	10/9/2025 8:49 PM
55	I play soccer for Newberg high school, enjoy hiking and mountain biking, and I go to the aquatic center gym.	10/9/2025 8:47 PM
56	Public transportation to a park, trail etc	10/9/2025 6:40 PM
57	We need more natural areas and trails	10/9/2025 6:08 PM
58	Lower prices for classes, upkeep of older playgrounds	10/9/2025 3:51 PM
59	We need more turf fields for youth sports	10/9/2025 2:39 PM
60	It feels like there's a big emphasis on building more athletic fields, but those fields aren't always available for people who want open green space to picnic or run around. I'm worried that by building too many fields, we're going to lose open green space to relax and enjoy the parks.	10/9/2025 11:48 AM
61	They should provide facilities for all types of recreation activities	10/9/2025 11:39 AM

Chehalem Park and Recreation District | Community Input Survey

62	A new clubhouse at CG.	10/9/2025 10:00 AM
63	Bathrooms at the BMX / skate park	10/9/2025 8:56 AM
64	Proper rest room facilities at the outdoor parks	10/9/2025 8:15 AM
65	Severe lack of turf athleticism fields. Existing grass fields are low quality.	10/9/2025 5:54 AM
66	Need restrooms	10/8/2025 10:50 PM
67	The swim team does not get enough pool time. I wish the lap swimmers in the community would be willing to share the space with the high performance swimmers. Most other clubs get 2 hours of practice for their high performance swimmers. At the pool in Newberg, my daughter only gets an hour and 15 minutes. We have been informed that it is because lap swimmers don't want to share the space with swim team. Since the swim team shares the pool with the community, NHS, GFU, and waterpolo, it would be nice to find more ways to give everyone more pool time.	10/8/2025 10:26 PM
68	More bathroom	10/8/2025 9:06 PM
69	My husband and/or I use CRPD facilities most days of the week. Availability, Maintenance, cleanliness, safety are important to us	10/8/2025 9:06 PM
70	need more activities and upgraded facilities for kids and families	10/8/2025 8:35 PM
71	Quality restroom facilities (Ewing Young Park)	10/8/2025 8:33 PM
72	We need bathrooms at the bmx track	10/8/2025 8:25 PM
73	We don't even live in Newberg and we come to Newberg for these facilities.	10/8/2025 8:15 PM
74	Not enough good conditioned kids parks. The splash pad and memorial park are a good start but many need severe desperate updates.	10/8/2025 8:08 PM
75	Real bathrooms	10/8/2025 7:54 PM
76	The need for bathroom's at The Skatepark/ BMX Track	10/8/2025 7:42 PM
77	Bathroom facilities at the skatepark, disc golf and BMX area. The ports potty are terrible	10/8/2025 7:41 PM
78	I would love for there to be permanent bathrooms at Ewing Young spar, and more places to Mountain bike. I really enjoyed riding at Bob and Crystal Rilee before it was closed for just horses	10/8/2025 7:39 PM
79	Bathroom at the bmx track	10/8/2025 7:33 PM
80	Cleanliness and conveniences are important- Parking and bathroom	10/8/2025 7:29 PM
81	Bathrooms at the skate park and BMX track.	10/8/2025 7:28 PM
82	Restrooms are needed at Ewing Young	10/8/2025 7:28 PM
83	The website to sign up for activities is good but it's hard to just explore what activities, lessons, etc are actually available. I don't see a lot of advertising either.	10/8/2025 7:25 PM
84	Excessively loud, obnoxious "music" during early morning lap swim with no accommodation for reduction in volume or requests for a non-vocal genre.	10/8/2025 7:25 PM

Chehalem Park and Recreation District | Community Input Survey

85	Sprinklers need to be checked to that we're not watering the streets all summer	10/8/2025 7:16 PM
86	As an equestrian with a young horse, for safety, it is important to have wide, bike free trails, like Bob & Crystal Rilee Park.	10/8/2025 7:13 PM
87	keep everything maintained!	10/8/2025 6:36 PM
88	Access to mountain bike trails & bike paths are needed.	10/8/2025 6:12 PM
89	Looking forward to the new park in Dundee. Would like to see pickleball in Dundee with intro lessons.	10/8/2025 6:03 PM
90	There are not enough lap swim hours!	10/8/2025 5:16 PM
91	That you haven't met citizens needs in a very long time	10/8/2025 5:11 PM
92	Trails are awesome! Would love more of them.	10/8/2025 4:55 PM
93	Affordable childcare - too expensive and 12 day limit for part time????!	10/8/2025 4:20 PM
94	Keep the fireworks at the OFF	10/8/2025 4:07 PM
95	We have no mountain biking with 1 hour of our town	10/8/2025 3:47 PM
96	We need more hiking and biking trails.	10/8/2025 3:33 PM
97	Parks and trails	10/8/2025 2:41 PM
98	sooner availability to sign up for summer activities; working parents need to have a plan for the summer.	10/8/2025 2:07 PM
99	Safety and cleanliness.	10/8/2025 1:14 PM
100	Well maintained trails	10/8/2025 1:14 PM
101	Maintaining and improving what we have matters more to me than adding new.	10/8/2025 12:52 PM
102	Keep up the good work.	10/8/2025 12:48 PM
103	more bike trails! Bypass! Open Rilee Park to Mountain Bikers!!!	10/8/2025 12:40 PM
104	Hiking/walking	10/8/2025 12:29 PM
105	Having the gym and sky track area of the Aquatic and Fitness Center open later would make it more accessible for me.	10/8/2025 12:24 PM
106	Not for me as a senior citizen but for everyone else.	10/8/2025 12:06 PM
107	Good solid communications on updates, changes, improvements, needs, etc	10/8/2025 12:04 PM
108	Find a better way to get the information. Some of these things I didn't know they were available.	10/8/2025 11:59 AM
109	Keep them clean and yellow jacket free	10/8/2025 10:58 AM
110	Ewing Young: Restrooms more useful and attracting than a bridge to 10 acres. Campgrounds and equestrian parks don't serve a majority of district residents. The expense will serve tourists and out of district residents.	10/8/2025 10:57 AM
111	We need mountain biking trails and other safe places to ride bikes!	10/8/2025 10:51 AM

Chehalem Park and Recreation District | Community Input Survey

112	Turfing the fields to allow year-round youth sports accessibility and relieve scheduling congestion. This will also get kids home earlier at night after their practices and games. Please be an instrumental partner to help turf school district and CPRD special district fields.	10/8/2025 10:51 AM
113	There should be another dog park in the north part of Newberg.	10/8/2025 10:48 AM
114	Please lower the minimum temp for the splash pad to turn on to 65 deg f	10/8/2025 10:45 AM
115	We love everything that CPRD is doing. Please keep it going.	10/8/2025 10:39 AM
116	Spring Meadow park has "looked old" since we moved nearby in 2005. The community would be willing to help paint and neater it together if you asked.	10/8/2025 10:31 AM
117	Hours need to match need	10/8/2025 10:22 AM
118	expand golf course	10/8/2025 10:16 AM
119	You need to have more widely available classes since Sarah left. Anne was replaced with Matt. The classes have not been the same.	10/8/2025 10:09 AM
120	The parks need to be kept up with ample garbage cans.	10/8/2025 10:08 AM
121	The need for more off-road mountain biking trails	10/8/2025 10:04 AM
122	Refurbishing the playground equipment at the parks	10/8/2025 10:04 AM
123	Really love the equestrian/hiking only trails with no bicycles. I use them all the time	10/8/2025 10:03 AM
124	The Aquatic and Fitness Center needs to be more affordable to middle- and low-income families; we would use it more often if we could afford to.	10/8/2025 10:03 AM
125	More access for mountain bikers on trails	10/8/2025 10:01 AM
126	It would be nice to have bathroom facilities, at least port a potties, at every park!	10/8/2025 9:59 AM
127	I have a lot of interests so having a lot of options at different parks is important	10/8/2025 9:02 AM
128	More trails that connect town and easier access such Ewing young park, future bypass trail	10/8/2025 8:57 AM
129	I would like more access to trails by mountain bikes and trail bikes	10/8/2025 7:32 AM
130	Would love to see more mountain biking areas.	10/8/2025 6:37 AM
131	I use the swim center in the Pickleball courts quite often	10/8/2025 6:24 AM
132	A place where my kids and family can ride mountain bikes. There are not any close places to ride in this area.	10/7/2025 11:15 PM
133	We need updated playgrounds, and more affordable activities for kids and families	10/7/2025 9:11 PM
134	Maintaining and creating trails and green spaces is highest priority.	10/7/2025 8:50 PM
135	Safe spaces for my kids to be outdoors playing and exercising is very important to me	10/7/2025 8:40 PM
136	I'm not sure where I can ride my bike on trails nearby, I'm confused where I can go or not	10/7/2025 8:38 PM

Chehalem Park and Recreation District | Community Input Survey

137	I'd like to see mountain bike trails and more soccer fields!	10/7/2025 8:10 PM
138	Bring mountain biking back	10/7/2025 5:03 PM
139	Having active children, we have used many of the facilities and programs that CPRD offers. As a mountain biker, I would love to have more opportunities to ride in the community.	10/7/2025 3:44 PM
140	Staying active & having access to outdoor trails & activities is important for physical & mental health. Diane C. Retired RN	10/7/2025 3:20 PM
141	The need for available tennis courts that are unimpeded by pickleball	10/7/2025 3:10 PM
142	Would love to have expanded hiking opportunities in our area.	10/7/2025 2:09 PM
143	We need turf fields for sports in our community!	10/7/2025 12:49 PM
144	I have a child with special needs & we're frequently use CPRD resources to keep her active.	10/7/2025 12:34 PM
145	Maintain Fireworks at Renne Field	10/7/2025 12:24 PM
146	Bring back the mountain biking, it is missing in the area	10/7/2025 11:26 AM
147	Keep tennis courts. Not just pickleball	10/7/2025 10:56 AM
148	Need much more and better access to bike trails, paved, gravel, mountain biking, all of the above.	10/7/2025 10:03 AM
149	More walking trails would be great. And tennis courts along with pickleball courts at Renne Field!	10/7/2025 9:54 AM
150	We need more dedicated soccer fields. What happened to the Renne Field project you announced years ago? Still waiting for that to break ground. We shouldn't have to play on baseball and football fields exclusively, this community has a large soccer community that is not represented in the facilities.	10/7/2025 9:44 AM
151	Trails, Mountain Biking - very important	10/7/2025 9:19 AM
152	I understand and have sympathy for the houseless community but there are a few parks near my house that I can't attend or play at with my children since they are right by the play structure or I don't feel safe being around with young children	10/7/2025 8:14 AM
153	Having equine trails.	10/7/2025 8:02 AM
154	Opening Bob and Crystal Riley park back up for mountain biking. This is especially important for the youth in our community. It gives them a place to be outside and active rather than other activities like video games indoors. We should be doing all we can to encourage that. Public lands should be public for everyone or have equal designated spaces if they are to be separate.	10/7/2025 7:24 AM
155	I need mountain bike trails.	10/7/2025 7:21 AM
156	We need more hiking/nature trails	10/7/2025 7:18 AM
157	Need a Mtn Bike trail.	10/7/2025 7:09 AM
158	Need to Add Mountain Bike trails and access	10/7/2025 7:07 AM
159	How much each facility is used by each age group and how frequently	10/7/2025 7:05 AM
160	Accessibility and good communication.	10/7/2025 6:48 AM

Chehalem Park and Recreation District | Community Input Survey

161	Would love to have pickleball lines added to the tennis courts in Dundee.	10/7/2025 6:39 AM
162	We need mountain bike jumps and/or trails!	10/7/2025 5:20 AM
163	Need mountain bike trails. Promised when kicked out of Bob & Crystal Rilee Park but not delivered.	10/7/2025 4:02 AM
164	We need more beginner golf lessons for adults	10/6/2025 11:29 PM
165	To reinstate mountain biking at Bob and Crystal Rilee park	10/6/2025 9:24 PM
166	hiking trails	10/6/2025 8:39 PM
167	Most Newberg parks need updates. Tom Gail, the aquatic center park, and Friend Park are our favorites, but the rest need some love. We'd love a park in/near the King's Landing neighborhood.	10/6/2025 6:16 PM
168	please update your website	10/6/2025 5:58 PM
169	Empty garbage cans often	10/6/2025 5:42 PM
170	The water fountains should be turned on	10/6/2025 5:37 PM
171	Larger fitness center, and a club house on the golf course	10/6/2025 5:35 PM
172	The weight room is to the max with great usage and could stand to be expanded to accommodate during the busy times of the day. A great thing to see so many people in there but would nice to have it larger.	10/6/2025 5:25 PM
173	Support trails and bridge at Ewing Young Park	10/6/2025 5:24 PM
174	That many lives are improved by their offering of services.	10/6/2025 5:10 PM
175	more mountain bike trails please	10/6/2025 1:32 PM
176	More mountain bike trails	10/6/2025 1:25 PM
177	We can always use more woodland hiking trails.	10/6/2025 1:20 PM
178	Would like to see access for bicycles restored to Bob & Crystal Rilee Park	10/6/2025 11:54 AM
179	Access to horse trails	10/6/2025 11:00 AM
180	I love hiking and biking on trails, so more biking options for trails would be awesome! Also the playground structures for kids is heavily lacking here in Newberg.	10/6/2025 10:35 AM
181	I used to ride my bicycle on the Rilee park trails and since access was removed I no longer have a place to do so	10/6/2025 9:34 AM
182	If horse trails are shared, it needs to be safe and clear rules of use. Non-equestrians should know what to do so safely share space and what to do/not do when you encounter riders	10/6/2025 8:57 AM
183	Reopen Bob & Crystal Rilee Park to more than equestrian trails. Like Silver Falls park. I used to go there with my kids for Mountain bike trail riding now it's closed.	10/6/2025 8:52 AM
184	Cycling access	10/6/2025 8:35 AM
185	I would like more cycling options, especially at Rilee Park	10/6/2025 8:30 AM

Chehalem Park and Recreation District | Community Input Survey

186	An approved mountain biking/cycling course would increase active engagement in the parks for many local residents!	10/6/2025 7:47 AM
187	With so many beautiful spaces, we need more access for cycling that is NOT on dangerous roads. Gravel, mtb and paths.	10/6/2025 7:45 AM
188	We need to allow the community to use Bob and Crystal Rilee park for its original intended share use! Let the mountain bike riders back in the trail.	10/6/2025 7:32 AM
189	our kids need a place to ride their mountain bikes on dirt trails with some terrain	10/6/2025 7:14 AM
190	Please keep parks up to date!	10/6/2025 6:28 AM
191	Would love to be able to bike again at Parrot Mountain. It was one of the closest places to get single track experience and the trails are so nice.	10/6/2025 6:10 AM
192	There is a need for a mountain bike track/trails.	10/6/2025 5:49 AM
193	bicycling trails for mountain biking	10/5/2025 11:45 PM
194	I would like to see the Bob and Crystal Rilee natural area available to mountain bikes again. This provides an invaluable resources to our youth cyclists and a safe and car free place to recreate.	10/5/2025 10:39 PM
195	A place for mountain bike trails	10/5/2025 9:52 PM
196	acces to bike trails in bob and riley park would be amazing!! i would love to share the trails with the equestrians!	10/5/2025 9:42 PM
197	Need more cycling access specifically mountain bikes at Rilee park. Multi use trails are the modern norm and doable	10/5/2025 9:24 PM
198	The trails for biking were taken away, limiting availability for the bikers. Bikers were promised somewhere to go instead of Crystal Rilee park, but nothing has been done. There is a huge need for this! Get the kids off screens and outside exercising and enjoying nature.	10/5/2025 9:14 PM
199	The Bob and Crystal Rilee Park system was donated to be used for biking, hiking, and equestrian use and should be open to reopened to bikers.	10/5/2025 9:13 PM
200	Would like improved access to biking trails	10/5/2025 9:08 PM
201	M and d places in forested areas to ride mountain bikes - Bib and Crystal Riley place was perfect for this.	10/5/2025 9:06 PM
202	Desperately needing mountains bike trails. All good trails are far far away since Rilee park was closed to bikes	10/5/2025 9:06 PM
203	I would like to be able to use trails for cycling.	10/5/2025 9:05 PM
204	Restore bike riding to Bob and Crystal Rilee park. I saw so many kids out there riding, breathe of fresh air to see them laughing and exercising and not in their screens or getting in trouble.	10/5/2025 8:55 PM
205	There should be trails that I can ride my bike on especially my mountain bike since this is a rural area.	10/5/2025 8:05 PM
206	Longer hours for adult swim in leisure pool	10/5/2025 5:54 PM
207	Get the word out there that there things to do in newbrg that are people are welcome to use and use and rental. Need out a new letter to every one in newbrg. Do every one know. A little about what there home town has to offer cause I don't know about any of this. Till now just hesring about it.	10/5/2025 5:32 AM

Chehalem Park and Recreation District | Community Input Survey

208	Safe local biking trails would be awesome!	10/4/2025 7:22 PM
209	Need more hiking trails and safe places for bikes on trails. Too many horse opportunities and not enough safe bike trails	10/4/2025 5:57 PM
210	Would like to keep bob and Crystal Rilee park for hiking and horses	10/4/2025 5:37 PM
211	I think it's insane that CPRD does not allow bikes at Rilee. There's plenty of room there to have trails for both equestrians and bikes, and keep them separate from each other.	10/4/2025 5:04 PM
212	Horses and bikes need to be kept separate	10/4/2025 12:35 PM
213	There is a shortage of natural areas to hike and ride a horse in the Newberg/Yamhill Co area. Crystal Rilee is a gem of a park with very nice trails, quiet, friendly hikers/riders. It is also safe without mt bikes, and thus a relaxing place to ride or hike.	10/4/2025 11:15 AM
214	The gym at the aquatic center need major improvements.	10/4/2025 8:12 AM
215	This is a big one. I get many parents that come to me because our rec softball program is terrible and they want more for their kids. (Which they should). When they they try and start a higher level local team, they are always told you can start what you want but you can not use the fields. These fields are paid for by the community and should be available to the community. Our kids in the area have suffered for to long with the only thing offered is a very low rec team. It shows all the way up to our high school. Their needs to be more opportunities for these girls in our area.	10/4/2025 8:10 AM
216	The playground equipment is very old for the most part. I have found non functional water fountains at several parks, this is unacceptable.	10/4/2025 7:52 AM
217	Crystal Riley is an amazing asset for equestrians.	10/4/2025 5:02 AM
218	We need mountain biking trails back. I	10/3/2025 7:32 PM
219	We need dedicated mountain bike trails	10/3/2025 7:22 PM
220	Don't allow mountain bikes on the trails.	10/3/2025 2:18 PM
221	I enjoy hiking/walking trails. I think the river front area should be developed for hiking walking areas.	10/3/2025 1:52 PM
222	Equestrian trails and hiking trails are my most important uses	10/2/2025 8:46 PM
223	Please remember all people and continue to enrich lives through out the district. I feel we are missing some important people such as our young preschool age children	10/2/2025 2:54 PM
224	More bike trails and dog friendly trails would be fantastic!	10/2/2025 2:36 PM
225	Bikes need to stay off horse paths and areas for safety of ALL parties and to allow the horse people to have a relaxing and enjoyable time.	10/2/2025 10:40 AM
226	Trails with poison oak cut back.	10/2/2025 10:37 AM
227	Having an outdoor trail space for bicycles would be amazing. Bikes have been restricted on trails and it would be great bring able to share that space.	10/2/2025 9:38 AM
228	Riding on equestrian trails needs to be for riders and hikers only. No bikes, no dogs unless on leash. Bikes and horses do not mix. It can be a dangerous combination	10/2/2025 9:29 AM

Chehalem Park and Recreation District | Community Input Survey

229	Please keep Rilee for hikers and walkers only	10/2/2025 7:24 AM
230	better information regarding trails. I mostly learn about them through word of mouth and had no idea of some of them	10/2/2025 7:23 AM
231	Save the equestrian trails and parks as there aren't many around and make your district unique	10/2/2025 7:01 AM
232	Wheelchair and handicap accessibility	10/2/2025 6:33 AM
233	The Rene field for the Old Fashion Festival. This field and event has been apart of my life since I was a child and threw all my children's lives as well the tradition and everything about it is near and dear to our hearts.	10/2/2025 6:29 AM
234	The equestrian trails at Crystal Rilee are a much needed and safe place for the large equestrian community in the area. The number of safe areas for this is dwindling. It is highly valued.	10/2/2025 4:51 AM
235	Honor Crystal Rilee wishes to keep an equestrian only park	10/2/2025 1:30 AM
236	We want to keep the fireworks at Rene field if possible! It's such a long tradition and we'd really like to find a way to continue that even if there's a turf field.	10/1/2025 10:54 PM
237	Bring back bike access to Riley Park!!	10/1/2025 10:37 PM
238	Equestrian and hiking trails.	10/1/2025 9:24 PM
239	Viewing beautifully maintained areas at people enjoy are as important to me as me being able to access them. Even if I don't spend time in a park, it brings me joy to drive past them daily, especially if I see families and children enjoying the space.	10/1/2025 8:29 PM
240	Horse and hiking facilities are a top priority for me.	10/1/2025 8:08 PM
241	Don't like the dog park because people bring aggressive dogs, it was very muddy and lots of dog poop. It was not a healthy or safe environment so I stopped using it several years ago	10/1/2025 7:44 PM
242	Keeping fitness center clean & operational.	10/1/2025 7:38 PM
243	Be equitable in resources in Newberg. For example, the landscaping the golf course is immaculate and beautiful yet Memorial Park is dreary as is Ewing Young Park. Disc golf is popular and a great recreation for citizens and tourists but the parks that promote vide this service are unkempt.	10/1/2025 7:30 PM
244	The equestrian trails are a beloved resource for the horse community. Thank you for keeping them horse and hiker only!	10/1/2025 6:41 PM
245	Keep our playgrounds safe and up to date!	10/1/2025 4:41 PM
246	For safety, I feel mountain bikes and horse trails need to remain separate	10/1/2025 3:19 PM
247	Maintain Crystal Rylee park for equestrian and hiking use only.	10/1/2025 3:05 PM
248	The need for the community to have affordable nonsecular preschool and pre-k for our youth. This is not daycare, but school.	10/1/2025 2:33 PM
249	Ensuring equestrian trails remain free from mountain biking, particularly Bob & Crystal Rilee park.	10/1/2025 1:21 PM
250	More adult programs or recreation opportunities (area to hammock, outdoor fitness equipment); modern updates to existing facilities	10/1/2025 11:49 AM

Chehalem Park and Recreation District | Community Input Survey

251	Keeping Bob and Crystal Rilee park open to equestrian riders and hikers and keeping the park free from mountain bikers.	10/1/2025 11:41 AM
252	Keep bikes off at least one side of the equestrian trails	10/1/2025 8:50 AM
253	I'd like to continue to see Bob & Crystal Riley Park remain free from motorbikes, dirt bikes etc. as these pose a safety risk to horses and their riders.	10/1/2025 8:27 AM
254	Having an area with equestrian and foot traffic only is vitally preserving a lost treasure in our area.	10/1/2025 8:15 AM
255	Signs with the number to contact for maintenance at the parks would be good.	10/1/2025 8:04 AM
256	I hear soccer teams wishing for a covered spot to practice and play. My child and I love going to the fireworks show and carnival and I'm concerned the turf plans for Renne Park will make fireworks impossible. I don't want anymore expensive, shorter drone show that can only be viewed from one angle to replace it.	10/1/2025 7:58 AM
257	CPRD needs to do better at maintaining the park and rec areas they currently have versus expanding. By appearances, they are over extended in what caring for what they have already.	10/1/2025 7:45 AM
258	I would use the aquatics more often but the cost is rather expensive for me. I love the free hiking trails	10/1/2025 7:30 AM
259	I prefer to walk rather than drive to use parks, and the biggest park (Jaquith) has the most dangerous walking route, either along North Main or College streets, it isn't safe to walk your children to the park.	9/30/2025 11:11 PM
260	Keep the sauna working. Later hours for gym, more open swim hours	9/30/2025 10:43 PM
261	We need better facilities for soccer and baseball. I hate feeling like the priority is in what the adults want and in renting the city fields out to make money. Prioritize the use of fields for the kids of our town and invest more in soccer facilities.	9/30/2025 10:37 PM
262	Updated parks, and splashpad	9/30/2025 8:46 PM
263	A broader scholarship or sliding scale payment program that covered a pool membership for family swim and the gym would be amazing for my family	9/30/2025 7:44 PM
264	Keep them open and available for all to use and participate in	9/30/2025 7:30 PM
265	We need an enclosed park where we don't have to worry about littles or special needs children running in to the streets	9/30/2025 7:06 PM
266	Keep the fireworks for old time festival! Also if we can show some love to Scott Leavitt park with upgrade on play ground. Very out dated and run down.	9/30/2025 6:55 PM
267	I love the sense of community that CPRD brings to the newberg and dundee neighborhoods. I would love to see more advertisement for upcoming events as I often dont see them till they're already ongoing. I am so excited for the upgrades to the Renne track and fields as I live in that area and use them regularly, however I dont want to see events I love like the Newberg Old Fashion Festival fireworks go away because of the upgrade.	9/30/2025 6:14 PM
268	We need a place to continue our fireworks for old fashioned days	9/30/2025 5:20 PM
269	Maintain the Old Fashioned Festival activities, including Fireworks.	9/30/2025 5:20 PM
270	As a senior I appreciate the Senior Center and walking availability at some of the parks.	9/30/2025 5:16 PM
271	Affordable, and a variety of events and sports for kids to have fun and make friends without breaking the bank	9/30/2025 5:05 PM

Chehalem Park and Recreation District | Community Input Survey

272	Crabtree Park need some TLC	9/30/2025 4:42 PM
273	Cleanliness is really needed , and has been top notch the times family has visited.	9/30/2025 3:36 PM
274	The skatepark needs to be properly re-surfaced. The recent work done is not only NOT sufficient, it will quickly poses a danger to those who use it.	9/30/2025 3:28 PM
275	Trails & sports for kids most important	9/30/2025 3:08 PM
276	Soccer and Basketball space and the aquatic center.	9/30/2025 3:06 PM
277	Focusing on spending money for facilities that predominantly cater to the rich (golf course club house, equestrian trails) over more universally accessible facilities and activities is disappointing and embarrassing to the community.	9/30/2025 2:44 PM
278	Retired, kids and grands grown, so Cultural events, golf course are our interests. Everything is important just not forus.	9/30/2025 1:51 PM
279	Aquatic center uses tax dollars to create a space that is inaccessible to the majority in our community who cannot afford it. How/why? Should be cheaper/more accessible or shut down.	9/30/2025 12:39 PM
280	I have enjoyed many facilities, programs and community events over the last 20 years. I am hopeful that CPRD will find a way to continue to allow the fireworks show during the Old Fashion Festival.	9/30/2025 12:08 PM
281	Please figure out a way to keep the OFF fireworks!! So important.	9/30/2025 12:07 PM
282	This community needs more than 1 public tennis/pickleball court. We only have 1 and it's been out of commission. Edwards Elementary School has another, but it is in poor shape.	9/30/2025 11:58 AM
283	We love the playgrounds, parks and hiking trails	9/30/2025 11:57 AM
284	The equestrian trails are great! Please keep them and please keep it bicycles/bikes! Or is so much safer for equestrians AND bikers to have then separate.	9/30/2025 10:47 AM
285	Option	9/30/2025 10:46 AM
286	Keep it going	9/30/2025 10:39 AM
287	We still need NOFF fireworks.	9/30/2025 10:18 AM
288	Cleanliness	9/30/2025 10:12 AM
289	Bring youth softball to Newberg! We have the fields and no program.	9/30/2025 10:07 AM
290	Maintain what we have, don't add anymore more	9/30/2025 9:40 AM
291	Aquatic and fitness center is essential	9/30/2025 9:39 AM
292	having a range of options is really great for supporting a diverse community	9/30/2025 9:37 AM
293	Hire skate companies to fix the skate park ALWAYS	9/30/2025 9:36 AM
294	That if they remain clean and safe, they will be uses and appreciated.	9/30/2025 9:24 AM
295	Maintain the small town, natural feel over growth, don't waste money trying to become THPRD. Maintain as much open natural area as possible.	9/30/2025 9:21 AM

Chehalem Park and Recreation District | Community Input Survey

296	They need to maintain the equipment the grass and stuff around the area should be maintain a lot better holes filled in most of all the parts she used to get fertilized and air rated for better ground retention	9/30/2025 8:58 AM
297	They should be easily accessible from a cost standpoint. They should focus on community health. They should be safe.	9/30/2025 8:54 AM
298	The facilities are what unite the community, keep our youth engaged in outdoor and indoor physical activity and off phones and computers, maybe the only physical activity they get. Give adults a resource for activity and social interaction	9/30/2025 8:53 AM
299	People need diverse areas to recreate in, no matter what kind of sport or activity they're into	9/30/2025 8:52 AM
300	We need these places for the kids and making sure they are safe and clean	9/30/2025 8:39 AM
301	Need to be maintained better, more parks near the river rd and new development	9/30/2025 8:39 AM
302	Update equipment at parks	9/30/2025 8:27 AM
303	We don't not need any new trails.	9/30/2025 7:38 AM
304	I love that all of this is available to everyone. Can help keep kids socialized and hopefully out of trouble :)	9/29/2025 3:47 PM
305	GATED and fully fenced Special needs areas	9/29/2025 3:43 PM
306	More day time fitness classes	9/29/2025 2:58 PM
307	The new lap pool is too cold. I go to the Sherwood YMCA to swim laps.	9/29/2025 8:18 AM
308	Keep the old fashioned festival fireworks	9/28/2025 9:38 PM
309	I hope you will leave the field at the old Renne School so that The Old Fashioned Festival may continue to use it fur the fireworks display.	9/28/2025 8:56 PM
310	Walking and hiking are my primary needs	9/28/2025 8:30 PM
311	Availability of good walking trails	9/28/2025 7:14 PM
312	Programs should be tailored towards families and young people rather than luxury facilities like golf courses & equestrian trails.	9/28/2025 7:07 PM
313	Keep sports for kids effort	9/28/2025 4:46 PM
314	Places for kids to play	9/28/2025 3:45 PM
315	Some of our parks are great but need upgrades. The splash pad is great but lacks shade. In the future, It would also be great if we could have an outdoor stage/amphitheater for community events. The Old-Fashioned Festival is also a big deal, and whatever decisions are made should keep this awesome community event in mind.	9/28/2025 3:06 PM
316	The dog park needs major safety updates to ensure dogs don't get hurt	9/28/2025 2:46 PM
317	Not enough porta potties. You can't call it a park if there's not a facility.	9/28/2025 1:46 PM
318	Activities and sports need to be offered to children and adults with intellectual and developmental disabilities.	9/28/2025 1:45 PM
319	Need more information shared	9/28/2025 1:35 PM

Chehalem Park and Recreation District | Community Input Survey

320	We use the trails daily and appreciate the maintenance	9/28/2025 1:03 PM
321	Our needs change with time. When my kids were young we used the day care camps, sports.... Now I love the Wednesday Market, festivals and activities at the Cultural Center and the nature trails. As I grow older I will most definitely utilize the offerings at the Senior Center. There is something for almost everyone.	9/28/2025 11:56 AM
322	Hoover park gets really bad and the homeless make it scary sometimes	9/28/2025 10:38 AM
323	I think you all do an amazing job and have something for everyone at any age. I appreciate your hard work!	9/28/2025 10:14 AM
324	I want safe parks to visit with my grandkids. Sometimes I don't feel safe at the parks.	9/28/2025 8:09 AM
325	Some parks don't get the love they need. Two in town are very well kept while others have large weeds and mulch/equipment in need of repair. Spring meadow park is dated and so is Scott Leavitt.	9/27/2025 11:02 PM
326	We desperately need to find a way to provide more open swim opportunities. Other communities have open swim for several hours several different days.	9/27/2025 8:43 PM
327	Keep costs and taxes low through efficiency	9/27/2025 4:12 PM
328	Keep aquatic program going	9/27/2025 2:33 PM
329	We would very much use a track for walking and running off of the streets.	9/27/2025 1:41 PM
330	We are using these facilities daily:))	9/27/2025 1:16 PM
331	As an equestrian we have limited spaces to go, so the spaces we do should be protected.	9/27/2025 11:52 AM
332	Fees	9/27/2025 11:01 AM
333	we would very much like more off-leash dog trails. our dogs don't fetch or play with other dogs, they just like to go on walks. having to drive so far to find things like this is pretty burdensome, but the dogs like what they like. they're trained and I know off-leash isn't very popular, but I don't think a bad few should ruin it so much for many good dog owners.	9/27/2025 10:55 AM
334	Bikes on Equestrian trails are a liability for CPRD	9/27/2025 10:52 AM
335	I like spending time at parks that have good shade trees, both for us and for wildlife habitat. It's important to be guardians of natural areas and encourage native plantings.	9/27/2025 10:37 AM
336	I love being able to hike and ride horses at Bob and Crystal Riley park without having to worry about bikes	9/27/2025 9:34 AM
337	The soccer fields are terrible: either soggy mud bogs in the spring or lumpy crap fields in the fall with mole holes that cause twisted ankles. Why aren't we making more turf fields that will require no mowing, stripping, or irrigation and reduce long long-term maintenance costs?	9/27/2025 8:50 AM
338	I really appreciate your ongoing work and care at Crystal Rilee.	9/27/2025 8:19 AM
339	safety includes being able to walk our dog on leash and not have unleashed dogs run up to us and frighten us	9/27/2025 7:41 AM
340	They need to be maintained	9/27/2025 7:16 AM
341	I wish there were trails for biking or longer walks/runs.	9/27/2025 6:17 AM
342	You are appreciated	9/27/2025 6:12 AM

