



CENTRAL OREGON
COMMUNITY COLLEGE
Board of Directors' Meeting – AGENDA
Wednesday, July 10, 2024 – 5:45 PM
La Pine High School Auditorium / YouTube

TIME**	ITEM	ENC.*	ACTION	PRESENTER
5:45 p.m.				
	I. Call to Order			Krenowicz
	II. Native Lands Acknowledgement	2a.1*		Krenowicz
	III. Roll Call			Metcalf
	IV. Agenda Changes			Krenowicz
	V. Public Comment			Krenowicz
	VI. Consent Agenda***			Krenowicz
	1. Regular Meeting Minutes (6.12.24)	6a.1-14*	X	Matthews ^A
	VII. Chair and Vice Chair Elections			Krenowicz
	VIII. Information Items			
	1. Monthly Budget Status	8a.1-4*		LaLonde ^A
	2. New Hire Reports	8b.1-2*		Boehme ^A
	3. Employee of the Year and Diversity Award Recipients	8c.1*		Boehme ^A
	4. Strategic Plan Updates	8d.1-20*		SLT Members ^P
	5. Future Ready Oregon Initiatives			Hamlin/Lenhart ^P
	IX. Adjourn to Contract Review Board Meeting			Chair
	1. Contract Review Board meeting			
	a. Procurement Policy Changes	9a.1-46*	X	Andresen ^A
	X. Adjourn to Regular Board Meeting			Chair
	XI. New Business			
	1. Recommendation for Emeritus Status	11a.1*	X	Boehme ^A
	2. Hiring Presidential Search Consultant	11b.1-2*	X	Taylor ^A
	XII. Board of Directors' Operations			Chair
	1. New Board Advocacy Committee Policy, 1 st Reading	12a.1-2*	X	Foote Morgan ^A
	2. Recommended Changes to Board Policies, 1 st Reading	12b.1-40*	X	Skatvold ^A
	3. Decision on August Meeting		X	Chair
	4. Board Member Activities			
	XIII. President's Report			Chesley
	XIV. Dates			Chair

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1. Wednesday, August 14 – Board of Directors’ Meeting – BEC Boardroom at 5:45 p.m.
(if deemed necessary)
2. Friday, August 30 – Monday, September 2 – Closed in Observance of Labor Day
3. Wednesday, September 11 – Board of Directors’ Meeting – BEC Boardroom at 5:45 p.m.

XV. Adjourn to Executive Session Chair
 ORS 192.660 section 2, subsection e, for the purpose of discussing real property transactions

XVI. Adjourn to Open Session Chair

XVII. New Business

- | | | | |
|--------------------------------------|-----------|---|------------------------------------|
| 1. William Smith Properties Addendum | 17a.1-19* | X | LaLonde/
McCaffrey ^A |
|--------------------------------------|-----------|---|------------------------------------|

XVIII. Adjourn Chair

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Purpose: To acknowledge someone is to say, “I see you. You are significant.” The purpose of a land acknowledgement is to recognize and pay respect to the original inhabitants of a specific region. It is an opportunity to express gratitude and appreciation to those whose territory you exist in.

COCC Land Acknowledgement

(Condensed Version)

COCC would like to acknowledge that the beautiful land our campuses reside on, are the original homelands of the **Wasq’ú** (Wasco), and the **Wana Lama** (Warm Springs) people. They ceded this land to the US government in the Treaty of 1855. The **Numu** (Paiute) people were forcibly moved to the Warm Springs Indian Reservation starting in 1879. It is also important to note that the Klamath Trail ran north through this region to the great Celilo Falls trading grounds. Descendants of these original people are thriving members of our communities today. We acknowledge and thank the original stewards of this land.



CENTRAL OREGON
COMMUNITY COLLEGE
Board of Directors' Meeting – AGENDA
Wednesday, June 12, 2024 – 5:45 PM
Crook County Open Campus, Room 119 /
YouTube

TIME**	ITEM	ENC.*	ACTION	PRESENTER
5:45 p.m.	I. Call to Order			Krenowicz
	II. Native Lands Acknowledgement	2a.1*		Krenowicz
	III. Roll Call			Metcalf
	<u>Board members, staff and guests:</u> Joe Krenowicz (Chair), Laura Craska Cooper (Vice Chair), Alan Unger, Erica Skatvold, Erin Merz, Jim Porter, Erin Foote Morgan, Laurie Chesley (COCC President), Michael LaLonde, Laura Boehme, Annemarie Hamlin, Alicia Moore, Zak Boone, Christy Walker, Jeremy Green, Kyle Matthews, Paul Taylor, Aimee Metcalf, Suzie Kristensen, Cindy Lenhart			
	IV. Agenda Changes			Krenowicz
	1. Chesley said that an additional resolution needed to be added to New Business regarding the Real Estate Committee's recommendation to approve an additional \$1 million to the Madras campus expansion. Krenowicz concurred.			
	V. Public Comment			Krenowicz
	1. Chesley introduced the new Board members to Kristensen, the Director of Crook County Open Campus. Chesley noted that Kristensen would not be reporting on Prineville this evening. Rather, the Board would receive a Prineville update at their upcoming Retreat. <ol style="list-style-type: none"> a. Craska Cooper said that Kristensen is known throughout Crook County for promoting COCC to K-12 students. 			
	VI. Consent Agenda***			Krenowicz
	1. Regular Meeting Minutes (5.8.24)	6a.1-9*	X	Matthews ^A
	2. Budget Committee Meeting Minutes (5.8.24)	6b.1-8*	X	Matthews ^A
	3. 2024-25 Fiscal Responsibilities		X	LaLonde ^A
	a. Inter-fund Borrowing	6c.1*		
	b. Custodian of Funds/Depository	6d.1-2*		

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	Institutions			6a.2
	c. Budget Officer/Clerk/Deputy Clerks	6e.1*		
4.	2023–24 Fiscal Responsibilities		X	LaLonde ^A
	a. Resolution of End of Year Transfer	6f.1*		
	b. Resolution for Appropriation Changes	6g.1–2*		
5.	Motion to approve consent agenda.			
	a. 1 st : Alan Unger			
	b. 2 nd : Laura Craska Cooper			
	c. Motion approved unanimously.			
VII. Adjourn to Budget Hearing for 2023–24 Budget				Krenowicz
1.	Public Comment and Testimony			Krenowicz
	None.			
2.	Appropriation Resolution – 2024–25	7a.1–3*	X	LaLonde ^A
	a. Motion to approve the resolution.			
	i. 1 st : Laura Craska Cooper			
	ii. 2 nd : Erica Skatvold			
	iii. Motion approved unanimously.			
3.	Resolution to Impose/Categorize Taxes – 2023–24	7b.1*	X	LaLonde ^A
	a. Motion to approve the resolution.			
	i. 1 st : Alan Unger			
	ii. 2 nd : Laura Craska Cooper			
	iii. Motion approved unanimously.			
4.	Resolution to Adopt 2024–25 Budget	7c.1*	X	LaLonde ^A
	a. LaLonde reported that no changes had been made to the proposed budget since the Committee’s meetings in April and May 2024.			
	b. Motion to approve the resolution.			
	i. 1 st : Alan Unger			
	ii. 2 nd : Laura Craska Cooper			
	iii. Motion approved unanimously.			
VIII. Adjourn to Open Session				Krenowicz
IX. Information Items				
1.	Monthly Budget Status	9a.1–4*		LaLonde ^A
	No questions.			
2.	New Hire Reports	9b.1–2*		Boehme ^A
	No questions.			
3.	Campus Climate Survey Results	9c.1–23*		Moore/Walker ^P

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- a. This survey was conducted during the Winter 2023 term. It has been conducted since 2005 when COCC formed its first diversity committee. The survey's goal is to examine whether COCC is creating a safe and respectful environment for students in the classroom and on campus. The survey is conducted every three years in an online format.
- b. Response rates from the full student body have been low during the three most recent surveys.
 - i. 2017 received a 10.4% student body response.
 - ii. 2020 received a 6% student body response.
 - iii. 2023 received a 2.7% student body response.
 - iv. Caveat: not all respondents answered every question.
 - v. There has been a national trend among college students who are reluctant to respond to surveys from their institutions. COCC's Institutional Effectiveness department limits survey emails to once per quarter. Even with the incentive to win a \$100 prize for completing a recent survey, the student who won the random selection never claimed their prize.
- c. Craska Cooper asked how the surveys are distributed.
 - i. Moore explained that the surveys are only sent to COCC student email addresses in order to ensure their privacy is protected.
 - ii. Craska Cooper suggested that students would be more likely to respond to text messages.
 - iii. Moore said that COCC's students have said that they like to receive text messages for appointment reminders, but not for regular college communications.
 - iv. Walker pointed out that students with wireless internet devices could complete the survey on said devices. Craska Cooper concurred, citing that many young adults now use smartphones instead of computers.
- d. This was an institution specific survey, so comparison data from other colleges and universities was not available. The survey was based on a survey from the University of California, Davis, but there is no strong national comparison tool available. Research has shown that homegrown surveys, if done well, are most effective. COCC's Student Affairs department may conduct further research on this matter.
- e. This survey has been used to help direct COCC's DEI and other related work.
- f. Chesley noted that the timing of the 2023 survey suggested that the results were not impacted by the controversial choice of Commencement keynote speaker later that year.
- g. According to the survey, the overall students' level of comfort at COCC was 79% in 2023.
 - i. A large portion of those results focused on asking students whether they felt welcome at COCC. The results suggest that students feel they are in a space where they can safely speak out and speak up about issues they are facing or find important.

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- h. When asked whether they felt harassment is a problem at COCC, 78% said didn't agree it was a problem.
- i. Craska Cooper asked if it was possible to disaggregate data from certain demographics, such as LGBTQIA+ students.
 - i. Walker said that, while the survey does ask for respondents' demographic information, in order to protect their identities, their demographics are not factored into the results. There are questions for specific topics including gender identity, which would be shown later in the presentation.
- j. When asked whether students would know where to go if they or a friend were harassed, 66% said "yes." Walker recognized that more effort should be made to ensure students know who where and whom they can go to for help.
 - i. Moore noted that one question that was not included in this presentation was whether students knew COCC's policies and procedures for reporting harassment.
- k. Foote Morgan asked whether the respondents to the survey came from a wide range of student demographics.
 - i. Moore said that such data can be complicated to gather and compare as responses to each survey and question vary. For example, when they sent out a survey during the pandemic regarding housing 70% of responses were from women over the age of 25, which was not an accurate representation of COCC's student body. For this campus climate survey, some questions had responses from a wide range of demographics while others did not.
 - ii. Foote Morgan asked how many students of color completed the survey. Moore said they could access that data, but she did not have it readily available. Foote Morgan said she would be curious to know and concerned if students of color were not being heard.
- l. When asked whether students personally experienced any exclusionary, intimidating, offensive, hostile and/or harassing behavior in the past two years that interfered with their ability to learn at COCC, 93% said "no." While this result was encouraging. Walker said they did not want to downplay the 7% that said yes.
- m. When asked about the comfort level with the classroom climate, 81% said they felt "comfortable" or "very comfortable."
 - i. Merz asked whether there was a clear definition of what "comfort" means in this survey, suggesting it could leave too much room for interpretation.
 - ii. Walker said that it is defined in the beginning of the survey, but added that one of their goals for future surveys was to better define the wording.
 - iii. Chesley added that, while COCC wants everyone to feel welcome, the nature of education means that you will not always feel comfortable.

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- n. When asked whether students felt that faculty are genuinely concerned with their welfare, 86% said yes. Walker said that COCC should be proud of its faculty for these results, but acknowledged that there is always room for improvement.
- o. Two questions were broken down by demographic for this presentation. The first was whether COCC's classes are welcoming for students based on their ethnicity, gender/gender expression, military/veteran status, disabilities, political view, religious/spiritual view, sexual orientation, and socioeconomic status. When comparing results from the 2023 survey to results from 2020 and 2017, there were no notable findings.
- p. The second question was whether students had taken classes at COCC that included materials, perspectives, and/or experiences of people based on the various demographics from the previous question. There was a notable shift from 2017 to 2023. A significant portion of responses of "agree/strongly agree" had shifted to "unsure." Moore suggested that this could be attributed to a nationwide trend of students who attended high school remotely during the pandemic and are now entering higher education with a lack of experience in some interpersonal conversations. For example, Moore had recently seen a rise in sexual harassment reports where the majority of reported incidents did not qualify as sexual harassment.
 - i. Skatvold asked whether COCC's existing policies regarding harassment were clear enough to determine what might be offensive. Moore said the language of the existing policies is broad enough for "harassment" to be misinterpreted. For example, one student making a comment that makes another uncomfortable is not harassment, but the offended student might interpret it that way. Moore and Student/Campus Life Director Andrew Davis have coached students on how to respond to such situations.
- q. Merz asked whether there was any assessment of curriculum that considers offering diverse perspectives in the classroom that is conducted with the faculty.
 - i. Hamlin explained that there is not a universal assessment tool that could answer such questions. However, Walker has led workshops on antiracist pedagogy. There have been a number of programs that would have prompted faculty to make adjustments to their classes where these perspectives could be more thoroughly included.
 - ii. Walker added that this is a difficult topic to measure. Several times a year, instructors or department chairs will reach out to her, asking how they can better incorporate these programs into their classes. Walker or a member of her team would then meet with them to discuss it.
 - iii. Skatvold suggested that perception sometimes depends on whether something is specifically said to be included, or it could

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also relate to a shift in what is expected to be included. What was obvious to people in 2017 may not be in 2023. Would a survey respondent notice unless someone pointed it out to them?

- iv. Walker added that a person responding to a survey might be reflecting on how they are feeling in that moment. Maybe they feel included but do not think their friend is included? Are they reflecting personally or thinking about their peers?
- r. Porter said he was impressed how high the percentage was for students who felt comfortable discussing their political views in today's climate.
- s. In general, the survey results would suggest that COCC's current classroom climate is helpful and that students have a strong connection with their faculty. Walker also noted that students often choose to speak directly with her or a member of her team, rather than file a report for harassment.
- t. Current and future plans include:
 - i. Continued resources for staff, especially faculty as they have the most interactions with students.
 - ii. Assessing communication and outreach regarding reporting of incidents. How can we best inform students of the resources available to them?
 - iii. Evaluate options for nationally-delivered surveys.
 1. Krenowicz asked whether a national organization like the Association of Community College Trustees (ACCT) might ask the same questions in all of its regions.
 2. Moore said that she would like to know whether they would be able to receive national data and disaggregate it by region. Their primary concern would be for questions that are easy for students to answer in order to increase the response rate and have comparative data from other institutions.
 3. Chesley said that focus groups might also prove effective. Moore concurred.
- u. Merz asked what other ways they might gather such information in light of the declining survey response rate.
 - i. Walker reiterated that anecdotal reports from students have proven helpful. Their intention was to not silo this data. Many departments are becoming more involved and sharing anecdotal information. Student clubs have also provided spaces where students feel safe to speak with their advisors and peers.
 - ii. Moore added that COCC had used two different national surveys in the past, but opted to discontinue to practice as they were very costly and time-consuming and they used language that was not applicable to COCC.
- v. Foote Morgan asked whether there was a budget that would fund COCC to hire a consultant for this project.
 - i. Chesley said that there are.

