

TITLE 4

BOARDS, COMMISSIONS AND COMMITTEES

CHAPTER 430

CONTRACT REVIEW BOARD CODE

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430.005 Title

This Chapter, LCC 430.005 to 430.215, shall be known and may be cited as the “Linn County Contract Review Board Code” or simply as the “Contract Review Board Code.”

[Adopted 86-008 § 1 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.010); amd 98-526 §12 eff 12/16/98]

430.010 Purpose

The purpose of this Chapter is to designate the Linn County Board of Commissioners as the local contract review board for Linn County and to set forth the rule making procedures for adopting, repealing, or amending Linn County Public Contracting Rules.

[Adopted 86-008 § 1 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.020); amd 20-164 eff 10/5/20]

430.015 Authority

(A) The local contract review board for Linn County shall be known as the “Linn County Contract Review Board” and may be referred to in this Chapter as the “Board.”

(B) The Board shall have the authority, pursuant to ORS 279A.050, ORS 279A.060, and ORS 203.010, to exercise all the procurement and contracting powers and duties conferred upon it by State law.

[Adopted 20-164 eff 10/5/20]

430.020 Interpretation

Should the rules imposed by this Chapter or adopted pursuant to this Chapter conflict with other provisions of this Chapter or other statutes or regulations applicable in Linn County, the provision which is the more restrictive shall apply.

[Adopted 86-008 § 1 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.030); amd 20-164 eff 10/5/20]

430.030 [repealed]

[Adopted 86-008 § 1 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.040); repealed 20-164 eff 10/5/20]

430.040 [repealed]

[Adopted 86-008 § 1 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.050); repealed 20-164 eff 10/5/20]

430.050 [repealed]

[Adopted 86-008 § 1 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.060); repealed 20-164 eff 10/5/20]

II. RULE MAKING PROCEDURES

430.100 Rule making generally

(A) As used in LCC 430.100 to 430.130, “rule” means a rule adopted pursuant to LCC 430.100 to 430.130.

(B) The Board may, pursuant to this Chapter, adopt rules or amend or repeal existing rules.

[Adopted 86-008 §6 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.020); amd 20-164 eff 10/5/20]

430.105 Notice of proposed rule making

The Board shall give notice of its intended action adopting, amending, or repealing any rule by:

(A) Written notice posted on the Linn County website;

(B) Publication at least once in a newspaper of general circulation in Linn County, designated by the Board and published in Linn County; and

(C) By mailing a copy of the notice to any individual or business entity that has requested a copy of all proposed rules, or of rules on the subject matter of the proposed rule. The Board may require, as a condition of obtaining notice pursuant to this paragraph, that arrangements be made in advance by persons requesting such notice for payment of the cost of providing mailed notice.

[Adopted 86-008 §6 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.705); amd 20-164 eff 10/5/20; amd 22-020 eff 5/16/22]

430.110 Contents of notice

The notice given of proposed rule making shall include the following:

(A) The subject matter and purpose of the intended action in sufficient detail to inform a person that the person’s interest may be affected;

(B) A description of the Board’s intended action (adoption, amendment or repeal of a rule) and setting forth a summary of any rule proposed to be adopted, amended, or repealed;

(C) The legal authority under which the rule, repeal or amendment is being considered by the Board;

(D) The time, place, and manner in which a copy of the proposed rule, repeal, or amendment may be obtained;

(E) The deadline for submitting written comments to be received by the Board; and

(F) The method by which written comments may be submitted.

[Adopted 86-008 §6 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.710); amd 20-164 eff 10/5/20; amd 22-020 eff 5/16/22]

430.115 Availability of proposed rules

The full text of proposed rules shall be available, one to each person who requests it, at the office of the Board of County Commissioners, Room 201, Linn County Courthouse, Albany, Oregon, on each day the office is open for business beginning with the first date of publication and ending on the date of the public hearing.

[Adopted 86-008 §6 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.715); amd 20-164 eff 10/5/20; amd 22-020 eff 5/16/22]

430.117 Written comment period required

(A) The Board shall provide a 30-day period for the written submission of comments from the public. Any person may submit written comments on a proposed rule, repeal, or amendment directly to the Linn County Board of Commissioners, or as otherwise directed in the notice.

(B) All written comments must be received by the Board no later than the date identified in the rule making notice.

(C) Written comments must identify:

(1) The name and address of the person;

(2) The name of any business or organization the person represents; and

(3) The portion of the proposed rule, repeal, or amendment to which the comments are directed. If applicable, the person should also provide alternative language for the proposed rule to address any concern.

(D) The Board shall maintain a record of all written comments it receives in response to its rule making notice.

(E) The Board is not required to take any specific action in response to a written comment. However, it shall fully consider all written comments received before taking final action on a proposed rule, repeal, or amendment.

[Adopted 22-020 eff 5/16/22]

430.120 [repealed][Adopted 86-008 §6 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.720); amd 20-164 eff 10/5/20; repealed 22-020 eff 5/16/22]

430.125 [repealed]

[Adopted 86-008 §6 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.725); amd 20-164 eff 10/5/20; repealed 22-020 eff 5/16/22]

430.130 Effective date of rules

Rules adopted, amended, or repealed pursuant to the procedures set forth in this Chapter may go into effect immediately upon approval by resolution of the Board or upon a later date as specified in the rule.

[Adopted 86-008 §6 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.730); amd 20-164 eff 10/5/20]

430.135 [repealed]

[Adopted 86-008 §6 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.735); amd 98-526 §12 eff 12/16/98; repealed 20-164, eff 10/5/20]

III. ASSOCIATION WITH LOCAL PUBLIC AGENCIES

430.200 Contracting with local public agencies

Pursuant to ORS 279A.060, the Board may enter into a contract with another public agency, by which contract the Board shall serve as the Contract Review Board for the other public

agency. Any contract entered into under this section shall provide for payment of fees to Linn County in an amount reasonably calculated to reimburse the County for its costs in serving the public agency.

[Adopted 86-008 §7 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.800); amd 20-164 eff 10/5/20]

430.205 [repealed]

[Adopted 86-008 §7 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.805); repealed 20-164, eff 10/5/20]

430.210 Fees

The fees authorized by this Chapter shall be adopted according to the procedures of LCC 430.100 to 430.130 unless the County and the affected public agency by intergovernmental agreement agree to an alternate fee schedule.

[Adopted 86-008 §7 eff 7/1/86; amd by 94-539 §1 eff 12/21/94; amd 95-177 §1 eff 5/10/95 (renumbering from 230.810); amd 20-164 eff 10/5/20]

Statutory References and Other Authorities:
ORS 203, ORS 279A; ; OAR Chapter 137, Division 1; see also the Linn County Public Contracting Rules

Legislative History of Chapter 430 (formerly codified at Chapter 2.30):

Adopted 83-483 eff 11/2/83

Amendments to 83-483

#1 85-140 eff 4/24/85 (and codifying)

Adopted 86-008 eff 7/1/86 (repealed 83-483)

Amendments to 86-008:

#1 87-620 eff 11/24/87 (Order)

#2 90-587 eff 11/21/90

#3 92-126 eff 4/15/92

#4 94-539 eff 12/21/94

#5 95-177 eff 5/10/95 (renumbering)

#6 98-526 eff 12/16/98

#7 20-164 eff 10/5/20

#8 22-020 eff 5/16/22

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