



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
 2051 KAEN ROAD OREGON CITY, OR 97045

November 29, 2018

Board of County Commissioners
 Clackamas County

Members of the Board:

Stephen L. Madkour
 County Counsel

Kathleen Rastetter
Scott C. Ciecko
Amanda Keller
Nathan K. Boderman
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Andrew Narus
 Assistants

Adoption of Board Orders Delegating Contract Signing Authority

Purpose/Outcomes	Delegate limited contract signing authority to certain positions not included in current LCRB Rule C-05-0100. Approve current IGA signature policy and delegate signing authority for the same.
Dollar Amount and Fiscal Impact	N/A
Funding Source	N/A
Duration	Indefinitely
Previous Board Action	These items were presented to the Board of County Commissioners at a duly noticed policy session held on November 6, 2018
Strategic Plan Alignment	Build Public Trust Through Good Government
Contact Person	Andrew Naylor, Assistant County Counsel; 503-742-4623
Contract No.	N/A

BACKGROUND:

The Board has previously delegated limited contract signing authority to certain department positions pursuant to the Local Contract Review Board Rules, Rule C-05-0100. However, due to certain omissions, changes in position titles, and other issues, the current list of positions is incomplete and/or inaccurate.

The proposed Board Order updates the current contract signing authority delegation list to include additional or revised position titles. The proposed Order does not alter or modify the current LCRBs in any way, and simply serves as an additional delegation of contract signing authority to those positions identified in the Order. A separate Order will be submitted to the HACC Board to execute.

Related, on or about July 9, 2009, the County, through its Department of Finance, issued a policy regarding signing of Intergovernmental Agreements (IGAs). The Board should clarify that it approves of that policy and formally delegate signing authority as part of that clarification.

A policy session on these issues was held on November 6, 2018. At that session, the Board considered larger questions of how the County might restructure signing authority. However, while those larger discussions are ongoing, County Counsel proposed, and understood the

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Limited Delegation
of Contract Signing Authority



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Whereas, the Clackamas County Board of County Commissioners (the "Board") has authority to sign all contracts, contract amendments, and renewals; and

Whereas, the Board has previously delegated limited contract signing authority to certain department positions pursuant to the Local Contract Review Board Rules, Rule C-05-0100; and

Whereas, the previous delegation via Rule C-05-0100 is no longer complete due to updated position names, titles, and other changes that occurred subsequent to promulgation of the rule; and

Whereas, the Board agrees that it is necessary to delegate limited contract signing authority to certain positions that are not included in Rule C-05-0100, whether by position title changes, omissions, or otherwise;

NOW THEREFORE, IT IS HEREBY ORDERED:

1. The following officers and employees of Clackamas County holding the positions listed below have authority to sign Contracts with a value not to exceed a total of \$150,000 in the aggregate for any one project or for any one contractor in a fiscal year:

Disaster Management Director

Housing Authority of Clackamas County Executive Director

Human Resources Director

Human Resources Assistant Director

Information Services Director

Information Services Assistant Director

North Clackamas Parks and Recreation District Director

Public and Government Affairs Director

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Tourism and Cultural Affairs Executive Director

Water Environment Services Assistant Director

2. The officers and employees listed above also have authority to sign Contract amendments or renewals, if the amendment does not exceed 10% of the original Contract amount or \$150,000 for the entirety of the term of the Contract, whichever is less.
3. As used herein, "Contract" shall be defined as set forth in the Local Contract Review Board Rules, Rule C-046-0110.

DATED this ____ day of _____, 2018

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Intergovernmental
Agreement Signing Authority



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Whereas, the Clackamas County Board of County Commissioners (the "Board") has authority to sign all contracts, contract amendments, and renewals including, but not limited to, Intergovernmental Agreements (IGAs) entered into pursuant to ORS Chapter 190; and

Whereas, on or about July 9, 2009, Clackamas County, through its Department of Finance, established guidelines for all County departments with respect to IGAs (IGA Policy), a copy of which is attached hereto as Exhibit A and incorporated by this reference herein; and

Whereas, the Board wishes to clarify that it approves of the current IGA Policy permitting certain employees to execute IGAs not to exceed \$5,000.00 and IGAs between County Affiliated Governments and/or departments, as defined by the IGA Policy, and, to the extent necessary, delegates IGA signing authority to that limited extent;