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- ii. Walker added that many aspects of this project align with COCC's strategic plan, so funds dedicated to the strategic plan could be used there.
- w. Chesley asked the Board, if they would like to hear an update on what methods (besides a survey) the College is exploring to try to get a more robust student response to campus climate issues.
 - i. Craska Cooper said she would be interested, citing their practice of making data-driven decisions, which require quality data.
 - ii. Skatvold was also interested.
 - iii. Moore concurred, noting the additional obstacle of COCC primarily being a commuter campus.
 - iv. Moore and Walker agreed to bring the results of their exploration back to the Board in approximately six months.
- x. Porter asked whether faculty could encourage their students to respond to the survey.
 - i. Moore said that is one step they were considering. In previous iterations of this survey, some classes gave up 45 minutes of their time to focus on the survey to the college could have a random sampling of responses. The question is whether that is a reasonable thing to ask for from the faculty.
 - ii. Porter suggested that the results of this survey would suggest that the faculty would have enough credibility to encourage their students to participate.
 - iii. Chesley noted that class time can be precious for faculty and students, so such a request may prove difficult.
- y. Craska Cooper expressed concern that students from underrepresented groups might feel that responding to surveys would not matter if they believe the nation will never change. Is there any consistent communication with affinity groups like student clubs that proves effective?
 - i. Walker confirmed that this is one of the ways that COCC learns from its students.

4. Meal of the Year Results

Boone^P

- a. Boone reported that this year's fundraiser had 391 attendees (402 reservations) and a gross revenue of \$454,233, which was an all-time high for this event. This included \$357,800 in scholarship pledges, \$22,050 in live auction bids, and \$71,873 in other revenues, including silent auction bids, raffles, table sales, wheel spins, alcohol sale and tips. All of the money raised goes towards the COCC Foundation's scholarships program.
- b. Boone noted that college tuition continues to increase, so while they've asked for pledges of \$3,200 in the past, they asked for \$5,000 this year.
- c. Craska Cooper, who attended, complimented Boone and

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the Foundation's staff for their hard work to make the fundraiser happens. She also said she received a thank you note from the Miller family, who were the guests of honor that evening.

d. The next Meal of the Year is scheduled for April 12, 2025.

5. Renewal of Administrative and Confidential Staff Appointments 9d.1-5* Boehme^A

No questions.

X. New Business

1. Administrators and Confidential Employees Salary/Wage Adjustment 10a.1* X Boehme^A

a. Boehme explained that this is the annual increase of salaries for COCC's administrators and confidential employees.

b. Chesley reminded the Board that the College recently conducted a salary study for administrators. On average, COCC administrator salaries were 16% below benchmarks. Some administrators received an increase of less than 16% and some received an increase of more than 16%. Part of that increase was applied in May 2024. The increase of 3.5% being proposed today is the second part of that increase based on the salary study, not an additional increase.

c. Foote Morgan asked whether the faculty and classified employees received similar percentages in their most recent salary increases.

i. Chesley explained that it works differently for each employee group. Classified and faculty are represented by unions that negotiate multi-year contracts. Each year of their contracts includes a negotiated pay increase. Boehme did add that all of COCC's employee groups generally receive a salary increase on July 1 each year.

d. Unger asked how COCC's wages are doing compared to similar institutions.

i. Chesley said that in their most recent salary studies for faculty, administrators and classified employees, they were significantly below the benchmark.

e. Motion to approve the resolution for a 3.5 % increase.

i. 1st: Erica Skatvold

ii. 2nd: Laura Craska Cooper

iii. Motion approved unanimously.

2. Full-Time Faculty Rehire Recommendations 10b.1-4* X Hamlin^A

a. Hamlin explained that all full-time faculty listed in the resolution had been through the appropriate evaluations and received satisfactory results.

b. Motion to approve the resolution.

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- i. 1st: Erin Merz
 - ii. 2nd: Alan Unger
 - iii. Motion approved unanimously.
3. Guaranteed Maximum Price for the 10c.1-4* X Boone/Green^A
Madras Campus Expansion
 - a. Krenowicz explained to the Board that this project has been in the works for a long time and commended Green and his colleagues for ensuring that COCC's resources are being wisely used to address the needs of the Central Oregon community.
 - b. Green shared images of the most recent rendering's from the project's architect. The existing building is about 9,000 square feet and the new building is designed to be 24,000 square feet in two stories. The lower floor would house the childcare education program, operated by the Children's Learning Center, and was designed with the forethought of COCC remodeling the floor as needed in the future. The second story would house classrooms and laboratories for science and health careers courses. A walking bridge would connect the second floor to the existing building to optimize the flow of foot traffic. Everyone involved in the design process did their best to keep the projected costs as feasible as possible.
 - i. Craska Cooper explained that she and the other members of the Board's Real Estate Committee were aware of the GMP at a recent meeting. She thanked Campus Services Director Josh Clawson for his assistance with value engineering in order to keep the costs down. They asked Kirby a lot of questions after looking over the contract and recommended that the Board approve this resolution.
 - c. By Craska Cooper's request, Boone provided a fundraising campaign update.
 - i. \$10,989,000 had been received so far. \$5,500,000 in funds were pending. \$875,000 is still to be requested.
 - ii. If all of the above funds are acquired, the Foundation would need to secure \$3,900,000 in private donations and grants in order to reach the new projected total of \$21,264,000.
 - d. Motion to approve the resolution.
 - i. 1st: Alan Unger
 - ii. 2nd: Erin Foote Morgan
 - iii. Motion approved unanimously.
4. Proposed Sale of Madras Lots (Miller 10e.1-2* X LaLonde/Taylor^A
Property)
 - a. LaLonde reminded everyone that the Miller family donated

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the former site of Miller Lumber in Madras to COCC with the intention of the property being sold and the funds being dedicated to the Madras campus expansion. The only offer received was from Jefferson County for The Madras Community Food Pantry. The offer was much lower than the property's appraised value. After some negotiations, COCC counteroffered for either a \$300,000 sale with the County's commitment to use the property as a food bank or mental health center, or for a \$375,000 sale with no caveats. The County chose to offer \$375,000.

- i. Krenowicz commended Craska Cooper for leading COCC's negotiation efforts.
 - b. Reflecting on the public comments from the Board's previous meeting, Skatvold acknowledged the reality of food insecurity in Jefferson County and expressed hope that the County would use the property to host the Food Pantry as they had declared they intend to do.
 - i. Craska Cooper concurred, acknowledging that the Food Pantry likely serves some of COCC's students and will continue to do so.
 - c. Motion to approve the resolution.
 - i. 1st: Laura Craska Cooper
 - ii. 2nd: Erin Merz
 - iii. Motion approved unanimously.
5. COCC Contribution to the Madras Campus Expansion 10d.1-2* X Boone/Green^A
- a. Unger asked whether this was the second \$1 million commitment to the project from the Board to the total cost of the project or if it was intended to create cash flow.
 - i. Craska Cooper said that the Real Estate Committee had discussed with Green and Boone the possibility of the Board committing an additional \$1 million to the project. With the recent increase in total projected cost, this would put the COCC Foundation in a better position for fundraising. The closer they are to their goal, the more likely they will receive the remaining funds needed from private donors. They also did not want to commit all of the money at once.
 - b. Motion to approve the resolution.
 - i. 1st: Alan Unger
 - ii. 2nd: Laura Craska Cooper
 - iii. Motion approved unanimously.

XI. Board of Directors' Operations

Krenowicz

1. Board Member Activities

a. Erica Skatvold

- i. May 14: Meeting with Foote Morgan.

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- ii. May 17: COCC Health Careers Expo
 - iii. May 18: COCC Salmon Bake
 - iv. May 24: Student Success Committee meeting.
 - v. May 28: Board Policy Review Committee meeting.
 - vi. June 4: New Board Member Orientation Committee meeting.
 - vii. June 6: OSU–Cascades Advisory Board meeting.
 - viii. June 7: Conversation with Hamlin and Moore on Guided Pathways at COCC and possibly partnering with St. Charles Health System on workforce development.
 - ix. June 7: Student Success Committee meeting.
 - x. June 7: Meeting with Merz.
 - xi. Phone calls with Craska Cooper regarding the President’s evaluation.
 - xii. Volunteered in reviewing COCC scholarship applications.
- b. Erin Foote Morgan
- i. May 10: College Affairs Committee meeting.
 - ii. May 14: Meeting with Skatvold.
 - iii. May 24: Student Success Committee meeting.
 - iv. May 28: Board Policy Review Committee meeting.
 - v. May 28: La Pine High School Steering Committee meeting.
 - vi. June 4: New Board Member Orientation Committee meeting.
 - vii. June 7: College Affairs Committee meeting.
 - viii. June 7: Student Success Committee meeting.
- c. Jim Porter
- i. May 29: Real Estate Committee meeting.
 - ii. June 4: New Board Member Orientation Committee Meeting.
- d. Alan Unger
- i. May 14: Redmond Proficiency Academy scholarships presentation.
 - ii. May 17: Oregon Community Colleges Association Board meeting.
- e. Laura Craska Cooper
- i. May 10: Phone call with Taylor regarding counter –offer with Jefferson County.
 - ii. May 14: Meeting with Taylor regarding counteroffer.
 - iii. May 15: Phone call with Chesley.
 - iv. May 15: Phone call with Taylor.
 - v. May 15: Phone call with LaLonde.
 - vi. May 24: Zoom call with Krenowicz and Chesley.

* Material to be distributed via e-mail & USPS (as necessary)

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P - indicates a Presentation will be provided.

A - indicates the presenter is Aavailable for background information if requested.

- vii. May 28: Board Policy Review Committee meeting.
 - viii. May 29: Meeting with Chesley and Karen Prow of NeighborImpact regarding childcare education in Central Oregon.
 - ix. May 29: Real Estate Committee meeting.
 - x. June 7: Zoom call with Krenowicz and Chesley regarding the upcoming Board retreat.
 - xi. June 7 and 10: Phone calls with Skatvold regarding the President's evaluation.
- f. Erin Merz
- i. May 16: Visited Pence Gallery to see students' social justice artwork
 - ii. May 16: COCC Foundation Board meeting.
 - iii. May 24: Student Success Committee meeting.
 - iv. June 4: New Board Member Orientation Committee meeting.
 - v. June 6: COCC President's Scholarship Celebration.
 - vi. June 7: Student Success Committee meeting.
- g. Joe Krenowicz
- i. May 24: Zoom call with Craska Cooper and Chesley.
 - ii. May 29: Real Estate Committee meeting.
 - iii. June 7: Zoom call with Craska Cooper and Chesley regarding the Board's upcoming retreat.
 - iv. Emailed the Board's self-evaluation forms to the other members.

XII. President's Report

Chesley

1. Chesley reminded the Board that Commencement would be taking place that coming Saturday. About 300 students were registered to walk, which was the highest number in the past several years. GED students would be included for the first time. Chesley thanked Instructional Outreach Dean Cindy Lenhart for that idea.
2. Chesley commended Boone and the Foundation staff for coordinating the President's Scholarship Celebration. This year's honoree was Daisy Layman, who has been a generous donor to students' scholarships and has been very involved with the Foundation's Board of Trustees, having served as a Chair and on scholarship committees.
3. A generous donor has left the COCC Foundation a bequest of \$575,000 for the Madras campus expansion.
4. Chesley invited everyone to the groundbreaking ceremony for the Madras campus expansion on that coming Monday.
5. A packet reporting on the Chandler Lecture Series' and 2024 Season

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of Nonviolence events was distributed to the Board. Chesley commended Series Coordinator Charlotte Gilbride for her work.

XIII. Dates

Krenowicz

1. Saturday, June 15 – Commencement – Mazama Field at 10:00 a.m.
2. Monday, June 17 – Madras Campus Expansion Groundbreaking Ceremony at 10:00 a.m.
3. Tuesday, June 18 – New Board Member Orientation Committee Meeting at 9:00 a.m. via Zoom
4. Tuesday, June 18 – Board Policy Review Committee Meeting at 11:00 a.m. via Zoom
5. Wednesday, June 19 – Closed for Juneteenth
6. Friday, June 21 – Board of Directors’ Summer Retreat – Crook County Open Campus, Prineville, Conference Room 112 at 8:30 a.m.
7. Thursday, June 27 – Diversity and Inclusion Summer Symposium – Wille Hall at 6:00 p.m.
8. Tuesday, July 2 – Real Estate Committee Meeting at 4:15 p.m. via Zoom
9. Thursday, July 4 – Closed for Independence Day
10. Wednesday, July 12 – Board of Directors’ Meeting – La Pine High School Auditorium at 5:45 p.m.

XIV. Adjourn to Executive Session

Krenowicz

ORS 192.660 section 1, subsection i, Performance Evaluation of CEO

XV. Adjourn to Open Session

Krenowicz

XVI. President’s Evaluation

Craska Cooper

- i. Craska Cooper shared that the Board found the President to have met or exceeded all expectations for 2023–24 and authorized her to receive the salary increase which her contract allows.

XVII. Adjourn

Krenowicz

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June 12, 2024

CENTRAL OREGON COMMUNITY
COLLEGE BOARD OF DIRECTORS

FROM: Erica Skatvold

DATE: June 12, 2024

SUBJECT: Resolution on President Evaluation for 2023-2024

BACKGROUND:

The annual evaluation of COCC President Dr. Laurie Chesley was led by the Board of Directors' President Evaluation Committee consisting of Directors Joe Krenowicz (board chair), Laura Craska Cooper (committee chair), and Jim Porter, and, as required by Board Policy, the entire Board of Directors of COCC has now completed the annual evaluation of Dr. Laurie Chesley's performance for the 2023-2024 year:

RESOLUTION # 2024-__

BE IT HEREBY RESOLVED, that after completing a comprehensive evaluation process, the Board of Directors of Central Oregon Community College has determined that Dr. Laurie Chesley's performance meets or exceeds expectations in all areas related to achieving the College's strategic plan, complying with the Board's expectations relating to budgeting, asset protection and staff treatment, and facilitating communications with the Board. The Board of Directors recognizes and appreciates Dr. Chesley's ability to effectively address the College's current needs while also anticipating and strategically planning for future needs. The Board particularly commends Dr. Chesley's commitment to making College decisions and activities student-centered, and her responsiveness and communication with the Board.

It is the Board of Director's pleasure to extend to Dr. Laurie Chesley commendation for her performance as President of Central Oregon Community College.

Accordingly, the Board of Directors approves her raise in accordance with her contract.

Central Oregon Community College
Monthly Budget Status
Highlights of May 2024 Financial Statements

Cash and Investments

The College's operating cash balances currently total \$47.1 million. The average yield for the Local Government Investment Pool remains 5.2 percent.

General Fund Revenues

There have been no significant changes in revenue since the prior month. The budgeted transfers-in have been posted for the year.

General Fund Expenses

The expenses through May 2024 include the required budgeted inter-fund transfers-out for the fiscal year.

Budget Compliance

All appropriation categories are within budget.