Chehalem Park and Recreation District | Community Input Survey

343	Providing a safe place for equestrians to participate and engage in nature riding activities	9/26/2025 11:22 PM
344	Maintain our playgrounds. Many are falling apart.	9/26/2025 9:08 PM
345	Equestrian and hiking trails without bikes, appreciate the attention to safety and removing bikes	9/26/2025 8:54 PM
346	I use them all the time. Especially the pool	9/26/2025 8:38 PM
347	Longer hiking trails	9/26/2025 8:28 PM
348	Mountain Bike Trails. You use to have them then community pressure caused CPRD to close to bike riders.	9/26/2025 8:04 PM
349	My favorite thing are parks and trails in a a natural setting.	9/26/2025 6:58 PM
350	Equestrian over reach at Rilee park	9/26/2025 6:02 PM
351	Affordability	9/26/2025 6:01 PM
352	Complete calendar of events	9/26/2025 3:27 PM
353	We love the Rilee Park and use it nearly daily. Years ago I heard that the area was designated as agriculture, equestrian and hiking. I appreciate that you honor that because the bikes and horses was extremely dangerous and I saw it could lead to injuries and even fatalities. Cyclist are too fast and too loud and typically have little awareness of horses. In a beautiful agricultural zone like Newberg we need a dedicated bridle trail that is quiet and where young equestrians can safely ride. I run a therapeutic riding barn and Rilee park is the only park in the region I can bring young or riders with special needs.	9/26/2025 3:22 PM
354	horses and electric bicycles are a dangerous combination	9/26/2025 2:26 PM
355	would like to see bob and crystal remain closed to bikes as the donors originally intended. please keep open for equestrians	9/26/2025 1:12 PM
356	The neighborhood parks need more maintenance	9/26/2025 1:08 PM
357	Prices for renting rooms/buildings are ridiculously high.	9/26/2025 12:57 PM
358	Keeping things accessible and affordable is super important to me	9/26/2025 12:44 PM
359	There is not a lot of public land in Yamhill County, so we do not have access to mountain biking in Newberg. We would like to see Bob and Crystal Rilee park opened up for that. It is perfect terrain for mountain biking and many young athletes could use it and help steward it by maintaining trails.	9/26/2025 12:01 PM
360	Important that we prioritize maintenance of current resources, particularly neighborhood parks, ahead of new development if resources are limited	9/26/2025 11:53 AM
361	Keep bicycles off Bob & Crystal Rilee Park!	9/26/2025 11:47 AM
362	I love accessing the outdoors as close to home as possible!	9/26/2025 11:38 AM
363	Many areas around us have much more beautiful and equipped parks. McMinnville, wilsonville and Tigard come to mind. Bigger, well kept parks. Newberg's parks are all very small and do not seem well maintained.	9/26/2025 11:23 AM
364	More beautiful walking/running/biking trails.	9/26/2025 10:59 AM
365	Keep diverse. Really appreciate the horse trails	9/26/2025 10:15 AM

Chehalem Park and Recreation District | Community Input Survey

366	Not allowing bikes at Bob &Crystal Riley park	9/26/2025 9:55 AM
367	More trees/shade needed in playgrounds and areas like in front of the cultural center. Lack of shade makes many of these places unusable/unpleasant.	9/26/2025 9:53 AM
368	Maintenance and safety you	9/26/2025 9:35 AM
369	A walking trail is needed	9/26/2025 8:29 AM
370	That bikes are kept off Bob and Cristal Riley trails for equestrians and hikers safety.	9/26/2025 8:03 AM
371	Keeping Crystal Riley bike free for equestrians as it can be very dangerous. They are fasr and quiet and e bikes are even worse.	9/26/2025 7:27 AM
372	We need more dog parks, Tom Gail Park is not a dog park, but go almost any time of the day and dogs are at large/off leash	9/26/2025 7:10 AM
373	I love the fact that you have a park open to horses and no bikes.	9/26/2025 6:48 AM
374	Maintain	9/25/2025 11:42 PM
375	The equestrian park is a gem and needs to be preserved and the aquatic center is fantastic!	9/25/2025 10:00 PM
376	Pool should be more kid friendly. Current rules are definitely limiting for larger families.	9/25/2025 9:17 PM
377	Keep bikes out of Bob and Crystal Rilee park	9/25/2025 9:03 PM
378	Worried about Bikes at the park, as have had negative experiences with them	9/25/2025 8:21 PM
379	Bob and Crystal Rilee Park is a safe place to hike and horseback ride without the worry of a bike bearing down on you. Please keep it that way. Bikes have other places to ride, horseback riders do not.	9/25/2025 7:26 PM
380	Dundee needs a dog park	9/25/2025 6:48 PM
381	I love being able to take my dogs out on your trail system and not having to worry about getting run over by a bike	9/25/2025 6:40 PM
382	Kids sports	9/25/2025 6:20 PM
383	Extend to just outside city limit	9/25/2025 5:46 PM
384	The current state of the soccer fields are not good, especially in spring. Our soccer community needs more access to turf fields. We have a huge soccer community in Newberg and we do not have the facilities that match the growing need. The BMX track and skatepark need public bathrooms! It it such a well used park especially for BMX races. Folks need a place to wash their hands, especially folks running concessions at the track.	9/25/2025 5:36 PM
385	More sports options for adults.	9/25/2025 5:33 PM
386	We need more access to turf fields	9/25/2025 5:27 PM
387	More affordable activities for kids and easier way to enroll	9/25/2025 5:03 PM
388	Try & make it cheaper so single parents like me can afford it for our kids.	9/25/2025 5:02 PM
389	Our parks are outdated and held up by tape(Falcon Crest) or are rust covered (Bilick) or completely falling apart(Jaquith)	9/25/2025 4:57 PM

Chehalem Park and Recreation District | Community Input Survey

390	Splash pad more fun, more areas with outdoor springs to wade in.	9/25/2025 4:38 PM
391	Outdoor recreation	9/25/2025 4:22 PM
392	We need access to move turf fields for youth sports. We also need biking access	9/25/2025 4:20 PM
393	I think they need to offer a camp for kids the last week of August when teachers go back to school and need a fun thing for their own children to do when school isn't in session yet for students	9/25/2025 4:14 PM
394	Bike trail expansion and biking suggestions	9/25/2025 4:10 PM
395	Would love to have all the sub-par baseball fields taken care of	9/25/2025 4:08 PM
396	Parks need upkeep	9/25/2025 3:38 PM
397	Am hoping for an upgrade to our closest playground Spring Meadows	9/25/2025 3:30 PM
398	We need bathrooms at the parks :)	9/25/2025 3:16 PM
399	We need more facilities/fields for youth sports. More trails for walking and biking.	9/25/2025 3:15 PM
400	Updated playgrounds. Better swim lessons.	9/25/2025 2:59 PM
401	Take a look at surrounding cities and what they offer with their park facilities. Turf, new play structures, miles of trails.	9/25/2025 2:58 PM
402	hours of operations, events months in advance, free hours	9/25/2025 2:54 PM
403	Please keep developing more walking trails in wooded areas and at parks.	9/25/2025 1:23 PM
404	Parks that are well maintained and have restrooms available are important.	9/25/2025 12:41 PM
405	Safety to hike alone and more safe running trails	9/25/2025 12:20 PM
406	Our community desperately needs activities for families and children. We are severely lacking in classes for children and family friendly facilities. One example is the aquatic center. We were told the bond would benefit all residents, but instead it only further limited the community's access to swimming. The expense and incredibly limit open swim times are near laughable. 1 hour and 15 minutes of open swim time a few times a week is not enough for a COMMUNITY pool. Especially for the cost of admission. The pool design is also a bit of a nightmare. It's definitely not designed well for anyone over the age of 6 with the exception of the elderly. Most kids simply want a larger, open space of water to play in. Like the old pool. The "new" pool is a bottleneck of broken up areas. It's bazaar that the deep end is only opened up for the last 15 minutes of open swim. I deeply wish that our community organizers would stop catering so much to the elite few and older residents. We need to focus more on average citizens, families. The ones who truly make our community run. Families are the future of our beloved community, and if we can't show them that we care about their needs, our community will not thrive and survive.	9/25/2025 11:50 AM
407	keep maintained and safe	9/25/2025 11:02 AM
408	We need Bonnie Benedict Preschool back. We need a preschool that isn't one of the churches	9/25/2025 8:36 AM
409	Hiking! Pickleball! Parks and playground! Also bring back preschool that is nonreligious	9/24/2025 11:55 PM
410	Safe, clean, available.	9/24/2025 9:18 PM

Chehalem Park and Recreation District | Community Input Survey

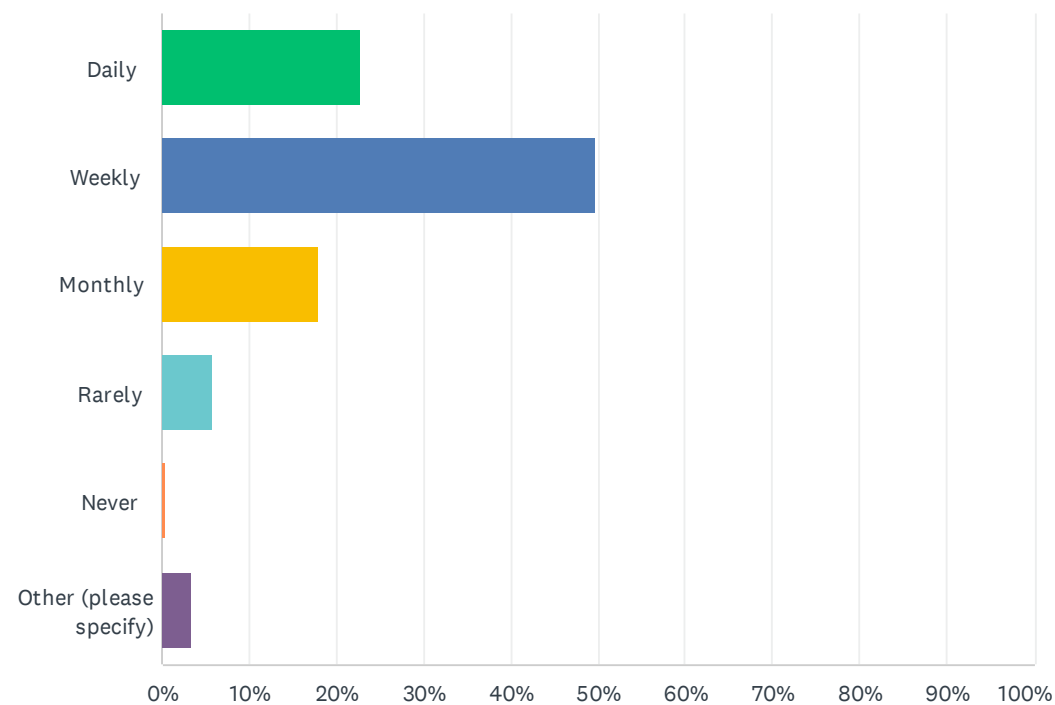
411	Rilee needs to be opened back up to cyclists	9/24/2025 9:13 PM
412	More open gym space (especially for kids- and ESPECIALLY in winter)	9/24/2025 8:00 PM
413	Would like as many hiking trails as possible to enjoy nearby that have toilet facilities and paths to follow.	9/24/2025 7:58 PM
414	Easy clear instructions for access and cost for rental	9/24/2025 4:37 PM
415	Lack of field space during peak seasons and limited availability of pool time for families.	9/24/2025 3:06 PM
416	Some fenced playgrounds for kids with special needs.	9/24/2025 12:44 PM
417	Additional trails and Cultural Center events	9/24/2025 12:05 PM
418	Would like to see more trails	9/24/2025 11:21 AM
419	Clean safe parks with updated facilities	9/24/2025 10:48 AM
420	Put out better mapping of the walking trails	9/24/2025 9:18 AM
421	We need the publicly available running track asap.	9/24/2025 9:11 AM
422	Expanding Weight Room/Cardio Facilities at the Aquatics Center	9/24/2025 8:48 AM
423	Family oriented, love the nature trail by the golf course.	9/24/2025 8:29 AM
424	Parks are the gift our community offers to everyone. It is so important especially to children to offer them a safe, clean and outdoor place to gather and play	9/24/2025 8:04 AM
425	Should be well maintain for the children who use it	9/24/2025 7:56 AM
426	We need a covered pickleball court outdoor.	9/24/2025 7:40 AM
427	More trash cans available	9/24/2025 7:13 AM
428	We need updated parks with safe play equipment for children and the weight room at the Aquatic Center needs more space & updated equipment.	9/24/2025 6:37 AM
429	We need more places to walk/bike/hike	9/24/2025 6:15 AM
430	We only have one set of outside tennis courts. Why are we sharing with the high school? They have their own courts and it limits the amount of courts that people in the community have access to. The pool is the same thing. Why are we sharing with George fox? They need to use their own facilities. We can't share with everyone AND have it available for our community.	9/24/2025 6:03 AM
431	Would love to see more public restrooms and wish the pool was more affordable and accessible for families available in the parks	9/24/2025 5:50 AM
432	Certain parks in Dundee are in much worse shape than others	9/24/2025 12:25 AM
433	I'm very happy cprd is addressing huge demand for pickleball courts.	9/24/2025 12:25 AM
434	Non secular preschool	9/23/2025 10:19 PM

Chehalem Park and Recreation District | Community Input Survey

435	Think about all residents.	9/23/2025 8:43 PM
436	Clean and safe	9/23/2025 8:35 PM
437	More trails, bridge connecting Ewing young park to additional acreage.	9/23/2025 7:50 PM
438	Maintenance of existing facilities is critical to people using them	9/23/2025 6:10 PM
439	I hate that so much is spent on the golfcourse and didn't know that CPRD was responsible for the senior center	9/23/2025 5:11 PM
440	Need rest benches placed along Champoeg paved bike trail for disabled	9/23/2025 4:20 PM
441	I'm bummed that I can't ride my bike at Rilee Park anymore.	9/23/2025 2:41 PM
442	We love the equestrian and hiking trails at Crystal Rilee	9/23/2025 1:10 PM
443	That using tax payers dollars to maintain the golf course as a "basic service" is wrong. Golf course should fully funded by course fee's. Also basic services are free use for all in the district, but you require people with in the district to pay, which goes against what the basic services are. I think tax payers would rather invest their money into our parks instead of course maintenance.	9/23/2025 1:05 PM
444	Well maintained facilities, not the garbage we have now.	9/23/2025 12:56 PM
445	Maintaining maximal accessibility to the parks and maintaining what we have in good condition is the highest priority.	9/23/2025 12:54 PM
446	Middle income families cannot afford.	9/23/2025 12:41 PM
447	Bikes need to be back on trails after they were unceremoniously kicked out of rilee	9/23/2025 11:32 AM
448	I love trails and hiking!	9/23/2025 11:23 AM
449	Continue the Equestrian and hiking trails at BCRP with NO bikes	9/23/2025 11:15 AM
450	Golf course needs some work.	9/23/2025 10:49 AM
451	Where can my kids safely ride their bikes?	9/22/2025 8:33 AM
452	Having a multitude of things to do within the community.	9/22/2025 7:10 AM
453	My family enjoys many of the services as our children grow and we appreciate a diverse variety of activities and experiences. We feel fortunate to be able to utilize these opportunities thanks to affordable programming.	9/21/2025 11:21 PM
454	They should continue to provide a variety of activities	9/21/2025 11:08 PM
455	I enjoy spending time working out outside. I enjoy spending time with people in my community.	9/21/2025 10:40 PM
456	Better mapping and creation of trail systems.	9/21/2025 10:15 PM
457	ADA access	9/21/2025 9:42 PM
458	Maintain them at a quality level	9/21/2025 9:30 PM
459	I like variety of opportunities available to me and my family.	9/21/2025 9:14 PM

Q9 How often do you visit local parks or recreation facilities?

Answered: 644 Skipped: 185



Chehalem Park and Recreation District | Community Input Survey

ANSWER CHOICES	RESPONSES	
Daily	22.83%	147
Weekly	49.69%	320
Monthly	17.86%	115
Rarely	5.75%	37
Never	0.47%	3
Other (please specify)	3.42%	22
TOTAL		644

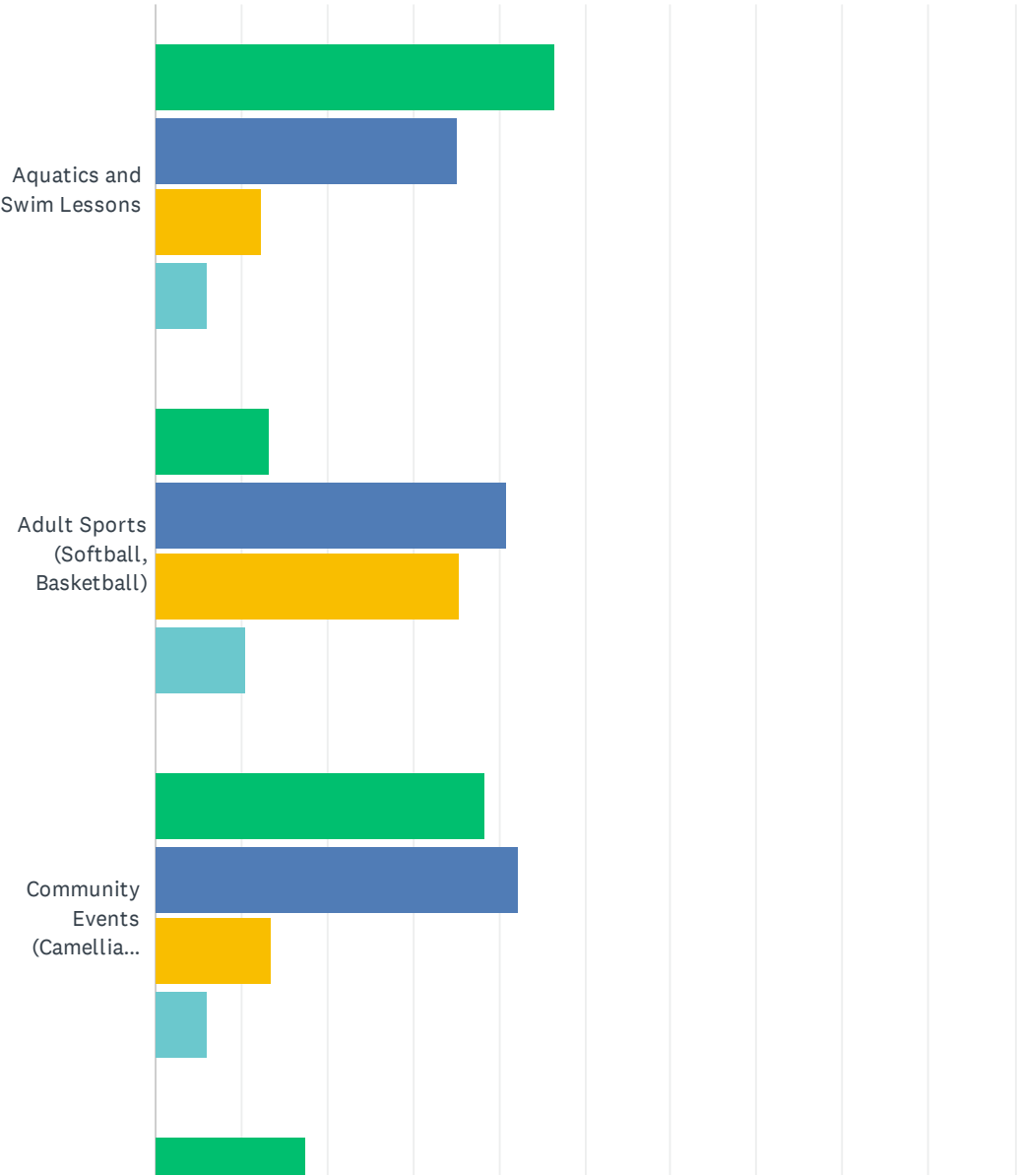
#	OTHER (PLEASE SPECIFY)	DATE
1	I used to visit more frequently but after the mountain bike ban did not frequent Newberg area as much.	10/20/2025 10:56 AM
2	all summer	10/20/2025 10:36 AM
3	Monthly now, but I intend to use them more often.	10/8/2025 10:48 AM
4	Rarely since mountain biking was banned at parks	10/7/2025 9:19 AM
5	Was weekly until biking was taken from Bob and Crystal Riley, with no other alternatives for it.	10/7/2025 7:24 AM
6	A btm trail would increase visits to daily or weekly	10/6/2025 7:47 AM
7	can not use any of the parks now, as no mt bike trails	10/6/2025 7:14 AM
8	My family and I used to once a week to Bob & Crystal Rilee Park when slowed bikes.	10/5/2025 11:45 PM
9	used to go to bob and riley park weekly for biking	10/5/2025 9:42 PM
10	Whenever I can	10/5/2025 8:05 PM
11	Often in summer not in winter	10/4/2025 12:35 PM
12	rarely now that my kids are grown	9/30/2025 10:02 PM
13	Summer months	9/30/2025 1:51 PM
14	We moved to Keizer, and appreciate what Newberg has to offer as a small town.	9/30/2025 9:24 AM
15	Varies by month. Sometimes often sometimes not so much	9/30/2025 8:53 AM
16	Sometimes, but could use frequently if fenced and gated options were available	9/29/2025 3:43 PM
17	as time goes on want to use them more	9/28/2025 1:47 PM

Chehalem Park and Recreation District | Community Input Survey

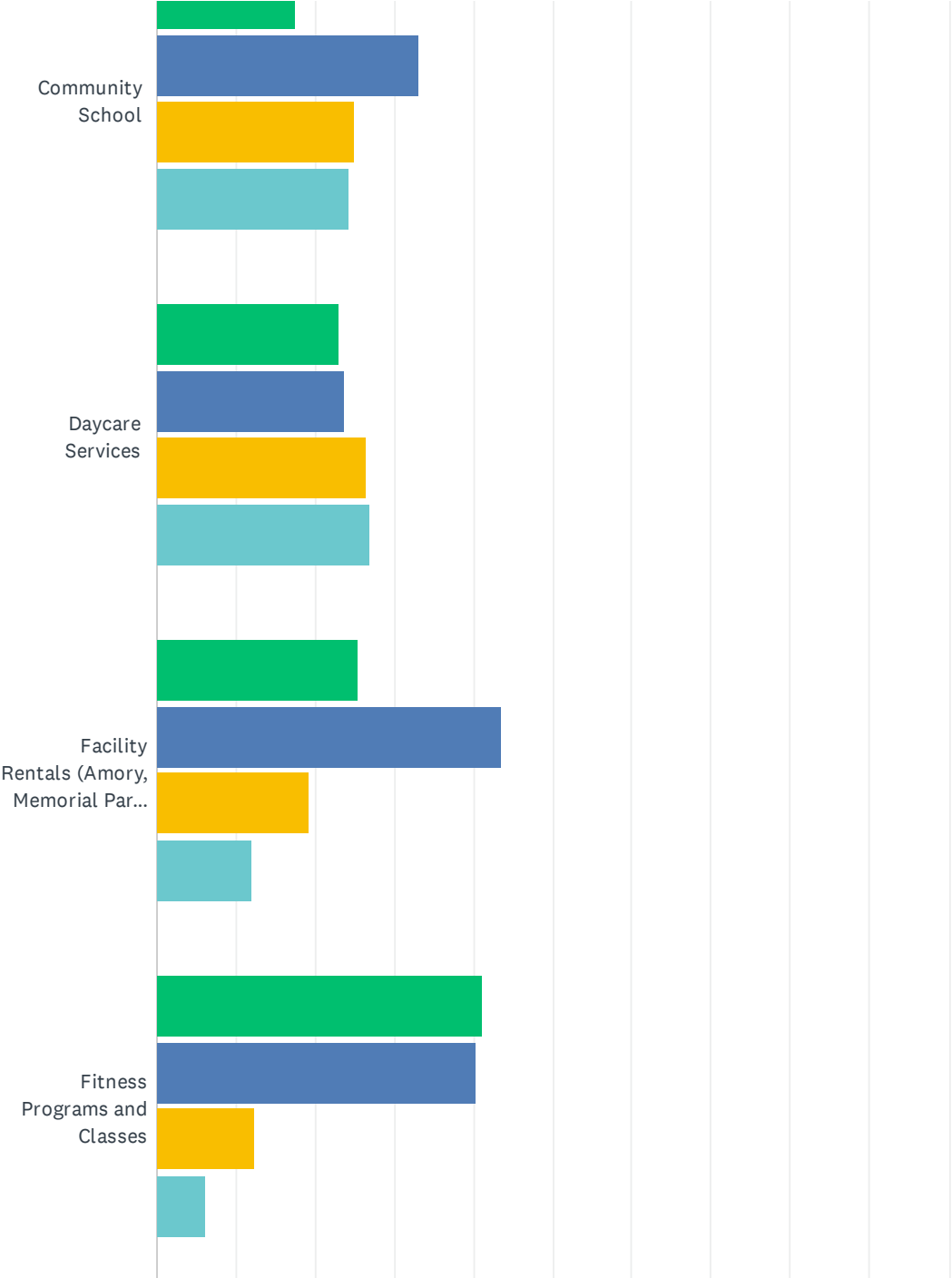
18	Depends on the season. Average is 2x/week	9/28/2025 1:45 PM
19	Nearly daily	9/26/2025 3:22 PM
20	A few time a year, as weather permits	9/26/2025 1:05 PM
21	3 times per week.	9/24/2025 7:40 AM
22	Champoeg daily if weather is ok	9/23/2025 4:20 PM

Q10 How important are recreation programs and activities to you?

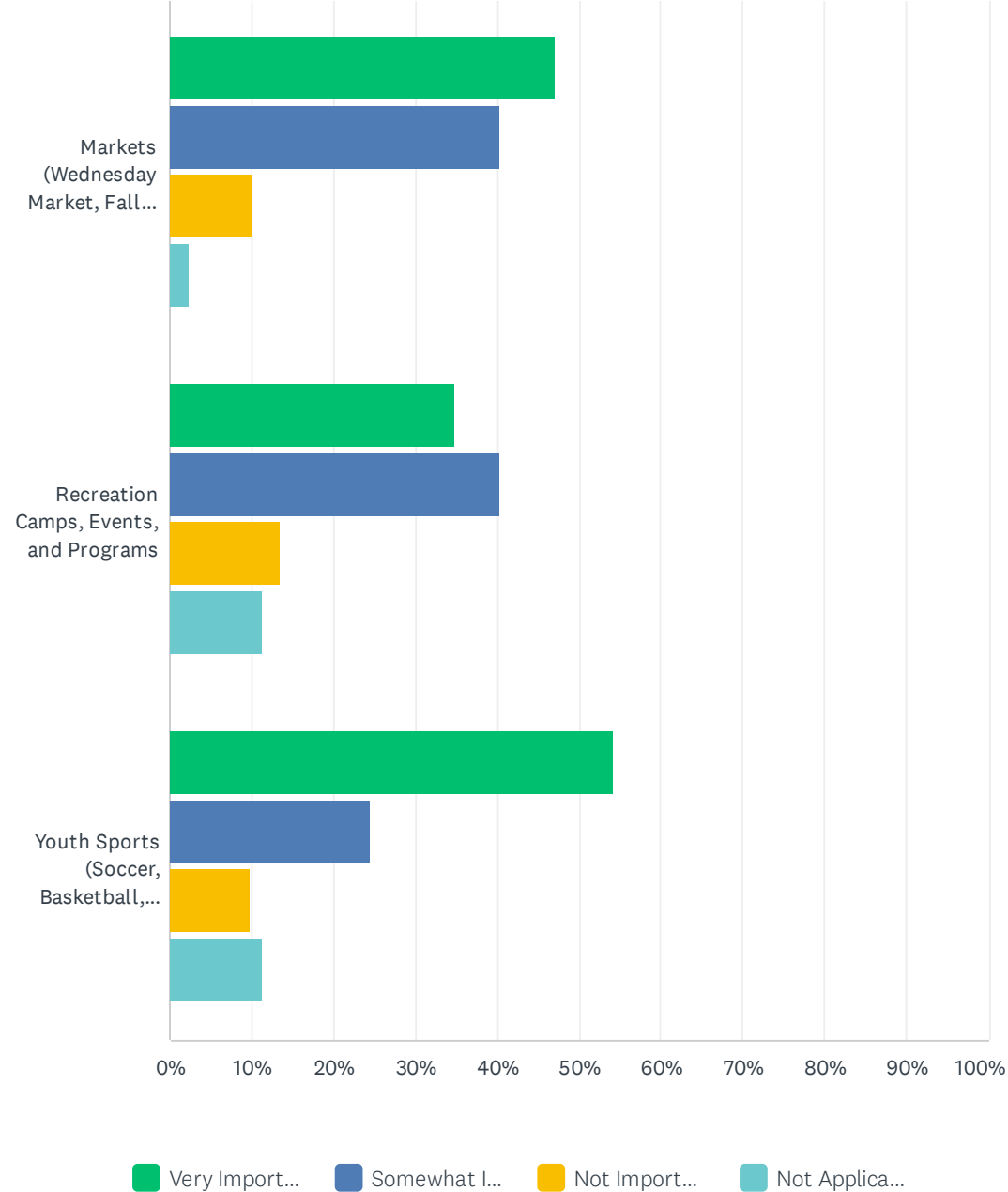
Answered: 641 Skipped: 188



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey

	VERY IMPORTANT	SOMEWHAT IMPORTANT	NOT IMPORTANT	NOT APPLICABLE	TOTAL
Aquatics and Swim Lessons	46.51% 293	35.08% 221	12.38% 78	6.03% 38	630
Adult Sports (Softball, Basketball)	13.29% 82	41.00% 253	35.33% 218	10.37% 64	617
Community Events (Camellia Festival, Easter Egg Hunt, Father Daughter Dance, and others)	38.39% 243	42.18% 267	13.43% 85	6.00% 38	633
Community School	17.46% 106	33.11% 201	25.04% 152	24.38% 148	607
Daycare Services	23.00% 144	23.64% 148	26.52% 166	26.84% 168	626
Facility Rentals (Amory, Memorial Park, Park, and other spaces)	25.48% 160	43.47% 273	19.11% 120	11.94% 75	628
Fitness Programs and Classes	41.08% 258	40.29% 253	12.42% 78	6.21% 39	628
Markets (Wednesday Market, Fall Bazaar)	47.16% 299	40.38% 256	10.09% 64	2.37% 15	634
Recreation Camps, Events, and Programs	34.82% 219	40.38% 254	13.51% 85	11.29% 71	629
Youth Sports (Soccer, Basketball, Cheer, E-sports, Football, Gymnastics, Lacrosse, Tennis, Tennis, Track, and Volleyball)	54.15% 339	24.60% 154	9.90% 62	11.34% 71	626

Q11 What is the most important thing that CPRD should know about your recreation program and activity needs?