NOW THEREFORE, IT IS HEREBY ORDERED:

1. The Board approves of the IGA policy and delegates the authority to execute IGAs not to exceed \$5,000.00 and IGAs between County Affiliated Governments and/or departments to the officers and employees of Clackamas County described therein.
2. The Board further delegates IGA signing authority, to the limited extent permitted under the IGA Policy, to the following officers and employees of Clackamas County whose positions or titles were not included in the IGA Policy:

Disaster Management Director

Housing Authority of Clackamas County Executive Director

Human Resources Director

Human Resources Assistant Director

Information Services Director

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Intergovernmental
Agreement Signing Authority



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Information Services Assistant Director

North Clackamas Parks and Recreation District Director

Public and Government Affairs Director

Tourism and Cultural Affairs Executive Director

Water Environment Services Assistant Director


DATED this ____ day of _____, 2018

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

EXHIBIT A

Clackamas County DEPARTMENT of FINANCE Issuing Section PURCHASING	Number:	3.7
	Effective Date:	July 9, 2009
	Page:	1 of 2
		Approved:
Subject: CONTRACTS WITH OTHER PUBLIC AGENCIES INTERGOVERNMENTAL AGREEMENTS		

Purpose:

To establish guidelines for County Departments when contracting with other Public Agencies (Intergovernmental Agreements). These procedures follow the County's LCRB Rules and are intended to facilitate the procurement process.

Background:

Public Agencies are working together to be more efficient and, through cooperation, reduce duplication of services. Government Agencies enter into Intergovernmental agreements which define the obligation of the parties, period of time of the agreement is in effect and the amount of compensation, if any. An Intergovernmental Agreement is a written document which when signed by the agencies becomes a contract.

References:

Oregon Revised Statutes, Chapter 190, Cooperation of Governmental Units; ORS 190.010, Authority of local governments to make intergovernmental agreement.

ORS 279A Oregon Public Contracting Code

Policy:

The Board of County Commissioners executes all Intergovernmental Agreements, with the following exceptions.

(A) **IGAs not exceeding \$5,000:** The County Administrator, and other County Officials as listed below, are delegated the authority to execute intergovernmental agreements not to exceed \$5,000.00.

(B) **Intergovernmental Agreements between County Affiliated Governments and/or departments:** The County Administrator, and other County Officials as listed below, are delegated the authority to execute agreements between County Affiliated Governments and/or departments.

Subject: CONTRACTS WITH OTHER PUBLIC AGENCIES INTERGOVERNMENTAL AGREEMENTS	Number: 3.7
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Definitions:

“Intergovernmental Agreements” mean contracts with other public agencies such as the Federal Government, a State or their political subdivisions.

“County Affiliated Governments and/or departments” means governmental entities where the members of the Board County Commissioners sit as members of the governing board.

“County Officials” for purposes of the delegation of authority under this section means:

- Assessor
- Business and Community Services Director
- C-Com Director
- County Clerk
- Community Corrections Director
- Community Development Director
- Community and Legislative Affairs Director
- County Administrator
- County Counsel
- Deputy County Administrator
- District Attorney
- District Attorney Office Administrator (Administrative Services Manager)
- Emergency Management Director
- Employee Services Director
- Family Court Services Director
- Finance Director
- Homeland Security Director
- Human Services Director
- Human Services Deputy Director
- Technical Services Director
- Juvenile Department Director
- Law Library Librarian
- Library Director
- Public and Government Affairs Director
- Purchasing Manager
- Sheriff
- Tourism and Development Council Executive Director
- Transportation and Development Director
- Transportation and Development Deputy Director
- Transportation and Development Business Services Manager
- Treasurer
- Undersheriff
- Water Environment Services Director

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Procedures:

Responsibility:

Action:

Departments:

Prepare Intergovernmental Agreements and submit to the Board of County Commissioners for approval if for amounts greater than \$5,000.

Submit to County Counsel and Risk Management for review and approval.

Submit an original executed agreement for recording and a photocopy to Accounts Payable.

County Counsel

Review, revise, and approve as to form **ALL** intergovernmental agreements prior to final execution.

Public Contracting Officer:

Submit to Counsel for review prior to approval by the Board of County Commissioners.

Board of County Commissioners:

Execute Intergovernmental agreements.

Finance Department:

Remit or receive payments according to agreement terms.