Central Oregon Community College
Monthly Budget Status
May 2024

10-Jul-24

<u>General Fund</u>	Adopted Budget	Year to Date Activity	Variance Favorable (Unfavorable)	Percent of Budget Current Year	Percent of Budget Prior Year
Revenues					
District Property Taxes:					
Current Taxes	\$ 21,842,000	\$ 21,647,993	\$ (194,007)	99.1%	98.6%
Prior Taxes	460,000	252,444	(207,556)	54.9%	81.7%
Tuition and fees	17,374,000	18,866,043	1,492,043	108.6%	100.1%
State Aid	9,793,000	11,897,678	2,104,678	121.5%	78.2%
Program and Fee Income	40,000	32,290	(7,710)	80.7%	99.0%
Interest & Misc. Income	244,000	81,249	(162,751)	33.3%	32.9%
Transfers-In	4,860,000	2,024,262	(2,835,738)	41.7%	49.6%
Total Revenues	\$ 54,613,000	\$ 54,801,959	\$ 188,959		
Expenses by Function					
Instruction	\$ 24,617,100	\$ 20,853,825	\$ 3,763,275	84.7%	82.0%
Instructional Support	5,270,297	4,301,485	968,812	81.6%	82.0%
Student Services	6,465,663	4,877,532	1,588,131	75.4%	73.7%
College Support	5,847,565	4,898,050	949,515	83.8%	74.2%
Plant Operations and Maintenance	4,966,239	4,446,067	520,172	89.5%	79.6%
Information Technology	5,738,544	4,609,037	1,129,507	80.3%	77.7%
Financial Aid	100,000	153,525	(53,525)	153.5%	79.4%
Contingency	1,000,000	-	1,000,000	0.0%	100.0%
Transfers-Out	2,410,938	2,389,138	21,800	99.1%	98.3%
Total Expenses	\$ 56,416,346	\$ 46,528,659	\$ 9,887,687		
Revenues Over/(Under) Expenses	\$ (1,803,346)	\$ 8,273,300	\$ 10,076,646		

Central Oregon Community College
Monthly Budget Status
May 2024

10-Jul-24

	<u>Adopted Budget</u>	<u>Year to Date Activity</u>	<u>Variance Favorable (Unfavorable)</u>	<u>Percent of Budget Current Year</u>	<u>Percent of Budget Prior Year</u>
Non General Funds					
Debt Service Fund					
Revenues	\$ 5,803,797	\$ 5,211,955	\$ (591,842)	89.8%	91.0%
Expenses	5,750,447	5,745,243	5,204	99.9%	100.0%
Revenues Over/(Under) Expenses	\$ 53,350	\$ (533,288)	\$ (586,638)		
Grants and Contracts Fund					
Revenues	\$ 4,643,524	\$ 3,752,844	\$ (890,680)	80.8%	37.0%
Expenses	4,711,428	3,355,971	1,355,457	71.2%	55.0%
Revenues Over/(Under) Expenses	\$ (67,904)	\$ 396,873	\$ 464,777		
Capital Projects Fund					
Revenues	\$ 13,832,724	\$ 3,443,806	\$ (10,388,918)	24.9%	73.9%
Expenses	17,714,240	3,675,068	14,039,172	20.7%	27.0%
Revenues Over/(Under) Expenses	\$ (3,881,516)	\$ (231,262)	\$ 3,650,254		
Enterprise Fund					
Revenues	\$ 4,877,843	\$ 4,552,012	\$ (325,831)	93.3%	91.2%
Expenses	5,305,817	4,117,490	1,188,327	77.6%	79.8%
Revenues Over/(Under) Expenses	\$ (427,974)	\$ 434,522	\$ 862,496		
Auxiliary Fund					
Revenues	\$ 5,973,779	\$ 6,864,128	\$ 890,349	114.9%	96.2%
Expenses	12,402,620	10,067,272	2,335,348	81.2%	65.2%
Revenues Over/(Under) Expenses	\$ (6,428,841)	\$ (3,203,144)	\$ 3,225,697		
Reserve Fund					
Revenues	\$ 5,316	\$ -	\$ (5,316)	0.0%	0.0%
Expenses	455,000	10,500	444,500	2.3%	92.1%
Revenues Over/(Under) Expenses	\$ (449,684)	\$ (10,500)	\$ 439,184		
Financial Aid Fund					
Revenues	\$ 15,259,071	\$ 12,478,322	\$ (2,780,749)	81.8%	60.1%
Expenses	15,523,065	13,060,284	2,462,781	84.1%	70.6%
Revenues Over/(Under) Expenses	\$ (263,994)	\$ (581,962)	\$ (317,968)		
Internal Service Fund					
Revenues	\$ 85,000	\$ 74,254	\$ (10,746)	87.4%	70.2%
Expenses	161,000	155,960	5,040	96.9%	70.9%
Revenues Over/(Under) Expenses	\$ (76,000)	\$ (81,706)	\$ (5,706)		
Trust and Agency Fund					
Revenues	\$ 9,332	\$ 17,538	\$ 8,206	187.9%	104.0%
Expenses	23,500	8,140	15,360	34.6%	41.2%
Revenues Over/(Under) Expenses	\$ (14,168)	\$ 9,398	\$ 23,566		

10-Jul-24

Central Oregon Community College

Cash and Investments Report

As of May 31, 2024

College Portfolio	<u>Operating Funds</u>	<u>Trust/Other Funds</u>
Cash in State Investment Pool		
4089 - General operating fund	\$ 44,540,741	
3624 - Robert Clark Trust		\$ 391,072
May Average Yield 5.2%		
Cash in USNB	\$ 2,560,641	
Cash on Hand	\$ 4,600	
Total Cash	<u>\$ 47,105,982</u>	<u>\$ 391,072</u>



Board Meeting Date: Wednesday, July 10, 2024
Exhibit: 8b.1

**Central Oregon Community College
Board of Directors
Faculty and Administrators New Hire Report**

Faculty Full-Time		
Ari Wixwat	Full-Time Temporary Faculty Psychology	September 11, 2024
Michael Greene	Assistant Professor II Paramedicine	September 11, 2024
Lisa Merritt	Assistant Professor II Communication	September 11, 2024
Nikki Truscelli	Assistant Professor I Communication	September 11, 2024
Jenna Arlie	Full-Time Temporary Faculty Mathematics	September 11, 2024
Stuart Allan	Full-Time Temporary Faculty Art/Design	September 11, 2024
John Cameron	Assistant Professor II Aviation	September 11, 2024
Brooke Harris	Assistant Professor Baking/Pastry	September 11, 2024

Administrator Full-Time		
Roger Thorsvold	Assistant Director Campus Safety	June 1, 2024
Maureen Ball	HR Benefits/Wellness Administrator	June 17, 2024
Ryan Powell	Student Account Manager	June 13, 2024
Claudia Bisso-Fetzer	Latinx Student Program Coordinator	June 15, 2024
Miranda Brooks	Assistant Director Disability Services	July 1, 2024



Central Oregon Community College
Board of Directors
New Hires Report
Date of Hire: June 1-30, 2024

Name	Hire Date	Job Description	Department
Classified Full-Time			
McWilliams, Adam William	6/5/2024	Grounds/Landscape Specialist	Maintenance of Grounds
Young, Lori Ann	6/17/2024	Computer Lab Specialist	Regional Svcs. & Madras Campus Oper
Williams, Kelly Patrick	6/17/2024	Campus Safety Specialist	Campus Public Safety
Temporary Hourly			
Trask, Sarah Michelle	6/10/2024	Basic Flight Instructor	Aviation Program
Trask, Sarah Michelle	6/10/2024	Basic Flight Instructor Training	Aviation Program
Hoddick, Howard Kinsey	6/11/2024	Basic Flight Instructor	Aviation Program
Hoddick, Howard Kinsey	6/11/2024	Basic Flight Instructor Training	Aviation Program
Temporary Salary Payment			
Taylor, Owen N	6/1/2024	Hospitality & Community	Dorm Operations



Central Oregon Community College Board of Directors: Information Item

Subject	Employee of the Year and Diversity Award Recipients
Strategic Plan Connection	Supporting Colleagues - we embrace the worth and dignity of our faculty and staff and support their integral role in shaping the future of our students and communities.
Prepared By	Laura Boehme, Vice President for People and Technology

A. Background

Each year exemplary employees are recognized for their outstanding performance, recognized for their involvement in student success, and who promote and represent COCC in a positive enthusiastic manner by awarding them with the Employee of the Year Award.

Each year an employee is recognized for making valuable contributions to our campus community in a way that supports and fosters a respectful and inclusive multicultural environment by awarding them with the Diversity Award.

Employee of the Year Awards

Full-Time Faculty

Lilli Ann Linford-Foreman
Professor Theatre/Speech
With COCC since 1987

Adjunct/Part-time Faculty

Gabriann Hall
Adjunct Instructor Anthropology/Ethnic
Studies
With COCC since 2019

Classified

Shawn Hoxie
Campus Custodian Lead
With COCC since 2017

Administrator

Josh Clawson
Director Campus Services
With COCC since 2022

Confidential

Krista Leaders
Academic Affairs Office Coordinator
With COCC since 2017

Diversity Award

Brittany Nichols

Director Foundation Programs
With COCC since 2012

Emily Moxley

Head Library Access Services
With COCC since 2021



**Central Oregon Community College
Board of Directors: Information Item**

Subject	2023-27 Strategic Plan Action Projects
Prepared By	<ul style="list-style-type: none">• Laurie Chesley, President• Laura Boehme, Vice President for People and Technology• Zak Boone, Vice President of College Advancement and Executive Director – COCC Foundation• Annemarie Hamlin, Vice President of Academic Affairs• Michael LaLonde, Vice President of Finance and Operations• Alicia Moore, Vice President of Student Affairs

During the September 2023 COCC Board of Directors’ meeting, the College reviewed the 2023 – 27 Strategic Plan Action projects. This information item summarizes the work done during the 2023- 24 academic year.

GUIDED PATHWAYS

**Goal Connection: Student-Ready College, Access
Action Team and SLT Leads: Annemarie Hamlin & Alicia Moore**

COCC’s Guided Pathways work follows the principles of the [Ask/Connect/Inspire/Plan](#) (ACIP) model. During the 2023 – 24 academic year, the College convened several work groups to help move us towards a fall 2026 implementation. Those groups are:

- Admitted Student Communications
- New Student Onboarding
- Academic Advising and Career Services
- New Student Orientation
- Trailhead Courses

In addition to the above teams, the College also is implementing a new admissions application, new customer relationship management (CRM) system and redesigning the College’s website, all of which are necessary components to successfully launching COCC’s Guided Pathways initiative. Additionally, smaller teams are working on aligning institutional data with the Guided Pathways model and reviewing curriculum impacts for exploratory students.

The Guided Pathways Steering Team comes together on a regular basis to ensure cross-team communication is happening in critical areas and all are involved in key decisions.

STRATEGIC SCHEDULING

Goal Connection: Student-Ready College, Access, Community Engagement

Action Team Leads: Cindy Lenhart & Jessica Giglio

SLT Lead: Annemarie Hamlin

The Strategic Scheduling action team's charge is to develop a course scheduling plan that results in a student-centered, year-long schedule for all four campuses. The plan will help the College make data-informed decisions about the right balance of course delivery modes, as well as the times, days and locations in which courses are offered.

The work group made significant progress this year, including publishing a year-long schedule (Fall 2024 through Spring 2025) in April 2024. This schedule included all four campuses and was built with a student-centered focus. Additionally, intentional work was done to increase communications regarding course scheduling amongst deans, department chairs, program directors, campus directors, and many others while building the schedule. In addition, many other areas of the College such as Assessment and Curriculum, Financial Aid, CAP Services, Admissions and Records and others were consulted to ensure that processes and timelines worked for all partners involved.

In addition to the above work, the Strategic Scheduling team began implementation of a scheduling tool to assist the College in creating the future class schedules. This tool will be launched in October 2024 to begin building the Summer 2025 schedule.

ADULT STUDENT RECRUITMENT & RETENTION

Goal Connection: Student-Ready College, Access, Community Engagement

Action Team: Tyler Hayes, Andrew Davis, Aimee Metcalf, Cindy Lenhart & Breana Sylwester

SLT Leads: Alicia Moore & Annemarie Hamlin

In winter 2024, the Oregon Community College Association worked with [Student Ready Strategies](#), a higher education consulting firm, to sponsor a statewide survey targeted towards adult learners. COCC sent the survey to more than 2,000 students, and unfortunately, had a less than 1% response rate. Regardless, the College sent a team to a statewide meeting to review results from all institutions, share best practices and research in serving adult learners, and give teams an opportunity to develop potential action items for colleges to consider.

The action team noted that COCC is already actively engaged in many of the best practices to recruit and support adult learners. The team will share this work with the College so that it is more widely understood and recognized. Additionally, this team is meeting in a more informal

fashion than other teams, especially since many best practices are currently happening as a routine part of everyone's work.

Student Ready Strategies also shared an Institutional Policy and Adult Learner framework. These tools, along with other best practices, were shared with institutional leadership and the Guided Pathways team. The action team is developing a recommendation for committees such as College Affairs and Academic Affairs to implement the Institutional Policy framework at COCC as a means of ensuring an adult learner lens is used to evaluate and/or review policy.

ONLINE COURSES & PROGRAMS

Goal Connection: Student-Ready College, Access, Community Engagement
Action Team Leads: Tony Russell & Venus Nguyen
SLT Leads: Annemarie Hamlin

The Online Courses and Programs Action Team is charged with assisting in the development of the online Associate of Arts – Oregon Transfer degree, leading the development of new online programs or adjusting current programs to have fully online options. They will also work with Marketing and Public Relations to implement a marketing campaign to promote online programs.

To this end, the action team focused their 2023 – 24 work on an internal readiness audit of student-ready resources, institutional capacity, and academic programs to identify strengths and opportunities. Additionally, they developed templates, best practices, and accessibility standards for online programs and established baseline data in support of this strategic planning indicator.

MADRAS CAMPUS EXPANSION

Goal Connection: Student-Ready College, Access, Community Engagement
Action Team Leads: Jeremy Green & Zak Boone
SLT Lead: Annemarie Hamlin & Zak Boone

Central Oregon Community College is embarking on a major venture to grow the Madras campus, more than doubling its size and meeting critical rising needs in the region. The plan directly addresses a shortage of health care and early childhood education workers, while also opening a child care center to serve a critical need for Jefferson County families. This project directly supports three strategic plan goals and touches on many other aspects of the overall plan.

This past year has included several major milestones, including completing the building design, establishing a guaranteed maximum price, and breaking ground onsite in Madras. These milestones are the culmination of more than two years of work on this project. Other activities include:

- COCC's Board of Directors approved the guaranteed maximum price of \$22.2 million at the June 2024 meeting.
- The college hosted a groundbreaking event on June 17, 2024, with project partners including members from COCC's Board of Directors, COCC's Foundation, the Bean Foundation, the Children's Learning Center and COCC faculty and staff.
- Project permits continue to work through the City of Madras and Jefferson County permit departments.
- Kirby Nagelhout Construction has been on site since June 17, 2024. The focus of the work is clearing the property for construction, moving subcontractors onsite, establishing safety protocols and prepping the ground for utilities and the building's foundation.

WORKFORCE INFRASTRUCTURE

Goal Connection: Access, Community Engagement
Action Team Leads: John Graham & Wayne Yeatman
SLT Lead: Annemarie Hamlin

The Workforce Infrastructure action team aims to enhance the College's ability to meet workforce needs through a structured assessment and continuous improvement process. This initiative will involve developing credit and noncredit program needs assessment tools, creating metrics to measure COCC's support of workforce needs, and establishing a regular data review protocol.

Goals for this action team are to:

- Create or adopt a comprehensive tool(s) for assessing both credit and noncredit program needs to ensure alignment with local and regional workforce demands;
- Establish metrics to track the effectiveness of COCC's programs in meeting workforce needs; and
- Identify responsible parties and establish a routine for data review and recommendations.

This is one of the newer strategic plan action teams, with much of their work starting in spring 2024. As such, the team spent time ensuring that all members understand the scope of their charge as well as the current credit and noncredit landscape. They also reviewed workforce offerings and best practices from other Oregon community colleges and the High Desert ESD and began work to identify their action team's indicators. Efforts in the coming academic year will be to identify and implement a workforce needs assessment tool, analyzing the data to determine next steps.

