

Crooked River Watershed Council- Procurement Guidance

Preamble:

The Crooked River Watershed Council (CRWC), a non-governmental, non-profit organization, procures services, supplies, and specific work under agreements or formal contracts. The Council establishes guidance for staff to efficiently and consistently procure such services, items, and contracted work. This procurement guidance will be followed unless the Board selects an alternative approach. The Board reserves the right to change any section herein on a case-by-case basis by taking formal action with at least a quorum of board members present. Such direction shall be for specific situations only.

1. Purpose

The purpose of this guidance document is to ensure that the CRWC's procurement activities result in a fair, transparent, and time-efficient process. When possible, the CRWC seeks to secure goods and services from providers located within the Crooked River watershed.

This policy does not apply to landowner projects where the landowner has selected the contractor or will complete the work himself and has indicated this preference to the CRWC prior to the start of the work.

2. Definitions

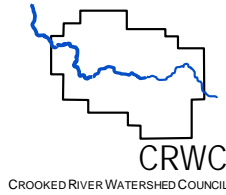
2.1. CRWC Contracting Committee: Comprised of CRWC board members, Coordinator, and other appropriate parties invited to add expertise, or because they are funding partners.

2.2. Professional Services: Contracting with private professional service consultants (*such as*: engineers, restoration biologists, landscape architects, watershed scientists, and others) to provide analysis and interpretation typically culminating in a project design or analytical report, or both.

2.3. Construction & Implementation: Contracting with construction or implementation crews (*such as*: heavy equipment, labor crews, planting crews, or other implementation services) to assist in the implementation of a project.

2.4. Supplies, Materials, & Equipment: The acquisition of supplies, materials or equipment (*such as*: plants, rock, whole trees, tools, computers, vehicles, software, etc.) for implementation of projects or the operations of the CRWC.

2.5. Emergency (or emergency situation): Conditions at a project site that create imminent threat to public safety, public health, or otherwise undermine the stability of a project or project component such that previous financial investment is at risk applying an *investment:emergency* ratio of 10:1 or wider.



2.6. Coordinator: Person who holds the position of 'Coordinator' of the CRWC and is responsible for negotiating and signing all contracts, and for providing monthly information to the CRWC Board of all awarded contracts with project, contractor name, amount of contract.

2.7. Board: Governing body of the CRWC as described in the organizational charter, exercising all rights and authorities so assigned.

2.8. Design Build: Term used to describe an approach that combines design work and construction into one process and contract. The designer also builds or subcontracts to build the project.

2.9. Scope of work: may include work products, schedules, evaluation criteria, desired outcomes and other details.

2.10. Advertisement: may include "Central Oregonian", and other appropriate media for specific projects such as websites, regional or state newspapers.

3. Professional Services Procurement

Staff, with contracting committee, shall use the following procedures when obtaining Professional Services:

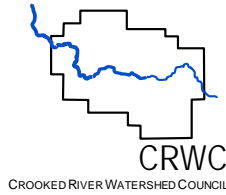
3.1. The Coordinator, or designee, at minimum, shall submit a general advertisement to solicit Statement of Qualifications from Professional Service contractors to fulfill design or technical assistance needs.

3.2. Contracts involving an anticipated fee of \$10,000 or less per year: Staff may negotiate a contract with any qualified contractor after review and approval by the contracting committee.

3.3. Contracts involving an anticipated fee of greater than \$10,000 but less than \$20,000: Staff shall solicit at least two prospective contractors who meet the minimum contract requirements after review and approval by the contracting committee.

a. Staff shall provide each prospective contractor with a Scope of Work and determine the prospective contractors interest and ability to perform the proposed assignment.

b. Staff shall request a Statement of Qualifications, fee schedule and project estimate of their services from the interested prospective contractors to be reviewed by appropriate staff, the contracting committee and, if applicable, project partners.



c. Following a review of the qualifications of the interested prospective contractors, the contracting committee and appropriate staff may select the prospective contractor and negotiate a Professional Services Contract.