Answered: 342 Skipped: 487

#	RESPONSES	DATE
1	Programs at the pool are occasionally left without instructors due to not having staff to cover absences.	10/31/2025 11:02 AM
2	They need to consider youth sports and how they assign teams. consider assigning teams by school	10/28/2025 10:49 AM
3	Keep Crystal Rilee safe for equestrians	10/28/2025 9:54 AM
4	More stuff for people who work during the day	10/27/2025 9:03 PM
5	looking for more outdoor recreation and larger trail systems	10/24/2025 2:47 PM
6	More visibility into local athletic club registration dates, even if not affiliated with CPRD. You should be sharing all available activities to encourage participation and promote community wellness.	10/24/2025 11:27 AM
7	They evolve as we get older! It is important to keep the spectrum of activities available so people can engage--no matter where we are in the journey.	10/24/2025 10:48 AM
8	Bikes at Rilee Park. Safe bike routes to schools.	10/24/2025 10:01 AM
9	Unsure	10/23/2025 4:14 PM
10	We don't have much extra money in our budget to pay for your facilities rentals and programs, but we do enjoy the parks and trails.	10/21/2025 8:39 PM
11	I want more trails and places to walk in nature. I didn't mind sharing trails with (respectful) bikers. Stepping around a trail filled with horse feces is no fun.	10/21/2025 1:45 PM
12	We need bike trails!	10/21/2025 1:51 AM
13	More cycling infrastructure.	10/20/2025 3:50 PM
14	As stated above, I feel it is critical to recognize that mountain biking is a growing activity in Oregon. The national interscholastic cycling association is an outstanding organization that helps with youth development and changes lives. By not providing an opportunity for locals to engage in this sport with purposeful trails you are excluding a large population that is growing and limiting opportunities for kids to experience a different and meaningful community.	10/20/2025 10:56 AM
15	I am concerned about the mountain bike trails being removed from Bob and Crystal Riley trail system a few years back. This is was sadly taken by a few people with power positions. I think this needs to be reexamined	10/20/2025 10:38 AM
16	I like seeing all these programs available to our young families and older community. I am in between so don't need anything other than the horse and hiking trails for now	10/20/2025 10:36 AM

Chehalem Park and Recreation District | Community Input Survey

17	All of these places programs have been important and used over last 18 years raising 4 kids in newberg. Use has changed over years. Top importance for kids - swim, park/playgrounds, fields, and summer programs. Keep them thriving, in good repair, and update/expand as much as possible. Makes a huge difference to raising kids here.	10/18/2025 4:35 PM
18	Bowling center, again in Newberg with restaurant, pool tables and arcade center.	10/18/2025 3:24 PM
19	We have had to go to outside cities for activities for my 3 year old. The options for 2-3 year olds in newberg are scant.	10/17/2025 3:16 PM
20	Same as above.	10/14/2025 8:25 PM
21	Trails are maintained for hikes and more added.	10/14/2025 3:55 PM
22	Costs are high and continue to increase. This has been deterring me from signing up	10/14/2025 9:33 AM
23	We love hiking	10/13/2025 8:29 PM
24	Looking for safe local places to be outside to walk and run and bike.	10/13/2025 10:54 AM
25	I would like more and longer bike trails and hiking in native landscapes and gardens with native plants	10/12/2025 10:07 PM
26	Tennis court & basketball courts in Dundee are very important to us as we walk to the park and use these often.	10/12/2025 8:01 PM
27	More bike trails. Especially Riley park. Less horse poop please. I can barely walk the Riley trail with all the children with all the poop and destruction of the trail.	10/12/2025 1:40 PM
28	pool and rec center	10/12/2025 1:22 PM
29	I don't use these frequently, but they are important for the community to have access to these.	10/12/2025 8:04 AM
30	Personally, I don't need them, but these programs are very important to our community.	10/12/2025 7:38 AM
31	The bmx track and skatepark really needs lights and actual restrooms. A paved parking lot would be nice but not as high of a priority for what I'm guessing the cost would be.	10/11/2025 8:52 PM
32	Having a variety of options to recreate in our community and outside in beautiful Oregon. Would love to see more outdoor classes offered in the nice weather - yoga in the park, Birding while Hiking, and Bike the country side.	10/10/2025 4:32 PM
33	We don't have children who use the facilities, but we support the availability for the community. They need to be maintained better and groups need to follow rules and regulations. Too much loud music, trash left behind, older teens using small ball fields, etc. Short outfields should be closed except during official under-12 play. Youth are getting bigger and age thresholds might need to be lowered for these smaller fields.	10/10/2025 12:59 PM
34	Keeping programs funded across all age groups! Accessibility for those on fixed income or low income allows our community to continue to thrive across generations	10/10/2025 12:05 PM
35	The thing is our community needs to have affordable access to all of these things! Personally, I think that the cost for public swim needs to go down, and that there should be extended times for homeschool kids to be able to come and swim during the day. As well as more classes available during the day for kids who are homeschooled and on alternative schedules.	10/10/2025 11:56 AM
36	Equestrians need bike free trails. Please keep Bob and Crystal Rilee bike free. Equestrians do not have many places to ride.	10/10/2025 10:16 AM

Chehalem Park and Recreation District | Community Input Survey

37	As our children get older, we'll only continue to use these services more.	10/10/2025 9:49 AM
38	We mostly do outdoor walks in the parks and on the trails, which we find very well maintained. Also really enjoy the art gallery at the Cultural center	10/10/2025 8:40 AM
39	More community events and classes for adults like outdoor movie nights and gatherings	10/10/2025 6:18 AM
40	Appreciate you surveying the community. I would love to use the pool but find the temperature inconsistent and super cold. The kids lips turn blue on some of the visits so I don't want to get in as an adult. Would love to see a fence around the Cultural Center Park as that park is frequently used throughout the year between splash pad, birthday parties, play dates, activities at the Cultural Center, Tunes on Tuesday and the library right there. It would be a safety investment for piece of mind of parents taking their kids there.	10/9/2025 10:56 PM
41	Mountain biking on trails	10/9/2025 8:49 PM
42	Soccer and mountain biking are my two favorite sports. I know there are already some places to play soccer like the high school field (and I'm pretty sure renne field is getting turf too so I might start going there sometimes once that opens). But, I think it would be great to try and get somewhere close to mountain bike, I'm not amazing at it, and I don't go all the time because I'm busy with soccer, but it's so fun, almost more fun than playing soccer sometimes.	10/9/2025 8:47 PM
43	How much we appreciate the work of CPRD and its staff.	10/9/2025 6:40 PM
44	We need more natural areas and trails	10/9/2025 6:08 PM
45	Absolutely need CARE for schools out days.	10/9/2025 3:51 PM
46	Continue providing youth camps and sports	10/9/2025 2:39 PM
47	I think I just want to know more about what's available to me. I think CPRD probably has a lot of programming and facilities we can use, but I rarely know what's available to me until I hear about it via word of mouth.	10/9/2025 11:48 AM
48	Extensive and Affordable	10/9/2025 11:39 AM
49	Bring back girls' softball. The community needs it. The options of going out of town, to either Mac or Sherwood are completely sub-par to what as available pre-COVID. Our girls deserve better!	10/9/2025 10:41 AM
50	Continue to accept senior discounts	10/9/2025 10:00 AM
51	Bathrooms at the BMX track would be amazing	10/9/2025 8:56 AM
52	We participate in BMX which falls outside of the CPRD managed programs	10/9/2025 8:34 AM
53	More turf athletic fields are a must. Sherwood has multiple fields available. Newberg has one. Build more fields.	10/9/2025 5:54 AM
54	I said it above about the pool time for swim team. My son also does BMX biking, so it is important to note that we are thankful for the pool and BMX track!	10/8/2025 10:26 PM
55	It would be nice to find out if there was stuff happening here in town. Usually I send my kids out of town for activities, only to find out later that someone found something similar at CPRD. It is a little frustrating.	10/8/2025 9:34 PM
56	We use the gym regularly and do mostly individual exercise programs, so availability and maintenance of the equipment are important to us.	10/8/2025 9:06 PM

Chehalem Park and Recreation District | Community Input Survey

57	more activities year round for kids/families	10/8/2025 8:35 PM
58	We need bathrooms at the bmx track	10/8/2025 8:25 PM
59	Having options such as swim lessons and youth sports locally is so important for us parents and builds community.	10/8/2025 8:08 PM
60	Real bathrooms and lighting for skatepark and BMX track	10/8/2025 7:54 PM
61	The Beginner's league at Chehalem valley BMX is top notch and could use some stadium lighting.	10/8/2025 7:42 PM
62	Bathrooms as mentioned above	10/8/2025 7:41 PM
63	We do sports of baseball and BMX biking, along with recreation of dog park and skatepark	10/8/2025 7:29 PM
64	A bike pump track	10/8/2025 7:28 PM
65	Keep the early morning lap swim exclusively available to non-swim team members.	10/8/2025 7:25 PM
66	We need a track with bathroom facilities	10/8/2025 7:16 PM
67	My activity needs as an equestrian is access to well maintained, bike free trails.	10/8/2025 7:13 PM
68	maintenance and cleanliness matter	10/8/2025 6:36 PM
69	Adding access to mountain bike trails would encourage more frequent use and attract others with similar outdoor recreation interests.	10/8/2025 6:12 PM
70	Senior activities.	10/8/2025 6:03 PM
71	The lap swim hours are terrible. I cannot come because of the inconsistency in availability or lack of availability. I have a membership I don't use. Inconsistency in availability to the pool is a killer to exercise.	10/8/2025 5:16 PM
72	It would be nice if you put citizens needs first	10/8/2025 5:11 PM
73	I love the aquatic center and gym. I would love more open hours of the competition pool and more exercise classes offered, including cycle/spinning.	10/8/2025 4:55 PM
74	Childcare is too expensive. 12 day limit for part time is not enough. Hourly should be offered for those who only need an hour per afternoon, when older siblings get out of school since the day is too expensive.	10/8/2025 4:20 PM
75	I love that there is a mix of tradition team sports and other community based activities, not just a focus on one	10/8/2025 3:47 PM
76	The Jaquith baseball fields need improvement.	10/8/2025 3:33 PM
77	Parks and trails	10/8/2025 2:41 PM
78	it makes a difference to have engaged and qualified swim instructors	10/8/2025 2:07 PM
79	Variety and affordability	10/8/2025 1:14 PM
80	The cultural arts center, and the camps they run, are vital to our needs as we don't have any involvement with sports.	10/8/2025 12:52 PM
81	That they are well communicated to the community, that we are introduced to the people behind the scenes so that we can appreciate their work. That the funding is there and supported by our commissioners (SO disappointed at the recent	10/8/2025 12:04 PM

Chehalem Park and Recreation District | Community Input Survey

	decisions to remove the Yamhalas Trail from the plan)	
82	It's important for my health.	10/8/2025 11:59 AM
83	Keep us informed through newsletters and emails	10/8/2025 10:58 AM
84	No one I know in Dundee or Newberg needs a campground in Newberg at the river. We don't camp in our own town and CPRD should not be about providing recreation for out of district visitors. Nor should it be concerned about creating regional tourist revenue. And of the 100's of people I know within the district, only 1 owns a horse....	10/8/2025 10:57 AM
85	We need more mountain biking trails and more safe places to ride our bikes!	10/8/2025 10:51 AM
86	Continue to do market research to find out what households are interested in and willing to pay for with bonds/levies as well as admission costs. It's one thing to express a need, it's another thing to be willing to either work to make it happen or be willing to pay for it. None of the recreation programs and activities are 'free' - everything has value but not everyone values the same things equally, hence the need to prioritize by what will bring the most value and how it will get funded across the community.	10/8/2025 10:51 AM
87	Please offer fencing camps more often.	10/8/2025 10:48 AM
88	Please do more organized youth sports activities for younger kids. There is not much for 3-5 YO	10/8/2025 10:45 AM
89	We use our local park and hiking trails daily. The Aquatic Center is a great place for our family. My mom loves the Senior Center.	10/8/2025 10:39 AM
90	After-work fitness classes (including taichi) would be appreciated.	10/8/2025 10:31 AM
91	expand golf course	10/8/2025 10:16 AM
92	You used to do a tai chi class with a very competent teacher	10/8/2025 10:09 AM
93	Keep the prices affordable	10/8/2025 10:08 AM
94	Need for more mountain biking trails	10/8/2025 10:04 AM
95	Youth sports	10/8/2025 10:04 AM
96	We have very few equestrian/hiking only trails and it is vitally important that we keep them bicycle and motor vehicle free. It would also be helpful if there were mounting blocks along the trails. A few solid stumps would do it.	10/8/2025 10:03 AM
97	More hiking and biking trails	10/8/2025 10:01 AM
98	We'd love to have a return of the fencing classes. They haven't been available for over a year now.	10/8/2025 9:59 AM
99	Love the kids programs. Would like to know more about adult sports but with busy kids I still might not be able to join.	10/8/2025 9:02 AM
100	I am middle aged so having more community programs is starting to be my focus.	10/8/2025 7:32 AM
101	Variety is good, but costs are getting progibitive	10/8/2025 6:37 AM
102	Pickleball in the swim center	10/8/2025 6:24 AM
103	A mountain biking class and camp once there are trails would be awesome.	10/7/2025 11:15 PM

Chehalem Park and Recreation District | Community Input Survey

104	Please make them more affordable! After school programs that are more than \$30 is just not doable, even for an upper middle class family!	10/7/2025 9:11 PM
105	Family friendly activities are very important to us. We love to get outside and appreciate all the various outlets to do so	10/7/2025 8:40 PM
106	don't know what community school or daycare services	10/7/2025 8:38 PM
107	Bikes bikes bikes!!!	10/7/2025 8:10 PM
108	Mountain biking	10/7/2025 5:03 PM
109	We need to keep youth sport programs (pre-high school), as they don't exist with the elementary and middle schools. As the cheer program was adopted by CPRD, it was not established enough for us to keep our daughter enrolled. We felt it was necessary to go to a neighboring town to help ensure our daughter continues to grow in this sport.	10/7/2025 3:44 PM
110	Personally, swimming & access to the pool & gym is huge for me staying mobile & strong	10/7/2025 3:20 PM
111	Our community needs better sports fields.	10/7/2025 12:49 PM
112	There is very little adult programming that is not for seniors. I'd love to see more one-day or shorter-term adult programming on weekends or after 5pm on weekdays.	10/7/2025 12:38 PM
113	We regularly participate in classes & activities. They are very valuable to our family.	10/7/2025 12:34 PM
114	Maintain Old Fashioned Festival	10/7/2025 12:24 PM
115	More workout space needed!	10/7/2025 10:56 AM
116	More leisure swim time at the pool would be great for families, both through the week in the afternoon and on weekends.	10/7/2025 9:54 AM
117	It really feels like the youth soccer program is an afterthought compared to baseball and football.	10/7/2025 9:44 AM
118	My children aren't quite old enough to participate in the youth sports or swim lessons, but community sports were such a huge part of my childhood that I am so thankful for Newberg having a good activity program.	10/7/2025 8:14 AM
119	A community space needs to be available for mountain biking, especially for the youth in the community.	10/7/2025 7:24 AM
120	Mtb programs for kids would be great	10/7/2025 7:21 AM
121	Need a Mtn bike trail	10/7/2025 7:09 AM
122	Need to add Mountain Bike trails and access	10/7/2025 7:07 AM
123	CPRD should look at the sum of all programs and how they contribute to the total community across age groups by activity. Are they actually serving a need, should different means of funding be used, should they be phased out, does the district have the expertise to operate them, etc. Bottom line, managed sustainability.	10/7/2025 7:05 AM
124	Providing clear direction and communication.	10/7/2025 6:48 AM
125	As an older equestrian, many of your programs are not my cup of tea. I encourage you to leave the horse trails to horse and hiker only. Unfortunately not all bike riders are polite, thus makes sharing the trail dangerous to horse people.	10/7/2025 6:18 AM
126	Need mountain bike trails. Promised when kicked out of Bob & Crystal Rilee Park but not delivered.	10/7/2025 4:02 AM

Chehalem Park and Recreation District | Community Input Survey

127	Golf lessons	10/6/2025 11:29 PM
128	Our family is young, but we plan to participate in CPRD sports as our kids grow.	10/6/2025 6:16 PM
129	I value the variety of activities that cover many types of users.	10/6/2025 5:10 PM
130	Please restore access for bicycles to Bob & Crystal Rilee Park.	10/6/2025 11:54 AM
131	Keep offering rec program to kids and making our parks more accessible to them, they are our future and need to stay active.	10/6/2025 10:35 AM
132	I used to enjoy cycling at trails, and now closed. That was my weekly exercise, and I miss it. It would be nice if it will be open to cyclists again	10/6/2025 10:33 AM
133	Continue to build strong youth sports opportunities and market the adult sports opportunities so we can increase participation. Additionally, there needs to be access to the public and local organizations to all fields, including the baseball and softball fields.	10/6/2025 9:34 AM
134	CPRD could use the Bob & Crystal Rilee Park trails for more then horses. From what I hear in the community is that used to be possible. Why would CPRD remove access to other Trail users? Works in so many other places across the nation.	10/6/2025 8:52 AM
135	Restore cycling access	10/6/2025 8:35 AM
136	I would like more cycling options, especially at Rilee Park	10/6/2025 8:30 AM
137	An approved mountain biking/cycling course would increase active engagement in the parks for many local residents!	10/6/2025 7:47 AM
138	We need space for trail riding for mountain and gravel bikes (or kids bikes).	10/6/2025 7:45 AM
139	Need a place to ride mountain bikes - not a paved trail, but dirt.	10/6/2025 7:14 AM
140	Keeping the younger kids in the loop is helpful! 3 and under activities	10/6/2025 6:28 AM
141	Would like trails for families to to enjoy mountain biking. There aren't that many sports that you can enjoy across different ages as a family. This is great way for families to do a sport together.	10/5/2025 11:45 PM
142	There are no nearby mountain bike trails and it is a growing sport. Rilee park access for only equestrians serves the needs of a few (wealthy) patrons whereas mountain biking and cycling is more popular for a broader range of people especially kids. Multi use trail systems are common now and completely workable there. Could easily divide the park systems trials there too	10/5/2025 9:24 PM
143	Would like CPRD to allow biking on the trails, specifically at Bob and Crystal Rilee Park	10/5/2025 9:08 PM
144	Access to trails in forested areas to ride mountain bikes	10/5/2025 9:06 PM
145	We need good quality mountain bike trail access. No good dirt single track trails available in our community	10/5/2025 9:06 PM
146	I would like to be able to use trails for cycling.	10/5/2025 9:05 PM
147	I would like local access to mountain bike trails and other cycling-specific access.	10/5/2025 8:05 PM
148	More adult swim time access. Miss the before Covid times. Plus if some nights if you had pool open after other school student events kids & parents could unwind. College students could use a night evening or two for swimming.	10/5/2025 5:54 PM

Chehalem Park and Recreation District | Community Input Survey

149	A lot more poeple would use it if they knew about it.	10/5/2025 5:32 AM
150	The fitness center hours could be expanded- it is limiting.	10/4/2025 11:32 PM
151	Keeping the cost low so that all families can participate is important!	10/4/2025 7:22 PM
152	More safe bike opportunities.	10/4/2025 5:57 PM
153	I don't live in the area, so I don't utilize these programs and services.	10/4/2025 5:04 PM
154	Would love to see girls softball available again in Newberg. Thank you for taking on Cheer and tumbling!	10/4/2025 2:51 PM
155	A good mix of organized programs-events and places where people can do their own activity, like skate park, pool, and trails. Horse trails are rare around here and I place a very high value on Rilee park having safe trails. Currently there are just enough trails to warrant a 1 hour drive to go there.	10/4/2025 11:15 AM
156	The gym (weights area, etc.) need expansion. There need to be spaces for things like box jumping, plyometrics, an area for a weight sled, a better dead lift area. Maybe add some battle ropes considering the mural of someone using them. If the city is going to actively push better gyms out of town, CPRD need to step up.	10/4/2025 8:12 AM
157	That cprd needs to work with other programs trying to provide a higher level of sports in the area for youth.	10/4/2025 8:10 AM
158	Equestrian programs-ie trails without fear of bikers scaring horses with/without realizing	10/4/2025 5:02 AM
159	More pickleball	10/3/2025 7:22 PM
160	Although all may not be used by me personally, others in my family use them frequently	10/3/2025 1:52 PM
161	Horse back riding is a lifetime sport and needs trails to be available	10/2/2025 8:46 PM
162	Most of the things listed are not applicable to our family now, but our children participated in pretty much all the things growing up.	10/2/2025 8:02 PM
163	Continue to connect with our community members in a wide variety of programs and activities	10/2/2025 2:54 PM
164	We love youth sports and allll the fitness and aquatics classes.	10/2/2025 2:36 PM
165	Bikes and motorized vehicles need to be separated from horse space. And dogs on leashes in horse areas.	10/2/2025 10:40 AM
166	Equestrian trails. Bicycle community is trying to take over equestrian trails. We need separate trails. I knew Crystal before she passed away and know she wanted equestrian to use and enjoy her property.	10/2/2025 9:35 AM
167	Horse trails need to be for horses and hikers only. dogs on leashes are fine. Bikes of any kind, and horses do not mix. I have seen and been involved with accidents because of bikes/bikers coming up on the horses suddenly or flying past. Not safe.	10/2/2025 9:29 AM
168	getting out into nature and staying active is very important to me. Please keep the horse trails open for horses & hikers	10/2/2025 7:24 AM
169	these programs are a huge part of what makes Newberg a great place to live.	10/2/2025 7:23 AM
170	Safety	10/2/2025 6:33 AM
171	I really would like to see youth softball offered in Newberg again. Both my Daughters played softball threw CPRD as went on to play club ball competitively and High school ball at varsity level after being introduced to softball threw CPRD	10/2/2025 6:29 AM

Chehalem Park and Recreation District | Community Input Survey

172	The equestrian trails are the most important thing you have to offer for me at this point in my life.	10/2/2025 4:51 AM
173	Bring back bike access to Riley Park!	10/1/2025 10:37 PM
174	Youth needs structure	10/1/2025 9:24 PM
175	Our family loves the fireworks for old-fashioned festival. Please work out a way to let them continue even with your future construction plans.	10/1/2025 8:29 PM
176	Based on the survey, I would definitely say communication about what programs are available is critical to understanding the needs. There are an awful lot of things listed in the survey that I did not even know where provided.	10/1/2025 8:08 PM
177	I don't personally use them but I think they are great for those who enjoy the activities	10/1/2025 7:44 PM
178	Please invest in outside parks. The landing at the Willamette could be fabulous and a gathering spot with trails and more yet it is neglected.	10/1/2025 7:30 PM
179	Please keep the equestrian-only trails in Crystal Rilee park!	10/1/2025 6:41 PM
180	fireworks show!!!	10/1/2025 6:33 PM
181	I would love a deep water class for the 5:00am hour.	10/1/2025 4:41 PM
182	Helps strengthen the community and gives safe places to adventure and learn in	10/1/2025 3:19 PM
183	I enjoy activities outdoors. As a senior citizen, I am always looking for opportunities to enjoy. It is important to me to be able to hike and ride my horse in a safe environment.	10/1/2025 3:05 PM
184	That we need well maintained facilities that are open to all within the district. Current facilities, buildings and grounds, are poorly maintained. With the condition of our parks I question if you can actually call CPRD a parks department versus an organization that wastes tax payers dollars. Fields at the parks are covered in weeds and mole holes. Repaired sprinkler heads have sand placed around them that washes away creating trip hazards. The fact that tax payers dollars goes to pay for golf course maintenance is outrageous. The use of tax payers dollars to pay for anything to do with the golf course should be stopped immediately as it should be self-sufficient. If it is not self-sufficient it should be sold. Also improvements to areas like Renne should not take away from the community activities that take place on a yearly basis. The fact that CPRD wants to eliminate the ability for fireworks or other community events from Renne is a shame and shows that CPRD is not out to support the community, but themselves. The fact that the Cultural Center is ran by its own organization to hide the fact that it looses money from the tax payers, when tax payers are paying to upgrade the building and maintenance is also ridiculous. There should be no organization outside of CPRD running a CPRD owned facility to allow for proper transparency.	10/1/2025 2:33 PM
185	Ensuring equestrian trails remain free from mountain biking, particularly Bob & Crystal Rilee park.	10/1/2025 1:21 PM
186	I love that I can ride my horse at Crystal Rilee Park without worrying about bikes. I can only trail ride where there are no bikes because I am a senior citizen and can not take a chance of being thrown off my horse because of a scary bike. Bikes and kites are instill a flight response from a horse. We go as a club outing with our members and it is a special and safe place for horses to experience.	10/1/2025 11:54 AM
187	Please keep the Bob and Crystal Rilee Park open to equestrian riders and continue to make improvements to the trails while keeping the park free from mountain bikers.	10/1/2025 11:41 AM

Chehalem Park and Recreation District | Community Input Survey

188	Safety	10/1/2025 8:27 AM
189	I am using Community School for the first time this year and am a bit concerned about the lack of similar classes offered at each elementary. I know this depends on teacher availability, but how is CPRD recruiting teachers? Could there be an effort to expand recruitment so that each elementary school has at least one STEM and one music class?	10/1/2025 7:58 AM
190	The fireworks are an important and valued community event. Please find a way!	9/30/2025 10:43 PM
191	Would love to see Newberg continue to invest in its youth sports to become more competitive at higher levels. Starting with really good facilities particularly soccer. I also have children who come to the pool just to play basketball. It has been wonderful for them to stay active during rainy days and meet new friends. I love how often the kids can just play a game of pick up basketball with whoever is there. But it gets really expensive at over \$6 per trip to just come play basketball for an hour or two. Making the use of the basketball court much cheaper would be a huge benefit to our kids!	9/30/2025 10:37 PM
192	I wish there was more toddler options	9/30/2025 7:44 PM
193	Keep them open, available, and accessible to all in our community	9/30/2025 7:30 PM
194	More opportunities for inclusion in regular activities for special needs kids.	9/30/2025 7:06 PM
195	Keep the fireworks!	9/30/2025 6:55 PM
196	Keep fireworks at Renne field please.	9/30/2025 6:15 PM
197	I love how easy it is to reserve a park spot for any event.	9/30/2025 6:14 PM
198	Maintain the Old Fashioned Festival activities, including Fireworks.	9/30/2025 5:20 PM
199	Opportunities for young people to participate in sport activities that are fairly priced is very important.	9/30/2025 5:16 PM
200	The old fashioned festival fireworks are a highlight of my year.	9/30/2025 4:37 PM
201	We need all community functions and events	9/30/2025 3:36 PM
202	CPRD should continue to add to it's array of programs and activities. Sign language courses, more art courses, cooking courses, field trip events, etc. Also, programs should be more affordable and accessible to all members of this community.	9/30/2025 3:28 PM
203	Like to be able to choose our coach or friend request for youth sports. Wish you had recreational basketball & soccer at the high school level.	9/30/2025 3:08 PM
204	Putting an emphasis on youth sports is incredibly important. Adjusting the cost or availability to youth to use the gym at the aquatic center is imperative. Keeping our kids busy and off the streets is so important and athletics is that vehicle we are paying enough tax dollars that kids can get into a basketball court gym free.	9/30/2025 3:06 PM
205	We need as much open field facilities as possible. Soccer, football, lacrosse, field hockey, ultimate Frisbee, etc can all be played on grass or turf fields that aren't cut up by backstops and concession stands.	9/30/2025 2:44 PM
206	Advertising helps. You lack in social media BIG time!	9/30/2025 2:15 PM
207	Make aquatic center affordable	9/30/2025 12:39 PM
208	Keep the fireworks for Old Fashioned Festival at Renne field! This activity is key to bringing people to the festival location. There is no other area in town for this to be easily accessible and available. During COVID when they were set off at the	9/30/2025 11:57 AM

Chehalem Park and Recreation District | Community Input Survey

	Mill, there was no where to view, so we did not attend	
209	The equestrian trails are great! Please keep them and please keep it bicycles/bikes! Or is so much safer for equestrians AND bikers to have then separate.	9/30/2025 10:47 AM
210	Fix up broken playgrounds, provide benches and shaded areas	9/30/2025 10:46 AM
211	Keep them going	9/30/2025 10:39 AM
212	We do not want the NOFF fireworks to be cancelled	9/30/2025 10:18 AM
213	Better fields for sports games and practices.	9/30/2025 10:12 AM
214	We need youth softball! 🏐	9/30/2025 10:07 AM
215	Keep costs down	9/30/2025 9:40 AM
216	I love the trails - hiking, walking, dog- friendly. And also the cultural center and market	9/30/2025 9:37 AM
217	There's no room for the large amount of people and cars at Jaquith for the soccer and softball days. They clog surrounding neighborhoods, park on park grass, and I almost got hit by a softball on the walking path because a coach had kids practicing on the walking path. I wish you'd dial back the amount of games you let them host each day to a number that the parking lot and park can reasonably handle. I'm also unhappy that the open space at Jaquith is destroyed for pickleball courts, since the baseball fields are generally locked, that was the only open space to play Frisbee, etc. Lastly I have just heard Old Fashioned Festival fireworks are at risk at Renne because of artificial turf. All this feels like prioritizing income streams for cprd by placing more emphasis on team sports (which bring an income) versus community member enjoyment of open natural space, and I'm unhappy about that. I chose Newberg because I want to live in a small town, not because I want it to have all the facilities of Portland or THPRD.	9/30/2025 9:21 AM
218	I enjoy events that bring people together as a community	9/30/2025 9:19 AM
219	Love watching grandchildren play somewhere safe.	9/30/2025 9:15 AM
220	Don't make them so expensive have enough staff to make sure all the events go well	9/30/2025 8:58 AM
221	Although I may not use them personally they are still very important to our residents, families and relatives, and neighbors	9/30/2025 8:53 AM
222	People, especially children need recreation opportunities that are not offered in other place, or are too expensive for a lot of people.	9/30/2025 8:52 AM
223	There are options for every age!	9/30/2025 8:43 AM
224	Keeping these activities and always offering them to all ages	9/30/2025 8:39 AM
225	With two boys on the spectrum we need a play structure like cook park	9/30/2025 8:39 AM
226	We love the fire works on Renne Field for the las 20 yrs. Is our family tradition every year we get together after a busy weekend to enjoy a little bit of the festivities	9/30/2025 8:33 AM
227	Would love to see a youth softball program and affordable tennis	9/30/2025 8:31 AM
228	Needs to find a way for off to secure renne field for fireworks	9/30/2025 8:12 AM

Chehalem Park and Recreation District | Community Input Survey

229	Make sure the kids have things to do. No new trails this takes money away from actual recreation.	9/30/2025 7:38 AM
230	More day time fitness classes. Every thing is either early morning or in the evening. I need classes around 10-1	9/29/2025 2:58 PM
231	The Sherwood YMCA programs fit me better. I'm 79 and physically still active with square dancing, swimming, Zumba Gold (for seniors), weight lifting, and walking. CPRD programs seem to be either too young and fast or too old and chair-bound.	9/29/2025 8:18 AM
232	I would love to know more information about daycare and preschool services. It feels like Newberg has limited options currently. Also better signage for trails at Bob and Crystal park	9/28/2025 7:14 PM
233	Availability and affordability for family activities	9/28/2025 7:07 PM
234	Activities for kids	9/28/2025 3:45 PM
235	If one doesn't exist, establish softball league for seniors 50+	9/28/2025 1:46 PM
236	CPRD needs to implement programs for individuals with intellectual and developmental disabilities. The programs are not equitable to those with disabilities.	9/28/2025 1:45 PM
237	We appreciate the activities for all ages.	9/28/2025 1:03 PM
238	I think I mentioned in my previous comment that my needs change with age. Right now my priority is cultural offerings and nature trails.	9/28/2025 11:56 AM
239	Volunteer cleaning the town would be a great program	9/28/2025 10:38 AM
240	I love the classes especially the Wednesday evening yoga class with Rachelle and the Wednesday morning Strength and Burn with Chelsea. They both do an amazing job at creating interesting and difficult work outs!	9/28/2025 10:14 AM
241	The aquatic center is important to me and I wish the pool had more time open for the kids, taking into account home schooling schedules.	9/28/2025 8:09 AM
242	Overall satisfied but not a ton of experience with a ton of recreation programs.	9/27/2025 11:02 PM
243	We need more open swim time. Public pools in Portland have open swim for up to 6 hours a day (family swim + open swim).	9/27/2025 8:43 PM
244	The studio in the fitness center has a few issues.	9/27/2025 5:27 PM
245	The pool and rec fitness areas are very important for us.	9/27/2025 1:16 PM
246	Protect equestrian access to our limited spaces, a d education for other trail users.	9/27/2025 11:52 AM
247	Don't really use them	9/27/2025 11:01 AM
248	This is the same question above right? Same answer. Off-leash dog trails	9/27/2025 10:55 AM
249	The Camellia festival has been a signature event in our community and it was very disappointing to see it shrink to almost nothing in 2025. This celebration of nature and culture brought together many different people and is vital to the strength of our diverse community. Please return it to its former status as a signature event.	9/27/2025 10:37 AM
250	I appreciate the opportunity to be in nature away from vehicles and noise	9/27/2025 9:34 AM
251	Continue serving and prioritizing the youth!	9/27/2025 9:06 AM

Chehalem Park and Recreation District | Community Input Survey

252	Pay your coaches. Recognize all coaches and do more to support them. Give them a shirt, better equipment and help them deal with challenging parents.	9/27/2025 8:50 AM
253	Continued safe equestrian access at Bob and Crystal Rilee.	9/27/2025 8:19 AM
254	Wish there were easy access ways to meet people that were low commitment	9/27/2025 6:17 AM
255	The addition and development of equine-related activities and programs would be welcomed. From Sheriff posse rides, OHSET youth practice, to equine therapy. All are possible assets to the current programs offered.	9/26/2025 11:22 PM
256	Is there a place for kids to ride bikes on trails?I heard they used to be allowed sat Bob Crystal park,but were kicked out before I could check it out.	9/26/2025 9:08 PM
257	Hiking and equestrian trails	9/26/2025 8:54 PM
258	Affordability and hours of operation	9/26/2025 8:38 PM
259	More lap swimming and more parks and trails	9/26/2025 8:28 PM
260	Again, where did mountain bike trails go?	9/26/2025 8:04 PM
261	I support anything that brings our community together.	9/26/2025 6:58 PM
262	Keeping it fun for the kids	9/26/2025 6:01 PM
263	That Rilee Park needs to remain equestrian and pedestrian. I run a therapeutic riding barn and this beautiful park allows me to bring beginning riders and riders with special needs. The experiment with the BMX bikes was heartbreaking to see. When a family has a vision for their land it is important to honor that.	9/26/2025 3:22 PM
264	The information needs to be more available about sign ups about new programs, etc.	9/26/2025 1:08 PM
265	These things were more important when my kids were young	9/26/2025 1:05 PM
266	We tend to be more involved when there are things that fit our schedule	9/26/2025 12:44 PM
267	See question #8. Please increase access for mountain biking at Bob and Crystal Rilee park. It's also a wonderful place to hike and run, and there is plenty of space for equestrians too. Many parks across the country have shared access for bike/equestrian trails. Newberg does not have a lot of equestrians, so I don't think it's an insurmountable problem to share the trails or designate some trails as one or the other. It's very quiet up there.	9/26/2025 12:01 PM
268	I like the community events.....concerts etc.	9/26/2025 11:53 AM
269	Youth sports have been very hit and miss here. We've had some good experiences but I'd say sadly more poor experiences. I'd like to see the golf course facility upgraded to match the quality of the course. Maybe a restaurant/clubhouse situation? The fitness center at the aquatic center is not great. The sauna is often not working.	9/26/2025 11:23 AM
270	Indoor soccer facility?	9/26/2025 10:59 AM
271	More walking trails, more bike paths needed. More trees needed everywhere. Better info on website for classes. Make people wear masks in the gym during pandemics and ongoing outbreaks.	9/26/2025 9:53 AM
272	Availability of facilities and activities for youth.	9/26/2025 9:35 AM

Chehalem Park and Recreation District | Community Input Survey

273	I use the pool throughout the year, the leisure side, as a senior and during the summer we are so crowded with swimming lessons taking up our lap lanes and it makes it impossible to swim for the duration of that time. I tried to go to the competition pool but it's too cold for my muscles. Thank you. Perhaps the lessons could be moved to another time rather than senior and disability slots.	9/26/2025 8:03 AM
274	I like to recreate with few people. I like the quiet of the park, so I don't do programs.	9/26/2025 6:48 AM
275	Variety of activities is important	9/25/2025 11:42 PM
276	We need a large safe area to horseback ride without the fear of bikes. A horse obstacle course would also be welcome.	9/25/2025 7:26 PM
277	Nothing	9/25/2025 6:48 PM
278	It makes yamhill county a great place to be! I don't use a lot outside of the trails but love that they are available to the community.	9/25/2025 6:40 PM
279	That when CPRD fails to be organized then it is the kids that pay the price.	9/25/2025 6:20 PM
280	I hike	9/25/2025 5:46 PM
281	We are so lucky to have amazing places to move, be healthy and socialize. I would say the programming that we currently have is excellent. I would love to see a safe area to launch kayaks or paddle boards nearby in the summer. Rogers landing is too crazy.	9/25/2025 5:36 PM
282	We need turf fields	9/25/2025 5:27 PM
283	N/a	9/25/2025 5:03 PM
284	I cant afford it.	9/25/2025 5:02 PM
285	We need more options for kids 2-4. That's a tough age to entertain we also need an indoor playground for kids. That would save a lot of money for the city because the park equipment gets worn down so quick due to the rain.	9/25/2025 4:57 PM
286	Stop charging so much for school CARE. Provide more open time for swimming for adults (leisure time)	9/25/2025 4:38 PM
287	Community involvement	9/25/2025 4:22 PM
288	We need access to sports facilities for multiple sports. Every town around us has many turf fields to use. Our town has one and it's at the high school.	9/25/2025 4:20 PM
289	I think they need to offer a camp for kids the last week of August when teachers go back to school and need a fun thing for their own children to do when school isn't in session yet for students	9/25/2025 4:14 PM
290	Must have for youth sports and activities	9/25/2025 4:10 PM
291	I have 3 small children and we enjoy the resources you have available	9/25/2025 3:30 PM
292	The watch program is too expensive. For that price it needs to be open on the weekend and be at least 2 hours of care.	9/25/2025 3:16 PM
293	More field space and more walking and biking trails or paths.	9/25/2025 3:15 PM
294	I would stop providing t-shirt to kid sport summer camps. We would pay the same without the t-shirt, and we don't want to accumulate so many.	9/25/2025 2:59 PM