MANUFACTURING & APPLIED TECHNOLOGY CENTER REVITALIZATION

Goal Connection: Access, Community Engagement
Action Team Leads: Amy Ward & John Graham
SLT Lead: Annemarie Hamlin

The growing need for a trained manufacturing workforce in Central Oregon calls for renewed attention to COCC's Manufacturing and Applied Technology Center (MATC). This team will work with its advisory board and industry partners to review, update and expand advanced manufacturing opportunities. Encompassing facilities, equipment, thriving partnerships, stackable certificates and customized trainings, MATC Revitalization will ensure student success aligns with workforce needs.

During this past academic year, the action team spent considerable time reviewing and discussing the components of revitalization and is currently focused on ensuring industry-responsive curriculum, appealing to and retaining diverse student populations, faculty recruitment and retention, and the expansion of the facility. Additionally, three team members toured four community college manufacturing programs (Clackamas Community College, PCC OMIC, Linn-Benton Community College, and Chemeketa Community College). The team gained valuable insight into best practices for program structure, facility set-up and design and curriculum development. Importantly, the team also learned all programs share similar challenges to COCC.

As a result of this work, the MATC curriculum will shift towards scheduled, in-person delivery (currently an open-entry, open-exit format). During this transition, higher-level classes will be instructed in the previous open lab format, while new students begin a cohort model with enrollment opportunities in fall and spring. To prepare for this shift, MATC faculty will update curriculum to meet employer needs and incorporate employability skills into curriculum during summer quarter.

PRESIDENT'S CLIMATE LEADERSHIP COMMITMENT

Goal Connection: College Sustainability
Action Team Leads: Noelle Copley & Owen Murphy
SLT Lead: Michael LaLonde

The President's Climate Leadership Commitment (PCLC) action team leads brought together representatives from across the College, including all four campuses. The work group finalized their charge:

- 1) Establish a PCLC taskforce
- 2) Complete a greenhouse gas emissions (GhG) inventory within one year (and annually thereafter)
- 3) Establish a climate action plan (CAP) that will guide the College toward carbon neutrality

- 4) Take actions to reduce greenhouse gases (GhG)
- 5) Integrate sustainability into the curriculum
- 6) Make COCC's CAP, annual GhG inventories, and progress reports available to the public

As part of the work this year, the PCLC completed the second year of a greenhouse gas emissions inventory and solicited responses for consultants to develop a climate action plan (CAP). The CAP will provide the College with guidance and options as to next steps towards achieving carbon neutrality. PCLC chose the proposal from Parametrix, a Eugene-based consulting company, and sought strategic plan funds to support this work. PCLC anticipates that the CAP will be complete in late fall 2024.

EMPLOYEE AWARDS, RECOGNITIONS, CELEBRATIONS & PROFESSIONAL DEVELOPMENT

Goal Connection: College Sustainability

2023 – 24 Action Team Leads: Karen Peters & Kara Rutherford

2024+ Action Team Leads: Andrew Davis & Ashley Thompson

SLT Lead: Laura Boehme

Faculty and staff responses to the [Great Colleges to Work For survey](#) showed significant interest in the College improving employee awards, recognitions, celebrations and professional development. Therefore, a strategic plan action team was convened to develop plans for these areas, as well as evaluate current activities.

Initially the action team spent time identifying the existing awards, recognitions and celebrations and gaining an understanding of the various professional development opportunities offered to employees. With this information, the work group chose to focus on employee awards and professional development for the 2023 – 24 academic year. They met with various College departments or divisions to gather informal feedback and conducted an employee survey on these topics. 117 employees responded to the survey.

Due to staffing changes, Andrew Davis (Student Affairs) and Ashley Thompson (IT) were asked to serve as the new Action Team chairs starting in summer 2024. Their work will focus on the survey results, with the goal of recommending new awards in fall 2024.

UNIFIED DATA ANALYTICS SOLUTION

Goal Connection: College Sustainability

Action Team Leads: Chris Egertson & Laura Boehme

SLT Leads: Laura Boehme & Alicia Moore

COCC has more than nine databases by which it tracks student information and other data needed to make key decisions. To meet many of the College's needs, staff must create manual workaround solutions to extract, clean, join and analyze data from these multiple sources. A "unified data analytics solution" (UDAS) will provide the ability to easily bring data together and

store it in one location, thereby making data more accessible and better supporting college-wide data needs.

Funding for the UDAS was originally included in the College's Department of Education Title III grant. While outcomes of that grant are not yet known, the UDAS team broke the implementation into two parts, a workflow/process framework and implementation of the tool itself. The UDAS leads developed an RFP for a UDAS vendor and issued it in June 2024 and is in the middle of responding to vendor questions. The UDAS team anticipates awarding the RFQ in fall.

CULTURALLY-INCLUSIVE HIRING PRACTICES

Goal Connection: College Sustainability
Action Team Leads: Seana Barry & Christy Walker
SLT Leads: Laura Boehme & Alicia Moore

In 2021 – 22, COCC developed a plan that included short-, mid-, and long-range recommendations to increase the diversity of applicant pools, with the ultimate goal of increasing the diversity of employees. The Culturally Inclusive Hiring Practices action team is charged with making recommendations to implement those strategies and considering potential additional strategies.

Primary work this year was to convene a College-wide team. Once established, the action team leads spent time building a common understanding of the 2021 – 22 recommendations, the data and research behind those recommendations, and ensuring all team members had a strong understanding of COCC's hiring process, including position posting, gathering applications and the selection process.

The work group then broke the previous recommendations into several categories:

- Job description
- Application process
- Advertising/promotion
- Internal selection process
- Interview process
- Interviewing and moving reimbursements
- Brand awareness

Additionally, during summer 2024, the action team will work with Human Resources to change language in job descriptions and COCC employment application to be more inclusive.

The 2024 – 25 academic year will focus on development of hiring committees and the interview process, implementing some of the recommendations from the previous work group. The group will also make additional recommendations for other process changes, with examples including how to support out-of-area applicants during the interview process and increasing brand awareness amongst prospective employees.

UPGRADE BUSINESS OPERATIONS

Goal Connection: College Sustainability

Action Team and SLT Leads: Michael LaLonde & Laura Boehme

Many of COCC's business-related processes are outdated and in need of attention. This Strategic Plan Action Team is evaluating and improving policies, procedures and systems to make them more efficient, effective and operationally sustainable, as well as to align them with contemporary practices.

During this past year, the Business Operations leads convened their work group and surveyed the College to identify potential business process improvements. As a result of this work, the team has completed the following activities:

- Identified outdated forms, shifting many of those from Word to Acrobat fillable files.
- Created training for Argos (reporting tool) and My Finance.
- Worked with the College's student information systems vendor to identify modules for improving accounting systems and coordinate staff trainings.
- Met with the City of Bend to determine how they best utilize various tools, including SharePoint.

FACILITIES MASTER PLANNING

Goal Connection: College Sustainability

Action Team Leads: Michael LaLonde & Josh Clawson

SLT Lead: Michael LaLonde

The Facilities and Space Planning Action Team collaborates with key partners to develop a forward-thinking Facilities and Space Plan to reflect the College's vision for creating an inclusive and sustainable learning and work environment. As part of this work, this action team is reviewing and analyzing data related to projected programming needs, enrollment trends, technological advancements, space utilization, deferred maintenance, and sustainability initiatives. Based on this analysis, the team will recommend facility enhancements, renovations, and new construction projects. Such recommendations align with the College's strategic priorities, and implementation and maintenance of the plan will be incorporated in College operations.

During the past academic year, the Facilities and Space action team:

- Purchased Matterport, a tool that scans and digitizes offices, classrooms and other spaces, providing precise measurements of the space. Matterport was used to scan six buildings and data used to create architectural drawings.
- Inventoried 15 buildings for classrooms, offices, room contents and quality.
- Finished a parking lot survey for each campus.
- Started a process to assess the physical condition of all COCC buildings.

Future directions include working with COCC divisions to best understand current and future program needs, develop an office usage policy, and develop a three-to-five-year facilities and space plan, including capital improvement needs.



Subject	2023-27 Strategic Plan Indicators, Targets and Reporting Calendar
Prepared By	<ul style="list-style-type: none"> • Laurie Chesley, President • Laura Boehme, Vice President for People and Technology • Zak Boone, Vice President of College Advancement and Executive Director – COCC Foundation • Annemarie Hamlin, Vice President of Academic Affairs • Michael LaLonde, Vice President of Finance and Operations • Alicia Moore, Vice President of Student Affairs

During the September 2023 COCC Board of Directors’ meeting, the COCC Board approved a new mission and goals as part of the College’s 2023 – 27 strategic plan. To ensure progress towards the strategic plan goals, the College proposed indicators of achievement for each goal and these were approved at the January 2024 Board of Directors’ meeting.

This information item elaborates on those indicators and provides annual targets, data and related information for each indicator. Each of the Senior Leadership Team members will discuss their indicators during a brief presentation at the Board of Directors’ July meeting. The details below serve as a foundation for that presentation.

GOAL - STUDENT-READY COLLEGE: COCC welcomes all students by addressing their individual needs and helping them achieve their goals.

Fall-to-Winter Retention

Annemarie Hamlin & Alicia Moore

Rationale for Indicators: First-term retention is a common student success indicator in higher education, helping institutions measure whether students are making early progress towards educational goals. While numerous supports contribute towards a student’s success, COCC’s upcoming Guided Pathways work supports the College’s Student-Ready goal and is intentionally designed to help students choose, enter and engage in activities to foster early success.

Definition: COCC adopted the Oregon Guided Pathways definition for first-term retention as this allows us to have comparison institution data. This definition measures fall-to-winter term retention of students who took their *first* credit course in fall term. “First” means those with no prior college or dual credit experience.

Targets: COCC’s fall 2021 cohort fall-to-winter retention rate was 77%, while our Oregon Guided Pathways peer institution average was 74%. COCC’s Guided Pathways work will not fully launch until fall 2026, with first results of that seen in winter 2027 retention rates. Therefore, our goal is to maintain a

retention rate greater than our peers, adjusting that to a higher rate for the fall 2026 cohort. With this, specific targets are:

	2023-24	2024-25	2025-26	2026-27
Met	74% or greater	74% or greater	74% or greater	75% or greater
Almost Met	71 – 74%	71 – 74%	71 – 74%	72-75%
Not Met	Below 71%	Below 71%	Below 71%	Below 72%

Updated data will be available by the end of winter term each year.

Fall-to-Fall Retention **Annemarie Hamlin & Alicia Moore**

Rationale for Indicator: Like first-term retention, fall-to-fall retention is a common indicator in higher education to help institutions measure student persistence. Several 2023-27 Strategic Plan action projects will contribute towards an eventual increase in fall-to-fall retention rates, although many of those will not be realized until towards the end of the strategic plan given the implementation timelines. Moreover, both research and practice indicate that major retention initiatives typically take one to three years before an institution experiences positive gains.

Definition: Fall-to-fall retention is a data point measured by the National Center for Educational Statistic IPEDS data system, a national data base for a multitude of higher education measures. COCC chose to follow the IPEDS definition for fall-to-fall retention as this allows us to use national and regional comparator institution data by which to set our benchmarks, an activity that will happen in the coming academic year. Fall-to-fall retention is measured as full- and part-time students who were registered in one fall quarter and are registered in the fourth week of classes the following fall quarter.

Targets: 51% of COCC’s fall 2021 cohort returned for fall 2022, although the College’s former strategic plan had fall term retention rates between 47% - 51%, with 47% closer to historical norms. Additionally, much of the strategic plan action project work will not impact fall-to-fall retention until fall 2027. Therefore, until comparator institution data is available, COCC set the following targets:

	2023-24	2024-25	2025-26	2026-27
Met	49% or greater	49% or greater	49% or greater	51% or greater
Almost Met	47 – 48%	47 – 48%	47 – 48%	49 – 51%
Not Met	Below 47%	Below 47%	Below 47%	Below 49%

Updated data for the one fall term cohort will be available by the end of the following fall term.

Graduation Rates **Annemarie Hamlin & Alicia Moore**

Rationale for Indicator: Graduation rates are also a common metric in higher education. The 2023 – 27 Strategic Plan action projects were selected as they have the ability to positively impact student success – and in particular, graduation rates. Examples of these projects include Guided Pathways, Strategic Scheduling, Online Programs and Madras Campus Expansion, among others, noting that implementation

timelines for many of these may not impact graduation rates during this strategic plan, but should do so shortly thereafter.

Definition: Graduation rates are another indicator collected by IPEDS. IPEDS measures graduation rate in a fall term cohort to determine which first-time, full-time, certificate or degree seeking students earn a completion within three years. COCC chose this definition as it will allow us to develop comparator benchmarks with previously identified regional and national peers, an activity that will take place in the coming academic year.

Targets: COCC's fall 2019 cohort graduation rate was 22%, while the national community college three-year graduation rate was 34% (fall 2019 is the most recent cohort data available as IPEDS collects this information during winter quarter and releases it to colleges the following year after data verification). An important note is the national rate includes community colleges that solely offer technical education, which typically have higher graduation rates. Until comparator institution data is available, COCC set its graduation rate targets more in line with historical norms:

- Met target: 23% or greater
- Almost met: 21 – 23%
- Not met: Below 21%

Graduation rate data is updated each winter term as part of the College's IPEDS data reporting timeline.

Transfer Rates

Annemarie Hamlin & Alicia Moore

Rationale for Indicator: Student transfer rates to other institutions round out the most common student success metrics measured by community colleges. This indicator was chosen because like the others, it has potential to be impacted by many of the 2023-27 Strategic Plan action projects.

Definition: Also measured by IPEDS, transfer rate is defined based on a fall cohort that counts any first-time, full-time, certificate or degree seeking students who transfer to a two- or four-year institution before earning a completion within three years.

Targets: Historically, COCC students transfer to other institutions at higher rates compared to other Oregon community colleges, with most students transferring to Oregon State University or Linn-Benton Community College. The College set upcoming year targets in line with historical norms (average 21%) as many of our Strategic Plan activities impacting transfer rates will not be realized until late in the strategic plan's timeline:

- Met target: 23% or greater
- Almost met: 21 – 23%
- Not met: Below 21%

Transfer rate data is updated each winter term as part of the College's IPEDS data reporting timeline.

GOAL – ACCESS: COCC expands access by providing students with equitable opportunities and the resources needed to achieve their goals.

In-District Penetration Rate**Zak Boone, Annemarie Hamlin & Alicia Moore**

Rationale for Indicator: Core to a community college's mission is serving those who reside within their college district boundaries. One way to measure this is to determine the percent of people who are registered in any course offered by college, which is often referred to as market penetration. This measure helps colleges understand who they are serving and whether they are reaching their desired demographic population. This measure is also inclusive, as it represents the depth and breadth of all institutional offerings.

Definition: COCC's penetration rate is defined by any individual, 15 or older, who is enrolled in any COCC credit or noncredit course. It includes Crook, Deschutes and Jefferson counties. It does not currently include Wasco County as there are limitations to the data that does not allow the College to disaggregate specific town data in line with county, although staff are looking to alternate sources for this information.

Targets: During the past five years, COCC served an average of 5.9% of the tri-county residents. As soon as further detail is available, staff will disaggregate the data based on demographic or geographic factors and identify potential areas for growth. Until then, the College has set the following targets:

- Met: 5%+
- Almost Met: 4%
- Not Met: Below 4%

Penetration rate data will be updated each summer for the prior academic year.

In-District Tuition & Fees**Michael LaLonde**

Rationale for Indicator: Primary components of any community college's purpose are to serve its local service area and maintain affordability. Maintaining an affordable in-district tuition rate, while maintaining quality programs and services, ensures that COCC can best serve students throughout our district and support them in reaching their goals. Moreover, affordability also supports COCC's commitment to expanding access for in-district residents.

Definition: This indicator is measured based on data from the Oregon Business Officers that shares the tuition and fees for all Oregon community colleges. Only fees that are universally applied to all students are included.

Targets: COCC will be in the bottom quarter of in-district tuition and fees compared to all other Oregon community colleges. Currently, COCC is the 14th most affordable Oregon community college, placing it in line with this target.

In-district tuition and fees will be updated in July for the upcoming academic year.

Underrepresented Students**Annemarie Hamlin & Alicia Moore**

Rationale for Indicator: The Higher Education Coordinating Commission identified four student populations as priority populations as part of its new Oregon community college funding model: Low-income, students of color, career and technical education students and adult learners (defined as 25 and

older). National research indicates that these populations are traditionally underserved in higher education. While COCC is currently providing specialized support for many of these populations, a review of these programs aligns with the College's goals of being a student-ready institution as well as increasing access.

Definition: Students who were enrolled in reimbursable courses from the prioritized populations:

- Recipients of Pell or Oregon Opportunity Grant (credit students only, as identified through institutional systems)
- Student of Color (credit and noncredit, if identified on enrollment forms)
- Students enrolled in career and technical education courses (credit and noncredit, as identified through institutional systems)
- Adults Learners 25+ (credit and noncredit, as identified on enrollment forms)

Targets

The College identified “sub-indicators” for each of the priority populations:

- Students of Color: 15%. This aligns with prior years, noting that additional data sources reviewed during summer 2024 may influence this target.
- Adults Learners: 47%. This is a 1% increase over last year as the College has seen steady growth in this population.
- Pell Students: 40%. This is a 2% increase over last year. Low-income students have been on the decline for the prior three academic years, but the College did see a significant increase in fall 2023 and anticipates greater enrollments of low-income students post-pandemic.
- CTE Headcount: 37%. This aligns with current offerings and no new programs or class expansions are happening in 2024-25. However, this will likely increase in 2025-26 due to 1) foundational work happening in CBIPD this year (which will likely result in an increase in the number of noncredit training opportunities); 2) Madras campus and new CTE programs; and 3) the College will be conducting a needs analysis in 2024-25 to determine how workforce needs align with COCC programs and where gaps may exist.

These sub-indicators will roll up to one target for the underrepresented students indicator; this target will remain the same throughout the strategic plan:

- Met: 3 or more of the sub indicators
- Almost met: 2 of the sub indicators
- Not met: 0 or 1 of the sub indicators

Indicator data will be updated each summer for the prior academic year.

Rationale for Indicator: Online courses provide access to higher education for students throughout COCC’s service district, some of whom may not be able to travel to COCC campuses, have work or family obligations that prevent them from taking in-person classes, or prefer online learning. Meeting the differentiated needs of students includes offering online instruction and further advances the College’s access goal.

Definition: The indicator measures the headcount and FTE of students enrolled in online courses and the number credit courses and sections of each course. Currently, several disciplines offer most or all of their classes online, but at this time, COCC is not considering these as fully online programs because some of the required support courses may or may not be offered online. This action project’s work will help move the College towards its goal of developing fully online programs. However, that is not yet an indicator as foundational work is needed.

Targets: Targets are based on the aggregation of the data noted above (headcount, FTE, courses, sections) as compared to the 2022-23 benchmark year. Numeric targets are set up in ranges that represent a settling or growth pattern over time (not counting pandemic years) even though a single year may swing upward or downward within the parameters listed in the table below. Since this indicator is focused on growth of our own online offerings, data from our comparator institutions is not currently a factor in this work.

	Online Credit Course Student Headcount	Online Credit Course Student FTE	Number of Online Credit Courses	Number of Online Credit Course Sections
Met (3 of 4 criteria)	2,994–3,304	760–1,100	217–245	520–552
Almost Met (2 of 4 criteria)	2,501–2,499	601–759	201–216	498–519
Not Met (0 or 1 criterion)	2,500 or fewer	600 or fewer	200 or fewer	497 or fewer

Online course and program data will be updated each summer for the prior academic year.

GOAL - COMMUNITY ENGAGEMENT: COCC engages with and responds to the needs of the communities we serve.

College-Sponsored Events

Zak Boone

Rationale for Indicator: This indicator demonstrates the College’s commitment to providing the communities we serve with a variety of relevant and engaging opportunities to participate in events.

Definition: “College-Sponsored Events” includes the number of events outside of traditional instructional offerings and includes any activity formally sponsored or endorsed by the College where at least some of the intended participants are community members.

Targets: COCC recognizes that producing events often takes significant time, energy and human resources to execute. Thus, the annual targets represent a modest growth over the life of the strategic plan.

	2023-24	2024-25	2025-26	2026-27
Met	75 or more	78 or more	80 or more	82 or more
Almost Met	65 – 74	68 – 77	70 – 79	72 – 81
Not Met	64 or fewer	67 or fewer	69 or fewer	71 or fewer

College-sponsored events data will be updated each summer for the prior academic year.

Stakeholder Groups

Zak Boone

Rationale for Indicator: Overall, engagement with key stakeholder groups enriches the professional experience of COCC staff, strengthens the college's ties to the community, and contributes to student success, workforce development, and regional prosperity in Central Oregon. By actively participating in these partnerships, COCC staff can make meaningful contributions to the College's mission and the communities we serve.

Definition: Key stakeholder groups for this indicator include the following 14 entities: OSU-Cascades, City Club of Central Oregon, Economic Development for Central Oregon (EDCO) and its regional offices (4), Bend/Redmond/Sunriver-LaPine/Sisters & Madras Chambers of Commerce (5), High Desert Education Service District (HDES), Central Oregon Intergovernmental Council (COIC) and East Cascades Works.

Targets: Active engagement with these groups should be a priority for the College and 85% or higher indicates ongoing, meaningful engagement with the above groups. "Active engagement" is defined as formal MOU's, active membership, board/committee representation by COCC staff/faculty or related commitments. Targets for this involvement are:

- Met: 85% or more of key stakeholder groups have COCC engagement
- Almost Met: 70 - 84%
- Not Met: Below 70%

Stakeholder group data will be updated each summer for the prior academic year.

GOAL - WORKFORCE DEVELOPMENT: COCC develops and aligns educational opportunities with regional workforce needs and industry standards.

Workforce Development: Student Headcount and Completion

Rationale for Indicator: The College's goal regarding workforce development demonstrates its commitment to preparing students who are ready to enter the regional workforce. With this, COCC will track headcount and completion rates in classes and programs that respond to the varying needs of our communities and regional partners.

Definition: This indicator is measured by the number of students enrolled in workforce classes or trainings and the number of students completing workforce programs; it includes both credit or noncredit offerings. Credit headcount and completion are those students in career and technical

education courses and program, while noncredit courses and programs are those defined as workforce development (examples include American Heart Association trainings, pre-apprenticeship courses, Small Business Development Center courses and trainings, and some Community Education courses).

Targets: COCC set its targets as an aggregate of all students taking and completing workforce programs. Targets are currently set for the 2024-25, but as the College refines its analysis of regional workforce needs, the action team will adjust targets to align with these findings. COCC will compare its targets to those of our standard Oregon comparator schools: Linn-Benton Community College, Rogue Community College, Southwestern Oregon Community College, Lane Community College, and Umpqua Community College. Demographic data will be available for credit students only (it is not collected for noncredit students) and the team will use this to analyze any achievement gaps and identify supports to reduce those gaps.

	Credit Course Student Headcount	Non-credit Course Student Headcount	Credit completion	Non-credit completion
Met (3 of 4 criteria)	increase by 2 percent (74 additional students)	increase by 2 percent (64 additional students)	increase by 2 percent (6 additional completions)	increase by 2 percent (90 additional completions)
Almost Met (2 of 4 criteria)	Increase by 1 percent	Increase by 1 percent	Increase by 1 percent	Increase by 1 percent
Not Met (0 or 1 criterion)	No increase	No increase	No increase	No increase

The workforce students indicator will be updated in July for the previous academic year.

Workforce Offerings: Programs and Classes **Annemarie Hamlin**

Rationale for Indicator: Staying aligned with regional workforce needs requires adjusting programs or courses that train or upskill Central Oregon workers. As part of the College’s commitment to meeting regional workforce needs, COCC will track growth in new classes and programs that respond to the varying needs of our communities and regional partners.

Definition: This indicator will measure the addition of any new program as well as the expanding an existing program to a new location, such as nursing, medical assisting, and early childhood education in Madras. This includes credit and non-credit classes and programs. Aggregating all credit and non-credit offerings into one indicator is a recognition that serving workforce needs is the collective responsibility of the College.

Targets: Targets are measured against 2022 – 23 baseline data in which the College 88 degrees, certificates, and non-credit training certificates, and 885 standalone credit and non-credit workforce courses. Since this indicator is focused on growth of our offerings, data from our comparator institutions is not currently a factor in this work. Targets for 2025 – 26 and 2026 – 27 will be updated based on the results of regional needs analysis, tentatively scheduled for the 2024 – 25 academic year.

	2023-24	2024-25	2025-26	2026-27
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Met	Add three	Add five	Add three	Add three
Almost Met	Add two	Add three	Add two	Add two
Not Met	Add one or none	Add one or none	Add one or none	Add one or none

The workforce offerings data will be updated in July for the previous academic year.

GOAL – COLLEGE SUSTAINABILITY: COCC creates processes and systems to foster a high-quality and operationally sustainable work, learning, and natural environments.

Employee Awards, Recognitions and Professional Development

Laura Boehme

Rationale for Indicator: Employee responses to the 2021 Great Colleges to Work For (GCTWF) survey rated “employee awards and recognitions” indicated that the College needs to review its programs for acknowledging and honoring its employees. Research consistently shows that employee engagement, retention, and workplace culture are linked to personal recognition of employee contributions and performance and that employees who receive positive recognition are twenty times as likely to be engaged as employees who receive poor recognition. In order to help the College reach its goal regarding College Sustainability, intentional work on employee awards, recognitions, celebration and professional development is warranted.

Definition: The specific GCTWF question asked is “Our recognition and awards programs are meaningful to me,” with response options as Strongly Agree, Agree, Sometimes Agree/Sometimes Disagree, Disagree, Strongly Disagree, Not Applicable.

	2021 Results (baseline data)	2024 Results
Strongly Agree	12.9%	17.3%
Agree	24.3%	29.6%
Sometimes Agree/Disagree	35.2%	28.8%
Disagree	17.1%	14.6%
Strongly Disagree	10.5%	9.6%

Targets

- Met: 12% increase in Strongly Agree or Agree ratings
- Almost Met: 9% increase in Strongly Agree or Agree ratings
- Not Met: 5% increase in Strongly Agree or Agree ratings

The employee awards, recognitions, celebrations and professional development indicator will be updated the next time the GCTWF survey is administered (spring 2027).

President’s Climate Leadership Commitment

Michael LaLonde

Rationale for Indicator: COCC will work with climate action plan specialists to conduct a climate action plan study in fall 2024 in support of the College’s sustainability goal. This study will give the College a long-range plan to achieve carbon neutrality, with recommendations on specific actions to achieve this

goal. The PCLC strategic plan action team will prioritize the activities based on capacity, personnel, budget and other resources. With this information, the College can then set future targets for its carbon emissions.

Definition: Greenhouse gas emissions (GhG) include a combination of carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) gases emitted from electricity (44%), natural gas (25%), commuting (24%), refrigerant (5%), with the remainder from sources such as waste, fertilizer and purchased goods. Data is collected in therms, kilowatts, miles, and gallons, then converted into one standardized unit, MT CO₂e (Metric Tons of Carbon Dioxide equivalent, MT CO₂e).

Targets: COCC's baseline greenhouse gas emissions (GhG) were measured at 10,036.92 MT CO₂e during the 2022 inventory. Specific targets will be set once the climate action plan recommendations are complete, tentatively in late fall 2024.

The PCLC data will be updated in January of each year.

Employee Retention

Laura Boehme

Rationale for Indicator: Being aware of and managing employee retention involves strategic actions by COCC to keep employees motivated and focused so they elect to remain employed and fully productive for the benefit of the College. A comprehensive employee retention program can play a vital role in both attracting and retaining key employees, as well as in reducing turnover and its related costs. By tracking employee retention, the College can continue to make our organization attractive to new and existing employees.

Definition: Employee turnover rate is determined by taking the number of employees who left the College in a given fiscal year and dividing it by the average number of employees during that same time period. The average number of employees is determined by adding the number of employees at year start (July) and number of employees at year end (June) and dividing by two.

Targets

	2023-24	2024-25	2025-26	2026-27
Met	14% or less	14% or less	13% or less	12% or less
Almost Met	14 – 16%	14 – 16%	13 – 15%	12 – 13%
Not Met	16% or greater	16 or greater	15 or greater	13 or greater

Employee retention data will be updated in July for the previous academic year.

REPORTING CALENDAR

Most indicators will be updated annually, although the month in which they will be updated varies by indicator. The anticipated timeline is:

Goal	Indicator	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Student-Ready	Fall-to-Winter Retention												
	Fall-to-Fall Retention												
	Graduation Rate												
	Transfer Rate												
Access	Underrepresented Students							**					
	Online Courses & Programs												
	Penetration Rate												
	In-District Tuition & Fees												
Community Engagement	Stakeholder Groups												
	College-Sponsored Events												
Workforce Development	Students: Headcount & Completion												
	Offerings: Courses & Programs												
College Sustainability	Awards, Recognitions, etc.*												
	PCLC												
	Employee Retention												

* The Great Colleges to Work For survey is administered every three years, with the next administration will be in winter 2027 and results in spring 2027.

** COCC will have its data regarding underrepresented students in July of each year. However, the State has not yet identified when it will provide annual comparator data.

The College anticipates bringing updates to the Board on each goal, its indicators, and primary action projects based on the following schedule:

- Student-Ready College: October
- Access: December
- Community Engagement: February
- Workforce Development: April
- College Sustainability: June

COMMUNITY COLLEGE RULES OF PROCUREMENT

**EFFECTIVE JANUARY 19, 2005, AND AS
AMENDED AS OF March 12, 2024
AND EFFECTIVE May 8, 2024, VERSION 1.9, THROUGH
BOARD RESOLUTION**

**ADOPTED IN ACCORDANCE WITH
ORS 279A.065(5)(a) and ORS 279A.070**

BY

**CENTRAL OREGON COMMUNITY
COLLEGE**

DATED XX XXX XX, XXXX

These Community College Rules of Procurement shall remain in effect unless modified, in writing, and adopted by the College's Local Contract Review Board through Board Resolution.

TABLE OF CONTENTS

These Community College Rules of Procurement were drafted by participating statewide community college representatives with the intent that Sections 100 and 200 be adopted in their entirety and remain unchanged by their respective institutions unless modified by participating committee members at a later date and subsequently ratified by all their Local Contract Review Boards. Section 300 has been specifically set aside to address the unique philosophies, cultures, and/or concerns of the various community colleges, voting districts, and Local Contract Review Boards. In the event of conflict between rules or sections within these Community College Rules of Procurement, the rules in Section 300 (excluding Appendix A), shall take precedence over the rules in Sections 100 and/or 200 except as otherwise expressly provided in Sections 100 and 200; in all cases, Sections 100, 200, and 300 (excluding Appendix A), shall take precedence over Appendix A.