3.4. Contracts involving an anticipated fee greater than \$20,000: Staff will solicit at least two prospective contractors who meet the minimum contract requirements

a. Staff will provide each prospective contractor with a Scope of Work to determine the prospective contractors interest and ability to perform the proposed assignment.

b. Staff will arrange for proposals from the interested prospective contractors to be reviewed by the contracting committee, applicable staff, and appropriate project partner (if applicable).

c. Following a review of the proposals and an interview with the interested prospective contractors, the contracting committee and other appropriate parties will select the prospective contractor and staff will negotiate a Professional Services Contract.

3.5. For any professional service contract, staff has the option of recommending a design build contracting arrangement to the contracting committee. If approved, a design build contract will be executed with the selected contractor.

4. Construction / Implementation Procurement

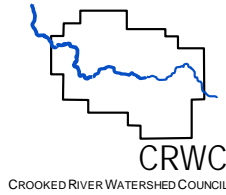
Staff will use the following procedures when procuring Construction/Implementation Services:

4.1. The Coordinator, or designee, will advertise to invite construction contractors to provide bids as required by his guidance.

4.2. For anticipated contracts of \$30,000 or less per year, Staff may negotiate a contract with any qualified contractor selected by the Staff and approved by the contracting committee.

4.3. Contracts involving an anticipated fee of greater than \$30,000/project will be subject to a competitive bid process.

a. Staff will prepare a Request for Quote and Qualifications outlining the needs of the project, schedule, evaluation criteria, and other necessary details. The Request for Quote and Qualifications will be made available to prospective contractors once approved by the contracting committee.



- b. Invite all contractors who have requested a bid packet to a site visit that will be scheduled and conducted on one date for all interested contractors at least two weeks before the date bids are to be submitted and opened.
- c. Bids and Qualifications shall be received and reviewed by staff per the evaluation criteria.
- d. The contracting committee will assist with review of these bids.
- e. Following a review, the contracting committee will award the bid and direct staff to negotiate a Construction/Implementation Contract.

5. Supplies / Materials / Equipment Procurement

Staff shall use the following procedures when procuring supplies, materials, or equipment:

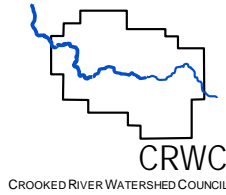
5.1. Procurement of supplies, materials or equipment valued at greater than \$20,000/ contract or item will require a minimum of two price quotes. If two price quotes cannot be obtained, Staff will record this fact and proceed with negotiating a purchase.

- a. Quotes will be reviewed by staff. Staff will select the vendor that provides the best value for the CRWC, taking into account price and other applicable factors such as quality, brand or availability.
- b. Staff will negotiate the details of the procurement contract with the selected supplier.
- c. Final award of such contracts must be approved by the contracting committee.

6. Sole Source Contracts

6.1. Sole source contracts of greater than \$10,000 (Professional Services), \$30,000 (Construction/Implementation) or \$20,000 (Supplies/Materials/Equipment) are allowed only under all the following circumstances:

- a. Multiple suppliers and contractors who meet the minimum qualifications for the contract are not available;
- b. Staff prepares a written record of the decision that is retained in the project file; and
- c. Final selection is approved by the contracting committee.



6.2. Prior to the award of a sole source contract to a CRWC board member, the Coordinator, or designee, shall notify the board of the proposed contract. If 25% or more of the board members object to the contract, the contract will be brought to the full board for discussion and action.

7. Contract Review Board

The Executive Committee and contracting committee shall serve together as the Contract Review Board for any disputed contracts.

8. Exceptions

Exceptions to this policy may be granted by the Board on a case-by-case basis.

9. Emergency Clause

When an emergency situation applies due to public safety hazards, threats to human health, or the probability of investment loss, the staff will request an emergency meeting of the Contracting Committee to assess the situation. If the committee finds that an emergency situation is present, the committee will award work to any contractor of their choosing as long as the total contracted amount is less than \$20,000.