Chehalem Park and Recreation District | Community Input Survey

295	CPRD needs to update their fields and facilities to keep up with surrounding cities. Youth sports go elsewhere because our facilities are old and outdated.	9/25/2025 2:58 PM
296	awareness of program offerings and schedule way in advance	9/25/2025 2:54 PM
297	Facilities that are accessible at various hours throughout the day, with a variety of choices at a reasonable cost.	9/25/2025 12:41 PM
298	Staying active and upgrading Jaquith pickleball ball courts is awesome and excited to use them when done	9/25/2025 12:20 PM
299	Our community desperately needs activities for families and children. We are severely lacking in classes for children and family friendly facilities. One example is the aquatic center. We were told the bond would benefit all residents, but instead it only further limited the community's access to swimming. The expense and incredibly limit open swim times are near laughable. 1 hour and 15 minutes of open swim time a few times a week is not enough for a COMMUNITY pool. Especially for the cost of admission. The pool design is also a bit of a nightmare. It's definitely not designed well for anyone over the age of 6 with the exception of the elderly. Most kids simply want a larger, open space of water to play in. Like the old pool. The "new" pool is a bottleneck of broken up areas. It's bazaar that the deep end is only opened up for the last 15 minutes of open swim. I deeply wish that our community organizers would stop catering so much to the elite few and older residents. We need to focus more on average citizens, families. The ones who truly make our community run. Families are the future of our beloved community, and if we can't show them that we care about their needs, our community will not thrive and survive.	9/25/2025 11:50 AM
300	keep price reasonable	9/25/2025 11:02 AM
301	Keep kids involved/ provide more teen activities/sports- maybe intramurals?	9/24/2025 9:18 PM
302	Mountain biking opportunities, especially for youth, need to be restored. At least until another comparable opportunity is available. I live in district, pay taxes, but am force to recreate and spend money elsewhere now.	9/24/2025 9:13 PM
303	Warmer pool- my kids turn blue and shiver after 20 minutes in the pool.	9/24/2025 8:00 PM
304	I enjoy affordable classes to keep me engaged.	9/24/2025 7:58 PM
305	Availability of activities for families throughout the year to keep kids engaged with peers & their community. Our family prioritizes CPRD for our children (4,11,14) over our own activities. We use our neighborhood parks since our first child was able to play at one and still visit several times per week.	9/24/2025 3:06 PM
306	How little lap swim is available to people who work continues to be frustrating.	9/24/2025 12:44 PM
307	Maintain trails and enhance security	9/24/2025 12:05 PM
308	These items are very important to families and especially school aged kids. I support all of them, but answered in terms of only what I would use.	9/24/2025 11:21 AM
309	N/a	9/24/2025 9:18 AM
310	Build the track and keep the disc golf course mowed more frequently.	9/24/2025 9:11 AM
311	Expanding Weight Room/Cardio Facilities at the Aquatics Center	9/24/2025 8:48 AM
312	See above comments.	9/24/2025 8:04 AM
313	That programs are becoming to costly.	9/24/2025 7:56 AM

Chehalem Park and Recreation District | Community Input Survey

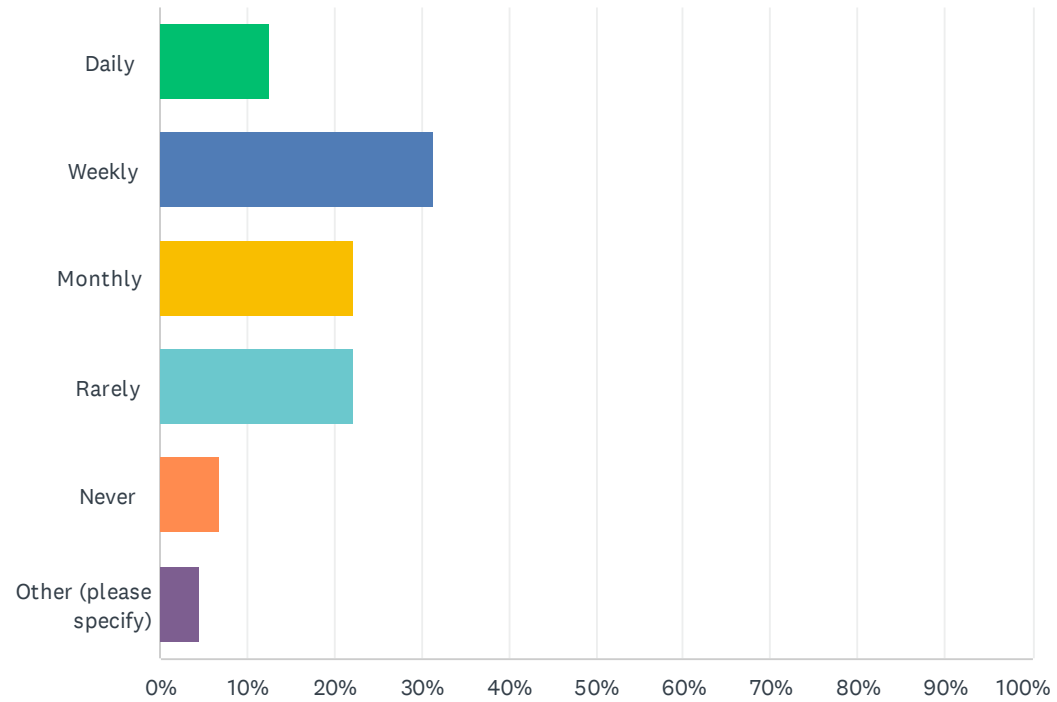
314	I use the senior fitness classes.	9/24/2025 7:40 AM
315	Programs & well equipped playgrounds for school age kids are most important to our family right now. Also we would use the Aquatic Center more often if the weight room wasn't so crowded. And the sauna is frequently out of order.	9/24/2025 6:37 AM
316	I like to play in the coed softball in the summer	9/24/2025 6:15 AM
317	We need more!	9/24/2025 6:03 AM
318	We need more activities that are affordable for middle school / high school aged kids	9/24/2025 5:50 AM
319	Running- trails and tracks are important Hiking - trails are high value Dog park	9/24/2025 12:39 AM
320	The community needs a non secular preschool and maintained parks	9/23/2025 10:19 PM
321	Kids sports are too spendy	9/23/2025 9:35 PM
322	Better communication is needed about offerings. The local paper is useless.	9/23/2025 8:43 PM
323	Variety!	9/23/2025 8:35 PM
324	More trails	9/23/2025 7:50 PM
325	Free programs like parks are good.	9/23/2025 5:11 PM
326	Swimming recommended by all drs but water too hot in pool for MS at over 80 degrees	9/23/2025 4:20 PM
327	We really need a place to mountain bike!	9/23/2025 2:41 PM
328	Retired adults (no grandkids yet) that love the equestrian and hiking and dog trails and community events . Also the fitness classes .	9/23/2025 1:10 PM
329	The need for a preschool.	9/23/2025 1:05 PM
330	That you need to bring back the Bonnie Benedict Preschool	9/23/2025 12:56 PM
331	More sustainablilty programs would be helpful.	9/23/2025 12:54 PM
332	Unaffordable	9/23/2025 12:41 PM
333	Better marketing and lower costs	9/23/2025 11:32 AM
334	Thanks for doing a great job!	9/23/2025 11:23 AM
335	Close trails for hiking and equestrian use with NO bikes	9/23/2025 11:15 AM
336	My kids need a safe place to ride their bicycles, besides the limited sidewalks in town. Ideally at that park on parrot mountain where we used to go.	9/22/2025 8:33 AM
337	Providing as many activities as possible and still	9/21/2025 11:08 PM
338	I do enjoy working out	9/21/2025 10:40 PM
339	Needs better advertising for events and spaces.	9/21/2025 10:15 PM

Chehalem Park and Recreation District | Community Input Survey

340	Better communication with the public. Improved marketing.	9/21/2025 9:42 PM
341	Making sure the public knows about them.	9/21/2025 9:30 PM
342	I like variety in CPRD programming.	9/21/2025 9:14 PM

Q12 How often do you use or participate in recreation programs or activities?

Answered: 633 Skipped: 196



Chehalem Park and Recreation District | Community Input Survey

ANSWER CHOICES	RESPONSES	
Daily	12.64%	80
Weekly	31.44%	199
Monthly	22.27%	141
Rarely	22.27%	141
Never	6.79%	43
Other (please specify)	4.58%	29
TOTAL		633

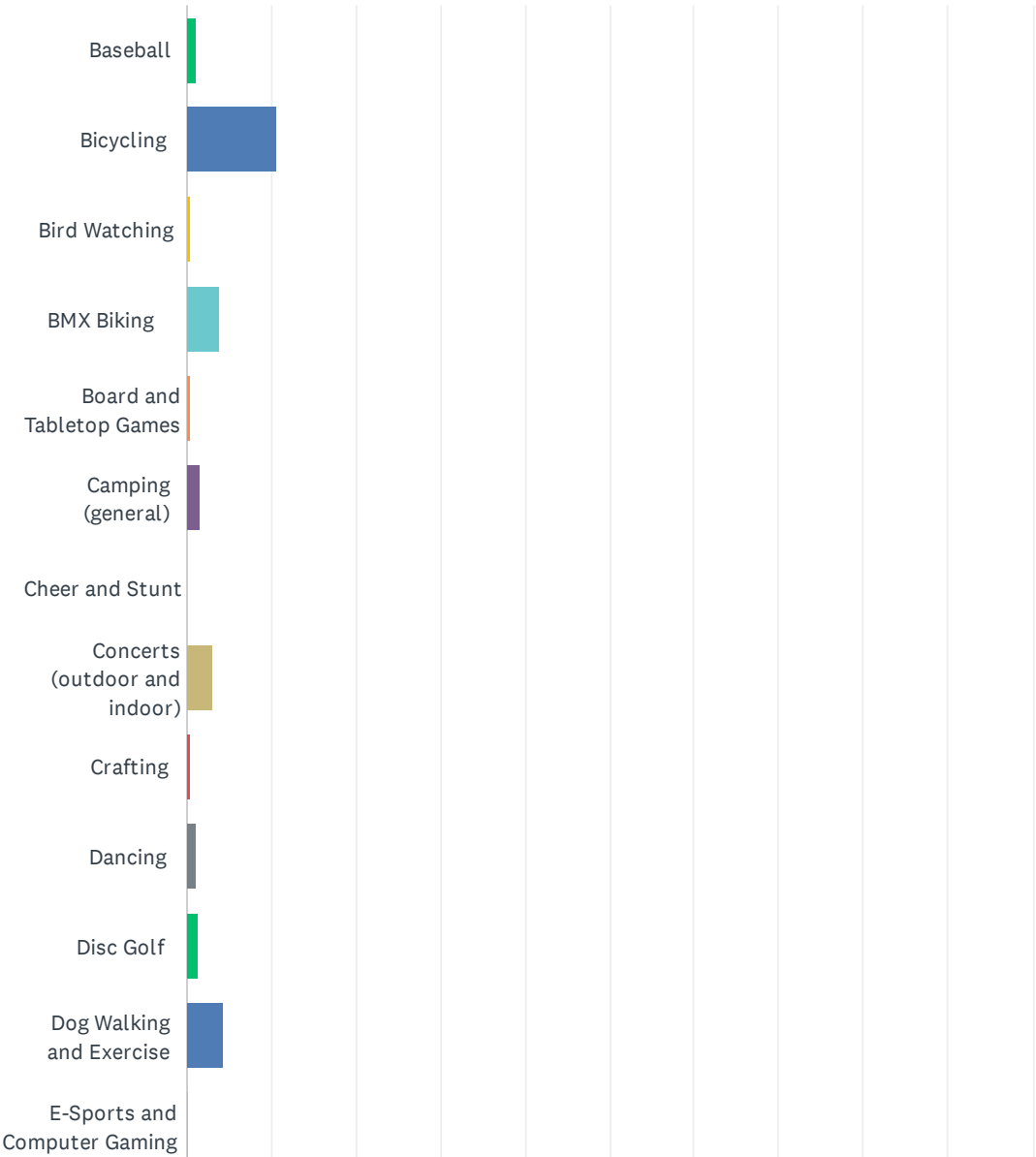
#	OTHER (PLEASE SPECIFY)	DATE
1	She answers above	10/20/2025 10:56 AM
2	seasonal sports for our school aged kids	10/9/2025 10:56 PM
3	Weekly depending on which one	10/8/2025 1:13 PM
4	I used to sign my kids up for rec programs, but now that they are adults I don't use the rec programs very often.	10/8/2025 10:03 AM
5	I would use them more, but they are so expensive!	10/7/2025 9:11 PM
6	I watch games often but don't play.	10/7/2025 8:50 PM
7	Water polo and swim	10/7/2025 3:01 PM
8	Three to four times a week	10/7/2025 7:05 AM
9	Attending grandchildren's sporting events	10/7/2025 6:48 AM
10	Yoga classes weekly	10/5/2025 9:52 PM
11	Depends on what activities we can fit into our schedule at a given time	9/30/2025 7:44 PM
12	Seasonly	9/30/2025 1:03 PM
13	During holidays/festivals	9/30/2025 12:32 PM
14	Depends	9/30/2025 11:57 AM
15	Seasonal	9/30/2025 10:39 AM
16	My kids aren't old enough for most things yet but we will be participating when they're old enough	9/30/2025 9:56 AM
17	We used to use them in a weekly basis, but no longer live in the area. We do come for the Old Fashioned Festival, however.	9/30/2025 9:24 AM

Chehalem Park and Recreation District | Community Input Survey

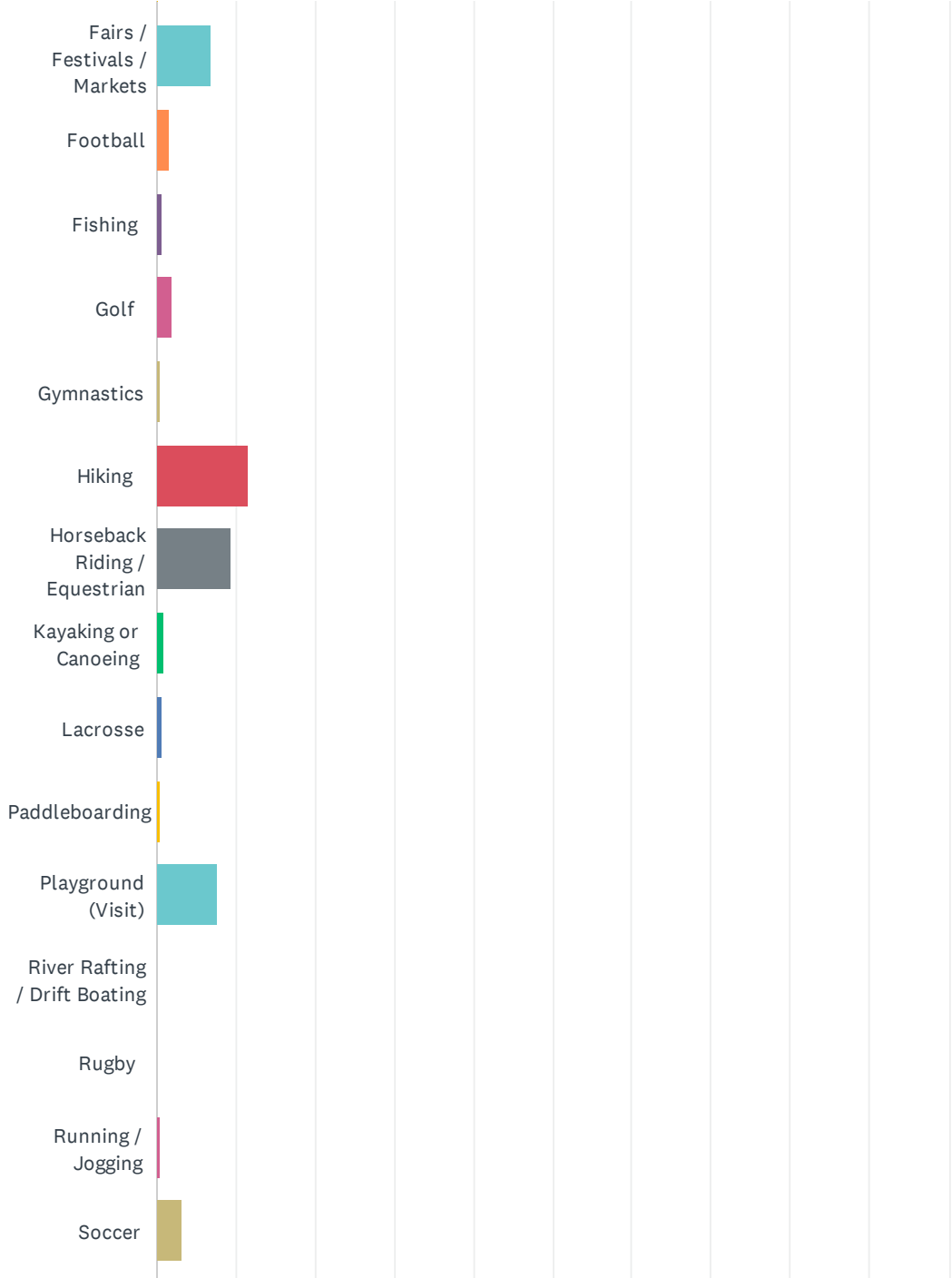
18	Just kids swim lessons	9/30/2025 9:21 AM
19	Varies	9/30/2025 8:53 AM
20	Not monthly but more than rarely	9/30/2025 8:35 AM
21	We exercise daily but don't think of it as recreation.	9/29/2025 8:18 AM
22	N/A	9/26/2025 11:22 PM
23	Nearly daily	9/26/2025 3:22 PM
24	Used to attend classes at gym when Patty was there. Moved to Chehalem Physical Therapy because CPRD didn't require masks when they reopened during pandemic. Have not returned, have thought about it occasionally and looked for classes/activities but hard to figure out on website.	9/26/2025 9:53 AM
25	Very much involved in various activities, programs before retirement,ams,	9/26/2025 9:35 AM
26	Hirseback riding at Crystal Riley.	9/26/2025 7:27 AM
27	Multiple times weekly	9/24/2025 9:13 PM
28	Every summer	9/24/2025 6:15 AM
29	Whenever I am able to	9/23/2025 4:20 PM

Q13 Of all the activities listed, which is your household's favorite activity?

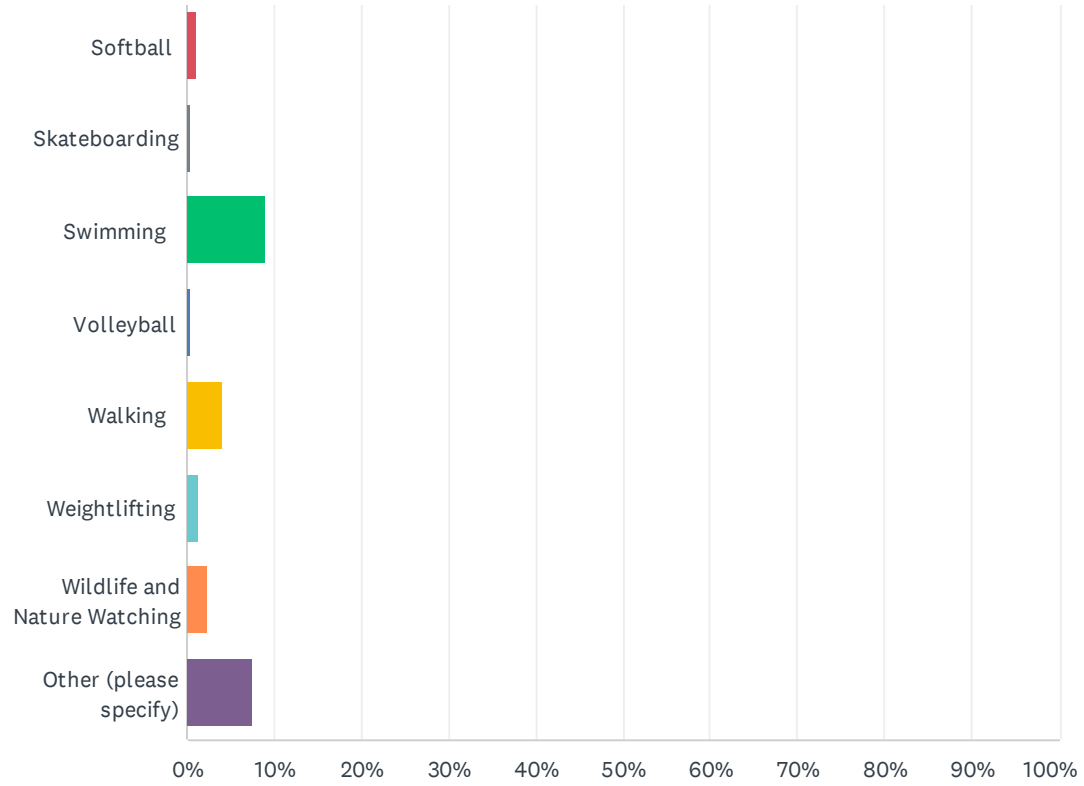
Answered: 597 Skipped: 232



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey

ANSWER CHOICES	RESPONSES	
Baseball	1.17%	7
Bicycling	10.72%	64
Bird Watching	0.50%	3
BMX Biking	3.85%	23
Board and Tabletop Games	0.50%	3
Camping (general)	1.51%	9
Cheer and Stunt	0.00%	0
Concerts (outdoor and indoor)	3.02%	18
Crafting	0.50%	3
Dancing	1.01%	6
Disc Golf	1.34%	8
Dog Walking and Exercise	4.36%	26
E-Sports and Computer Gaming	0.17%	1
Fairs / Festivals / Markets	6.87%	41
Football	1.51%	9
Fishing	0.67%	4
Golf	1.84%	11
Gymnastics	0.50%	3
Hiking	11.56%	69
Horseback Riding / Equestrian	9.38%	56
Kayaking or Canoeing	0.84%	5
Lacrosse	0.67%	4
Paddleboarding	0.50%	3

Chehalem Park and Recreation District | Community Input Survey

Playground (Visit)	7.71%	46
River Rafting / Drift Boating	0.00%	0
Rugby	0.00%	0
Running / Jogging	0.50%	3
Soccer	3.18%	19
Softball	1.01%	6
Skateboarding	0.34%	2
Swimming	8.88%	53
Volleyball	0.34%	2
Walking	4.02%	24
Weightlifting	1.34%	8
Wildlife and Nature Watching	2.35%	14
Other (please specify)	7.37%	44
TOTAL		597

#	OTHER (PLEASE SPECIFY)	DATE
1	pool exercise and hiking trails	10/31/2025 11:02 AM
2	Water Polo	10/24/2025 11:27 AM
3	Not possible to pick one.	10/18/2025 4:35 PM
4	Bowling	10/18/2025 3:24 PM
5	Tennis & basketball	10/12/2025 8:01 PM
6	Mountain biking	10/12/2025 1:40 PM
7	basketball	10/11/2025 1:35 PM
8	Basketball	10/9/2025 6:40 PM
9	Fitness	10/8/2025 12:29 PM
10	Mountain biking	10/7/2025 11:15 PM

Chehalem Park and Recreation District | Community Input Survey

11	Water polo and swim	10/7/2025 3:01 PM
12	Mountain biking	10/7/2025 11:26 AM
13	Tennis! But also love swimming, dog walking/jogging	10/7/2025 9:54 AM
14	mountain biking	10/7/2025 9:19 AM
15	Mountain biking	10/7/2025 7:24 AM
16	Mountain Biking	10/7/2025 7:07 AM
17	Pickleball	10/7/2025 7:05 AM
18	Pickleball	10/7/2025 6:39 AM
19	Pickleball	10/6/2025 5:58 PM
20	Mountain biking	10/5/2025 9:24 PM
21	Mountain biking	10/5/2025 8:55 PM
22	Mountain Biking	10/3/2025 7:22 PM
23	Equestrian	10/1/2025 8:50 AM
24	Bingo	9/30/2025 1:50 PM
25	Old fashioned festival/fireworks	9/30/2025 10:17 AM
26	Like the fireworks at Renfield Newberg Old Fashioned Festival at Memorial Park	9/30/2025 8:58 AM
27	Basketball	9/30/2025 8:54 AM
28	Love the community activities, parades, fireworks, music, vendor tents etc	9/30/2025 8:53 AM
29	Fire works at Renne field.	9/30/2025 8:33 AM
30	Fireworks	9/30/2025 8:25 AM
31	Newberg Fashion Festival	9/30/2025 8:17 AM
32	Pickleball	9/28/2025 9:38 PM
33	The Old Fashioned Festivay	9/28/2025 8:56 PM
34	We are family of five. With four kiddos in different ages we rarely visit the parks and as we were a long time resident of Newberg we go to school at district.	9/28/2025 4:18 PM
35	Track and field! Get the middle schoolers their own track and stop allowing the HS sports to crowd them out/off the HS track during track season. We paid for it!	9/27/2025 8:50 AM
36	Pickleball	9/26/2025 11:38 AM
37	many of these	9/26/2025 9:53 AM

Chehalem Park and Recreation District | Community Input Survey

38	Sports, walking, concerts, festivals, cultural events	9/26/2025 9:35 AM
39	Horse trail riding in Bob and Cristal Riley Park.	9/26/2025 8:03 AM
40	Pickleball	9/24/2025 9:18 PM
41	Youth sports	9/24/2025 10:43 AM
42	Tennis	9/24/2025 6:03 AM
43	Tennis and Pickleball	9/24/2025 5:50 AM
44	You didn't show pickleball as a choice in the above question.	9/24/2025 12:25 AM

Q14 How would you rate your overall satisfaction with local park and facility maintenance in your area?

Answered: 610 Skipped: 219

3.9★
average rating



	1	2	3	4	5	TOTAL	WEIGHTED AVERAGE
☆	2.46% 15	6.07% 37	21.15% 129	44.75% 273	25.57% 156	610	3.85

Q15 If CPRD could improve just one thing at a park, what would you like that to be?

Answered: 441 Skipped: 388

#	RESPONSES	DATE
1	Cleaner changing rooms at the pool.	10/31/2025 11:04 AM
2	Add back cycling access.	10/28/2025 2:29 PM
3	Renée Field needs to be updated and stop being put off	10/28/2025 10:51 AM
4	More paved walking trails	10/27/2025 9:05 PM
5	A few years ago the Bob and Crystal Rilee park was closed to mountain bikes after a vote. Rather than carve out times for people to share access or designate areas, they just removed access. Mountain bikes should have safe, legal trails just like any activity. It seems unfair to exclude them when there are so many other sports that are allowed.	10/26/2025 9:31 PM
6	A play ground at White Oak Park and some new picnic benches	10/25/2025 3:04 PM
7	I would like to explore	10/24/2025 2:26 PM
8	Bathrooms at every park and facility, even if only portable.	10/24/2025 11:30 AM
9	Signage, restrooms	10/24/2025 10:55 AM
10	Bikes at Rilee park	10/24/2025 10:03 AM
11	Functional equipment	10/23/2025 4:16 PM
12	More trees and open spaces at parks - too many structures & pavement.	10/23/2025 3:53 PM
13	Bathrooms at ewing young and friends park.	10/21/2025 8:49 PM
14	Shovel up the horse crap at the parrot mountain farm. It was so much better a few years ago when horses weren't allowed around the farmhouse.	10/21/2025 1:55 PM
15	Allow bikes	10/21/2025 8:59 AM
16	Bring back bikes at Riley!!!	10/21/2025 1:58 AM
17	After hours park access for star gazers, celestial events e.g. meteor showers.	10/20/2025 11:02 PM
18	Allow Bob and Riley park to be biking friendly.	10/20/2025 5:52 PM
19	More bike friendly trails	10/20/2025 3:53 PM
20	I don't mean to be a broken record but please see my answers about mountain biking and opportunities especially at Bob and Crystal Riley Park.	10/20/2025 10:58 AM

Chehalem Park and Recreation District | Community Input Survey

21	allow all access to Bob and Crystal Rilee	10/20/2025 10:52 AM
22	post updated information on the horse trails online. Keep them open for us :-)	10/20/2025 10:38 AM
23	Horse mounting blocks at Crystal Riley.	10/19/2025 4:42 PM
24	Identification and accountability for all park users	10/19/2025 2:04 PM
25	shade in playground area	10/19/2025 1:06 PM
26	Improve Renne field to turf and lights for all sports. Second would be club house at golf course	10/18/2025 4:40 PM
27	Restrooms	10/18/2025 3:31 PM
28	better accessibility, more trees, better shade coverage on play structures	10/18/2025 11:05 AM
29	More walking trails	10/17/2025 8:41 PM
30	Cleaner facilities, such as at Jaquith	10/17/2025 3:20 PM
31	A new slide at Scott Leavitt Park.	10/15/2025 6:13 PM
32	Get rid of the thistles at the dog park.	10/15/2025 3:58 PM
33	Environmental (drought, heat, etc.) resilience of trees and other plants.	10/14/2025 8:32 PM
34	Working history QR codes! 🥰	10/14/2025 3:42 PM
35	Also focus on maintaining the equipment. For example, fixing a squeaky swing or graffiti	10/14/2025 9:36 AM
36	Better public bathrooms, which I know is difficult.	10/13/2025 8:32 PM
37	Longer trails.	10/13/2025 10:56 AM
38	More native plant landscapes	10/12/2025 10:10 PM
39	Basketball backboards and new nets at Dundee Billick park	10/12/2025 8:02 PM
40	Improve soccer fields.	10/12/2025 1:44 PM
41	More structures for toddlers to access.	10/12/2025 8:06 AM
42	Lights or Restrooms at Ewing Young Park.	10/11/2025 8:54 PM
43	make it more safe	10/11/2025 1:38 PM
44	I ride my horse and go hiking at Bob and Chrystal Rilee park. Letting bicycles on the trails is very dangerous. They come fast down the trails and often with limited visibility which scares even the most seasoned trail horse. This could cause a very bad wreck for the horse, equestrian and the bicyclist. Even hiking I have had to jump out of the way of a bike. There are very few trails that are suitable for horses to go on. Bikes have many more options. Bob and Crystal's vision was for hiking and equestrian use. Please keep bicycles out of Rilee park!	10/11/2025 1:23 PM
45	adequately maintained restroom facilities and water fountains, where currently present	10/11/2025 11:18 AM

Chehalem Park and Recreation District | Community Input Survey

46	More hiking and biking trails	10/10/2025 4:35 PM
47	Fix walking paths to make them level and dry (stop flooding).	10/10/2025 1:01 PM
48	Accessibility for all abilities	10/10/2025 12:07 PM
49	More SHADE	10/10/2025 11:57 AM
50	Make the trails at Bob & Crystal Rilee Park year round for equestrians.	10/10/2025 10:18 AM
51	New playground equipment at Jaquith AND (overall) consider adding structures overhead select playground equipment to make play more accessible during the rainy months and on those hot summer days for the playgrounds without any shade.	10/10/2025 9:55 AM
52	Less use of two stroke motors. More natural landscaping.	10/10/2025 9:20 AM
53	Phaps spruce up the basketball court area at Jaquith Park - it looks a little run down /outdated	10/10/2025 8:44 AM
54	More bike trails	10/10/2025 6:21 AM
55	Thank you for getting more bark chips at the Cultural Center Park. As mentioned in the last comment a fence at least on the main sides of that playground facing the streets to help keep kids safe would be welcomed by the community. The pool park is also great!	10/9/2025 11:00 PM
56	Allow bicycles on trails again	10/9/2025 8:51 PM
57	open up mountain biking somewhere	10/9/2025 8:51 PM
58	More flowers because they are colorful. The swim club looked terrific. Additional community tree planting activities. An organization to create an indoor obstacle course?	10/9/2025 6:45 PM
59	Update playground equipment. Have more trash bins available.	10/9/2025 3:53 PM
60	bathroom maintenance and cleaning	10/9/2025 2:43 PM
61	Introduce more green space to play with kids, and use more natural shaded areas by planting more trees. A lot of the green space we have turns brown by June, but if we could provide some more shade that could help make it a little more tolerable during the hot summer months.	10/9/2025 11:51 AM
62	Accessibility	10/9/2025 11:43 AM
63	Third nine completed, with construction of new clubhouse.	10/9/2025 10:11 AM
64	Real bathrooms at the BMX track would be amazing.	10/9/2025 8:57 AM
65	More maintenance. It has improved a lot this year but brush clearing, toilet maintenance, etc. It feels like CPRD has too much property and not enough of a maintenance budget....or else they allocate the maintenance budget to somewhere other than Ewing Young Park. I love working with the maintenance staff I just wish we'd see more of them	10/9/2025 8:43 AM
66	Bathrooms at Ewing Young!	10/9/2025 8:21 AM
67	Proper rest rooms	10/9/2025 8:18 AM
68	Build more turf fields	10/9/2025 5:55 AM