SECTION 100 GENERAL INFORMATION

CCR.102	Purpose and Statutory Authority
CCR.104	Definitions

SECTION 200 PUBLIC CONTRACT SPECIAL PROCUREMENTS AND RULES OF PROCEDURE

GENERAL CONTRACT PROVISIONS

CCR.202	Advertising
CCR.204	Bid Security and Bond Requirements, Waiver of
CCR.205	Cooperative Procurement Participation
CCR.206	Donated Materials and/or Services
CCR.207	Emergency Contracts (Including Oil or Hazardous Material Removal)
CCR.208	Equipment Repair and Overhaul (Including Maintenance Agreements)
CCR.210	Federal Contracts, Purchases under
CCR.212	Intellectual Property (Periodicals/Library Books, Proprietary Software Licenses, Art, and Other Products of the Creative Process)
CCR.216	Life Cycle Costing/Best Value
CCR.218	Perishables (Chemicals, Food, Laboratory Supplies)
CCR.220	Personal Property, Used (Purchase of)
CCR.222	Price Regulated Items (Including Gas, Diesel Fuel, Heating Oil, Lubricants, Asphalts, Distilled Alcohol, Postage, and Certain Utilities)
CCR.226	Requirements Contracts
CCR.228	Resale – Items for
CCR.230	Telecommunications Services

PERSONAL SERVICES CONTRACTING RULES

CCR.250	Personal Services Contracts – General
CCR.260	Solicitation Requirements

PUBLIC IMPROVEMENT CONTRACTS EXCEPTIONS AND EXEMPTIONS

CCR.280	Alternative Contracting Methods
CCR.281	Donated Public Improvements
CCR.282	First-Tier Subcontractors; Disclosure and Substitution
CCR.283	Limited Negotiations with Bidder

SECTION 300 SUPPLEMENTARY PROVISIONS – CONTRACTING RULES

CCR.301	Consultant Selection Architects, Engineers, Photogrammetrists, Transportation Planners, Land Surveyors and Providers of Related Services Contracts
CCR. 302	Contact Amendments & Reinstatements
CCR.304	Cumulative Awards of Small Contacts (i.e. Anti-Fragmenting Rule)
CCR.308	Energy Management Controls Systems
CCR.310	Exemption (including Sole Source) – Purchases of Goods or Services through
CCR.312	Amendment to Personal Services Contracting Rules
CCR.314	Public Contacts Under Certain Dollar Limits
CCR.316	Rejection of an Offer
CCR.318	Space Rentals (hotel, conferences, temporary offices, etcetera)
CCR.320	Property Disposition


APPENDIX A: OREGON ATTORNEY GENERAL’S MODEL PUBLIC CONTRACT RULES (OREGON ADMINISTRATIVE RULES

The Community College Rules of Procurement adopt and incorporate by reference the following Oregon Administrative Rules (The “Model Rules”). The Model Rules incorporated by reference are those in effect on the date of adoption or amendment of these Community College Rules of Procurement. Model Rules not listed below are not included in the Community College Rules of Procurement. Sections 100, 200, and/or 300 in these Community College Rules of Procurement modify or supplement the Model Rules and shall prevail over the Model Rules in cases of conflict.

DIVISION 46 GENERAL PROVISIONS RELATED TO PUBLIC CONTRACTING

137-046-0100	Content and General Application; Federal Law Supremacy
137-046-0110	Definitions for the Model Rules
137-046-0120	Policy
137-046-0130	Application of the Code and Model Rules; Exceptions
187-046-0200	Notice to Advocate for Minorities, Women and Emerging Small Businesses
137-046-0210	Subcontracting to and Contracting with Emerging Small Businesses; DBE Disqualification
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**SECTION 100 - GENERAL
INFORMATION**

Purpose and Statutory Authority

CCR.102

~~(1) **Purpose.** These rules prescribe public contract Special Procurement (exemption whereby a Local Contract Review Board may approve a special procurement (pursuant to ORS 279B.085), personal services contracting rules, competitive procurement process rules, and supplementary provisions for community colleges, who have formally adopted through board resolution, these Community College Rules of Procurement, hereinafter referred to as Rules or CCRP.~~

- (1) **Statutory Authority.** These Rules are authorized by Public Contracting Code 279A.050 (*Procurement Authority*), 279A.055 (*Personal Services Contracts*), 279A.060 (*Local Contract Review Boards*), and 279A.070 (*Rules*). ~~All reference to PCC shall mean Public Contracting Code as defined in ORS 279A.010(1)(bb).~~ **Note:** Under ORS 279A.065(4), public contracting agencies in Oregon will be operating under the State of Oregon Attorney General’s Model Rules unless they have taken special action to opt out and adopt their own contracting rules.)
- (2) **Participating Oregon Community Colleges.** These Community College Rules of Procurement (CCRP) were drafted through a statewide, collaborative effort by representatives of Participating Oregon Community Colleges (POCC). Pursuant to the POCC participatory agreement, Sections 100 and 200 of the CCRP shall remain unchanged unless modified by the POCC at a later date and subsequently ratified by each institution’s Local Contract Review Board. Any member of the POCC that adopts changes to Sections 100 and/or 200 of the CCRP that have not been mutually agreed upon and adopted by all other POCC members, shall by and through its actions, no longer qualify as a member of the POCC cooperative procurement group and shall not represent itself as such.
- (3) **Sustainability Commitment.** In accordance with the Oregon Community College Rules of Procurement, member colleges are committed to the use and purchase of environmentally and socially responsible materials and products, which are fiscally responsible, reduce resource consumption and waste, perform adequately, and promote human health and well-being. Recognizing their regional economic role, colleges shall seek opportunities to educate, encourage, and influence their respective markets by utilizing, where feasible, products and services, including new environmentally preferable products, reusable products, recycled content and recycled products.

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Definitions for these Community College Rules of Procurement

CCR.104

The following terms, when they appear capitalized in these Community College Rules of Procurement, shall have the meaning set forth below unless otherwise indicated:

- (1) **“Addendum” or “Addenda”** means an addition to or deletion from, a material change in, or general interest explanation of a Solicitation Document.
- (2) **“Auxiliary Funds”** means funds intended to be profit making and/or self-sustaining for providing products or services to the College’s customers. (See also “Enterprise Funds.”) Examples of Auxiliary Fund or Enterprise Fund operations may include: bookstores; food services; printing services; medical/dental/science stores; student automotive and mechanical stores; and miscellaneous student stores for the resale of books and computers for instruction.
- (3) **“Award” or “Intent to Award”** means, as the context requires, either the act or occurrence of the College’s identification of the Person with whom the College will enter into a Contract following the resolution of any protest of the College’s selection of that Person, and the completion of all Contract negotiations.
- (4) **“Best Value, Arriving at”** means evaluation or assessment of performance factors and other aspects of service and product quality, as well as pricing, which may include, but not be limited to, combinations of quality, services, time, total cost of ownership considerations, and the probability of the Offeror performing the requirements stated in the Solicitation.
- (5) **“Bid”** means a “Written” response to an Invitation to Bid.
- (6) **“Bidding/Proposing Period”** means the span of time between the date of the Solicitation Document and the time and date set for receipt of Offers. The time period shall be stated in the Solicitation Document. ~~Generally a period of fourteen (14) calendar days shall be provided, but in no case shall the time provided be less than five (5) calendar days.~~
- (7) **“Closing”** means the date and time specified in a Solicitation Document as the deadline for submitting Offers.

- (8) **“COBID”** means the State Oregon Certification Office for Business Inclusion and Diversity.
- (9) **“Code”** means the Public Contracting Code, as defined in ORS 279A.010.
- (10) **“College”** means Community College District or Community College Service District established under ORS chapter 341, hereinafter known as the specific College whose name appears on the Solicitation Document and/or subsequent Contract and whose Local Contract Review Board has adopted by resolution or ordinance these Community College Rules of Procurement.
- (11) **“Competitive Range”** means the Offerors with whom the College will conduct discussions or negotiations if the College intends to conduct discussions or negotiations in accordance with its own rules.
- (12) **“Contract”** means a “Public Contract,” as defined in ORS 279A.010(1)(z), a sale or other disposal, or a purchase, lease, rental or other acquisition, by a contracting agency of personal property, services, including personal services, public improvements, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a public improvement. “Public Contract” does not include grants or public contracts exempt from the Public Contracting Code under ORS 279A.025. The “Contract” includes the College’s Solicitation Document and the accepted portions of a Solicitation Document, whether attached or incorporated by reference, between the College and Contractor describing the work to be done and the obligations of the parties. Depending upon the goods and services being procured, the College may use “Contract” as meaning a purchase order, price agreement, or other contract document in addition to the College’s Solicitation Document and the accepted portions of a Solicitation Document. If the Contract is for a public improvement or public work, the “Contract” may consist of the College’s Solicitation Document, including any addenda, the general and special and/or supplementary conditions or other conditions governing the work, the accepted portions of the Solicitation Document, the performance and payment bond (if required), certificates of insurance, plans, technical specifications, approved shop drawings, Construction Change Directive or written order for a minor change in the Work, Notice of Award, Notice to Proceed, and any contract amendments, including approved change orders.
- (13) **“Contract Price”** means, as the context requires, ~~(i)~~ the maximum monetary obligation that the College either will or may incur under a Contract, including bonuses, incentives, approved alternates, and contingency amounts, if the Contractor fully performs under the Contract.
- (14) **“Contract Review Authority”** means the College’s Local Contract Review Board as set forth in ORS 279A.060.
- (15) **“Contract Value”** - in determining the applicability of dollar threshold requirements for competitive procurements within these Community College Rules of Procurement, “Contract Value” means the gross amount of goods and/or services procured by or for the College and shall take into consideration, but not be limited to, the following elements: (1) Contract Price; (2) total amount estimated to be generated, if contract is anticipated to be revenue generating; (3) economic value, and (4) total estimated expenses incurred for which the College would be required to report to the Internal Revenue Service (e.g., 1099).
- (16) **“Contractor”** means the Person with whom the College enters into a Contract and shall be synonymous with “Independent Contractor” (i.e., a person or business that provides services to the College in which the College neither controls nor has the right to control the means or manner by which work is performed). The College may control the results of the services, but not control the means or manner of the Contractor’s performance of the Work.
- (17) **“Cost”** means not only the product price but also other items of expense such as the actual or reasonably estimated costs related to quality or conversion, and may include such actual or estimated items as shipping, delivery, setup, installation, and training.
- (18) **“Descriptive Literature”** means “Written” information submitted with the Offer that addresses the Goods and Services included in the Offer.
- (19) **“Disadvantaged Business Enterprise (DBE)”** means a small business concern pursuant to ORS 200.005~~(1)~~, which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or, in the case of any corporation, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals and whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

- (20) **“Effective Date of Contract”** means the date established in the Contract for the Contractor’s work to begin, or the date the Contract has been fully executed and received all required approvals, whichever date is later.
- (21) **“Electronic Advertisement”** means notice of the College’s request for Offers or Request for Quotes, available over the Internet via (a) The World Wide Web or some other Internet protocol; or (b) the College’s electronic procurement system.
- (22) **“Electronic Offer”** means a response to the College’s request for Offers or Request for Quotes submitted to the College via email or through the College’s Electronic Procurement System.
- (23) **“Electronic Procurement System”** means an information system that Persons may access through the Internet, using the World Wide Web or some other Internet protocol, or that Persons may otherwise remotely access using a computer, which enables Persons to send Electronic Offers and the College to post Electronic Advertisements, receive Electronic Offers, and conduct other activities related to a procurement.
- (24) **“Emergency”** means circumstances that were not reasonably foreseen by the governing body of the College, its President or another officer authorized by the College, and create a substantial risk of loss, damage or interruption of services; a substantial threat to property, public health, welfare or safety of the environment that requires prompt execution of a Contract to remedy the condition or deal with the risk.
- (25) **“Enterprise Funds”** means funds intended to be profit making and/or self-sustaining for providing product or services to the College’s customers. (See also “Auxiliary Funds.”) Examples of Auxiliary Fund or Enterprise Fund operations may include: bookstores; food services; printing services; medical/dental/science stores; student automotive and mechanical stores; and miscellaneous student stores for the resale of books and computers for instruction.
- (26) **“Evidence of Competition”** means College documentation demonstrating competitive solicitation of responses/Offer from Person(s) in selecting a Contractor in accordance with the College’s public contracting rules.
- (27) **“Facsimile”** means electronic equipment that communicates and reproduces both printed and handwritten material.
- (28) **“Gift”** means something of economic value given to a public official or a relative or member of the household of the public official without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or the relatives or members of the household of public officials on the same terms and conditions; or for valuable consideration less than that required from others who are not public officials.
- (29) **“Goods and Services”** or “Goods or Services” have the meaning set forth in ORS 279A.010(1)(j).
- (30) **“Interstate Agreement”** means any agreement between the College and a unit of local government or state agency of another state.
- (31) **“Invitation to Bid” (ITB)** means the Solicitation Document issued to invite Offers from prospective Contractors pursuant to either ORS 279B.055 or 279C.335.
- (32) **“Life Cycle Costing”** means the total cost of ownership, including the total cost of acquiring, operating, maintaining, supporting, and if applicable, disposal.
- (33) **“Local Contract Review Board” (LCRB)** means the ~~LCRB and/or Board of Education as established by Board resolution or ordinance by each respective College adopting these Community College Rules of Procurement, to serve as its public College Board of Education/Directors meeting as the local contract review authority board under ORS 279A.060.~~
- (34) **“Lowest Responsible Bidder”** as defined in ORS 279A.010(1)(r) means: (a) the lowest bidder whose Offer substantially complies with the requirements and criteria set forth in the Invitation to Bid and with all prescribed public procurement procedures and requirements; or (b) When the Invitation to Bid specifies or authorizes the award of multiple contracts to the responsible bidders, the bidders whose bids substantially comply with the requirements and criteria set forth in the Invitation to Bid and with all prescribed public procurement procedures and requirements and who qualify for the award of a public contract under the terms of the Invitation to Bid. (ORS 279B.055(10); and who has met the standards of responsibility set forth in ORS 279B.110(2) or 279C.375, has not been debarred or disqualified by the College under ORS 279B.130 or 279C.440, and is not on the list created by the Oregon Construction Contractors Board under ORS 701.227, if the advertised contract is a Public Improvement Contract. Depending upon the requirements of the Solicitation Document, “Lowest Responsible Bidder” may also

mean one who, in the determination of the ~~Advocate for Minority, Women and Emerging Small Certification Office for Business Inclusion and Diversity~~ **COBID**, has undertaken both a policy and practice of actively pursuing participation by minority and women-owned business in all bids, both public and private, submitted by such bidder, pursuant to ORS 200.025 and 200.045, or a business enterprise that is owned ~~or controlled by or that employs a disabled by a~~ veteran, as defined in ORS ~~408.225~~ **200.005**.

