

ORDINANCE NO. 1344-12

AN ORDINANCE AMENDING QUALIFIED POOLS USED IN THE CITY OF TUALATIN'S PUBLIC CONTRACTING RULES; EXTENDING THE EFFECTIVE TERM FROM ONE YEAR TO TWO YEARS; AND AMENDING TMC 1-21-120

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC 1-21-120 is amended to read as follows:

The City may use the following procedure for informal solicitations in lieu of the procedures set forth in the Model Rules.

(1) Informally Solicited Quotes and Proposals.

(a) When authorized by this chapter, an informal solicitation may be made by general or limited advertisement to a certain group of vendors, by direct inquiry to persons selected by the Solicitation Agent, or in any other manner which the Solicitation Agent deems suitable for obtaining competitive quotes or proposals. The Solicitation Agent shall deliver or otherwise make available to potential offerors a written scope of work, a description of how quotes or proposals are to be submitted and description of the criteria for award.

(b) The Solicitation Agent shall attempt to obtain a minimum of three written quotes or proposals before making an award. If the award is made solely on the basis of price, the Solicitation Agent shall award the contract to the responsible offeror that submits the lowest responsive quote. If the award is based on criteria other than, or in addition to, price, the Solicitation Agent shall award the contract to the responsible offeror that will best serve the interest of the City, based on the criteria for award.

(c) A written record of all persons solicited and offers received shall be maintained. If three offers cannot be obtained, a lesser number will suffice, provided that a written record is made of the effort to obtain the quotes.

(2) Qualified Pools.

(a) To create a qualified pool, the Purchasing Manager or City Council may invite prospective contractors to submit their qualifications to the City for inclusion as participants in a pool of contractors qualified to provide certain types of goods, services, or projects including personal services, and public improvements.

(b) The invitation to participate in a qualified pool shall be advertised in the manner provided for advertisements of invitations to bid and requests for proposals by publication in at least one newspaper of general statewide circulation. If qualification will

be for a term that exceeds ~~one year~~ two years or allows open entry on a continuous basis, the invitation to participate in the pool must be re-published at least once per every two years and shall be posted at on the City's ~~main office and on its website~~.

(c) Requests for participation in a qualified pool shall describe the scope of goods or services or projects for which the pool will be maintained and the minimum qualifications for participation in the pool which may include, but shall not be limited to, qualifications related to financial stability, contracts with manufacturers or distributors, certification as an emerging small business, insurance, licensure, education, training, experience and demonstrated skills of key personnel, access to equipment, and other relevant qualifications that are important to the contracting needs of the City.

(d) The operation of each qualified pool may be governed by the provisions of a pool contract to which the City and all pool participants are parties. The Contract shall contain all terms required by the City including, without limitation, terms related to price, performance, business registration or licensure, continuing education, insurance, and requirements for the submission on an annual or other periodic basis of evidence of continuing qualification. The qualified pool contract shall describe the selection procedures that the City may use to issue contract job orders. The selection procedures shall be objective and open to all pool participants and afford all participants the opportunity to compete for or receive job awards. Unless expressly provided in the contract, participation in a qualified pool will not entitle a participant to the award of any City contract.

(e) Subject to this chapter concerning methods of solicitation for classes of contracts, the Solicitation Agent or City Council shall award all contracts for goods or services of the type for which a qualified pool is created from among the pool's participants, unless the Solicitation Agent or City Council determines that best interests of the City require solicitation by public advertisement, in which case pool participants shall be notified of the solicitation and invited to submit competitive proposals.

(f) The Purchasing Manager or City Council may discontinue a qualified pool at any time, or may change the requirements for eligibility as a participant in the pool at any time, by giving notice to all participants in the qualified pool.

(g) The Purchasing Manager shall notify any applicant who fails to qualify for participation in a pool that it may appeal a qualified pool decision to the City Council in the manner described in these rules.

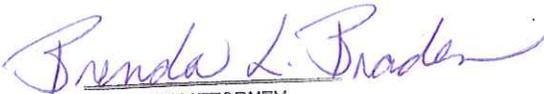
INTRODUCED AND ADOPTED this 14th Day of May, 2012.

CITY OF TUALATIN, OREGON

BY   
Mayor

ATTEST:  
BY   
City Recorder

APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY