

ORDINANCE No. 176139

*Re-adopt Chapter 5.33 of the City Code and Ordinance Nos. 174509, 174904 and 175123 which establish purchasing policies and rules for the City (Ordinance; re-adopt Chapter 5.33 and Ordinance Nos. 174509, 174904 and 175123)

The City of Portland ordains:

Section 1. The Council finds:

1. The City Council, acting as the Local Contract Review Board, enacted Ordinance No. 174509. That ordinance concerned the City's Purchasing Authority, policies and rules, and is now located in Chapter 5.33 of the City Code.
2. ORS 279.049 requires the Attorney General to adopt model public contracting rules and to review them after each legislative session for possible modification. As a result the Attorney General is currently modifying some of its rules.
3. ORS 279.049 also provides that public agencies that do not adopt their own rules are subject to those adopted by the Attorney General. In addition, public agencies are required to review their rules each time the Attorney General adopts a modification to the model rules to determine whether any modifications need to be adopted. The City has done so and at this time has decided that no modifications are necessary.
4. ORS 279.049 could be construed to subject the City to the Attorney General's model rules if the City did not re-adopt its own purchasing rules. Therefore, Chapter 5.33 should be re-adopted to prevent any misunderstanding of what rules are applicable to City purchasing.

NOW, THEREFORE, the Council directs:

- a. Chapter 5.33 and Ordinance Nos. 174509, 174904 and 175123 and the findings contained therein are hereby readopted in their entirety.
- b. The readoption of Chapter 5.33 and Ordinance Nos. 174509, 174904 and 175123 are Binding City Policy.

Section 2. The Council declares that an emergency exists in order that there be no delay in complying with ORS 279.049; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: DEC 19 2001

Mayor Vera Katz
James H. Van Dyke:cj
December 4, 2001

Gary Blackmer
Auditor of the City of Portland
By: /S/ Terry Reisz

Deputy

BACKING SHEET INFORMATION

AGENDA NO. 1444-2001

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176139

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
HALES	X	
SALTZMAN	X	
STEN	X	
KATZ	X	