- (35) **“Model Rules”** means the State of Oregon’s Attorney General’s model rules of procedure for Public Contracting, which are set forth in OAR Chapter 137, divisions 46, 47, 48, and 49, and required under ORS 279A.065.
- (36) **“ORPIN-OregonBuys” System:** The on-line electronic ~~Oregon Procurement Information Network (ORPIN)~~ procurement system administered through the State Procurement Office of the Procurement, Fleet and Surplus Services Division of the Oregon Department of Administrative Services.
- (37) **“ORS”** means Oregon Revised Statutes.
- (38) **“Offer”** means a “Written” offer to provide Goods or Services in response to a Solicitation Document.
- (39) **“Offeror”** means a Person, who submits an Offer.
- ~~(40) “PCC” means Public Contracting Code as it is defined in ORS 279A.010(1)(bb). “~~
- (40) **“Opening”** means the date, time and place specified in the Solicitation Document for the public opening of Offers.
- (41) **“Person”** means any of the following with legal capacity to enter into a Contract: individual, corporation, business trust, estate, trust, partnership, Limited Liability Company, association, joint venture, governmental agency, public corporation or any other legal or commercial entity.
- (42) **“Personal Property”** means everything subject to ownership, which is not real property and has exchangeable value; includes all chattels and movables, such as boats and vessels, merchandise and stock in trade, furniture and personal effects, goods, livestock, vehicles, farming implements, movable machinery, movable tools and movable equipment pursuant to ORS 307.020 and including intangible personal property **and including intangible personal property.**
- (43) **“Personal Services Competitive Solicitation”** means a documented process providing an equal and open opportunity to qualified parties, which culminates in a selection based on criteria that include, but are not limited to, the Contractor’s availability, capacity, experience, reputation, responsiveness to time limitations, responsiveness to solicitation requirements, quality of previous performance and fees or costs.
- (44) **“Personal Services Contract”** or **“Contract for Personal Services”** means a Contract or member of a class of Contracts for Personal Services, other than a Contract for the services of an Architect, Engineer, Photogrammetrist, Transportation Planner, Land Surveyor or Provider of Related Services as defined in ORS 279C.100 that the College’s Local Contract Review Board has designated as a Personal Services Contract pursuant to ORS 279A.055, whose primary purpose is to acquire specialized skills, knowledge and resources in the application of technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment, including, without limitation, a Contract for the services of a(n): accountant; physician, dentist or lawyer; educator; information technology professional, travel, banking, investing, collections, or other consultant; broadcaster or artist (including a photographer, filmmaker, painter, weaver, or sculptor). “Personal Services” is also defined in ORS 279C.100, and that definition applies only to ORS 279C.100 to 279C.125 for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services or Related Services. Contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, and or Land Surveying Services, and Related Services are designated as a special class of Personal Services Contracts, defined in ORS 279C.100(5). (See also Personal Services Contracting Rules section within these Community College Rules of Procurement for an expanded definition.)
- (45) **“Personal Services Contractor”** means an Independent Contractor that performs a Contract for Personal Service(s) for the College, when the College has no right to and does not control the means and manner of performing the contract, except as to the delivery schedule, determining compliance with the Statement of Work, and accepting or rejecting the deliverables or results required under the Contract.
- (46) **“Prequalification of Offeror”** means a process followed by the College, in advance of issuance of Solicitation Documents, to determine the qualifications of prospective Offerors to perform Public Contracts.
- (47) **“Product Sample”** means the exact Goods or a representative portion of the Goods offered in an Offer, or the Goods requested in the Solicitation Document as a sample.
- (48) **“Proposal”** means a “Written” response to a Request for Proposals.

- ~~(49.) “Public Contract” means a sale or other disposal, or a purchase, lease, rental or other acquisition by the College of personal property, services, including personal services, public improvement, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a public improvement. (ORS 279A.010(1)(z)).~~
- (49) **“Public Notice”** means a public notice of Solicitation Document that is published electronically or at least once in at least one newspaper of general circulation in the area where the Contract is to be performed, in at least one trade newspaper of statewide circulation if the Solicitation Document is for a public improvement and the Contract has an estimated cost in excess of \$125,000, and in as many additional issues and publications as the College determines is likely to be cost effective.
- (50) **“Recycled Materials”** means recycled paper (as defined in ORS 279A.010(1)(gg)), recycled PETE products (as defined in ORS 279A.010(1)(hh)), and other recycled plastic resin products and recycled products (as defined in ORS 279A.010(1)(ii)).
- (51) **“Request for Proposals”** or **“RFP”** means all documents used for soliciting Proposals in accordance with either ORS 279B.060 or 279C.110, where proposal evaluation and contract award is based on criteria such as proposer qualifications and experience, product features and characteristics, service quality and efficiency, and conformance with the specifications and requirements of the Solicitation Document. Price may be an evaluation criterion for an RFP, but will not necessarily be the predominant basis for contract award.
- (52) **“Request for Qualifications”** means a Written document issued by the College, to which Contractors respond in Writing by describing their experience with and qualifications for the Services, Personal Services, or Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services, or Related Services, described in the document, ~~or for construction services as defined in ORS 279C.405.~~
- (53) **“Request for Quotations”** means a Written or oral request for prices, rates or other conditions under which a potential Contractor would provide Goods or perform Services, Personal Services or Public Improvements described in the request.
- (54) **“Requirements Contract”** means a price agreement that constitutes a firm Offer by the Contractor, regardless of whether any order or purchase has been made or any performance has been tendered under the price agreement and is enforceable for the period stated in the price agreement and is not revocable by the Contractor. A price agreement does not constitute an exclusive dealing commitment on the part of the College or the Contractor unless the price agreement expressly so provides. (ORS 279B.140)
- (55) **“Responsible”** means meeting the standards set forth in OAR 137-047-0640 or 137-049-0390(2), and not debarred or disqualified by the College under OAR 137-047-0575 or 137-049-0370.
- (56) **“Responsible Offeror”** (also, **“Responsible Bidder”** or **“Responsible Proposer,”** as applicable), means a Person that has submitted an Offer and meets the standards set forth in OAR 137-047-0640 or 137-049-0390(2), and that has not been debarred or disqualified by the College under OAR 137-047-0575 or 137-049-0370. When used alone, **“Responsible”** means meeting the aforementioned standards.
- (57) **“Responsive Offer”** means, as the context requires, a **Responsive Bid** or **Responsive Proposal**, or other Offer that substantially complies in all material respects with applicable solicitation requirements. When used alone, **“Responsive”** means having the characteristic of substantially complying in all material respects with applicable solicitation requirements.
- (58) **“Service Contract”** means a Contract that calls primarily for a Contractor’s time and effort rather than for an end product.
- (59) **“Signature”** means any “Written”-mark, word or symbol that is made or adopted by a Person with the intent to be bound and that is attached to or logically associated with a “Written”- document to which the Person intends to be bound.
- (60) **Signed** means, as the context requires, that a “Written”-document contains a Signature or that the act of making a Signature has occurred.
- (61) **“Solicitation”** means: (a) a request by the College for the purpose of soliciting Offers. This request may take the form of an Invitation to Bid, a Request for Proposal, a Request for Quotation, a Request for Qualifications or a

similar document; or (b) the process of notifying prospective Offerors that the College requests such Offers; or the Solicitation Document itself.

- (62) **“Solicitation Document”** means an Invitation to Bid, Request for Proposals, Request for Quotations, Request for Qualifications or other similar document issued to invite Offers from prospective Contractors pursuant to ORS Chapter 279B or 279C. The following are not Solicitation Documents if they do not invite Offers from prospective Contractors: a Request for Qualifications, a prequalification of bidders, or a request for product prequalification.
- (63) **“Special Procurement”** means, unless the context requires otherwise, a Class Special Procurement, a Contract-Specific Special Procurement or both (ORS 279B.085). A “Class Special Procurement” means a contracting procedure that differs from the procedures described in ORS 279B.055, 279B.060, 279B.065 and 279B.070 and is for the purpose of entering into a series of contracts over time for the acquisition of a specified class of goods or services (ORS 279B.085(1)(a)). “Contract-Specific Special Procurement” means a contracting procedure that differs from the procedures described in ORS 279B.055, 279B.060, 279B.065 and 279B.070 and is for the purpose of entering into a single contract or a number of related contracts for the acquisition of specified goods or services on a one-time basis or for a single project (ORS 279B.085(1)(b)).
- (64) **“Specification”** means any description of the physical or functional characteristics, or of the nature of a supply, service or construction item, including any requirement for inspecting, testing or preparing a supply, service or construction item for delivery and the quantities or qualities of materials to be furnished under a Contract. Specifications generally will state the result to be obtained and may, on occasion, describe the method and manner of doing the Work to be performed. Specifications may be incorporated by reference and/or through attachment to the Contract.
- (65) **“Standard Fee Contract”** means a contract awarded for service to be performed for a standard fee, when the standard fee is established by the College, and a like Contract is available to all qualified applicants.
- (66) **“Statement of Work”** means a “Written” statement that specifically describes the phases of Work or services, major tasks, or areas of responsibility the Contractor is to perform at a particular site, or within a particular locale during a stated period of time, according to a schedule of delivery. The statement must identify specific objectives that the Contractor is to attain or describe, in detail, and the deliverables that the Contractor is to provide.
- (67) **Telecommunications”** means 1-way and 2-way transmission of information over a distance by means of electromagnetic systems, electro-optical systems, or both.
- (68) **“Work”** means the furnishing of all materials, equipment, labor and incidentals necessary to successfully complete any individual item in a Contract or the entire Contract, and successful completion of all duties and obligations imposed by the Contract.
- (69) **“Writing”** means letters, characters and symbols inscribed on paper by hand, print, type or other method of impression, intended to represent or convey particular ideas or meanings. “Writing,” when required or permitted by law, or required or permitted in a Solicitation Document, also means letters, characters and symbols made in electronic form and intended to represent or convey particular ideas or meanings.
- (70) **“Written”** means existing in Writing.

SECTION 200 - PUBLIC CONTRACT SPECIAL PROCUREMENTS_
AND OTHER SPECIFIC RULES AND EXCEPTIONS
~~General Contract Special Procurement~~

Advertising:

CCR.202

The College may purchase advertising regardless of the dollar amount without competitive bidding. Where it is determined to be cost effective.

Findings of Fact

1. By their nature, media sources are generally unique. Advertisements are placed in a particular source because of the specific audience that source serves.
2. Competition to furnish advertising space in daily newspapers of general, trade, or business circulation in the vicinity of the College is limited.
3. Cost savings are difficult to quantify where the sources are unique and not interchangeable. Where the volume of purchases warrants, the College may enter into advertising contracts in accordance with ORS 279B.065 and ORS 279B.070 whenever possible to maximize savings achieved through economies of scale.

Conclusion of Compliance with Law

It is unlikely that this Special Procurement will result in favoritism in the awarding of public contracts or substantially diminish competition since all vendors, including Oregon businesses, are able to compete (ORS 279B.085(4)(a)), and it will enable the College to promote the public interest (ORS 279B.085(4)(b)(B)), by expediting its procurement processes while maximizing its circulation efforts and notice of bidding opportunities without compromising integrity for cost.

* * * * *

Publication of Public Notice

CCR.203

The College may publish its public notices electronically, via the College’s or other public entity’s electronic procurement system or World Wide Web site instead of, or in addition to, a newspaper of general circulation unless otherwise required by law.

Findings of Fact

1. Public notices may be advertised electronically and/or in a newspaper of general circulation in an effort to increase exposure and generate more widespread competition, except for public improvement contracts with an estimated cost in excess of \$125,000, which must be published in at least one trade newspaper of general statewide circulation (ORS 279C.360). Cost savings for increased competition are difficult to quantify, but the cost to the College for advertising may be significantly reduced where electronic advertising methods are utilized.

Conclusion of Compliance with Law

This rule satisfies the requirements of Oregon Revised Statute 279B.055(4)(c), wherein a Local Contract Review Board may, by rule or order, authorize public notice of bids or proposals to be published electronically instead of in a newspaper of general circulation if it is likely to be cost-effective.

* * * * *

Bid Security and Bond Requirements, Waiver of

CCR.204

Pursuant to ORS 279C.390, the College may, at its discretion, exempt certain contracts or classes of contracts from all or a portion of the requirement for bid security and from all or a portion of the requirement that good and sufficient bonds be furnished to ensure performance of the contract and payment of obligations incurred in the performance.

The College may waive bid security requirements and/or performance/payment bond requirements pursuant to ORS 279C.390 and this rule under the following conditions:

- (1) If the contract is for a public improvement or a public work and the amount of the contract does not exceed ~~\$75,000~~ \$100,000 or another threshold as indicated by rule amendment in Section 300, and the contractor has filed a public works bond with the State of Oregon Construction Contractors Board;
- (2) If the contract is not for a public improvement; or if the contract is for a public improvement that resulted from an alternative contracting method and the contract is only for pre-construction services;
- (3) Where bidders are drawn exclusively from a list of certified Emerging Small Businesses maintained by the ~~Advocate for Minority, Women and Emerging Small Business enterprise certified-COBID~~ under ORS 200.055, or a veteran-owned business, ~~enterprise that is owned or controlled by or that employees a disabled veteran, as defined in ORS 408.225~~ and the College has been provided funds by the legislature for the purpose of assisting Emerging Small Businesses;
- (4) In cases of emergency, or when the interest or property of the College or the public agency or agencies for whose benefit the contract was awarded probably would suffer material injury by delay or other cause and a declaration of such emergency has been made in accordance with rules adopted under ORS 279A.065.

The College shall not use Bid or Proposal security to discourage competition. The Offeror shall forfeit Bid or Proposal security after award of the contract if the Offeror fails to execute the contract and promptly return it with any required Performance Bond and Payment Bond.

Conclusion of Compliance with Law

It is unlikely that this Special Procurement will result in favoritism in the awarding of public contracts or substantially diminish competition since all vendors, including Oregon businesses, are able to compete, it is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B.085(4)(b)(A)), and it will enable the College to otherwise substantially promote the public interest (ORS 279B.085(4)(b)(B)), by reducing costs of bidding and maximizing participation from Emerging Small Businesses.

This rule satisfies the requirements of ORS 279C.390 wherein a Local Contract Review Board may exempt certain contracts or classes of contracts from all or a portion of the requirement for bid security and from all or a portion of the requirement that good and sufficient bonds be furnished to ensure performance of the contract and payment of obligations incurred in the performance. Consequently, findings otherwise required by law are unnecessary here.

* * * * *

Cooperative Procurement Participation

CCR.205

~~Examples of cooperative procurement participation may include, but not be limited to without limitations: Oregon Cooperative Purchasing Program (ORCPP), Organization for Educational Technology and Curriculum (OETC), Participating Oregon Community Colleges (POCC), National IPA, E&I Coop, NASPO, and US Communities Government Purchasing Alliance Omnia Partners.~~

Pursuant to ORS 279A.205, 279A.210, 279A.215, and 279A.220, contracting agencies may participate in a joint, permissive, or interstate cooperative procurement and/or subsequent contract award resulting from any solicitation which has been accomplished in compliance with ORS, as if said agencies had generated the solicitation and made the award on their own behalf.

Comment

In general, the results of any solicitation, formal or informal, which has taken place under the requirements of ORS and has resulted in an award, and is current (i.e., not closed, terminated, in abeyance or in default), may be utilized by the College

pursuant to ORS 279A.205, 279A.210, 279A.215, and 279A.220. Prior to the College engaging in a cooperative procurement, due diligence must be performed, best practices employed, and factors in the buying decision considered. Examples of these factors include: in-state preferences, legislatively mandated or LCRB-approved socioeconomic programs that overlay public contracting and accompany the expenditure of public funds; sustainability objectives; administrative resources and capacity; contracting efficiencies; time constraints; member participation costs; and ability to leverage economies of scale.

Conclusion of Compliance with Law

Cooperative Procurement Participation is not an exemption from the competitive procurement requirements of the law; therefore, the College has determined that findings of fact are not required. The awarding of contracts pursuant to this process should “provide effective outcomes that represent optimal value to the College and, to the greatest extent feasible, be consistent with market practices” (ORS 279B.010(1)). Consequently, findings otherwise required by law are unnecessary here.

