

REVISED AGENDA
COOS COUNTY BOARD OF COMMISSIONERS
Owen Building Large Conference Room
January 2, 2019
8:30 A.M.

1. **EXECUTIVE SESSION under the authority of ORS 192.660**

- A. (2)(e) Real Property Transactions
- B. (2)(f) Records or Information Exempt from Public Inspection
- C. (2)(h) Consultation with Counsel

PLEDGE OF ALLEGIANCE

2. **CITIZEN COMMENTS (agenda items or general comments) – limited to 3 minutes per person-
scheduled to begin at 9:30 AM**

3. **DEPARTMENT HEADS**

- A. Request Approval of Service Contract Amendments with the Following Providers: Syd Wiesel, Judith Anderson, Coastal Center, Susan Chappellear, Johanna Curelo, Erin Spier & Christian Counseling- Coos Health & Wellness (CHW)
- B. Request Approval of Inspections Services Contracts with Coquille Indian Tribe- CHW
- C. Request Approval to Hire at Step 3- CHW
- D. Request Approval of Contract with Aggregate Resource Industries & Adopt Sole Source Findings- Road
- E. Request Approval to Purchase Long Range Acoustic Device- Sheriff
- F. Request Acceptance of EMPG Grant & Authorize Chair to Sign- Sheriff
- G. Request Approval of Temp Services Contract with Cardinal Services- Human Resources (HR)
- H. Request Approval of Revised Job Descriptions/Post & Fill Building Maintenance Director Position- HR
- I. Request Approval of Room Use Application & Agreement- Counsel
- J. Discussion re: Potential Transportation District Formation- Counsel
- K. Swearing In of Elected Officials

4. **CONSENT CALENDAR- administrative matters not up for discussion**

- A. **Approval of Minutes**
Executive Session (2)(e)(h)- November 20, 2018
Regular Meeting Minutes- December 17, 2018
- B. **Ratification of All Routine Expenditures, Tax Overpayments and Adjustments and Transfer of Funds Within the Budget**
Transfer of Appropriation Within Department- Fleet Services- overtime
Transfer of Appropriation Within Department- Road- equipment
- C. **Orders & Resolutions**
Resolution 18-12-222P, In the Matter of a Merit Step Increase for Mike Crim Retroactive to December 1, 2018
Resolution 18-12-223P, In the Matter of Granting Salary Merit Step Increases for Various Coos County Employees Retroactive to December 1, 2018

This agenda does not limit the ability of the Commissioners to consider additional subjects. The Board reserves the right to place a time limit on public testimony on any matter. The meeting place is handicapped accessible; if special accommodation is needed, please contact the office at least 24 prior to the meeting.

Resolution 18-12-224P, In the Matter of Classifying and Placement of Various Employees on the Regular Coos County Payroll Effective Their Hire Date
Resolution 18-12-225P, In the Matter of a Longevity Increase for Mike Crim Effective January 1, 2019
Resolution 18-12-226P, In the Matter of a Longevity Increase for Debbie James Effective January 1, 2019
Resolution 18-12-227P, In the Matter of a Merit Step Increase for Kelsey Orr Effective January 1, 2019

D. Items Previously Approved (authorize Chair to sign where necessary)

Contract with His Hands Adult Care- CHW- client services
Contract Amendment with Omlid & Swinney- CHW- inspections/testing
Agreement with Wardrobe Cleaners- CHW- HIPAA requirement
Agreement with Signature Building Services- CHW- HIPAA requirement
Contract Renewal with Western Exterminator Co.- Maintenance- pest control
Contract/Sole Source Findings with Carlson Tensing Inc.- Counsel- EOC testing/inspections
Contract with Right of Way Associates Inc.- Counsel- pipeline right-of-way

5. LATE AGENDA ITEMS

A. Request Approval of Resolution Adopting Changes to Chapter 10 of County Rules- Counsel

B. Request Approval of Lease Agreement with Coos County Fair Alliance- Counsel

6. COMMISSIONERS REPORTS

BOC only: _____
Consent Agenda _____
Regular Agenda _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: Amending Chapter 10 of the Coos County Rules

Department: Counsel

Requested Agenda Date: 1/02/19

Contact Person: Nathaniel Johnson

Phone/Ext.: 7690

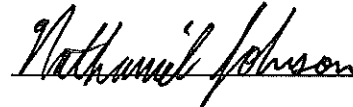
Background and description of need or problem: The federal grant procurement rules found in 2 CFR 200 have been changed. Micro procurements are now defined as purchases under \$10,000, as opposed to purchases under \$3,500. Chapter 10, Divisions 100, 200, and 600 of the County Rules have been updated to reflect this change.