Chehalem Park and Recreation District | Community Input Survey

69	Bathrooms at bmx park	10/8/2025 10:52 PM
70	Lights at the BMX track	10/8/2025 10:28 PM
71	Jaquith park bathrooms and park safety overall	10/8/2025 9:39 PM
72	Full restrooms at Ewing young	10/8/2025 9:34 PM
73	A nice bathroom facility at Ewing Young Park would be great.	10/8/2025 9:10 PM
74	water fill station for drinking at ewing young that isnt out of a hose	10/8/2025 8:39 PM
75	Quality Restroom Facilities (Ewing Young Park)	10/8/2025 8:35 PM
76	Bring bathrooms to the bmx track	10/8/2025 8:34 PM
77	Bathrooms at BMX track	10/8/2025 8:18 PM
78	Updating outdoor kids parks & keeping the BMX grounds, bathrooms and parking serviced.	10/8/2025 8:12 PM
79	Bathrooms	10/8/2025 7:56 PM
80	Bathrooms at the Skatepark	10/8/2025 7:45 PM
81	Bathrooms at Ewing Young.	10/8/2025 7:41 PM
82	Bathroom at the bmx track	10/8/2025 7:37 PM
83	More ADA Spectator areas at BMX track	10/8/2025 7:34 PM
84	Restrooms	10/8/2025 7:31 PM
85	Add bathrooms	10/8/2025 7:30 PM
86	Benches with back support	10/8/2025 7:29 PM
87	Bathrooms at Ewing Young Park	10/8/2025 7:28 PM
88	Bathrooms. Dont use leaf blowers at 7am in neighborhood parks	10/8/2025 7:19 PM
89	Continuing the wonderful improvements at Bob & Crystal Rilee Park and making the footing round for equestrians.	10/8/2025 7:17 PM
90	maintenance. I want to have a picnic or walk in a nice location, not one covered in weeds or full of trash.	10/8/2025 6:38 PM
91	Mountain bike access to Rilee Park trails.	10/8/2025 6:19 PM
92	More extended bicycle trails	10/8/2025 6:06 PM
93	The pool/s need to be open way more.	10/8/2025 5:18 PM
94	Baseball to exist	10/8/2025 5:13 PM
95	More trails	10/8/2025 4:57 PM
96	Bathrooms	10/8/2025 4:22 PM

Chehalem Park and Recreation District | Community Input Survey

97	Keep the fireworks at the OFF.	10/8/2025 4:07 PM
98	more pickleball courts	10/8/2025 4:02 PM
99	The park and facility maintenance is great. Maybe adding information signs along trails to teach people about the outdoors.	10/8/2025 3:54 PM
100	Improve riverside access for non-boating users. A "beachfront"	10/8/2025 3:49 PM
101	Walking trail at Ewing young park	10/8/2025 2:43 PM
102	Make sure it's not overrun by people who pay no taxes and who don't pay for CPRD to operate. I refuse to take my kids to the parks when they are surrounded by drug addicts and pedophiles.	10/8/2025 1:26 PM
103	Trash removal of used dog poop bags (disposed of in black containers) at the beginning and end of the Gettman Loop trail.	10/8/2025 1:18 PM
104	Less weeds	10/8/2025 1:14 PM
105	Make maintenance a priority.	10/8/2025 12:53 PM
106	Re-do the tennis and basketball courts in South-Newberg @ Renee Field. BUT, move the courts away from the trees that make them such a mess	10/8/2025 12:45 PM
107	Maintaining hiking trails.	10/8/2025 12:26 PM
108	Honestly, can't think of one now	10/8/2025 12:06 PM
109	IF CONSIDERABLE-Rename the Father Daughter dance, my 19 yr old daughters father died (before birth) to include children that don't have a father(every year she sees those signs-a bit painful)	10/8/2025 11:43 AM
110	Keep them clean and treat yellow jackets	10/8/2025 11:05 AM
111	Safer playgrounds for toddlers, more splash pads	10/8/2025 11:05 AM
112	asked and answered: Restrooms at EY	10/8/2025 11:03 AM
113	Turf the CPRD-owned field if there is one, or partner with the park's field owner to turf it.	10/8/2025 10:56 AM
114	Allow bikes again on Rilee park!	10/8/2025 10:54 AM
115	Please install a restroom at Scott Leavitt Park.	10/8/2025 10:52 AM
116	Everything is fine.	10/8/2025 10:41 AM
117	The paint/covering at Spring Meadow park.	10/8/2025 10:32 AM
118	Bathrooms	10/8/2025 10:23 AM
119	expand golf course	10/8/2025 10:18 AM
120	A few of the board are far too political and don't care about CPD. They only care about their own political futures.	10/8/2025 10:12 AM
121	The amenities and maintenance at some of the parks could be better. In McMinnville, the walking paths are great, the dog park is bigger and paved, plus they provide garbage cans with poop bags in many places. (I bring my own, but it is often hard to find cans to throw the waste away- and people who don't often leave a mess).	10/8/2025 10:11 AM

Chehalem Park and Recreation District | Community Input Survey

122	Equestrian obstacle course at Crystal Riley Park	10/8/2025 10:08 AM
123	Upgrading the playground equipment.	10/8/2025 10:07 AM
124	Bathrooms with soap, toilet paper, running water, and paper towels.	10/8/2025 10:05 AM
125	It would be nice to have bathroom facilities, at least port a potties, at every park!	10/8/2025 10:01 AM
126	Trash at Jaquith are often overflowing.	10/8/2025 9:07 AM
127	More bike paths and trails where bikers can be separate from traffic.	10/8/2025 7:35 AM
128	Accessibility for those who are disabled	10/8/2025 6:41 AM
129	Update playground equipment	10/7/2025 9:13 PM
130	Clean and safe restrooms	10/7/2025 8:55 PM
131	Maintaining the safety of the equipment	10/7/2025 8:43 PM
132	I think Riley park makes common sense to open up for multiple uses	10/7/2025 8:42 PM
133	Bike trails!	10/7/2025 8:12 PM
134	Add mountain biking back	10/7/2025 5:04 PM
135	The restrooms at Darnell Wright complex. They are nasty.	10/7/2025 3:46 PM
136	Improve trails in the county. ie Yamhelas trails/ rails	10/7/2025 3:22 PM
137	add bike trails	10/7/2025 3:12 PM
138	Clean up and maintain Parks better	10/7/2025 3:03 PM
139	Expanded hiking trails	10/7/2025 2:14 PM
140	Restrooms instead of portapotties.	10/7/2025 12:40 PM
141	Bathroom access	10/7/2025 12:38 PM
142	Fix up the Scout House.	10/7/2025 12:30 PM
143	Better tennis and pickleball courts at Renne field--Jaquith and Dundee get full really quickly.	10/7/2025 9:56 AM
144	Regular field maintenance during the season(including the weeks of practice prior to the games starting)	10/7/2025 9:46 AM
145	places for kids to ride bikes - bike paths and trails, it is a great family activity, adults like to ride too	10/7/2025 9:20 AM
146	upgraded play equipment for a wide variety of ages	10/7/2025 8:17 AM
147	Trash pickup. Fencing so parents can feel safe that their children will not run into traffic at a playground.	10/7/2025 8:15 AM
148	A great job is being done, with the exception of a lack of mountain biking trails.	10/7/2025 7:26 AM
149	Add biking	10/7/2025 7:24 AM

Chehalem Park and Recreation District | Community Input Survey

150	Mtn bike trail...you have the property and it would potentially be a bonus for the area....big money in Mtn biking.	10/7/2025 7:13 AM
151	All the parks must meet a uniform standard of appearance and usability.	10/7/2025 7:13 AM
152	Add Mountain Biking	10/7/2025 7:09 AM
153	The playground equipment in Dundee is very tired.	10/7/2025 6:42 AM
154	Keep bikes of horse trails	10/7/2025 6:22 AM
155	A line of dirt jumps like eichler park in Beaverton.	10/7/2025 5:22 AM
156	Need mountain bike trails. Promised when kicked out of Bob & Crystal Rilee Park but not delivered.	10/7/2025 4:04 AM
157	Allow mountain biking at Bob and Crystal Rilee park	10/6/2025 9:26 PM
158	Updated play structures. I love the idea of a river access park. I loved it when we had the kayak rentals.	10/6/2025 7:31 PM
159	Clean them up, keep out the homeless. Open the pool more for residents instead of events. After all, the residents are funding it.	10/6/2025 6:30 PM
160	Fresh equipment at parks with old/broken play structures	10/6/2025 6:18 PM
161	Improved paddle launch area	10/6/2025 6:00 PM
162	Garbage	10/6/2025 5:44 PM
163	Functioning water fountains	10/6/2025 5:40 PM
164	Larger fitness center, and clubhouse on the golf course	10/6/2025 5:38 PM
165	Maintenance	10/6/2025 5:26 PM
166	Improve cycling infrastructure - open a mountain bike area and improve cycling in town. I just noticed projects below...I am a golfer. I love golf and the golf course. But I wouldn't spend the money on 9 more holes and would really just drop another quick building in for a clubhouse. Large clubhouses seem like a drain on budgets.	10/6/2025 5:14 PM
167	please allow access to mountain biking at Rilee Park. it can be designed safely. thanks	10/6/2025 1:34 PM
168	Open Rilee Park to mountain bikes. Modern parks can be planned safely for all users.	10/6/2025 1:28 PM
169	Repair broken equipment and sprinklers	10/6/2025 1:26 PM
170	Bicycle access.	10/6/2025 11:55 AM
171	Year around horse trails	10/6/2025 11:01 AM
172	Kids play structures, I think a nature scape is the best playground. More hills and logs to jump off of, less manufacture primary color structures that lack imagination.	10/6/2025 10:38 AM
173	Please open the trails to cyclists	10/6/2025 10:35 AM
174	Improvement of the quality of the grass fields	10/6/2025 9:36 AM
175	I would like more cycling options, especially at Rilee Park	10/6/2025 9:17 AM

Chehalem Park and Recreation District | Community Input Survey

176	Bring back access to Bob & Crystal Rilee Park for families that Mountain bike.	10/6/2025 8:59 AM
177	Cycling access	10/6/2025 8:37 AM
178	multi use trails like other park systems in the region.	10/6/2025 7:48 AM
179	Cleanliness.	10/6/2025 7:39 AM
180	Let mountain bike riders use Bob and Crystal's trails. Don't let money or threats do the talking. Let their legacy live on as they had Intended.	10/6/2025 7:34 AM
181	add bicycles back to Bob & Crystal Riley park	10/6/2025 7:17 AM
182	The old park off Vitoria needs updated badly!	10/6/2025 6:31 AM
183	Bike trails	10/6/2025 6:12 AM
184	Bicycle trails	10/5/2025 11:48 PM
185	please adopt a joint use program to allow mountain biking at Bob and Crystal Rilee park.	10/5/2025 10:41 PM
186	Allow access for mountain biking	10/5/2025 9:56 PM
187	bike access	10/5/2025 9:43 PM
188	Mountain bike access. Share Rilee park in an egalitarian manner!!	10/5/2025 9:27 PM
189	More biking trails!	10/5/2025 9:16 PM
190	more biking trails	10/5/2025 9:11 PM
191	Mountain bike trail access. Rilee park could totally be workable for bike access (shared trails are the norm now with horses, bikes and hikers).	10/5/2025 9:10 PM
192	Once again allow riding of mountain bikes at Bib and Crystal Riley's park.	10/5/2025 9:09 PM
193	Improve trail access for cycling.	10/5/2025 9:06 PM
194	Restore biking at Bob and Crystal Rilee park	10/5/2025 8:56 PM
195	Give cycling at Bob and Crystal Rilee Park.	10/5/2025 8:08 PM
196	Longer adult pool hours	10/5/2025 5:57 PM
197	I place to have safe drinking water when ever possible. And have little barq area. Where family. Can. Have diner out doors.	10/5/2025 5:37 AM
198	Coffee cart.	10/4/2025 11:34 PM
199	Continue maintenance of equestrian trails of Crystal Rilee Park to keep them safe and usable for horses and pedestrians alike. Safe public equestrian trails near urban areas are rare but valuable. Please continue No Bikes policy on these trails.	10/4/2025 11:12 PM
200	Cleaner bathrooms! Having tp and soap stocked would be nice.	10/4/2025 7:25 PM
201	More safe bike opportunities	10/4/2025 5:59 PM

Chehalem Park and Recreation District | Community Input Survey

202	Create separate bike trails for mountain bikes at Rilee Park.	10/4/2025 5:06 PM
203	Restrooms in all parks and more garbage cans.	10/4/2025 3:32 PM
204	Larger weight room	10/4/2025 2:53 PM
205	keep ebikes etc out of the area.	10/4/2025 12:52 PM
206	Keep Rilee park horse and hiker only for safety and a relaxing nature experience. It would be great to add trail obstacles, a warm up arena space and better maps/signage.	10/4/2025 11:21 AM
207	Read previous notes	10/4/2025 8:15 AM
208	I already mentioned, weightlifting area at the gym.	10/4/2025 8:13 AM
209	Nothing right now, but keep Crystal Riley a horse/hiking trail facility (no bikes). Thank you.	10/4/2025 5:04 AM
210	Maintain parks. Jaquith is a dump. It's overtaken with homeless and drugs.	10/3/2025 7:34 PM
211	Mountain bike trails	10/3/2025 7:24 PM
212	Improved available walking paths near town	10/3/2025 1:58 PM
213	Signage	10/2/2025 8:48 PM
214	Dog poop bag dispenser in every park	10/2/2025 4:11 PM
215	Connect parks to create several areas to walk to and bathroom facility	10/2/2025 3:25 PM
216	Path maintenance & drainage.	10/2/2025 2:38 PM
217	Horse trailer parking.	10/2/2025 12:13 PM
218	A fence in the playground areas for the little ones	10/2/2025 12:09 PM
219	Clear the trails on Parrot Mountain. I love that place but stopped being able to use it because of poison oak. (Maybe some clearing has already been done. I haven't been up there this year because I assumed it was still too overgrown for me.)	10/2/2025 10:44 AM
220	Allow bicycles on all trails. Could be seasonally or full time but some access should be allowed.	10/2/2025 9:41 AM
221	More parking for truck and trailer.	10/2/2025 9:32 AM
222	keep Bob & Crystal Rilee for equestrians & hikers	10/2/2025 7:27 AM
223	Keep the field open and available for the old fashion festival	10/2/2025 6:33 AM
224	Continue to keep crystal Rilee a safe, bike free zone for hikers, dog walkers and equestrians.	10/2/2025 4:59 AM
225	Keeping the fireworks please!!	10/1/2025 10:57 PM
226	Bring back bicycle access to Riley Park!!	10/1/2025 10:40 PM
227	Poison oak eradication	10/1/2025 10:28 PM
228	Map & year round access for equestrian	10/1/2025 9:28 PM

Chehalem Park and Recreation District | Community Input Survey

229	More/better off street parking near Renney Field.	10/1/2025 8:29 PM
230	More equestrian trails	10/1/2025 8:10 PM
231	Cleaner dog park but to be honest, it might be better now since I haven't gone in a long time. I'm not apt to go back	10/1/2025 7:48 PM
232	Don't start the landscape equipment at the neighborhood parks before 8.	10/1/2025 7:40 PM
233	Landscaping	10/1/2025 7:32 PM
234	Covered play area somewhere for the rainy months	10/1/2025 4:45 PM
235	More places were kids can play	10/1/2025 4:44 PM
236	Keeping mountain bikes off of Bob and Crystal Rilee for safety to others and preservation of the land	10/1/2025 3:21 PM
237	Decrease the amount of poison oak and yellow jackets on the trails.	10/1/2025 3:10 PM
238	Usability of the grass areas around the parks. Most grass areas are weed invested and not flat which makes them nearly unusable. Fields should be flatted out to allow for use for families. This also provides more fields for recreation to take place.	10/1/2025 2:36 PM
239	Park authorities ensuring leash laws to keep people, dogs and horses safe.	10/1/2025 1:23 PM
240	Safe walkways	10/1/2025 11:52 AM
241	Keep Bob and Crystal Rilee park free from mountain bikers	10/1/2025 11:43 AM
242	I like it just the way it is	10/1/2025 8:53 AM
243	Grooming the other side of the trails	10/1/2025 8:51 AM
244	Continue what you're doing!	10/1/2025 8:29 AM
245	Keep Crystal Riley park as an equestrian only trails	10/1/2025 8:10 AM
246	Tightening bolts and repainting	10/1/2025 8:08 AM
247	A covered pavilion at Friends Park because there is no shade.	10/1/2025 8:02 AM
248	More trash cans and dog waste bags	10/1/2025 5:06 AM
249	Parking areas.	9/30/2025 11:24 PM
250	Trim trees at pool park. Dead limbs fall in any wind.	9/30/2025 10:43 PM
251	I think before investing in new things, fixing up and replacing equipment at local parks is important. Most of the parks have broken, run down equipment. A lot of the parks grass is filled with weeds and bees which make it hard to use. So better maintenance would be great too!	9/30/2025 10:39 PM
252	More walking trails	9/30/2025 7:32 PM
253	A fenced in park for littles to play without fear of them bolting to a road.	9/30/2025 7:09 PM

Chehalem Park and Recreation District | Community Input Survey

254	Scott Leavitt park!	9/30/2025 6:58 PM
255	Keep the old fashion festival & fireworks going. It bring the community together. I see some people only once a year & thads where it's at.	9/30/2025 6:18 PM
256	I would love to see some cleaner parks, while I know CPRD works tirelessly on them when you go to memorial or the hoover park you often find drug paraphernalia on the grounds.	9/30/2025 6:17 PM
257	Water the Renne fields instead of installing Turf.	9/30/2025 5:24 PM
258	Sunshade in some parks	9/30/2025 5:22 PM
259	I encourage CRPD to continue with Newberg Old Fashioned Days and the fireworks. The entire community enjoys the event. It's the only event that truly represents our city.	9/30/2025 5:20 PM
260	Give some attention to Crabtree Park in Dundee	9/30/2025 4:44 PM
261	Get rid of the homeless	9/30/2025 4:02 PM
262	Swimming center , more available times for people to visit . Leisure pool	9/30/2025 3:38 PM
263	Properly re-surfacing the skatepark	9/30/2025 3:31 PM
264	Bathroom or portable toilet at every park & no graffiti/drug activity at parks. Keep them safe!	9/30/2025 3:12 PM
265	Maintain them. Once they're maintained properly, then they don't degrade and decay and we don't have to pay our tax dollars to replace equipment if they would just be taken care of.	9/30/2025 3:10 PM
266	Park improvements at Darnell Wright that make it more usable to the community, not just the holds of softball players that fill the parking lot on the weekends.	9/30/2025 2:50 PM
267	Edging the grass	9/30/2025 1:52 PM
268	Bathrooms available!	9/30/2025 1:34 PM
269	Keep facilities updated and safe	9/30/2025 1:32 PM
270	Low prices	9/30/2025 1:26 PM
271	Trash clean up.	9/30/2025 1:05 PM
272	Playground safety! So many of them are completely unsafe. Fix, or tear down.	9/30/2025 12:41 PM
273	Not sure where homeless people should go (there really isn't a place here in town) but we will leave for safety reasons if someone is present	9/30/2025 12:00 PM
274	Trails	9/30/2025 10:50 AM
275	Poison oak/bee control on equestrian trails.	9/30/2025 10:50 AM
276	Fix up broken and aging equipment, new paint	9/30/2025 10:48 AM
277	Garbage cans, outhouses	9/30/2025 10:41 AM

Chehalem Park and Recreation District | Community Input Survey

278	Keep the NOFF fireworks	9/30/2025 10:20 AM
279	Covered area for when it's hot or rainy and possibly bathroom access even portable pottys because when potty training toddlers need to use the restroom we have to cut our activities short	9/30/2025 10:11 AM
280	Better maintenance	9/30/2025 9:42 AM
281	splinterless bark on Ewing Young trails	9/30/2025 9:39 AM
282	Replace old parks	9/30/2025 9:38 AM
283	Safety and cleanliness	9/30/2025 9:29 AM
284	Quit trying to improve it so much, just maintain it!	9/30/2025 9:23 AM
285	Having more staff specializing and taking care of the parks, better train maintenance people	9/30/2025 9:04 AM
286	Better handicap accessibility for wheelchairs.	9/30/2025 8:58 AM
287	I would like them to open the deep end of the pool for the majority of the swim time. Often this area sits unused or is only used for the climbing wall or the diving board. I see that all the kids can't wait to have the deep end open, but it is only open for a few minutes.	9/30/2025 8:58 AM
288	Keep drugs out	9/30/2025 8:57 AM
289	The fact that you've asked for feedback is critical! Will community members get to see the results?	9/30/2025 8:45 AM
290	Make the parks more inclusive by adding sensory play options and accessible equipment for kids of all abilities.	9/30/2025 8:43 AM
291	Have baby swings at all parks	9/30/2025 8:39 AM
292	Continue the tradition of fire works at Renne field. Our low income families will appreciate it when they can't take their families to see fire works somewhere else.	9/30/2025 8:37 AM
293	More trails	9/30/2025 8:35 AM
294	Equipment upgrades	9/30/2025 8:34 AM
295	Don't get rid of the old fashion festival fire	9/30/2025 8:25 AM
296	Dog park clean it more	9/30/2025 8:14 AM
297	Spend less money.	9/30/2025 7:40 AM
298	The drug use and using the parks as an all day homeless hangout needs to stop. Its a public safety issue. Put an end to the doing drugs at the park tables when later in the day I see a mom with kids sitting at the same tables having a picnic.	9/29/2025 9:50 PM
299	Fenced and gated for special needs	9/29/2025 3:48 PM
300	Idk	9/29/2025 3:00 PM
301	Maintenance	9/29/2025 12:00 PM
302	Walking trails, of a mile or more.	9/29/2025 8:23 AM

Chehalem Park and Recreation District | Community Input Survey

303	Now more often abd weed & f he fe	9/28/2025 9:01 PM
304	Signage at Bob and crystal park. The limited map is hard to follow and there are no trail signs. Easy to get lost	9/28/2025 7:17 PM
305	More availability time for swimming pool for open swim.	9/28/2025 7:09 PM
306	Update parks for kids and paths	9/28/2025 4:48 PM
307	Park maintenance. Not hiring out the work and probably a bigger budget to make things more inviting but less growth. There are too many parks.	9/28/2025 4:20 PM
308	Safety for dogs at the dog park - bark chips can hurt the feet, people don't clean up after their dogs, and there are grapes growing there	9/28/2025 2:48 PM
309	Every park needs a honeybucket	9/28/2025 1:51 PM
310	Upkeep and accessibility.	9/28/2025 1:48 PM
311	Keep weeds at bsy	9/28/2025 1:05 PM
312	Can't think of anything at this time.	9/28/2025 11:58 AM
313	Hoover park needs a bathroom, there are so many homeless living there I understand thats a crazy thing to do but its like.. disc golf takes a long time..	9/28/2025 10:42 AM
314	Billick Park playground could use some updating!	9/28/2025 10:16 AM
315	Is Springbrook park going to get watered?	9/28/2025 9:41 AM
316	The play structures need better maintenance.	9/28/2025 8:11 AM
317	New play equipment at dated Scott leavitt and spring meadow. Edward's playground style equipment would be fabulous.	9/27/2025 11:05 PM
318	Cost savings	9/27/2025 4:14 PM
319	More dog parks	9/27/2025 2:35 PM
320	Track	9/27/2025 1:43 PM
321	newer playground equipment	9/27/2025 1:20 PM
322	Better trail signage	9/27/2025 11:54 AM
323	Just keep them clean, safe and well lite!	9/27/2025 11:06 AM
324	More dog bags	9/27/2025 11:01 AM
325	Parks need more shade trees.	9/27/2025 10:42 AM
326	More facilities at Riley park	9/27/2025 9:36 AM
327	Athletic fields	9/27/2025 9:08 AM
328	Change grass fields to Turf fields with lights	9/27/2025 8:52 AM

Chehalem Park and Recreation District | Community Input Survey

329	A trail obstacle course at Rilee!	9/27/2025 8:23 AM
330	LOTS of signage for "this is not a dog park. all dogs must remain on leash at all times"	9/27/2025 7:44 AM
331	Park maintenance	9/27/2025 7:18 AM
332	Trash removal	9/27/2025 6:14 AM
333	Crystal Rilee trail signage and mud-free footing.	9/26/2025 11:25 PM
334	Fix our playgrounds. They are getting g run down.	9/26/2025 9:18 PM
335	Open hiking and equestrian year-round	9/26/2025 8:56 PM
336	Bathrooms	9/26/2025 8:30 PM
337	Mountain Bike Trails	9/26/2025 8:06 PM
338	Better playground equipment and restrooms for families	9/26/2025 7:24 PM
339	I would like to see more hiking trails in the area	9/26/2025 7:00 PM
340	Open Rilee park to bikes	9/26/2025 6:06 PM
341	Water fountain in the parks	9/26/2025 6:03 PM
342	Fix the drinking fountain at Dundee Billick Park	9/26/2025 4:11 PM
343	Complete calendar for all events at every location	9/26/2025 3:30 PM
344	You do a good job with poison oak, but that is always a need.	9/26/2025 3:24 PM
345	More development of the horse trails at Crystal Riley	9/26/2025 2:29 PM
346	more signs to keep dogs on leash at bob and crystal	9/26/2025 1:14 PM
347	The playground	9/26/2025 1:10 PM
348	Trail obstacles at b&c rilee park.	9/26/2025 1:08 PM
349	More trails and better trail maintenance/signage.	9/26/2025 12:47 PM
350	Clean water	9/26/2025 12:24 PM
351	Open some mountain bike access at Bob and Crystal Rilee park.	9/26/2025 12:10 PM
352	The bridge and trial at Hover Park needs to be improved. It is a swamp in the winter time.	9/26/2025 12:02 PM
353	More walking g trails	9/26/2025 11:54 AM
354	Trail obstacles at Bob & Crystal Rilee Park and Chehalem Ridge; Better trailer parking @ Rilee Park.	9/26/2025 11:54 AM
355	Bathrooms at Jaquith.	9/26/2025 11:40 AM
356	Update buildings and structures at parks to be modern, clean and more useful. Is there an area where a large park could go	9/26/2025 11:27 AM

Chehalem Park and Recreation District | Community Input Survey

in like a cook park, memorial park?

357	Parking	9/26/2025 10:16 AM
358	More trees	9/26/2025 9:56 AM
359	Update park equipment, benches, signage, receptacles, sport courts, etc.	9/26/2025 9:41 AM
360	Handicapped mounting ramp at horse parking lot. OET could help with plans and cost to build one	9/26/2025 8:37 AM
361	I don't think anything is needed other than I have already stated about the child swim lessons at the same time as the senior swim time. And ensuring that bicycle riders are permanently restricted from Bob and Cristal Riley Park. Perhaps allow them their own woodland trails somewhere because they do want something like that for themselves only so we can all stay safe. Thank you for this survey.	9/26/2025 8:12 AM
362	Keep the equestrian area bike free.	9/26/2025 7:31 AM
363	Stop people from letting their dogs off leash at the park	9/26/2025 7:16 AM
364	Keep Bob and Crystal Rilee bike free.	9/26/2025 6:51 AM
365	Edging the grass	9/25/2025 11:45 PM
366	Keep the bikes out of Crystal Riley horse trails. It's dangerous and there are many bike paths and only this horse path.	9/25/2025 10:02 PM
367	Lifetime ban on those who litter, since shooting them is probably illegal.	9/25/2025 9:06 PM
368	Picnic areas and 'yard games' area.	9/25/2025 8:39 PM
369	Kiosk with Trail Maps	9/25/2025 8:26 PM
370	Create a dog park at Billick	9/25/2025 6:51 PM
371	Parks are good	9/25/2025 6:23 PM
372	Better trail construction. Not through housing developments.	9/25/2025 5:49 PM
373	Bathrooms at Ewing Young park	9/25/2025 5:40 PM
374	More information of what is available.	9/25/2025 5:34 PM
375	More turf soccer fields	9/25/2025 5:29 PM
376	Longer trails	9/25/2025 5:07 PM
377	I would love new park structures but most importantly so many of our parks lack shade. We need more trees plated as our climate changes to more hot temperatures. We also need more regular trash pick ups, as I'm sitting in Falcon crest currently, the trash is rancid.	9/25/2025 5:00 PM
378	Turf fields, river access and bike trails!	9/25/2025 4:24 PM
379	Trail signage and mileage (it's just ok now) but could be improved.	9/25/2025 4:14 PM
380	Improve old baseball Fields	9/25/2025 4:10 PM

Chehalem Park and Recreation District | Community Input Survey

381	Fixing broken play structures so children don't get hurt	9/25/2025 3:40 PM
382	Newer equipment, swings are rusting	9/25/2025 3:32 PM
383	Safe places to ride bikes as a family.	9/25/2025 3:27 PM
384	Bathrooms being available	9/25/2025 3:17 PM
385	vending machines	9/25/2025 3:07 PM
386	Updated play equipment.	9/25/2025 3:02 PM
387	Update them!	9/25/2025 3:02 PM
388	Bathroom at Falcon Crest Park in Dundee	9/25/2025 1:27 PM
389	Bigger, well maintained restrooms with a family restroom option for smaller children/parents/family.	9/25/2025 12:48 PM
390	Safety and more trails	9/25/2025 12:21 PM
391	I love our parks! I think they are well maintained as is.	9/25/2025 11:53 AM
392	maintain play equipment	9/25/2025 11:05 AM
393	Benches more along trails	9/24/2025 11:58 PM
394	Keep up on maintenance and landscaping. Trail conditions	9/24/2025 9:22 PM
395	Restore cycling access at Rilee Park.	9/24/2025 9:18 PM
396	Add restrooms to friends park. Get rid of sandbox at the park in the greens and add something fun- like swings	9/24/2025 8:07 PM
397	More hiking trails to enjoy	9/24/2025 8:03 PM
398	Bathrooms	9/24/2025 4:40 PM
399	Only issue we have had at a park was bees/hornets at Jaquith several years back. We are generally happy with park amenities.	9/24/2025 3:09 PM
400	Bathroomz	9/24/2025 2:19 PM
401	Fencing	9/24/2025 12:47 PM
402	More restroom facilities	9/24/2025 12:12 PM
403	I don't have any suggestions	9/24/2025 11:23 AM
404	lighting	9/24/2025 10:50 AM
405	Fine people for not picking up after their dogs.	9/24/2025 9:14 AM
406	N/A	9/24/2025 8:06 AM
407	New equipment at park on Mountainview	9/24/2025 6:43 AM

Chehalem Park and Recreation District | Community Input Survey

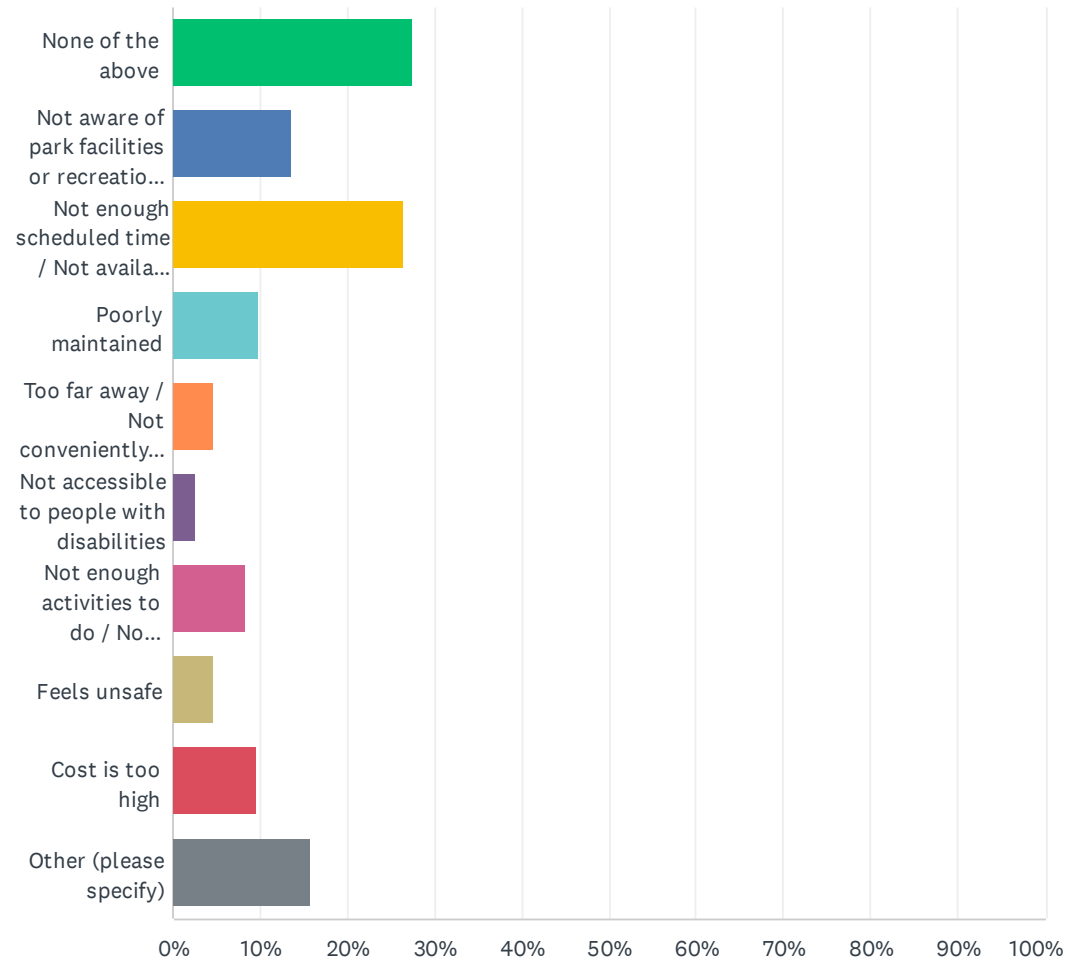
408	Put pickleball courts in at Tom Gail park	9/24/2025 6:17 AM
409	More green walking space	9/24/2025 6:06 AM
410	Would love jaquith park to be cleaned up.	9/24/2025 5:53 AM
411	I'd like cprd to keep cars out of Crater Park. Especially during softball weekends many people drive and park on the walking paths, behind the schools, and everywhere else. I'm sure the paths weren't made for vehicles. They also mush up the edges of the grass.	9/24/2025 12:31 AM
412	Making sure playground equipment is safe	9/24/2025 12:29 AM
413	Repair picnic tables	9/23/2025 10:22 PM
414	Restrooms	9/23/2025 9:39 PM
415	More native trees at Memorial Park.	9/23/2025 8:48 PM
416	Love the walking trails	9/23/2025 8:37 PM
417	Several of the bathrooms seem like they could use a facelift.	9/23/2025 8:10 PM
418	Bridge at Ewing young	9/23/2025 7:52 PM
419	Maintenance of existing parks and putting more effort into them. Additional parking needed at Jaquith park especially during tournaments.	9/23/2025 6:12 PM
420	Build bridge to expand Ewing Young trails	9/23/2025 5:56 PM
421	Keep the homeless out of the parks.	9/23/2025 5:13 PM
422	Benches placed along bike path at Champoege for elderly and disabled people please	9/23/2025 4:24 PM
423	Allow bicycles on trails.	9/23/2025 2:55 PM
424	Keep Crystal Rilee open to Equestrians year-round	9/23/2025 1:12 PM
425	Picnic tables that are not falling apart.	9/23/2025 1:06 PM
426	Weed free, green, grassy areas that are flat	9/23/2025 12:58 PM
427	More off-leash dog areas across the city.	9/23/2025 12:56 PM
428	Dog poop bags.	9/23/2025 12:43 PM
429	Affordability	9/23/2025 12:43 PM
430	Replace broken and missing slides. Nobody even knows why they're missing or when they'll be replaced.	9/23/2025 11:33 AM
431	I think they're fine!	9/23/2025 11:25 AM
432	Signage	9/23/2025 11:17 AM
433	Not focus all of their time and resources on the hobbies of wealthy adults (golf and equestrians) but instead open hike/bike trails to kids and families.	9/22/2025 8:40 AM

Chehalem Park and Recreation District | Community Input Survey

434	More walkable nature trails.	9/22/2025 7:12 AM
435	Updating park infrastructure	9/21/2025 11:28 PM
436	Better bathrooms	9/21/2025 11:11 PM
437	More bathroom access	9/21/2025 10:44 PM
438	More trails for longer walks.	9/21/2025 10:17 PM
439	More walking/ biking trails.	9/21/2025 9:44 PM
440	Upgrade your restrooms	9/21/2025 9:33 PM
441	Update playground equipment and edge the grass. Sorry. I tried to just have one.	9/21/2025 9:17 PM

Q16 What prevents you from using park facilities or participating in recreation activities?