Funding Source: n/a

Requested Action: Approve resolution 18-12-228L adopting changes to Chapter 10, Divisions 100, 200, and 600 of the Coos County Rules.

Date:

Signature of Dept. Head:



If this is a Human Resources issue, forward to the Treasurer who will forward it to Human Resources. For all other matters, forward the document to Counsel no later than the Monday prior to the Agenda deadline. Counsel will forward to Treasurer.

If this is a contract or grant:

- Is the contract or grant an original?
- Is the Contract/Grant Summary Form attached?
- Is the contract signed first by the vendor (except state/federal grants or contracts)?
- If insurance is required, is the insurance certificate attached?
- Is the Clerk's Coversheet attached or do you want it returned to you for filing?

Departments Affected:

COUNSEL: NO

TREASURER: 

1 BOARD OF COMMISSIONERS

2 COUNTY OF COOS

3 STATE OF OREGON

4 In the Matter of Amending Coos County Rules) RESOLUTION
5 Chapter 10 - Divisions 100, 200, and 600) 18-12-228L
6)

7 NOW BEFORE THE Board of Commissioners sitting for the transaction of County
8 business on the 2nd day of January, 2019, is the matter of amending the Coos County
9 Rules;

10 WHEREAS, Chapter 10, Divisions 100, 200, and 600 of the Coos County Rules need
11 to be updated to match the new rules for micro procurements under the federal grant
12 guidance found in 2 CFR 200;

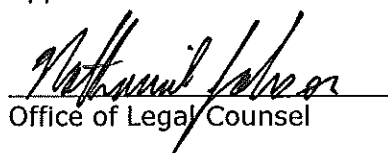
13 WHEREAS, Chapter 10 has been revised to reflect the procurement changes in 2 CFR
14 200;

15 NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Commissioners hereby
16 amends Coos County Rules Chapter 10, Divisions 100, 200, and 600 as specified in Exhibit
17 "A", attached hereto and incorporated herein by this reference.

18 Dated this _____ day of _____, 2019.

19 BOARD OF COMMISSIONERS

20 Approved as to form:

21 
22 Office of Legal Counsel

Chair

Commissioner

Commissioner

DIVISION 100 - PROCUREMENT CONTRACTS FOR GOODS AND SERVICES**GENERALLY; EXCEPTIONS****10.100 General Procurement Contracts; Exceptions**

Except as permitted by ORS 279B.065 through 279B.085, ORS 279A.200 through 279A.225, and those Contracts exempt under the Rules in this Chapter, all Contracts for the purchase of Goods and Services, not including personal services, shall be based on either Competitive Sealed Proposals or Competitive Sealed Bidding.

10.105 Small Procurement Contracts Not to Exceed \$10,000

- (1) The County may award a Public Contract without Competitive Process for Goods or Services that do not exceed \$10,000. ~~However, for Procurements using Federal grant funds, the County may only award a Public Contract without Competitive Process for Goods and Services that do not exceed \$3,500 (see CR 10.620).~~
- (2) A Procurement may not be artificially divided or fragmented so as to constitute a Small Procurement under this section.

10.106 Intermediate Procurement Contracts Not to Exceed \$50,000

- (1) The County may award a Public Contract without Competitive Sealed Bidding or Competitive Sealed Proposals for the procurement of Goods and Services that do not exceed \$50,000.
- (2) A Procurement may not be artificially divided or fragmented so as to constitute an Intermediate Procurement under this section.
- (3) The County shall seek Quotes from prospective contractors as follows:
 - (a) **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.
 - (b) **Request for Quotes.** Prior to the solicitation of a Quote, the County shall determine the specifications of the Good or Service and shall maintain written documentation of the specifications. The County shall utilize written requests for Quotes whenever reasonably practicable. The County must describe substantially the same specifications to each of the prospective contractors. Written request 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.
 - (c) **Number of Quotes; Record Required.** The County shall seek at least three 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.

- (2) The Proposals submitted by the Competitive Sealed Proposal process may be evaluated by one of the following methods to be determined by the County on an individual project basis:
- (a) Negotiation with the highest ranked Proposer;
 - (b) Discussions leading to best and final offers as set forth in CR10.141;
 - (c) Serial negotiations, beginning with the highest ranked Proposer, as set forth in CR 10.141;
 - (d) Competitive simultaneous negotiations, as set forth in CR 10.141; or
 - (e) A Multistep Sealed Proposals, as set forth in CR 10.142.
- (3) The County shall select and award all Personal Services Contracts by the Competitive Sealed Proposal process set forth in ORS 279B.060, except as follows:
- (a) The County may purchase Personal Services without Competitive Process if the estimated fee is less than \$10,000. ~~However, for purchases using Federal grant funds, the County may only purchase Personal Services without Competitive Process if the estimated fee is less than \$3,500 (see CR 10.620(1)).~~
 - (b) The County may purchase Personal Services using the Informal Selection Procedure in CR 10.230 if the estimated fee is less than \$50,000;
 - (c) The County may choose to use the Informal Selection Procedure in CR 10.230 for up to \$150,000 upon written approval by the Board.
 - (d) The County may purchase Personal Services without Competitive Process when the County declares that Emergency circumstances exist as defined by ORS279A.010(1)(f). This declaration shall be by a written declaration that describes the circumstances creating the Emergency, and the anticipated harm from failure to enter into an Emergency Contract;
 - (e) The County may purchase hospitalization, medical, behavioral health or dental services without Competitive Process;
 - (f) The County may purchase software and hardware maintenance services without Competitive Process;
 - (g) The County may purchase litigation and legal services Contracts without Competitive Process, which includes attorneys, court reporters, expert witnesses, arbitrators, mediators, trial consultants, or investigators, upon approval by the Board;
 - (h) The County may purchase grant writing services without the Competitive Process;
 - (i) The County may purchase research services without the Competitive Process; and
 - (j) The County may purchase architect, engineer or land surveyor services without the Competitive Process if the project described in the contract consists of work that has been substantially studied or rendered in an earlier contract and the new contract is a continuation of that project.

10.620 Procurement Methods

When using Federal funds, the County must use the Procurement methods specified in this Division, which mirror those specified in the Uniform Guidance at 2 CFR 200.320. The complete requirements for Procurements, including Competitive Sealed Bidding, Competitive Sealed Proposals, and all other Competitive Processes are fully detailed elsewhere in Chapter 10, and those provisions should be read in conjunction with any additional processes required by this Division. Where the dollar values provided in this Division conflict with any other portion of the County Rules, the lower value shall be used in order to determine the proper Procurement method.

- (1) **Procurement by Micro-Purchases.** Procurement by micro-purchase is any Procurement of Goods or Services, the aggregate dollar amount of which does not exceed ~~\$10,000~~3,500. Micro-purchases subject to this Division do not require Competitive Process. ~~This is a deviation from all other Procurements under the Coos County Rules, which do not generally require Competitive Process under the \$10,000 threshold. To the extent possible, the County must distribute micro-purchases equitably among qualified suppliers.~~
- (2) **Procurement by Small Purchase Procedures.** Small purchase procedures are those relatively simple and informal Procurement methods that may be used for Procurements in an amount not to exceed \$150,000. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources. Depending on the nature of a Procurement, the following Procurement methods will satisfy the requirements of this subsection:
 - (a) For Procurement of Goods or Services subject to this Division, the intermediate Procurement method outlined in CR 10.106 shall be followed where applicable.
 - (b) For Procurement of Personal Services subject to this Division, CR 10.230 shall be followed where applicable.
 - (c) For Procurements for Public Improvements, the intermediate Procurement methods set forth in CR 10.310 shall be followed where applicable.
- (3) **Procurement by Sealed Bids and Competitive Proposals.** Except for as specified in subsection (4) below, for Procurements under this Division exceeding \$150,000, “Sealed Bids” and “Competitive Proposals” must be used. For the purposes of this Division, “Competitive Sealed Proposals” and “Requests for Proposals,” as defined in CR 10.030, shall be deemed to be forms of Competitive Proposals as that term is used in this Division. “Competitive Sealed Bidding” and “Invitations to Bid,” as those terms are defined in CR 10.030, shall be considered as forms of Sealed Bids as that term is used in this Division.
 - (a) The County should only solicit Sealed Bids (Competitive Sealed Bidding; Requests for Proposals) under this Division when the following conditions are present:
 - (A) A complete, adequate, and realistic specification or purchase description is available;