Answered: 605 Skipped: 224



Chehalem Park and Recreation District | Community Input Survey

ANSWER CHOICES	RESPONSES	
None of the above	27.60%	167
Not aware of park facilities or recreation opportunities	13.72%	83
Not enough scheduled time / Not available when I have time	26.45%	160
Poorly maintained	9.75%	59
Too far away / Not conveniently located	4.63%	28
Not accessible to people with disabilities	2.48%	15
Not enough activities to do / No activities of interest to me	8.26%	50
Feels unsafe	4.63%	28
Cost is too high	9.59%	58
Other (please specify)	15.70%	95
Total Respondents: 605		

#	OTHER (PLEASE SPECIFY)	DATE
1	Excluded from access	10/26/2025 9:31 PM
2	Banned from riding bikes at Rilee park	10/24/2025 10:03 AM
3	We used to ride bikes around Ewing young park, but then there was a no bikes sign. Same thing happened at crystal park.	10/21/2025 8:49 PM
4	the equestrians taken over and kicked the bikers out	10/21/2025 8:59 AM
5	Ummmm. You banned bikes at the only place I could ride without driving 45 minutes each way.	10/21/2025 1:58 AM
6	Not enough Cycling infrastructure	10/20/2025 3:53 PM
7	Exclusion due to restrictive equestrian privileges	10/20/2025 10:58 AM
8	bikes not allowed	10/20/2025 10:52 AM
9	We use almost all	10/18/2025 4:40 PM
10	Restrooms	10/18/2025 3:31 PM
11	Limited parks with access to clean/safe restrooms, which is a must with little ones	10/17/2025 3:20 PM
12	I think there are fees for residents of Yamhill county outside of towns?	10/14/2025 8:32 PM
13	Too old	10/14/2025 4:00 PM

Chehalem Park and Recreation District | Community Input Survey

14	I would love to take art classes, but I'm too busy.	10/13/2025 10:56 AM
15	Biking not aloud at Riley. Horses ruin it for all of us.	10/12/2025 1:44 PM
16	Age	10/11/2025 7:34 PM
17	I find the cost for the Swim Center/ Recreation Center has gotten too expensive for my husband and I.	10/10/2025 4:35 PM
18	We live in a senior community that provides many activities	10/10/2025 8:44 AM
19	Bicycle no longer allowed on trails	10/9/2025 8:51 PM
20	Im not familiar with all the walkable trails in the City.	10/9/2025 6:45 PM
21	You discontinued youth softball, but continue to make money on the beautiful softball complex in town. Prioritize our kids above money!	10/9/2025 10:44 AM
22	No need for me.	10/9/2025 10:11 AM
23	Lack of field space	10/9/2025 5:55 AM
24	Mountain biking is not currently allowed at Rilee Park	10/8/2025 6:19 PM
25	I am getting older by the day!!	10/8/2025 1:19 PM
26	I am disabled but use as much as possible. I'm very thankful.	10/8/2025 11:43 AM
27	to busy, I don't have alot of extra time	10/8/2025 10:54 AM
28	Hostile equestrians	10/8/2025 10:54 AM
29	Lack of restrooms at neighborhood parks.	10/8/2025 10:52 AM
30	Restrictions of access	10/8/2025 10:07 AM
31	Lack of bathrooms at many parks	10/8/2025 10:01 AM
32	Already partaking in some, not enough time	10/8/2025 9:07 AM
33	Just my own business in life. I make time to ride and wish there was more trail access near and in town. for bikes	10/8/2025 7:35 AM
34	Not allowed to use in way we want	10/7/2025 11:28 AM
35	not allowed	10/7/2025 9:20 AM
36	Mountain biking no longer allowed in the space we were using the most.	10/7/2025 7:26 AM
37	Year round access to facilities limits participation	10/7/2025 7:13 AM
38	Lack of interest in the programs	10/7/2025 6:22 AM
39	Need mountain bike trails. Promised when kicked out of Bob & Crystal Rilee Park but not delivered.	10/7/2025 4:04 AM
40	Bikes are not allowed on trails	10/6/2025 9:26 PM

Chehalem Park and Recreation District | Community Input Survey

41	access denied to mountain bikers	10/6/2025 1:34 PM
42	Access restrictions for bikes	10/6/2025 1:28 PM
43	I have too little free time.	10/6/2025 1:26 PM
44	Lack of access for cycling.	10/6/2025 11:55 AM
45	Baseball and softball fields not open to public and local organizations; Lack of access for people riding bicycles	10/6/2025 9:36 AM
46	I would like more cycling options, especially at Rilee Park	10/6/2025 9:17 AM
47	Removed access.	10/6/2025 8:59 AM
48	Cycling access	10/6/2025 8:37 AM
49	Biking trail limited in comparison to other facilities	10/6/2025 7:49 AM
50	not allowed. We used to have shared access, but it was revoked with no alternatives	10/6/2025 7:48 AM
51	park is closed to bicycle use	10/6/2025 7:17 AM
52	The park next to our house has duck tape on it... but we do love all the other parks in town!	10/6/2025 6:31 AM
53	Prohibition on mountain biking	10/5/2025 10:41 PM
54	Bikes not allowed on trails	10/5/2025 9:56 PM
55	not allowed to bike	10/5/2025 9:43 PM
56	Wealthy equestrians apparently prevent our access.	10/5/2025 9:27 PM
57	bicycling not allowed	10/5/2025 9:11 PM
58	Equestrian access (a wealthy few) was prioritized over (many) bike riders	10/5/2025 9:10 PM
59	Not enough places for bicycle riding	10/5/2025 9:06 PM
60	I would \$ support to keep it open to equestrian and hikers (with dogs on leashes), no ebikes.	10/4/2025 12:52 PM
61	I don't have enough leisure time	10/4/2025 11:21 AM
62	Lack of clean bathrooms	10/3/2025 7:24 PM
63	I'm really busy with not a lot of extra time	10/2/2025 7:27 AM
64	Dog poo left by irresponsible humans.	10/2/2025 6:52 AM
65	The board took away bicycle access to Riley Park	10/1/2025 10:40 PM
66	Can't use in the rainy season	10/1/2025 9:28 PM
67	Just not my thing	10/1/2025 7:48 PM
68	I already participate in all the things I am interested in, but I would participate more at the Aquatic Fitness center if the	10/1/2025 8:02 AM

Chehalem Park and Recreation District | Community Input Survey

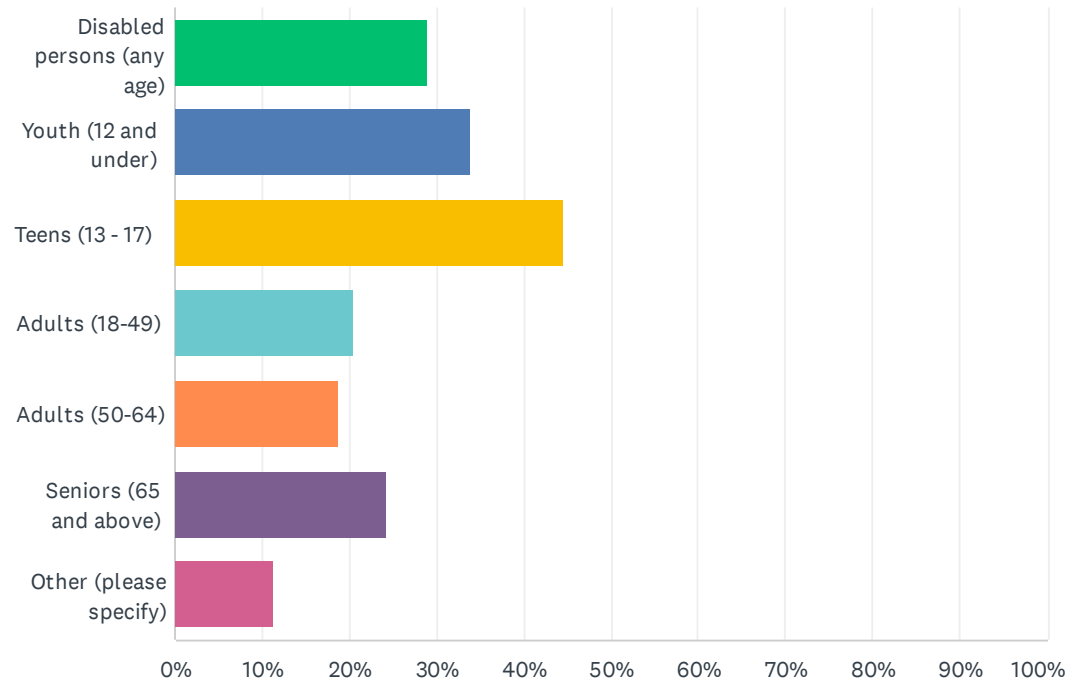
prices weren't quite so high.

69	People not cleaning up after themselves and their dogs	10/1/2025 5:06 AM
70	Life has gotten busier	9/30/2025 11:24 PM
71	Too sunny and hot	9/30/2025 5:22 PM
72	I'm 84 and cannot participate in many of the activities.	9/30/2025 5:20 PM
73	Some of the programs offered by CPRD are not affordable for all members of this community	9/30/2025 3:31 PM
74	We do spend a lot of time but only in the summer	9/30/2025 1:54 PM
75	Homeless people present	9/30/2025 12:00 PM
76	I want nothing to do with domestic terrorists that use the Memorial Park shelter for their pro Palestine/hate Jewish organizational meetings to plan further protests. Do these people even live in Newberg or Dundee?	9/29/2025 9:50 PM
77	Not fully enclosed	9/29/2025 3:48 PM
78	Lately it's been the excessive heat and sun.	9/29/2025 8:23 AM
79	We regularly use CRPD resources.	9/28/2025 10:16 AM
80	so busy	9/27/2025 7:44 AM
81	I used to ride my bike at Ewing Young, but the trails have no bikes allowed signs now. Why do you hate bikes so much?	9/26/2025 9:18 PM
82	We use the parks.	9/26/2025 3:24 PM
83	Rec Center gym cost too high. Perhaps offer different memberships. I only would use the workout machines.	9/26/2025 11:54 AM
84	Way to sign up for adult sports without having to create a whole team?	9/26/2025 11:03 AM
85	As stated earlier swim lessons held during senior time	9/26/2025 8:12 AM
86	Work full time and have a family, not enough free time	9/26/2025 7:31 AM
87	Riding w/o bikes has been a true pleasure this last spring and summer	9/25/2025 8:26 PM
88	My kids would be in swimming lessons non-stop, except the quality of instruction is often very poor.	9/25/2025 3:02 PM
89	Bring back MTB access to Bob and Crystal Rilee Park	9/25/2025 3:02 PM
90	CPRD signage prevents me from using parks	9/24/2025 9:18 PM
91	Bees in the Greens Park sandbox. Parks don't have covers so wet most of winter	9/24/2025 8:07 PM
92	I use parks almost daily.	9/24/2025 12:31 AM
93	More fitness over 50 classes please	9/23/2025 4:24 PM
94	I have to drive over an hour away to enjoy my preferred activity (biking on trails). Rilee Park is big enough for a wider variety of activities than just horses and dog walking for the neighbors.	9/23/2025 2:55 PM

95	I don't need them much of the time.	9/23/2025 11:25 AM

Q17 Which groups of people need more or improved facilities and services?

Answered: 502 Skipped: 327



Chehalem Park and Recreation District | Community Input Survey

ANSWER CHOICES	RESPONSES	
Disabled persons (any age)	29.08%	146
Youth (12 and under)	33.86%	170
Teens (13 - 17)	44.62%	224
Adults (18-49)	20.52%	103
Adults (50-64)	18.73%	94
Seniors (65 and above)	24.30%	122
Other (please specify)	11.35%	57
Total Respondents: 502		

#	OTHER (PLEASE SPECIFY)	DATE
1	Mountain bikers and people who want to ride a bike on natural trails.	10/21/2025 1:58 AM
2	Star gazers	10/20/2025 11:02 PM
3	I don't know	10/20/2025 10:38 AM
4	seems covered already	10/19/2025 9:54 PM
5	Don't know how to answer this question fairly as we only apply to a few groups	10/18/2025 4:40 PM
6	YOUNG children activities 1-4 year olds (soccer classes, etc)	10/17/2025 3:20 PM
7	I don't think I would choose one. The pool was very important when family was young.	10/14/2025 4:00 PM
8	Mountain biking	10/12/2025 1:44 PM
9	I'm not really sure. We have young kids - so I tend to view our CPRD use from that bias.	10/10/2025 9:55 AM
10	Unknown	10/10/2025 6:21 AM
11	Not sure	10/8/2025 10:28 PM
12	Those with Hidden Disabilities - Join the Sunflower Initiative - hdsunflower.com	10/8/2025 7:29 PM
13	ALL	10/8/2025 6:38 PM
14	Lap swim schedule continues to change time in the evenings and hot tub should be available any time a lifeguard is on deck.	10/8/2025 6:06 PM
15	I don't know	10/8/2025 4:57 PM

Chehalem Park and Recreation District | Community Input Survey

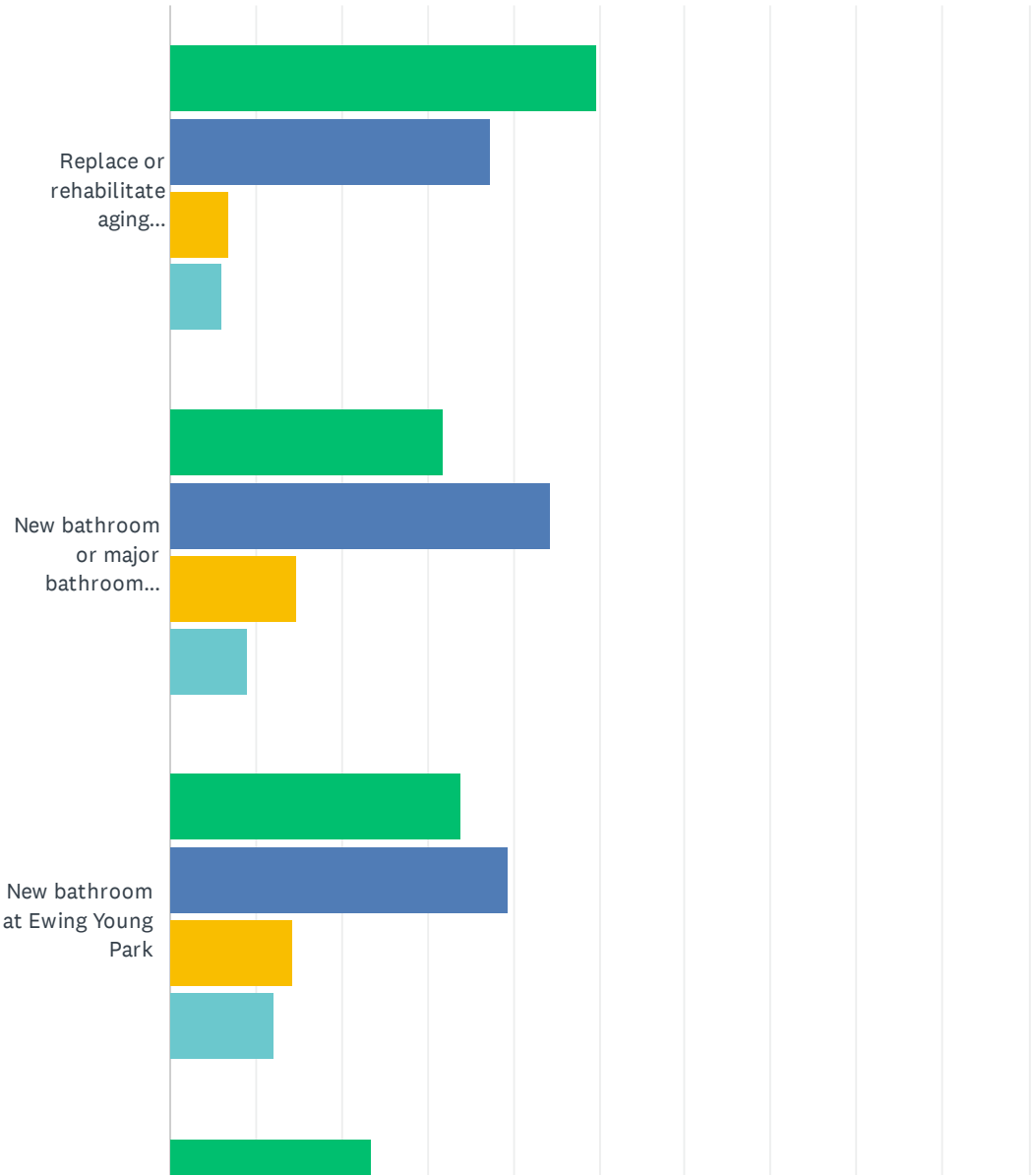
16	Unsure	10/8/2025 3:49 PM
17	Unsure	10/8/2025 1:19 PM
18	low income residents on Newberg's south-side. Outdoor fitness stations around the walking path in the updated Renne field would be good!	10/8/2025 12:45 PM
19	CPRD does a pretty good job at all age groups.	10/8/2025 11:03 AM
20	expand golf course	10/8/2025 10:18 AM
21	equestrians	10/8/2025 10:08 AM
22	Unknown to me	10/7/2025 3:22 PM
23	Can't say as everyone needs consideration	10/7/2025 2:14 PM
24	Need mountain bike trails. Promised when kicked out of Bob & Crystal Rilee Park but not delivered.	10/7/2025 4:04 AM
25	People who don't own horses	10/6/2025 9:26 PM
26	bike trails	10/5/2025 9:43 PM
27	Mountain bikers. Please!	10/5/2025 9:10 PM
28	not sure	10/4/2025 12:52 PM
29	Preschool age children	10/2/2025 2:58 PM
30	I am not sure.	10/2/2025 9:32 AM
31	the dogs	10/1/2025 7:48 PM
32	Toddlers 3-5 year olds	10/1/2025 2:36 PM
33	Not sure	10/1/2025 8:29 AM
34	Toddler/preschool age children	9/30/2025 8:08 PM
35	Not sure	9/30/2025 3:12 PM
36	Kids 4 and under more activities	9/30/2025 1:34 PM
37	Homeless	9/30/2025 12:00 PM
38	NA	9/30/2025 10:50 AM
39	Fostering community	9/30/2025 10:44 AM
40	Unsure	9/30/2025 8:37 AM
41	Fully enclosed park or activity events for special needs	9/29/2025 3:48 PM
42	Share it out equally.	9/29/2025 8:23 AM

Chehalem Park and Recreation District | Community Input Survey

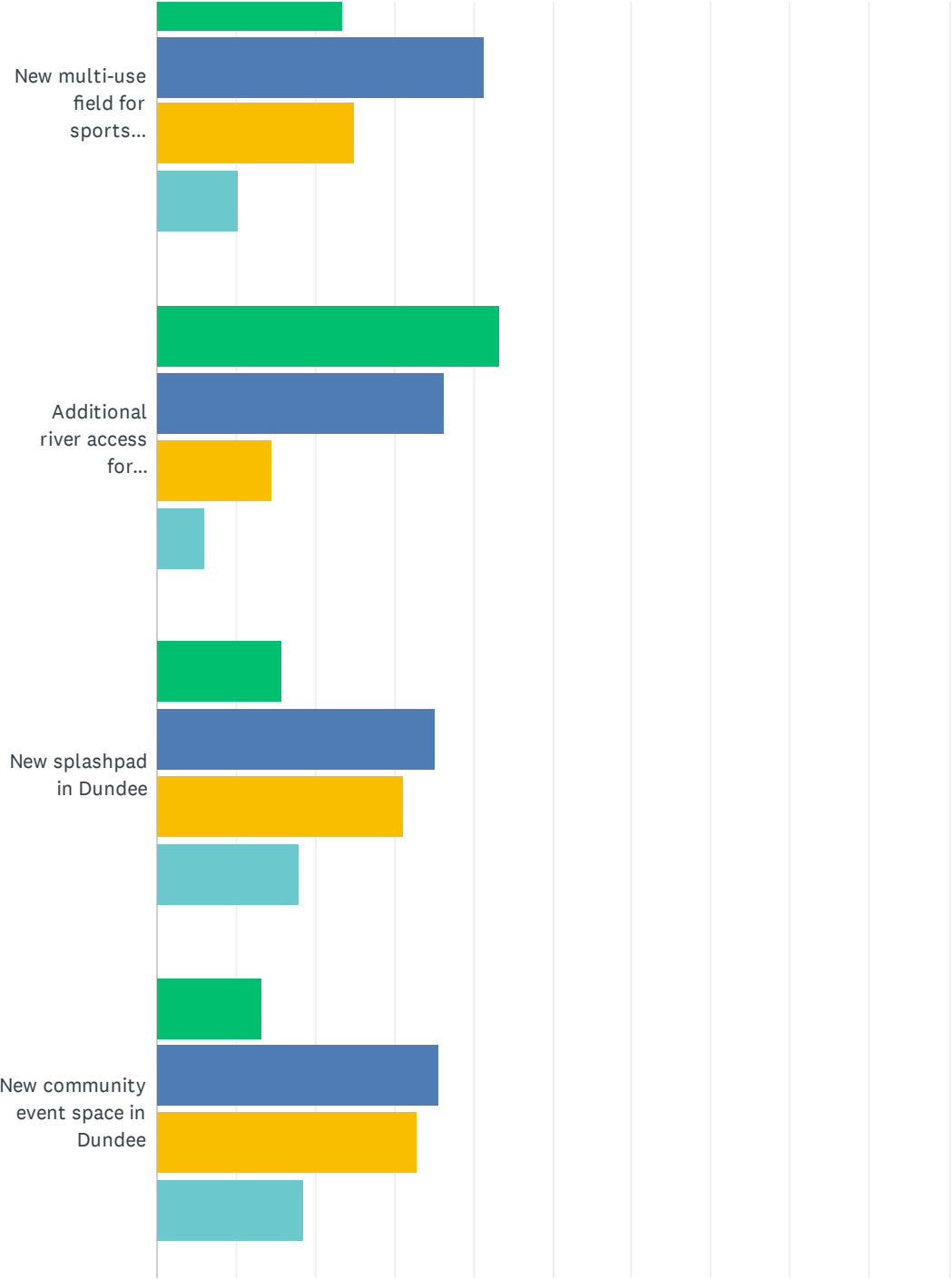
43	Pool needs automatic doors into pool areas. I see people struggling with this issue.	9/27/2025 5:32 PM
44	Programs for all!	9/27/2025 11:06 AM
45	All should have access to safe, rewarding options	9/27/2025 8:23 AM
46	All groups can certainly benefit from more	9/26/2025 11:25 PM
47	No group especially	9/26/2025 6:06 PM
48	It would be good to have adult soccer and ultimate frisbee meet ups. Adults need exercise and community building in these types of ways.	9/26/2025 12:10 PM
49	I'm not keen prioritizing one age group over another. CPRD needs to provide stellar services to all constituents regardless of age.	9/26/2025 12:02 PM
50	I wish there were groups or activities for babies/new mothers. It's hard to find programs for kids under 1 year old and that year can be very isolating for parents.	9/26/2025 10:25 AM
51	Accessible hiking	9/24/2025 11:58 PM
52	I think in general having clean, updated facilities with safe play structures or hiking trails	9/24/2025 8:03 PM
53	Question is too broad. There are things that could be done for all of these categories, but money has to rule.	9/24/2025 11:23 AM
54	CPRD seems overly focused on facilities for older adults: golf, pickleball, senior center, senior classes, etc. I'm not saying get rid of those, but why aren't families and younger adults getting their fair share?	9/23/2025 2:55 PM
55	2-5 year old	9/23/2025 1:06 PM
56	3-5 year olds	9/23/2025 12:58 PM
57	Low-income folks need more access to the activities and facilities that charge fees.	9/23/2025 12:56 PM

Q18 How important are the following potential new projects?

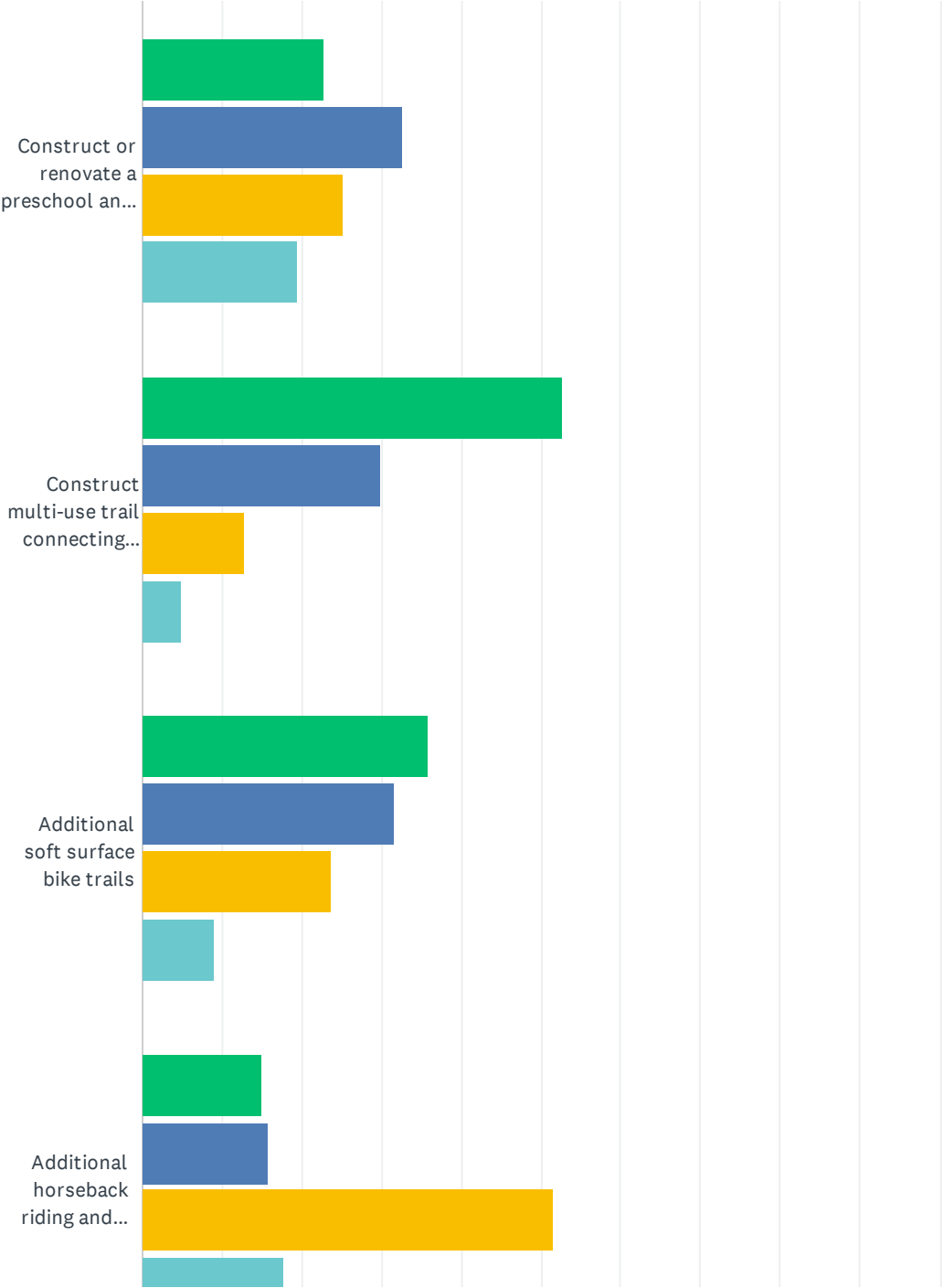
Answered: 635 Skipped: 194



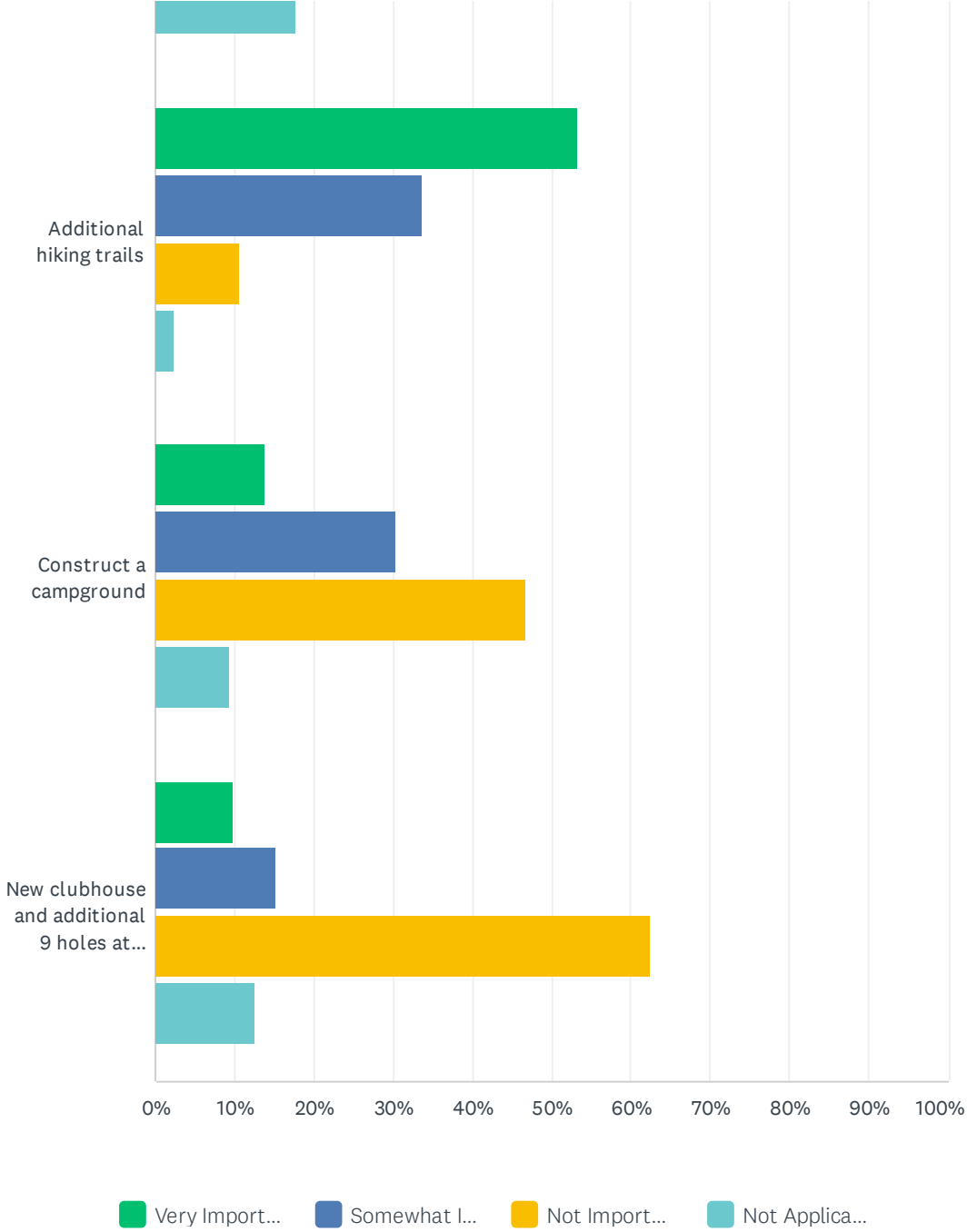
Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey



Chehalem Park and Recreation District | Community Input Survey

	VERY IMPORTANT	SOMEWHAT IMPORTANT	NOT IMPORTANT	NOT APPLICABLE	TOTAL
Replace or rehabilitate aging playgrounds at multiple parks	49.76% 306	37.40% 230	6.83% 42	6.02% 37	615
New bathroom or major bathroom renovation at Jaquith Park	31.86% 195	44.44% 272	14.71% 90	8.99% 55	612
New bathroom at Ewing Young Park	33.95% 203	39.46% 236	14.38% 86	12.21% 73	598
New multi-use field for sports including soccer, lacrosse, rugby, or other sports	23.46% 141	41.43% 249	24.96% 150	10.15% 61	601
Additional river access for non-motorized watercraft (kayaks, canoes, SUP's, etc.)	43.20% 267	36.25% 224	14.56% 90	5.99% 37	618
New splashpad in Dundee	15.78% 95	35.22% 212	31.06% 187	17.94% 108	602
New community event space in Dundee	13.18% 80	35.58% 216	32.78% 199	18.45% 112	607
Construct or renovate a preschool and daycare facility	22.77% 138	32.67% 198	25.25% 153	19.31% 117	606
Construct multi-use trail connecting Newberg and Dundee	52.66% 327	29.79% 185	12.72% 79	4.83% 30	621
Additional soft surface bike trails	35.81% 217	31.52% 191	23.76% 144	8.91% 54	606
Additional horseback riding and equestrian facilities	14.91% 92	15.88% 98	51.54% 318	17.67% 109	617
Additional hiking trails	53.24% 329	33.66% 208	10.68% 66	2.43% 15	618
Construct a campground	13.76% 83	30.35% 183	46.60% 281	9.29% 56	603
New clubhouse and additional 9 holes at Chehalem Glenn Golf Course	9.70% 59	15.13% 92	62.50% 380	12.66% 77	608

#	OTHER (PLEASE SPECIFY)	DATE
1	People using public parks for selling drugs which needs to be curtailed and monitored.	10/31/2025 11:04 AM
2	Construct mountain bike trails	10/26/2025 9:31 PM

Chehalem Park and Recreation District | Community Input Survey

3	Outdoor pool - similar to Eugene's Amazon Pool.	10/24/2025 11:30 AM
4	I love it all.	10/24/2025 10:55 AM
5	Bikes at Rilee Park	10/24/2025 10:03 AM
6	Bathroom at friends park at least a portajohn	10/21/2025 8:49 PM
7	It's crazy that the golfers, pickleball players, horse riders get so much attention while playgrounds are falling apart, parks lack basic restrooms, and families don't have safe trails for walking and biking.	10/21/2025 1:55 PM
8	Just another vote for natural surface bike trails.	10/21/2025 1:58 AM
9	Clubhouse, yes	10/18/2025 3:31 PM
10	use the extra space at the golf course for kid's sports fields instead of another 9 holes of golf.	10/18/2025 11:05 AM
11	Top priorities: multi-purpose activity field, new bathrooms at parks, additional 9 holes at chehalem glen	10/17/2025 3:20 PM
12	Looking forward to seeing progress at Sander Park in Dundee!!	10/14/2025 3:42 PM
13	There are so many wonderful ideas here. Keep going!	10/10/2025 9:55 AM
14	More soft surface running trails as well, like the one at Ewing Young but maybe more flat like Pre's Trail in Eugene. Maybe any future parks can have a chip border around the edges for runners.	10/9/2025 11:51 AM
15	I have horses and I don't think equestrian trails need to be invested more in. Money will be better spent elsewhere!	10/9/2025 10:44 AM
16	Build what was promised decades ago, new clubhouse.	10/9/2025 10:11 AM
17	The Daycare facility is a money pit and it's not your core business model. Run away. Re: campgrounds, I have people coming to town multiple times per year asking about camping and I have to tell them Champoeg is the only one and it's probably full.	10/9/2025 8:43 AM
18	A bathroom at the BMX track!	10/8/2025 10:28 PM
19	More Parking and bathroom with sink at Ewing Young	10/8/2025 7:34 PM
20	Signage to keep e-bikes off the BMX track	10/8/2025 7:31 PM
21	Restrooms at all parks	10/8/2025 11:31 AM
22	Renovate track at Renne Field	10/8/2025 10:52 AM
23	equestrian trail course obstacles and mounting blocks along trails	10/8/2025 10:08 AM
24	We live off of the decommissioned railroad tracks, it'd be great if that could be turned into a bike path, walking trail. The tracks go from Sherwood to downtown and beyond.	10/8/2025 9:07 AM
25	I love the ideas that lower the cost threshold for more to be involved.	10/8/2025 7:35 AM
26	Upgrade facilities to maintain Old Fashioned Festival activities, including Fireworks.	10/7/2025 12:30 PM
27	Covered pickleball facility	10/7/2025 7:13 AM

Chehalem Park and Recreation District | Community Input Survey

28	Need mountain bike trails. Promised when kicked out of Bob & Crystal Rilee Park but not delivered.	10/7/2025 4:04 AM
29	Create more than one use for Bob & Crystal Rilee Park	10/6/2025 8:59 AM
30	What happened to developing place to ride mt bikes? dump? river property? Riley Park?	10/6/2025 7:17 AM
31	Mountain bike trails!	10/6/2025 6:12 AM
32	bike trails!	10/5/2025 9:43 PM
33	More hiking and biking in general	10/5/2025 9:27 PM
34	Do not consider bikes sharing trail systems with current (or future) equestrian trails primarily for safety reasons. If additional bike trails needed, create new systems separate from the Parrett	10/4/2025 11:12 PM
35	Expand the weightlifting area at the pool! CPRD was given millions and only improved the pool area and added a giant basketball court. Meanwhile the weightlifting area is dilapidated, very small, and missing key functions.	10/4/2025 8:13 AM
36	Continue fireworks show!	10/2/2025 2:45 PM
37	Horse camp	10/2/2025 12:13 PM
38	Allow bicycles in Riley Park again!	10/1/2025 10:40 PM
39	Please protect all horse facilities	10/1/2025 8:10 PM
40	Keep fireworks at Renne Field	10/1/2025 6:59 PM
41	Bob & Crystal is well loved within the equestrian community. I'd love to see more places for people to ride! Awesome community.	10/1/2025 8:29 AM
42	Old Fashioned Days is also important. Please continue to support it. I heard that CPRD intends to put a stop to the fireworks because they would endanger the proposed new Renne field surface. If the fireworks are safe for humans to sit near, it seems horrible to me to say that the turf and buildings are so much more valuable than people, that we must protect them. Is CPRD saying that buildings and turf are more valuable, in fact, than humans? That is definitely the message that comes across.	9/30/2025 11:24 PM
43	New to Newberg. Moved from Illinois. Don't know about alot of things here	9/30/2025 7:36 PM
44	Daycare and clubhouse should be private entities tax dollars should not be used to build or sustain them	9/30/2025 3:10 PM
45	I cannot stress enough that giving rich people more places to do rich people activities should NOT be a community priority.	9/30/2025 2:50 PM
46	Oh god! No camping! We don't need to enable more homeless.	9/30/2025 2:17 PM
47	You people had promised to build a clubhouse out there and it has not been done yet. When you tell the community you're going to do something you need to stand behind it and either do it or let the people know why you can or cannot do it at this time. Don't break your promise to the people.	9/30/2025 9:04 AM
48	Keep the fireworks	9/30/2025 8:58 AM
49	Keeping fireworks at the Old Fashioned Festival	9/30/2025 8:04 AM
50	Concern for new hiking trails is creating more access for homeless camps. We need our Newberg back. No more drug	9/29/2025 9:50 PM

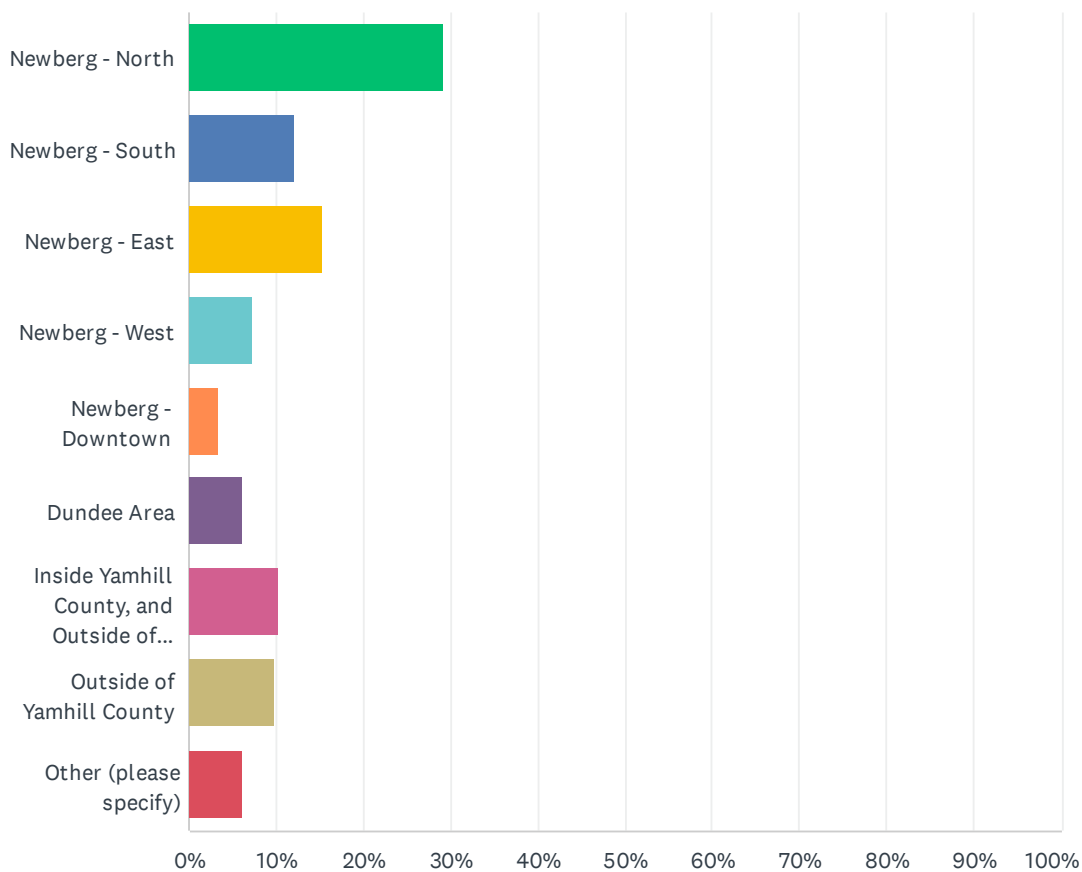
Chehalem Park and Recreation District | Community Input Survey

zombies screaming around town.

51	Keep Renne Field as a public space, no development.	9/29/2025 9:45 AM
52	Any usable bike trails! It's not safe to ride with kids on streets and the closest trails (champoeg) are limited.	9/28/2025 7:17 PM
53	restroom or honeybucket at all parks with playground	9/28/2025 1:51 PM
54	Bathroom at Hoover, more trashcan, keep the park clean	9/28/2025 10:42 AM
55	Clubhouse was to be completed years ago! Where'd the money go??!	9/27/2025 11:06 AM
56	The best thing about the golf course is the trail that goes around it. Golfing takes up a huge amount of space for not that many people. Not even wildlife can live there because it has to be so wide open and empty.	9/27/2025 11:01 AM
57	I am very concerned about the plans to construct a turf field with lights at Renne Field. I haven't been aware of a public input process and this will eliminate the ability for fireworks at the Old Fashioned Festival, our community's most popular event of the year. I'm also concerned that the turf field will significantly decrease general public access to a neighborhood open space for unprogrammed use.	9/27/2025 10:42 AM
58	An archery range would be cool	9/26/2025 9:18 PM
59	A trail linking Newberg and Dundee would be amazing!	9/26/2025 7:00 PM
60	Seems to me a club house and additional 9 holes would benefit only a small amount of the community that already has a nice facility.	9/26/2025 12:47 PM
61	Please keep increasing bicycle use opportunities. The Yamhelas Westsider trail would have been a dream come true for families and individuals to bike farther and longer safely in a beautiful area.	9/26/2025 12:10 PM
62	Cover over future pickleball courts at Jaquith to offer recreational opportunities in the winter.	9/26/2025 11:40 AM
63	More dog parks!	9/26/2025 7:16 AM
64	Clubhouse was promised years ago... a bit overdue.	9/25/2025 3:02 PM
65	More connected walking paths through town and connecting neighborhoods	9/24/2025 9:22 PM
66	Build the track at Renne	9/24/2025 9:14 AM
67	The gulf course caters to a very specific demographic which excludes a high percentage of the Newberg population in lower income communities	9/24/2025 6:43 AM
68	It's a shame that golfers, pickleball, and equestrians get what they want while our playgrounds fall apart and kids have no place to ride bikes on trails!	9/23/2025 2:55 PM
69	More dog parks please!	9/23/2025 12:56 PM

Q19 Where is your place of residence?

Answered: 638 Skipped: 191



Chehalem Park and Recreation District | Community Input Survey

ANSWER CHOICES	RESPONSES	
Newberg - North	29.31%	187
Newberg - South	12.23%	78
Newberg - East	15.36%	98
Newberg - West	7.21%	46
Newberg - Downtown	3.45%	22
Dundee Area	6.27%	40
Inside Yamhill County, and Outside of Newberg and Dundee	10.19%	65
Outside of Yamhill County	9.87%	63
Other (please specify)	6.11%	39
TOTAL		638

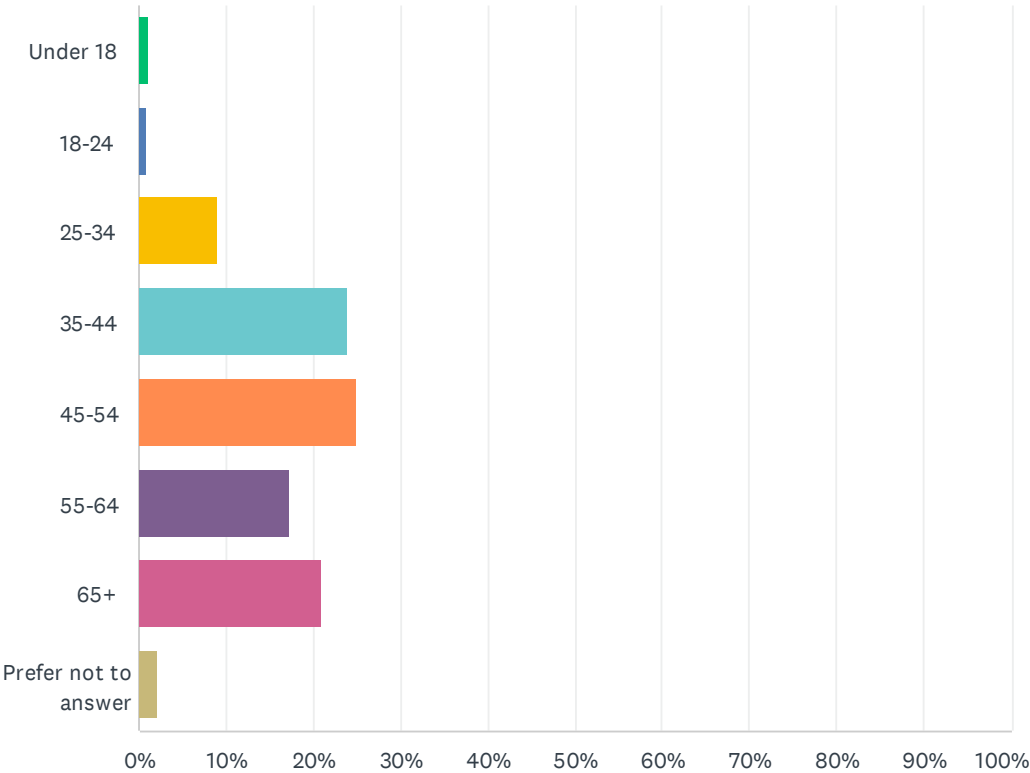
#	OTHER (PLEASE SPECIFY)	DATE
1	Wilsonville	10/20/2025 5:53 PM
2	Wilsonville, but we frequently visit chehalem	10/20/2025 3:54 PM
3	Sherwood	10/20/2025 10:39 AM
4	Sherwood	10/11/2025 1:23 PM
5	Technically outside yamhill. Same distance to washington county services (hillsboro) as Yamhill (Newberg). All out of district expenses either way	10/10/2025 12:08 PM
6	Sherwood, Washington County	10/9/2025 8:43 AM
7	Beaverton, but use Ewing young park often	10/8/2025 9:35 PM
8	Beaverton	10/8/2025 8:36 PM
9	Sherwood	10/8/2025 8:18 PM
10	Sherwood	10/8/2025 8:00 PM
11	Molalla	10/8/2025 7:56 PM
12	Sherwood	10/8/2025 7:37 PM
13	Middleton	10/8/2025 7:35 PM

Chehalem Park and Recreation District | Community Input Survey

14	I moved out when youth sports became a joke	10/8/2025 5:13 PM
15	Yamhill/ Carlton	10/7/2025 3:23 PM
16	South west Tigard	10/7/2025 7:26 AM
17	We are back and forth between Newberg and Dallas Oregon. Newberg born and raised.	10/7/2025 5:23 AM
18	Tigard	10/7/2025 4:05 AM
19	West Linn	10/6/2025 9:27 PM
20	North west	10/6/2025 5:39 PM
21	SW Beaverton on edge of urban growth boundary	10/6/2025 9:00 AM
22	Sherwood	10/5/2025 9:57 PM
23	lake oswego	10/5/2025 9:44 PM
24	Sherwood	10/5/2025 9:27 PM
25	Bend	10/4/2025 5:06 PM
26	Tualatin	10/2/2025 8:49 PM
27	Clackamas county	10/2/2025 12:13 PM
28	Canby	10/2/2025 9:33 AM
29	Sherwood	10/1/2025 3:22 PM
30	Tualatin	10/1/2025 1:29 PM
31	Just moved to Wilsonville	10/1/2025 8:30 AM
32	Elliott rd	9/30/2025 8:08 PM
33	Unincorporated washington county	9/30/2025 10:50 AM
34	Live by George Fox	9/30/2025 9:22 AM
35	Airport neighborhood	9/27/2025 11:07 PM
36	washington county drive to horse trails	9/26/2025 1:14 PM
37	Gaston, just into washington county	9/26/2025 1:08 PM
38	Washington County	9/26/2025 6:52 AM
39	Technically in Washington county but in newberg schools and therefore newberg sports. We consider Newberg our home even though our address is Sherwood	9/24/2025 9:23 PM

Q20 What is your age?

Answered: 639 Skipped: 190

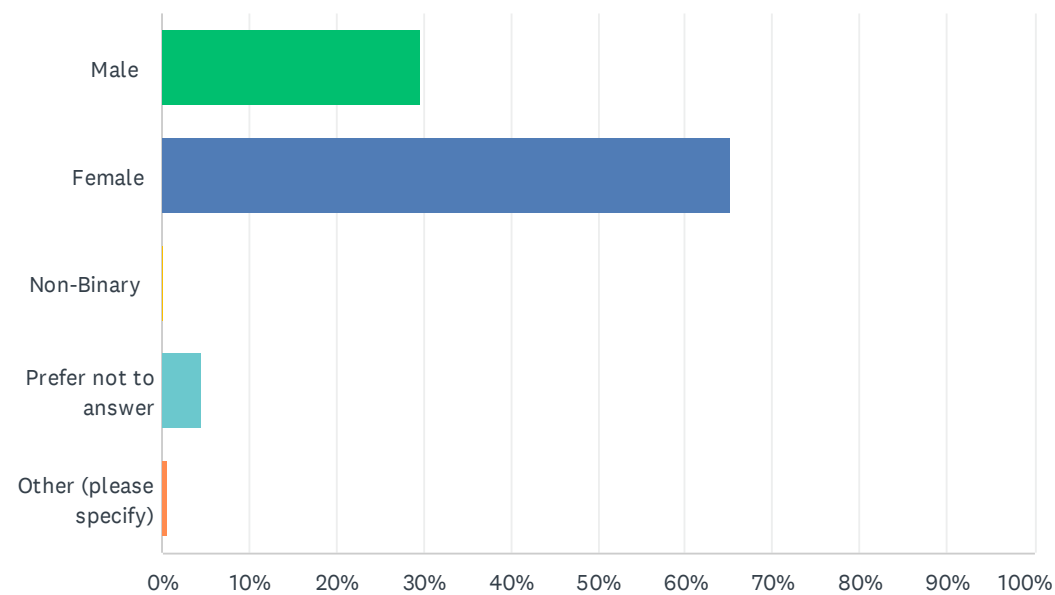


Chehalem Park and Recreation District | Community Input Survey

ANSWER CHOICES	RESPONSES	
Under 18	1.10%	7
18-24	0.94%	6
25-34	8.92%	57
35-44	23.79%	152
45-54	24.88%	159
55-64	17.37%	111
65+	20.81%	133
Prefer not to answer	2.19%	14
TOTAL		639

Q21 What is your gender?

Answered: 638 Skipped: 191



ANSWER CHOICES		RESPONSES	
Male		29.62%	189
Female		65.20%	416
Non-Binary		0.16%	1
Prefer not to answer		4.39%	28
Other (please specify)		0.63%	4
TOTAL			638

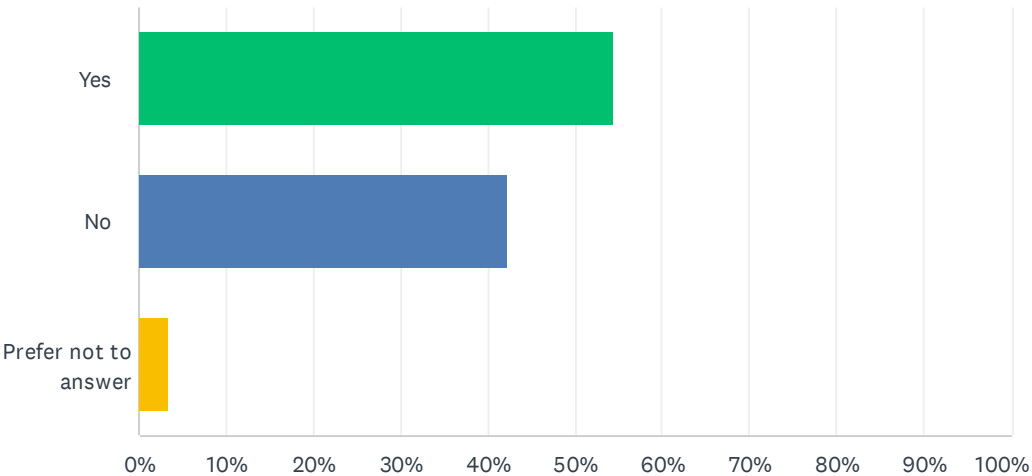
#	OTHER (PLEASE SPECIFY)	DATE
1	N/A	10/6/2025 6:30 PM

Chehalem Park and Recreation District | Community Input Survey

2	By the old mill in Newberg	10/2/2025 6:56 AM
3	Only male and female	9/30/2025 2:18 PM
4	Not applicable	9/29/2025 3:49 PM

Q22 Are there children in your household?

Answered: 637 Skipped: 192



ANSWER CHOICES	RESPONSES	
Yes	54.32%	346
No	42.23%	269
Prefer not to answer	3.45%	22
TOTAL		637

Citizen Advisory Committees

Chehalem Heritage Trails
Golf Clubhouse Development
Pickleball

**CHEHALEM PARK AND RECREATION DISTRICT
CHEHALEM HERITAGE TRAILS CITIZENS' ADVISORY COMMITTEE AGENDA**

Administration Office
125 S. Elliott Road
November 18, 2025, 6 PM

To watch on Zoom:

<https://us02web.zoom.us/j/82509718207>

Webinar ID 825 0971 8207

or watch live on the CPRD YouTube channel at <https://www.youtube.com/@CPRDNEWBERG>

I	Call to Order	Lauren	5 min
II	Roll Call		
III	Approval of Minutes		
IV	BCRP Map - Review Draft and Next Steps	All	20 min
V	Advisory Committee Recommendation/Decision	All	20 min
VI	Closing	All	5 min
	Board Report tbd		
	Agenda Items tbd		
	Open House attendance		

ADA STATEMENT

Contact the Public Information Office for physical or language accommodation at least two (2) business days before the meeting. Call (971) 832-4222 or email Kat at kricker@cprdnewberg.org.

CHEHALEM PARK AND RECREATION DISTRICT
CHEHALEM HERITAGE TRAILS CITIZENS' ADVISORY COMMITTEE
Administration Office
125 S Elliott Road
October 14, 2025
MINUTES

- I. Meeting called to order at 6:00 PM by Dennis Wiley
- II. Roll Call
Present
Dennis Wiley
Bob Freshman
Danna Kemp
Lauren Pfieffer
John Rueter
Anna Danes
Om Sukheena
Bryan Stewart, CPRD
- III. Approval of the Minutes
MOTION TO APPROVE MINUTES
Moved John Rueter
Seconded Lauren Pfieffer
Ayes Danna Kemp, Bob Freshman, Anna Danes, Om Sukheena, and Dennis Wiley
- IV. Call for New Committee Chair
 - a. Lauren Pfieffer - approved.
- V. Paddle Launch Update
 - a. Bryan update – in the feasibility study phase funded by Grants approved by CPRD Board.
- VI. Sander Park Update
 - a. Bryan update – Construction moving right along, $\frac{3}{4}$ asphalt path completed, and irrigation completed within 30 days. Park will feature Nature Play, Splash Pad, and mini OR Garden with CPRD grown plants. Would look for volunteers from the committee and community for spring planting. Grand Opening – Summer 2026.
- VII. Committee Report Out from Board Meeting
 - a. Bob and Om – Updated Board on Rilee trail and signage project.
 - b. Next Board Meeting Volunteer – Dennis Wiley

VIII. Rilee Map Review

- a. Reviewed draft maps from CPRD staff.
- b. Changes – Mileage rounded to the tenth, add Bob's Corner on the map, indicate "steep" #7 & #9, park boundary outlined in black.
- c. Phase 2: Redo original wood signs with trail names, identify view spots along the trail.

IX. Next Meeting Agenda

- a. Vision for advisory committee vs. volunteer
- b. Committee volunteer for next CPRD Board meeting
- c. Rilee next steps for carsonite signs
- d. Committee year end gathering

X. The meeting was adjourned at 7:05 PM by Dennis Wiley.

NEXT MEETING: November 18, 2025 at 6 PM

Recorded by: Danna Kemp

Pickleball Advisory Committee

Agenda

10/27/2025

6:00PM at the CPRD Administration Office

Attend remotely here:

<https://us02web.zoom.us/j/81637451747>

Webinar ID 816 3745 1747

Members include Bob Oleson, Linda Sandberg, Sheryl Greiner, Lance Trantham, Laurie Rauch

Julie Peterson is our staff liaison. Nick Konen and Jim McMaster are the Board liaisons.

1. Call meeting to order
2. Roll Call
3. Approval of 6/30/2025 minutes
4. Public comment period
5. Jaquith Park Updates
6. Follow up discussion regarding the Board of Director's discussion on Citizen Advisory Committees.
7. New Business
8. Open Comment Period

Superintendent's Report & Project Updates



MEMORANDUM

Wednesday, November 26, 2025

TO Chehalem Park & Recreation District Board of Directors

FROM Clay Downing, Superintendent

SUBJECT Superintendent Update

The below update provides highlights from staff related to the District's activities.

Fiscal Updates

Monthly Report Delayed

The monthly financial report — including General Ledger Expense vs Budget, General Ledger Revenue Analysis, Project Management Summary by Project Year-to-Date, and Project Management Summary by Project by Period information — for October is not currently available. The publication of the report was delayed by ongoing end of month budget reconciliation issues. Additional staff have been assigned to address this issue, which has been a chronic challenge for months and years past.

Thank you for your patience while this issue is resolved. The delayed report will be published along with other reports at your next regular board meeting.

General Updates

CPRD Hosts Community Open House Events on November 19th and 20th

Many thanks to each of our board members for participating in and supporting the community open house events that occurred on November 19th and 20th. The events included visitation by approximately 106 in-person and 25 virtual attendees. Following the events, local media highlighted CPRD's activities in the [Newberg Graphic](#) ("Park and rec district open houses in Newberg prove a success") and [Newsberg](#) ("CPRD Holds Open Houses on Renne Field, Ewing Young Park, Mountain Biking"). As noted by the Newberg Graphic in their article on the events:



CPRD Open House Attendees (Credit: Newberg Graphic/Gary Allen)



“People with questions about what the Chehalem Park and Recreation District is up to had a perfect opportunity to find out last week in Newberg.

And many people did.”

The District’s team of staff is very appreciative of the community members who chose to join us for the events. Staff are tentatively scheduled to provide a summary report of what was heard during your Board’s regular meeting on January 22, 2026.

Upcoming Performance Evaluation and Contract Renewal Superintendent

According to the District’s contract with the Superintendent, the Board shall review and evaluate the Superintendent’s performance no later than the last Board meeting of the calendar year. The contract further states that although the parties understand and agree that the date of evaluation may be extended in the sole discretion of the Board.

It is anticipated that activities related to the Superintendent’s performance review will be led by the Board’s Financial and Personnel Committee Members – Jim McMaster and Brandon Slyter. The Superintendent and other personnel are available to schedule and support the evaluation as needed. Typical performance evaluation materials – including standard and 360 performance reviews – are available on the District’s Employee Portal webpage at <https://www.cprdnewberg.org/general/page/employee-portal>.

The Superintendent’s existing contract was created with a 1-year duration and expires February 14, 2026.

Capital Projects Update

See the *Project Updates Report* for additional information about other active projects including Sander Estate Park, Jaquith Park, Newberg-Dundee Bypass Trail, and Chehalem Glenn Golf Course Feasibility Study Projects.

Sander Estate Park – Urban Renewal Funding Request

The decision is still pending for funding from the Dundee Urban Renewal Agency (DURA).

On April 15, 2025, the District submitted a request for funding associated with required public improvements within Phase 1 of Sander Estate Park. Staff requested funding support in the amount of \$1,119,700 which would support construction of 5th Street improvements, electrical, stormwater, sanitary sewer, water, and parking lot areas associated with the park’s development. During the meeting, members of DURA expressed general support the provision of monetary support for Sander Estate Park’s development, but did not make a final decision. Since this meeting, staff have continued to work with City of Dundee personnel to create an agreement which will facilitate funding, which is expected to occur in a form where CPRD expends funding and is later repaid by the urban renewal district when monies become available.

Renne Field Project

Project management activities continue for this project with a target for construction occurring in the 2026 summer/fall season.

It is anticipated that this project will rely on the District's membership in Intermountain ESD to utilize cooperative purchasing opportunities. Cooperative purchasing available through membership in Intermountain ESD enables the District to use design, planning and land use, procurement, and construction-related services to support the project. At an appropriate time, authorization to expend funds towards this project will be presented to your board during a public meeting.

Additionally, the District has initiated research relating to the Newberg Urban Renewal Plan to identify the presence of eligible project components within the Renne Field Project. The Newberg Urban Renewal Plan identifies eligible projects by sub-area within the Newberg Urban Renewal District. The Newberg Urban Renewal Plan's Sub-Area G contains portions of S Blaine Street which border Renne Field. It is the intent of the District to work with City staff to understand the preferred method of submitting a funding request to the Newberg Urban Renewal Agency, and to do so in support of this project. More information related to the Newberg Urban Renewal Plan and tax increment financing is available on the City of Newberg's website at [https://www.newbergoregon.gov/government/boards_and_commissions/newberg_urban_renewal_agency/urban_renewal_\(tax_increment_financing\)_in_newberg/index.php](https://www.newbergoregon.gov/government/boards_and_commissions/newberg_urban_renewal_agency/urban_renewal_(tax_increment_financing)_in_newberg/index.php).

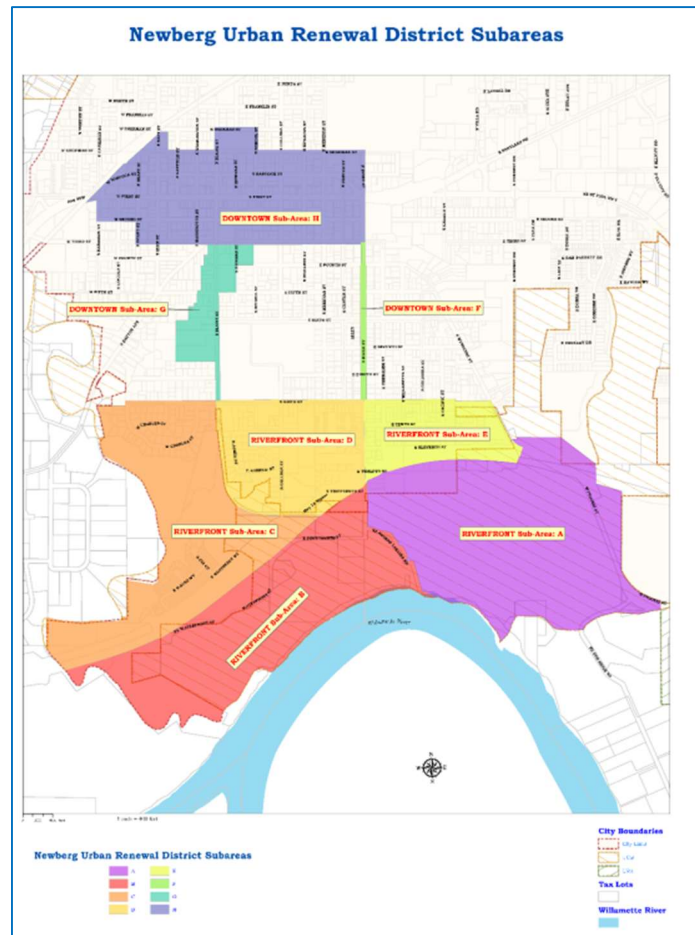


Figure 1. Newberg Urban Renewal District Sub-Areas (Source: Newberg Urban Renewal Plan)

Ewing Young Bridge Project

On February 12, 2026, the District is tentatively scheduled to present the results of public outreach and a request for a publicly-initiated zoning ordinance text amendment during a public meeting of the to the Yamhill County Commissioners. Timelines for subsequent portions of the project, including resubmittal of land use applications to both City of Newberg and Yamhill County, will be dependent on direction from County Commissioners to County staff.