- (B) Two or more responsible bidders are willing and able to compete effectively for the business; and
 - (C) The Procurement lends itself to a firm fixed price Contract and the selection of the successful bidder can be made *principally* on the basis of price.
- (b) If Sealed Bids are used, the requirements apply:
- (A) The invitation for bids, which will include any specifications and pertinent attachments, must define the items, services, and any additional criteria that may apply in order for the bidder to properly respond;
 - (B) A firm fixed price contract award will be made in writing to the lowest responsive *and* responsible bidder.; and
 - (C) Any or all bids may be rejected if there is a sound documented reason.
- (c) The County may conduct Procurements by soliciting Competitive Proposals (Competitive Sealed Proposals; Requests for Proposals) under this Division when conditions are generally not appropriate for the use of Sealed Bids. Examples of this include, but are not limited to, where a fixed price or cost-reimbursement type Contract will be awarded by the County.
- (4) **Procurement by Noncompetitive Proposals.** For all Procurements exceeding \$10,000~~3,500~~ in value, Competitive Process pursuant to subsections (2) and (3) above is required, with the following exceptions:
- (a) The item is available only from a single source;
 - (b) There is a public exigency or emergency that will not permit a delay resulting from Competitive Process;
 - (c) The Federal Awarding Agency or pass-through entity expressly authorized noncompetitive proposals in response to a written request from the County; or
 - (d) After solicitation of a number of sources, competition is determined inadequate.

10.625 Cost and Price Analysis

Coos County will perform a cost or price analysis in connection with every Procurement action in excess of \$150,000. The method and degree of analysis is dependent on the facts surrounding the particular Procurement situation, but as a starting point, independent estimates will be made before receiving bids or proposals.

- (1) *Cost analysis* is the review and evaluation of each element of cost to determine whether it is reasonable, allocable to the applicable grant program, and an allowable cost for that grant program. Cost analysis involves an examination of all the elements used in calculating a Contract's total estimated cost. For example, when fixed-price Contracts are based on cost estimates, the County should perform a cost analysis to determine the reasonableness of the prices.
- (2) *Price analysis* is the process of comparing relevant marketplace prices. These include comparing offered prices including discounts with those listed in commercial catalogs, or with those recently submitted for similar services.

BOC only
Consent Agenda _____
Regular Agenda _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: Lease Agreement with Coos County Fair Alliance

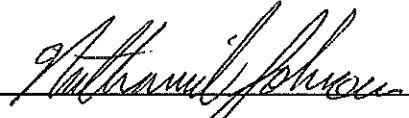
Department: Counsel **Requested Agenda Date:** 1/2/18

Contact Person: Nathaniel Johnson **Phone/Ext.:** 7690

Background and description of need or problem: The Coos County Fair Alliance (CCFA) is a nonprofit organization that is proposing to construct a livestock barn on the Coos County Fairgrounds. The CCFA has raised considerable funds to accomplish this goal, and this Lease agreement is required in order to allow the CCFA and its contractor to enter upon the Fairgrounds in order to construct the livestock barn. The Lease provides that when the project is completed and the Lease terminated, the livestock barn will become the property of Coos County for use in the County Fair. This livestock barn will eliminate the need for the Fair Board to spend considerable sums on yearly tent rentals.

Funding Source: n/a

Requested Action: Approve and sign the Lease agreement with the Coos County Fair Alliance.

Date: 12/31/18 **Signature of Dept. Head:** 

If this is a Human Resources issue, forward to the Treasurer who will forward it to Human Resources. For all other matters, forward the document to Counsel **no later than the Monday prior to the Agenda deadline.** Counsel will forward to Treasurer.

- If this is a contract or grant:
- Is the contract or grant an original?
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 - If insurance is required, is the insurance certificate attached?
 - Is the Clerk's Coversheet attached or do you want it returned to you for filing?

Departments Affected:
COUNSEL: 

BOC forwards signed document to Counsel's office.