Staff have notified this project's consultant team of an interest in amending project scope of work to include the construction of a restroom at Ewing Young Park. This initial communication is related to the Board's Strategic Planning Priorities (Goal 2) and input from CPRD's recent community input survey which demonstrated broad support for installation of a bathroom by multiple user groups including BMX, skateboard, hiking, and dog park users. Because some public improvements and parking area improvements are likely to be required by such a change, the exact impact to the scope of work and overall project cost is unknown at this time. However, it is believed that the addition of a bathroom in combination with other park improvements will be ripe for grant funding opportunities.

Local Relationships

Newberg Holiday Tree Lighting Highlights Celebrates Local Partnerships for Public Benefit

CPRD is getting into the holiday spirit and working with local partners to do it. Once again, CPRD partnered with the Newberg Downtown Coalition to host annual Holiday Tree Lighting event, a free outdoor event for all community members. The event will take place Friday November 28th (Black Friday) in the forecourt of CPRD's Chehalem Cultural Center.

To support this event and celebrate the winter season, District staff decorated the Chehalem Cultural Center with thousands of lights, and harvested and placed an approximately 40-foot tree in the forecourt. Adding to the festivity, carolers from Yamhill CASA will be present to lead singing and the Newberg Noon Rotary Club will provide hot cocoa and treats.

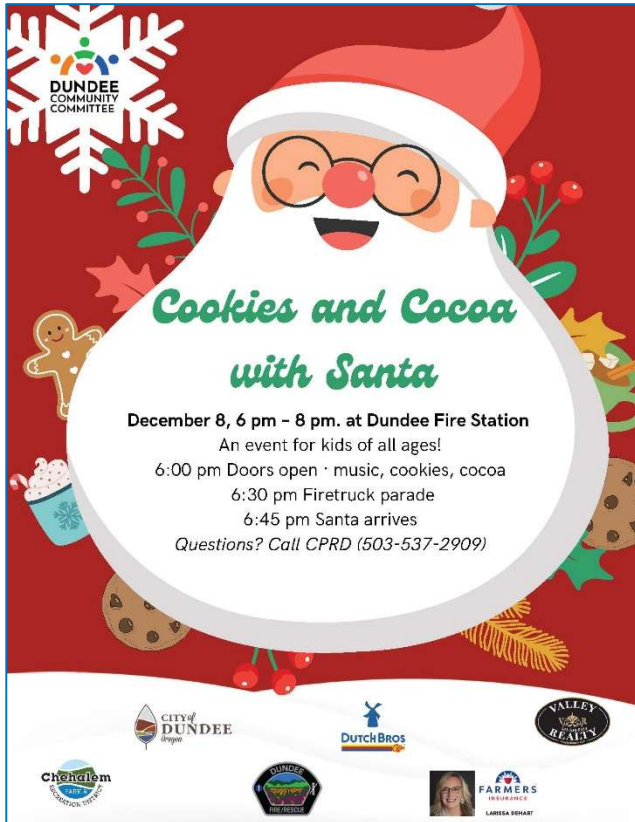
The event is expected to be so well attended, even Santa will be there.



Other upcoming holiday events being hosted or co-hosted by CPRD will include:

- “Cookies and Cocoa with Santa” on Monday, December 8th from 6:00 p.m. – 8:00 p.m. at Dundee Fire Station (765 OR-99W, Dundee, OR 97115). The annual event welcomes kids of all ages to attend and ask Santa what they want for Christmas. This free event provides cookies and hot cocoa for all, and is hosted by Dundee Community Committee, Chehalem Park and Recreation District, and Valley Realty Professionals LLC.
- “Santa at the Pool” will occur at the Chehalem Aquatic & Fitness Center on December 21st (1:00 - 3:00 PM), 22nd (12:15 – 1:30 PM), and 23rd (12:15 – 1:30 PM). These

events offer an opportunity to splash into the holidays while Santa visits the Chehalem Aquatic & Fitness Center where cocoa, pictures, and public swim will be happening. Public swim and on-deck spectating include admission fees for children 0-3 (free), children 4-17 (\$6.50), seniors 62+ (\$6.50), and adults (\$8.00).



Forward-looking Calendar

The following items are expected to appear before your Board in the coming months:

- CPRD Open House Summary Report and Presentation
- Informational Presentation and/or Work Session for System Development Charge Methodologies
- Employee Handbook Updates (purchasing authority and thresholds, IT and cybersecurity related modifications, state compliance revisions, and consideration of a working out-of-class policy)
- District, Board, and CAC Policies Update
- Budget Committee Work Session(s) and Meeting(s)



503-537-2909
fax 503-538-9669
125 South Elliott Road
Newberg, OR 97132
cprdnewberg.org

Wednesday November 26, 2025

To: CPRD Board of Directors

SUBJECT: Project Updates

Jaquith Pickleball

1st lift of Paving completed October 15 and 16th. Temperatures and weather were reasonable for paving. Outside temperatures and weather will not allow for final surfacing coats. Drain inlet has been placed between the courts, along with the drain pipe into the stormwater pond. Storm pond inlets have been placed. Potholes have been dug near the existing drinking fountain, where the contractor attempted to find the existing potable water line. Straw has been placed over exposed soils, in the stormwater pond and the spoils on the south side of the courts. They are to continue working on the waterline and fencing as weather permits. Plans are to temporarily line courts until proper conditions exist to apply the four acrylic coats as permanent surfacing. They have provided a schedule which shows completion May of 2026.

Sander Estate Park

Updated plan set that has been submitted to DEQ and approved for 1200-C. Grass Strains in process of amending topsoil and installing irrigation. Toby Davis Concrete in process of pouring onsite sidewalk. 5th Street Waterline is installed.

Area Drains and Catch Basins installed onsite completed 9/22-9/26

5th Street Potholing/Sawcuts/Demo/ completed 9/22-9/26.

Onsite Sanitary completed 10/8 for Restroom to be installed in January

9/26/2025 Comcast Design Complete

10/8/2025 Romtec confirmed no issue with phasing out work. January mobilization date from their installer.

10/13 Irrigation install begins

10/16/2025 Preconstruction meeting with PGE, Comcast and Ziply.

10/16/2025 Ziply Design Complete

Tuscan Stone arrives for the water feature October 15

Import Topsoil, amend and seed onsite complete October 30

11/3-7 Splash Pad Plumbing, Piping and Embeds



503-537-2909
fax 503-538-9669
125 South Elliott Road
Newberg, OR 97132
cprdnewberg.org

11/3 PGE Survey and Pole setting. PGE installs Two services poles, and brackets.

11/4-7 Frontage of site demo

November 10-14 Preparation for waterline connections to existing 12", hydrants, properties, Park.

5th Street 12" Waterline Install, test, sample and reopen completed 11/21

November 14 Demo abandoned 6" City of Dundee waterline.

November 20- Irrigation ongoing.

Form and Pour Onsite Walkways ongoing

Please see 3-week schedule for a look ahead

Newberg-Dundee Bypass Trail

The Newberg – Dundee Bypass Phase I is predominantly within the Oregon Department of Transportation Right-of Way except for the portion along Industrial Avenue and within the City of Newberg. CPRD Received a grant Extension for the NDBT until June 30, 2026. ODOT has reviewed the Newberg-Dundee Bypass Trail Project documents. After the Type II land use was completed in May we received the Land Use Affidavit and the DEQ LUCS from the City of Newberg on June 4th. We have received a 1200-C and have submitted for all Permits; JPA, Public Improvement, Building and Floodplain Development Permit from the City of Newberg June 18, 2025, We have received PLNG-25-40 Floodplain Development Permit, PIP-25-46 Public improvements permit for Industrial Ave is forthcoming. The JPA Permit: Army Corps of Engineers, DSL, and DEQ We have received "approval" from Army Corp, DEQ 401 approved permit.

We still have not heard back from DSL (although Army Corp approved their portion of JPA).

We have been having meetings to discuss access during the winter months so construction can proceed when permitting is complete.

Chehalem Glenn Clubhouse Feasibility Study

Kick off meeting – October 15. Irrigation and site plans to Ankrom Moisan

Define the goals Financial goals ▪ What would define this project as being financially successful?

- ▪ Metrics that need to be hit
- ▪ Economic analysis
- ▪ Financing options and business plan

Golf Operations goals ▪ What would define this project being operationally successful?

What would improve the operations and flow of the course?

Define the program Clubhouse program, from the RFP, plus design team thoughts.



503-537-2909
fax 503-538-9669
125 South Elliott Road
Newberg, OR 97132
cprdnewberg.org

- Pro shop: Check-in desk, golf simulation, indoor training, retail shop, club storage, maintenance
- Food and Beverage: dining space for casual dining, private events, celebrations, weddings, tournament meals and presentations
- Community meeting spaces (separate from F&B spaces or same?)
- Golf cart storage: charging, maintenance, cleaning
- Restrooms: accessible from indoors and outdoors
- Site related program items
- How will building siting affect practice areas and parking?
- How, or should, the existing clubhouse and cart barn be used?
- Replacement of putting course and chipping green if required
- Driving range west netting (this is not in the current scope, but it could be added in)

Three distinct options are requested. Does CPRD imagine the options as:

- Locations on the site?

- Sizing of clubhouse and amenities/offerings?
- Style of architecture?
- Financing options?
- Design concepts

Current Phase:

The consultant team (Ankrom Moisan Architects and YA Group) is in the Pre-Design phase, which includes:

Developing a comprehensive clubhouse building program.

Documenting existing site conditions and performing zoning analysis.

Initiating economic and market analysis for food/beverage and meeting space options.

Preparing a preliminary project schedule with critical path timelines.

Upcoming Deliverables & Timing:

Pre-Design Report & Market Analysis: Expected during early December; will summarize programmatic options and economic feasibility.

Conceptual Design Phase: Begins after pre-design; includes three design options with cost estimates and community engagement materials. These will be presented to CPRD staff and the Golf CAC in early 2026.

Design Development (30% DD): Targeted for later in the first quarter of 2026, following selection of a preferred concept.



503-537-2909
fax 503-538-9669
125 South Elliott Road
Newberg, OR 97132
cprdnewberg.org

Planned Outreach & Engagement:

Golf CAC Meeting: One meeting during Pre-Design (to review program and initial findings).

Community Information Sessions: At least one session during Conceptual Design to share design options and gather feedback.

Board Presentation: Final three concepts and cost estimates will be presented to the CPRD Board before advancing to Design Development

ID		Task Name	Duration	Start	Finish	Qtr 1, 2026												Qtr 2, 2026																			
		Task Mode				November				December				January				February				March				April				May							
						10/26	11/2	11/9	11/16	11/23	11/30	12/7	12/14	12/21	12/28	1/4	1/11	1/18	1/25	2/1	2/8	2/15	2/22	3/1	3/8	3/15	3/22	3/29	4/5	4/12	4/19	4/26					
0		Sander Estate Schedule	192 days	Fri 7/25/25	Fri 5/1/26																																
1		General	192 days	Fri 7/25/25	Fri 5/1/26																																
2		Contract	1 day	Fri 7/25/25	Fri 7/25/25																																
3		Precon	1 day	Mon 8/4/25	Mon 8/4/25																																
4		S/C, PO, Submittals	88 days	Mon 7/28/25	Mon 12/1/25																																
5		Locates Completed/Arborist Cleared	1 day	Fri 8/8/25	Fri 8/8/25																																
6		Permits Issued	1 day	Fri 9/5/25	Fri 9/5/25																																
7		City Precon	1 day	Mon 9/15/25	Mon 9/15/25																																
8		PGE Undergrounding/Streetlight Mtg	1 day	Thu 10/16/25	Thu 10/16/25																																
9		Substantial Completion	1 day	Tue 3/31/26	Tue 3/31/26																																
10		Final Completion/Completed Punch	10 days	Wed 4/1/26	Tue 4/14/26																																
11		Contract Final Completion	1 day	Fri 5/1/26	Fri 5/1/26																																
12		Sitework	157 days	Mon 8/11/25	Mon 3/30/26																																
13		Mobilization	10 days	Mon 8/11/25	Fri 8/22/25																																
14		Demo/Tree Protection/Etc	5 days	Thu 8/14/25	Wed 8/20/25																																
15		Topsoil Strip to Stockpile Onsite	4 days	Mon 8/18/25	Thu 8/21/25																																
16		Mass Exc/Emb to Subgrade	10 days	Wed 8/20/25	Wed 9/3/25																																
17		Pond Exc Touchup/Fine Grading	2 days	Thu 9/4/25	Fri 9/5/25																																
18		Storm Facility A & B & Road Excavatio	5 days	Fri 12/12/25	Thu 12/18/25																																
19		Spread Topsoil/Amend/Seed Project	15 days	Mon 9/29/25	Fri 10/17/25																																
20		Irrigation Install - Turf Areas	38 days	Mon 10/27/25	Fri 12/19/25																																
21		Irrigation Install - Parking	5 days	Fri 1/9/26	Thu 1/15/26																																
22		Irrigation Install - Frontage	20 days	Fri 2/6/26	Fri 3/6/26																																
23		Install Parking Furnishings	5 days	Wed 2/11/26	Wed 2/18/26																																
24		Touch Up Seed/Landscaping	5 days	Tue 3/24/26	Mon 3/30/26																																
25		Erosion Control	178 days	Thu 8/14/25	Fri 5/1/26																																
26		Initial Measures	5 days	Thu 8/14/25	Wed 8/20/25																																
27		Maintenance	145 days	Wed 10/1/25	Fri 5/1/26																																
28		Riprap & Rock Placement Pond/SWFC	12 days	Fri 1/23/26	Mon 1/26/26																																
29		Onsite Paths/Parking/Paving	142 days	Thu 8/28/25	Thu 3/26/26																																
30		Onsite: Agg Prep Pathways	10 days	Mon 9/8/25	Fri 9/19/25																																
31		Onsite: Agg Prep Pkg Lot	2 days	Thu 8/28/25	Fri 8/29/25																																
32		Onsite: Agg Prep Curbs	3 days	Fri 1/16/26	Wed 1/21/26																																

Project: Sander Estate Schedule
Date: Fri 11/7/25

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

External Milestone

Deadline

Progress

Manual Progress

Page 1

Chehalem Glenn Golf Course

Base Program

10/29/2025

Proshop	Area	Notes
Transaction counter	150	
Retail Shop	350	
Offices		
Golf Director	120	
Head Pro	120	
Proshop Total	740	

Food and Beverage		
Casual Dining	375	15 sf/diner X 25 diners
Private dining/meeting room	270	15 sf/person X 18 people
Food prep	250	
Service	100	Bussing, beverages, etc.
Fridge/Freeze/Store	250	
Dish washing	150	
F&B Total	1395	

Support		
Restrooms	350	One set with access from inside and out the back of the building
Storage - non F&B (custodial, retail stock)	200	Direct access to exterior for loading, ideally
Mechanical	150	
Support Total	700	

MAIN FLOOR AREA	2835

Cart Barn		
Storage/charging	2600	65 sf/cart X 40 carts
Maintenance	200	Cleaning is to be done outdoors just outside the cart barn entrance
Cart Barn Area	2800	

Exterior Spaces		
Covered Dining	450	15 sf/diner X 30 diners
uncovered Dining/lounging	300	Larger seating, gas fire pit, etc.
Parking	165 spaces	6 cars per hole, planned for 27 holes
Driving Range		No Change in base program
Event Pavillian	2400	Reuse the existing tent in a new location on a new concrete pad
Exterior Spaces	3150	

Parking	165 spaces	6 cars per hole, planned for 27 holes

ID	Task Name	Duration	Start	Finish	5	12	19	26	Nov '25	2	9	16	23	Dec '25	30	7	14	21	28	Jan '26	4	11	18	25	Feb '26	1	8	15	22	29	Apr '26
1	Kick-off meeting with CPRD	1 day	Wed 10/15/25	Wed 10/15/25																											
2																															
3	Pre-Design - Develop Program	22 days	Thu 10/16/25	Fri 11/14/25																											
4	Progress meeting with CPRD	0 days	Fri 11/7/25	Fri 11/7/25																											
5	Pre-Design - Document Site Conditions	35 days	Mon 10/20/25	Fri 12/5/25																											
6	Pre-Design - Zoning Analysis	35 days	Mon 10/20/25	Fri 12/5/25																											
7	Pre-Design - Develop Outreach Plan	35 days	Mon 10/27/25	Fri 12/12/25																											
8	Pre-Design - Economic Analysis, F&B	28 days	Mon 11/3/25	Wed 12/10/25																											
9	Pre-Design - CPRD Board Meeting (Staff update only)	1 day	Thu 12/4/25	Thu 12/4/25																											
10	Pre-Design - Citizen Advisory Committee (Early update?)	1 day	Mon 12/8/25	Mon 12/8/25																											
11	Pre-Design Deliverables - present to CPRD	0 days	Fri 12/12/25	Fri 12/12/25																											
12																															
13	Concept Design - Three option development	39 days	Mon 12/15/25	Thu 2/5/26																											
14	Concept Design - Economic analysis, full program	39 days	Mon 12/15/25	Thu 2/5/26																											
15	Concept Design - Develop Site Development Options	34 days	Mon 12/22/25	Thu 2/5/26																											
16	Concept Design - Prepare community engagement materials	5 days	Mon 1/5/26	Fri 1/9/26																											
17	Concept Design - Citizen Advisory Committee update With community invited to comment	1 day	Mon 1/12/26	Mon 1/12/26																											
18	Concept Design - CPRD Board Meeting update (First Thursday is New Years Day. Will the board meet in January?)	1 day	Thu 1/22/26	Thu 1/22/26																											
19	Concept Design - Community Engagement event, Venue and audience TBD (Could be the CAC Meeting?)	5 days	Mon 1/26/26	Fri 1/30/26																											
20	Concept Design - Early ROM cost feedback	10 days	Mon 12/29/25	Fri 1/9/26																											
21	Concept Design - Review draft options with pricing feedback to CPRD	0 days	Tue 1/13/26	Tue 1/13/26																											
22	Concept Design - Final round of cost estimating	11 days	Wed 1/14/26	Wed 1/28/26																											
23	Concept Design Deliverables - Present to CPRD	1 day	Fri 2/6/26	Fri 2/6/26																											
24																															
25	Design Development - Land use pre-app meeting	1 day	Thu 2/12/26	Thu 2/12/26																											
26	Design Development - Develop sustainability strategy	18 days	Mon 2/2/26	Wed 2/25/26																											
27	Design Development - Citizen Advisory Committee meeting	1 day	Mon 2/9/26	Mon 2/9/26																											
28	Design Development - Advance preferred option to 30% DD	18 days	Mon 2/9/26	Wed 3/4/26																											
29	Design Development - Review development with CPRD	0 days	Fri 2/13/26	Fri 2/13/26																											
30	Design Development - Cost estimating of 30% DD design	10 days	Mon 2/16/26	Fri 2/27/26																											
31	Design Development - Economic analysis of 30% DD scheme	10 days	Mon 2/16/26	Fri 2/27/26																											
32	30% Design Development (Board Meeting)	0 days	Fri 2/27/26	Fri 2/27/26																											
33	Present to CPRD Board	0 days	Thu 3/26/26	Thu 3/26/26																											
34																															
35																															
36																															
37																															
38																															
39																															
40																															
41																															
42																															
43																															
44																															
45																															

Project: CGGC Study Developm Date: Wed 11/26/25	Task Split Milestone	Summary Project Summary Inactive Task	Inactive Milestone Inactive Summary Manual Task	Duration-only Manual Summary Rollup Manual Summary	Start-only Finish-only External Tasks	External Milestone Deadline Progress	Manual Progress

Staff Reports

RECEPTION DESK REPORT

BY BECKY DREY



Date: Month of October 2025

Approximate number of customers during the month:

- Total for the month: 15,634 visits

Facility Rentals:

We've got several holiday parties and Senior Center rentals booked; we are working with Bryan and Josh to get the Community Center ready for future rentals.

Common Questions or Concerns from the Public:

- When are the No-School Public Swims scheduled?
- How do I register for basketball?"

Technology, Software or Equipment:

- No issues to report at this time.

Staffing Updates:

- We're launching an 'Employee of the Month' program at the Front Desk team to recognize staff who go above and beyond their regular duties. We're currently brainstorming ideas for meaningful ways to show appreciation.



Chehalem Aquatic and Fitness Center Reception Team Update!

Staff at the Registration Desk are now wearing new apparel. The new look enhances visibility and creates a consistent, welcoming appearance for front-line employees. This update reflects CPRD's continued commitment to professionalism, customer service excellence and a positive first impression for patrons.

Parks Summary

October - November

Oct 11- Nov 7

Park Name	Hours worked
Armory	17.25
Admin	48.75
Blaine St House / Waterwise	1.50
Billick Park	134.00
Brillas	14.50
Buckley	18.25
CAFC	106.75
Cultural Center	13.00
College	16.75
Community Center	7.00
Crabtree	4.25
Crater Ballfields / Field	96.50
Dundee	42.00
Elliott Road	
Ewing Young /Dog Park	12.75
Ewing Young Trail	13.50
Facilities Shop (Armory)	26.00
Falcon Crest Park	6.00
Fortune Park	7.75
Friends Park	82.75
Tom Gail Park	39.25
Gettman Trail	5.00
Gladys Park	19.50
Chehalem Glenn G.C.	950.81
Herbert Hoover Park	26.00
Jaquith Park	40.75
Jaquith Ball Fields	47.75
Memorial/Scout House	29.50
Oak Knoll Park	1.75
Dundee Overlook	1.25
Park Shop	56.75
PCC	31.25
Pool Park	68.25
Pride Gas	1.00
Renne Fields	11.50
Rilee Park	299.50
Rotary Park	40.00
Sander Park	9.00
Schaad Park	13.00
Scott Leavitt Park	6.50
Senior Center	266.00
Spring Meadow	15.25
Waste Mngt	157.15
White Oak	5.00
vacation/holiday/sick/comp	162.00

Parks Summary

October - November

Oct 11- Nov 7

Wilsonville Property	293.25
11th st Dundee	2.50
219 Spot	3.50
99W blvd	
Misc. Locations	32.75
<u>Total</u>	3304.96

Park's Activities

October – November 2025

Major Parks and Facilities cleanup LEAVES!!!!!!

Trails cleanup, grooming, big push on the East side of Bob & Crystal Rilee Park with added drainage and mulch. Park remains open to Equestrians and Hikers at this writing thanks to these inputs.

Facilities repairs – CAFC - Fan replacement on Aermec Chiller #1 & Chiller #3 cost \$11,534.00 each

Chehalem Cultural Center – Replace Fire Alarm Control Panel – cost \$8080.00

Flooring and Painting repairs and replacing project at the Senior Center

Playground equipment repairs and reinstall at Tom Gayle and Friends Park

CPRD staff Fell, Delivered, and Decorated our City's Christmas tree and also lit up the Chehalem Cultural Center with Holiday lights for our Community's enjoyment.



DATE: October 2025 Activity Report

-Newberg High School Aquatics 2 class looks like it is a go at the high school for the second trimester. This class will teach the students how to teach swim lessons. The grade schools in the Newberg school district have been contacted to see if they want to have their 4th graders participate in free swim lessons so the high school students have kids to teach swim lessons to. This is another way we can help make sure kids are learning how to swim so we do not have drowning accidents.



-Put together all of our No School public swim dates for this school year. These public swims take place during the day from 12:15 pm – 1:30 pm on days that NHS students are off school. They are very popular!



-Saturday, October 25 we held a special Halloween Zumba class for kids and parents in our gym. About 9 families joined in.

-We had 8 private pool rentals in the month of October

-Total numbers for the month of October, 5,386 patrons came through just the pool side of the facility for October.

-CST held their Harvest Open meet October 17 - 19

-GFU swim team practiced all month of October and held a home meet on October 11

-NHS Polo held 5 home games in the month of October

-Special Olympics is practicing every Sunday getting ready for their big meet on Nov. 8, which we are hosting.





DATE: 11/13/2025

Our fall sports season is coming to a close, with Tackle Football, Flag Football, Volleyball, and Little Big Kicks all finishing up this month. Soccer has one final week remaining before its conclusion.

Tackle Football

- Both our JV and Varsity teams advanced to the playoffs this season—an exciting achievement for our athletes and coaches.
- Newberg was honored as one of only 4 host sites (out of 60 associations) for the TVYFL playoff championships, reflecting the strength of our program and facility partnerships.



Flag Football

- Two teams had the special opportunity to attend a George Fox University football practice, where they played on the collegiate field and met GFU players—an inspiring experience for our youth athletes.

Volleyball

- The season wrapped up with an intramural scrimmage, a team pizza party, and attendance at George Fox University's Youth Night—an energizing and community-building finale.



Winter Season Kickoff

Travel Basketball

- Tryouts were held in mid-October and drew strong participation, with over 150 athletes across both boys' and girls' divisions.
- We successfully formed 10 travel teams this season, spanning grades 4 through 8.
- Practices and tournaments are set to begin in November.



Recreation Basketball

- Both Junior Tiger and Little Registration are open for ~~422~~ enrollment.



October Activity Report 2025

Youth Gymnastics

October marked continued stabilization of the school-year gymnastics schedule. After navigating instructor transitions earlier in the fall, staff traction improved significantly with the onboarding and training of two new instructors who joined the team this month. Their addition supported expanded class coverage and helped reinforce consistency for families.

Enrollment rose to 61 participants in October, an increase from September's numbers and a strong indicator that families are adapting well to the revised class times and staffing structure.

Community School Programs

CPRD's after-school music programs continued to gain momentum throughout October, reaching a combined enrollment of 71 students across Choir and Musical Storytelling offerings. These programs remain a core part of our Community School initiative, providing accessible enrichment opportunities at multiple elementary sites and strengthening partnerships with district staff and families.

Youth Cheer Program Update

October was another major growth month for Newberg Youth Cheer. The fall sideline season remained strong with 28 athletes participating, and practices were originally scheduled to conclude on October 30. In response to coach and family feedback, the schedule was extended by two additional weeks to help the team prepare for their first-ever family showcase on November 16.

Uniform fee collection began in October and remains an active part of our administrative workload as we guide families through their payments. Planning also continued for the upcoming Winter Cheer program, which will launch in January and build on the momentum of the fall season.

Camps and Enrichment Activities

In October, CPRD delivered a Minecraft Education activity at one of our full-day childcare locations. These enrichment sessions give students structured opportunities to collaborate, develop digital problem-solving skills, and engage in creative world-building during out-of-school hours.

Facility Rentals and Special Events

The Armory maintained steady activity in October, hosting four birthday party packages and the annual Soroptimist Soup Competition. These events provided consistent rental revenue and highlighted the flexibility of the space for both private celebrations and nonprofit gatherings.

The CPRD District Office also welcomed community partners this month. The VFW hosted a Chamber Greeters meeting on October 3, and later in the month FISH Emergency Services held a volunteer appreciation dinner. Both events strengthened community ties and demonstrated the district's support for local service organizations.

Respectfully submitted by: Matthew Compton



Department 455 School-Aged Childcare

OCTOBER 2025 Activity Report

October began with steady program operations across all six sites. Enrollment numbers continued to grow following the back-to-school adjustment period in September, with families settling into their routines and new children joining the program. Staff focused on reinforcing site expectations, building strong relationships with children, and supporting a smooth transition into the fall schedule.

***OCTOBER ENROLLMENT*:**

Dundee: 16	Joan Austin: 21
Ewing Young: 10	Mabel Rush: 19
Crater: 15	Edwards: 20

DAILY:

Collectively, all sites maintained an average daily attendance of 100 children out of 199 registered.

By the end of the month, enrolment had increased at all sites.

PROGRAM HIGHLIGHTS:

Staff focused on creating engaging, hands-on activities. Children enjoyed themed projects centered around fall, the arts, and teamwork-building games. Childcare staff continue to go above and beyond in delivering an enrichment-based program rather than traditional daycare. Team members have also taken initiative in building stronger relationships with families, maintaining consistent communication about each child's growth and experiences.



DATE: October 2025

October seemed to fly by very quickly at the golf course! After the greens and tee boxes are aerated in the Fall, play usually drops off some as the greens heal back up. Aeration is a pretty invasive operation, but a necessary one to keep the turf conditions as good as possible.

Our final 2 full shotgun tournaments of 2025 were held in October. The Newberg Youth Baseball Fundraiser and a Veritas School Fundraiser were both successful events, and the weather cooperated for the most part!

Most of the weekends were rainy this October, which is when we typically are the busiest. That definitely shows in rounds played this October compared to October 2024.

October Rounds 2024- 3934

October Rounds 2025- 3017

Correspondence

Subject: Public Comment re: Ewing Young Park Neighbors Flyer
Date: Friday, November 7, 2025 at 10:57:24 AM Pacific Standard Time
From: Clay Downing
To: Kat Ricker
CC: (null) ed9875
Attachments: EYP Info Sheet.pdf

BCC sent to CPRD Board of Directors

Good morning Kat,

Please add the email from Ed Fredenburg - below my signature - and attached flyer to the upcoming agenda under *Correspondence*. Additionally, I have included all Board members on this email via BCC for awareness of the flyer used in outreach for the open house and EYP Bridge Project as well as Mr. Fredenburg's comments on the item.

Thank you,

Clay

--

Clay Downing, AICP
Superintendent
Chehalem Park & Recreation District
125 S. Elliott Road
Newberg, OR 97132
971.281.1444 cprdnewberg | [Instagram](#) | [Facebook](#)

From: (null) ed9875 <ed9875@frontier.com>
Sent: Thursday, November 6, 2025 7:59 PM
To: Clay Downing <cdowning@cprdnewberg.org>
Cc: Jim McMaster <jmcmaster@board.cprdnewberg.org>; Jason Fields <jfields@board.cprdnewberg.org>
Subject: Ewing Young Park Neighbors Flyer

The “Next Steps” statement under “Milestones and Next Steps” is not accurate. No “changes to Yamhill County regulations” are needed to allow installation of the bridge. YCZO 501 applicable to zone AF-10 includes “park” (501.02 E) and “accessory uses” (501.02 H) as Permitted Uses. According to YCZO 202, Definitions, the proposed footbridge is allowed under the YCZO definition of Accessory Use, i.e., “A use which is incidental and secondary to the principal use on the same parcel” which, in this case, is the Ewing Young Park. Yamhill County’s denial of CPRD’s permit application in 2023 to construct the footbridge is based at worst on a bogus misrepresentation or at best an honest misunderstanding of the applicability of LUBA No. 2018-061.

Sent from my iPhone

CHEHALEM PARK & RECREATION DISTRICT

PUBLIC OPEN HOUSES ON DEVELOPMENT PROJECTS NOVEMBER 19 & 20



YOU ARE INVITED!

COMMUNITY OPEN HOUSE EVENTS HOSTED BY CHEHALEM PARK & RECREATION DISTRICT

Join your neighbors to discuss parks, recreation, and upcoming projects related to Ewing Young Park, Renne Field, and Places for Bikes

Chehalem Park & Recreation District (CPRD) — a special district serving Newberg, Dundee and surrounding areas — is holding a pair of community open house events to share information and engage the public in discussion on the state of parks and programs, recent community survey results, and three priority projects involving Renne Field, the Ewing Young Bridge Project, and creating opportunities for recreational mountain biking.

In-Person Open House

Wednesday, November 19th
Occurring 5 p.m. to 7 p.m.
Administration Office
125 S. Elliott Road, Newberg

Virtual Open House

Thursday, November 20th
Occurring 4 p.m. to 6 p.m.
Hosted on Zoom

These structured but informal informational events will welcome attendees to participate in general discussion as well as provide will breakout discussion on priority projects hosted by staff members ready to answer your questions and listen to your comments.

Anyone who is interested in learning about these projects and being part of the public discussion is encouraged to attend. Information provided at the events will be the same, it is not necessary to attend both events.

WANT MORE DETAILS?

Open House Event
Details Available
Online At
cprd.us/OpenH

Find more info for the
Renne Field Project
cprd.us/Renne

Find more info for the
Ewing Young Park
Project at
cprd.us/QRewing



EWING YOUNG PARK NEIGHBORS

CHEHALEM PARK & RECREATION DISTRICT SEEKS TO COMPLETE EWING YOUNG BRIDGE PROJECT

What would the Ewing Young Bridge Project do?

CPRD's Ewing Young Bridge Project seeks to build a bridge across Chehalem Creek to create new access 11 acres of undeveloped and inaccessible park land located on the west side of Chehalem Creek. Once completed, the project would create an additional .55-mile of trail, expand the park's disc golf course, and provide access for maintenance, emergency, and other recreation purposes.



Milestones & Next Steps

Past: In 2018, CPRD completed a Ewing Young Park Master Plan in. In early 2023, the Ewing Young Bridge Project was approved by the City of Newberg, but denied by Yamhill County.

Currently: CPRD is seeking public input on the project.

Next Steps: CPRD seek and consider public input before requesting changes to Yamhill County regulations to allow the installation of a bridge within Ewing Young Park.

Who shared this flyer with me? Who can I talk to?

Jim McMaster
CPRD Board President
jmcmaster@board.cprdnewberg.org

Jason Fields
CPRD Board of Directors
jfields@board.cprdnewberg.org

To have your comments included for the Ewing Young Bridge Project, please attend an upcoming CPRD-hosted Open House on November 19th or 20th, or send comments to Clay Downing, Superintendent, at cdowning@cpdnewberg.org.