* * * * *

Donated Materials and/or Services

CCR.206

The College may authorize a Person to perform services and/or provide materials regardless of dollar amount, if:

- (1) The Person has agreed to donate all, or a portion of, the materials and/or services necessary to perform the work; and
- (2) The Person enters into a license or agreement with the College whereby the Person agrees to comply with the public contract requirements applicable to the particular project and any requirements that the College deems necessary or beneficial in order to protect the College.

This rule does not exempt the College from ensuring that all requirements for competitive solicitation are met, based on the value of the project including the donated materials or services.

Findings of Fact

1. Students, staff, contractors, and other community groups from time to time offer to donate all or a portion of their professional skilled services and/or materials, to help the College meet its facilities’ and/or educational needs. The ability to take advantage of such donated materials and/or services enables the College to use its limited funds in other areas, and frequently results in improvements or services that the College would not otherwise be able to afford. This class special procurement thus has budgetary, operational, and public benefits.
2. This class special procurement enables the College to take advantage of these offers, while continuing to ensure that the requirements of the Public Contracting Code continue to be met.

Conclusion of Compliance with Law

It is unlikely that this class special procurement will encourage favoritism in the award of College Contracts or substantially diminish competition for College Contracts, because it will only apply when a Person donates all or part of the materials and/or services. In many instances, the donations are outside of the competitive market for goods and/or services. In many instances, the donations will enable the College to construct or complete projects that it otherwise would not be able to afford to do, and thus will not displace what would otherwise be a competitively solicited project. This class special procurement also substantially promotes the public interest because award of contracts pursuant to the procurement procedures in ORS Chapter 279B is not practicable in the case of donated goods and/or services.

The use of this class special procurement will result in substantial cost savings to the College, because the College is not required to pay for the goods and/or services if they are donated.

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Emergency Contracts (Including Oil or Hazardous Material Removal)

CCR.207

- (1) Pursuant to the requirements of this rule, the College may, at its discretion, enter into a public contract without competitive solicitation if an emergency exists. Emergency means circumstances that could not have been reasonably foreseen which create a substantial risk of loss, damage, interruption of services or threat to public health, welfare, or

safety, and require prompt execution of a contract to remedy the condition (ORS 279A.010(1)(f)).

- (2) Regardless of the dollar value of the contract, when entering into an emergency contract the College shall:
 - (a) Make a written declaration of emergency, including findings describing the emergency circumstances that require the prompt performance of the contract, stating the anticipated harm from failure to establish the contract on an expedited basis; and
 - (b) Encourage competition to the extent reasonable under the circumstances; and
 - (c) Record the measures taken under subsection (b) of this section to encourage competition, the amounts of the bids, quotes or proposals obtained, and the reason for selecting the contractor.
- (3) Pursuant to ORS 279B.080, if an emergency exists as defined in subsection (1) of this rule, the Board of Education, its President, or another officer authorized by the College shall declare the existence of the emergency as required by subsection (2) of this rule, which shall authorize the College to enter into an emergency contract.
- (4) The written declaration of an Emergency and resulting contract are solely entered into at the discretion of the College's President or authorized officer.
- (5) If the total award exceeds the threshold for formal public bidding, the Board shall be notified at its next available public meeting and provided with an opportunity to discuss the emergency, the award, and ratification thereof.
- (6) Oil or Hazardous Material Removal: The College may enter into public contracts without competitive bidding, regardless of dollar amount, when ordered to clean up oil or hazardous waste pursuant to the authority granted the Department of Environmental Quality (DEQ), under ORS 466.605 through 466.680 and such DEQ order necessitates the prompt establishment and performance of the contract in order to comply with the statutes regarding spill or release of oil or hazardous material that has created an emergency condition. In exercising its authority under this exemption:
 - (a) The College shall:
 - (1) To the extent reasonable under the circumstances, encourage competition by attempting to make informal solicitations or to obtain informal quotes from potential suppliers of goods or services;
 - (2) Make written findings describing the circumstances requiring clean up or a copy of the DEQ order ordering such cleanup;
 - (3) Record the measures taken under subsection (a) of this section to encourage competition, the amount of the quotes or proposals obtained, if any, and the reason for selecting the contractor selected.

The College shall not contract pursuant to this exemption in the absence of an order from the Department of Environmental Quality to clean up a site with a time limitation that would not permit hiring a contractor under the usual competitive bidding procedures.

Findings of Fact

1. Under ORS 279B.080, 279C.110, or 279C.320, public contracts may be exempted from the requirements of ORS 279B.050, 279C.110, or ORS 279C.335 if emergency conditions exist, which require prompt execution of the contract, subject to the additional requirements of ORS 279B.080.
2. ORS 279B.080 allows the Local Contract Review Board to adopt rules to allow the head of the contracting agency or a designated person to declare that an emergency exists and to establish procedures for determining when emergency conditions are present. Subsections (2)(a), (2)(b), and (2)(c) of this rule accomplish this.
3. When DEQ orders a public agency to remove or clean up hazardous material or oil, the public agency must respond within a very short time, which is stated in the DEQ order. This time period does not generally allow the agency to take the time necessary to solicit written bids or proposals for the work to be performed. The College would be liable for any delay in responding to DEQ orders to perform hazardous material removal or clean up.
4. This exemption, as it pertains to subsection (6), will not be used in those situations where there is no DEQ order to remedy the situation. Routine competitive procurement methods will be used where there is no DEQ order to act immediately. The college may maintain open lists of vendors, who are interested in providing hazardous materials removal and clean up services. Whenever it needs hazardous material removal or disposal, the College makes use of these lists to solicit quotes, bids, or proposals as needed, in addition to advertising the procurement as required.

5. Cost savings are achieved through this exemption, because the college can be liable for DEQ penalties and fines, if it does not timely remove hazardous materials or oil as ordered. Serious risk in these situations could result in property damage or personal injury, if the College is slow to act.

Conclusion of Compliance with Law

Procurements made by the College in compliance with this exemption meet the requirements of emergency public contracts pursuant to: ORS 279B.050; 279B.080, 279C.110, 279C.320_and 279C.335.

It is unlikely that this exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279C.335(2)(a). If the College is under DEQ order to act immediately, the College will still attempt to obtain competitive quotes for the work to be performed as it has the ability and time to do so. Unless the College is faced with the quasi-emergency situation of a DEQ order to remove or clean up hazardous waste or oil, it will follow normal competitive procedures to obtain these services. The award of public contracts pursuant to this exemption will likely result in substantial cost savings to the College in these situations, as required by ORS 279C.335(2)(b), because the College must comply with the law and avoid and minimize risk to persons and property. Where possible, the College will seek competitive quotes for the work to be performed and will award the contract to the lowest, responsive and responsible proposer.

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Equipment Repair & Overhaul (Including Maintenance Agreements)

CCR.208

- (1) The College may enter into a public contract for equipment repair, maintenance agreements, or overhaul of equipment without competitive bidding, subject to the following conditions:
 - (a) Service and/or parts required are unknown, and the cost cannot be determined without extensive preliminary dismantling or testing; and/or
 - (b) Service and/or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source;
 - (c) Maintenance agreements must be procured from the provider of the equipment and/or software being maintained in order to be valid, preserve warranties, provide the best possible service, or conform to other similar agreements being provided by the same provider for maximizing economy and/or servicing functions;
 - (d) The College shall conduct its procurement for equipment repair, maintenance agreements, or overhaul of equipment pursuant to methods and parameters established in (2) of this rule.
- (2) The following limitations shall apply:
 - (a) At the discretion of the College, if it is practical to competitively procure equipment repair, maintenance agreements, or overhaul of equipment using quotations or other forms of Solicitation Documents then these competitive processes shall be utilized. If not, the file should be documented with the reasons for invoking this exemption from competitive procurement, specifically supporting the impracticality of a competitive procurement.
 - (b) If the contract exceeds or is anticipated to exceed the thresholds for Small or Intermediate Procurements as these thresholds are defined in Section 300, the College shall document in its procurement file the reasons why a competitive procurement process was deemed impractical, and the College may directly enter into the contract.

Findings of Fact

The need for equipment repair or overhaul of equipment cannot always be anticipated by College staff. If a piece of equipment is broken or not working properly, the College incurs the cost of down time, possible replacement equipment rental fees, staff time, and other inconveniences or liabilities to its programs.

1. Generally, there are a limited number of vendors, who are able to perform -repairs or overhaul on a particular piece of equipment, because of its make or manufacture. Sophisticated equipment may require specially trained personnel available from only one source. Often, a piece of equipment will have a partial warranty in place, which will guarantee some savings to the College in the parts and/or labor needed to do the repair or overhaul. -These warranty savings may

only be achieved if the original manufacturer or provider of the equipment performs the necessary repair or overhaul.

2. The dollar limits on the use of this Special Procurement ensure that when the cost of the equipment repair or overhaul is expected to exceed threshold amounts for Small and Intermediate Procurements as these are defined in Section 300, the College will competitively procure, or if that is not practical or cost effective, declare an emergency or obtain a specific exemption from the president of the College or the president's designee, with notification to the LCRB to proceed with the purchase of the needed repair or overhaul.

Conclusion of Compliance with Law

It is unlikely that this Special Procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition and is reasonably expected to result in substantial cost savings to the College for such contracts as required by ORS 279B.085(4), because the dollar amount of the exempted purchase (i.e., Special Procurement), may not exceed the thresholds established in Section 300 for Intermediate Procurements without additional notification and/or approval from the LCRB and/or the College president or the president's designee. Where it is practical, the College will competitively procure equipment repair, maintenance agreements, and overhaul of equipment; where it is impractical, written justification, provided by the department, will become part of the public record of the contract.

The awarding of public contracts pursuant to this exemption is reasonably expected to result in a cost savings to the College, as required by ORS 279B.085(4)(b)(A), because the College incurs direct and indirect costs from the moment equipment breaks down or becomes unusable. This Special Procurement only applies to equipment already owned by the College. Time is of the essence in contracts for equipment repair, maintenance agreements, and equipment overhaul. The College must be able to purchase necessary services and parts as quickly as possible in order to minimize equipment down time and provide uninterrupted levels of service to support the College's educational initiatives.

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Federal Contracts, Purchases under

CCR.210

When the price of goods and services has been established by a contract with the federal government pursuant to a federal contract award, the College may purchase the goods and services in accordance with the federal contract. In exercising this authority under this class special procurement, the College must:

- (1) Include in the contract file a memorandum confirming the federal official who granted permission to the College to purchase under the federal contract; and
- (2) Include documentation in the contract file showing the cost savings to be gained from anticipated purchases from the federal contract.

Findings of Fact

1. Federal contracts for goods and/or services are established by federal agencies with private vendors through competitive processes, which meet the standards of the Public Contracting Code. These processes include open competitive bidding, to which all interested vendors are invited to participate. No Oregon company is excluded from, or disadvantaged in, participation in bidding on federal contracts. Thus the class special procurement has the public benefit of supporting a competitive selection process, while providing the operational and budgetary benefits to the College by avoiding the cost and delay of replicating the solicitation process.
2. The prices or rates for goods and services under federal contracts are based upon competitive bids or proposals. This rule requires the College to document the cost savings to be gained from the anticipated purchase(s) from the federal contract. Documentation might include competitive comparison of previous bid prices obtained from other sources, including local Oregon businesses.
3. This rule requires that the College obtain the permission of both the federal agency and the federal vendor to use the

federal contract.

Conclusions of Compliance with the Law:

This class special procurement will not encourage favoritism or substantially diminish competition in the awarding of College contracts. All vendors, including Oregon businesses, are able to compete for the initial federal contract. Also, the College will not use a federal contract without agency and vendor permission.

This special procurement will result in substantial cost savings to the College. Federal contracts are based on competitive bidding, which result in the most advantageous price to the federal agency. Before it makes a purchase from a federal contract, the College will document the cost savings it will achieve by using the contract. These two facts will ensure that the College purchases the desired goods or services at the best price available. Further, by being able to take advantage of a competitive federal procurement, the College saves the cost of needlessly duplicating the solicitation process.

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Intellectual Property (Periodicals, Library Books, Proprietary Software Licenses, Art, and Other Products of the Creative Process)

CCR.212

If the contract is for the purchase of Intellectual Property, which shall include, but not be limited to, Periodicals, Library Books, Subscription Services, Proprietary Software Licenses, Art, and Other Products of the Creative Process, **in whatever form or format, including electronic**, the College may contract for the purchase of the product(s) without competitive procurement, regardless of dollar amount when the product(s) are protected under copyright law or there is only one known supplier (e.g., manufacturer, copyright holder), available for such products.

Examples of copyrighted materials typically covered by this Special Procurement include, but are not limited to, magazines and other periodicals; textbooks; workbooks; curriculum kits; reference materials; audio tapes; video tapes; calculators such as those used for aircraft navigation; and most software and products of the visual, aural and written arts. It should be noted that if there is more than one supplier of copyrighted materials (especially software), and the product(s) are not being purchased directly from the writer, manufacturer or other original source, every attempt should be made to establish a competitive selection process in order to achieve the greatest economy.

Findings of Fact

1. By design, Intellectual Property is protected for the use of a single owner. Copyrighted products may not be duplicated by others without the express permission or license of the copyright holder.
2. Instructional initiatives define the various materials, which the college will purchase for use in its educational programs, and it is not uncommon for Intellectual Property to be produced by only one supplier (i.e., sole source), who may be the copyright holder or licensee.

Conclusion of Compliance with Law

This rule will not encourage favoritism or substantially diminish competition in the awarding of public contracts. The production and distribution of Intellectual Property is controlled by the copyright holder/owner, and may only be permitted through a sole source. This rule provides additional parameters for consideration that are complementary to the Public Contracting Code where competition does exist. It is not intended to diminish the College's ability to consider other factors or limit fair and open competition when arriving at best value. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)).

Additionally, pursuant to ORS 279A.025(2)(h), the Public Contracting Code does not apply to contracts for the procurement or distribution of textbooks; consequently, findings otherwise required by law are unnecessary when the procurement or distribution of Intellectual Property is specifically for textbooks—a subcategory of Intellectual Property.

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Life Cycle Costing/Best Value**CCR.216**

- (1) In determining the lowest bid or best proposal, in the award of a contract, the College may use the concept of life cycle costing if it complies with section (2) of this rule:
- (2) (a) At the time of writing specifications for the product, the College shall identify those factors which will have cost implications over the life of the product, and which, for evaluation purposes, will be used to adjust the bid or proposal price of the product;
- (b) The solicitation document shall set out clearly the factors and methodology to be used in life cycle cost adjustments; and
- (c) The results of life cycle costing adjustments shall be applied to the bid or proposal price of the product(s) offered, and the bid or proposal that results in the lowest overall ownership cost or “best value” as it is determined by ORS 279A.015(5), considering the life cycle costing adjustments, and other aspects of service and product quality, as well as pricing.

Conclusion of Compliance with Law

This rule provides additional parameters for consideration that are complementary to the Public Contracting Code while supporting impartial and open competition. It is not intended to diminish the College’s ability to consider other factors when arriving at best value. As such, it is not an exemption or Special Procurement to the competitive bidding requirements of law. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)). Consequently, findings otherwise required by law are unnecessary here.

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Perishables (Chemicals, Food, Laboratory Supplies)**CCR.218**

Competitive procurement need not be used for the procurement of perishables under this Special Procurement provided that the perishability and commensurate quality is of greater importance than the cost to the College.

Comment

If longevity is not an issue and multiple sources exist, standard procurement practices shall be utilized.

Findings of Fact

This rule permits such items as foodstuffs and scientific supplies, which have definitive shelf lives, and associated attributes such as quality and longevity, to be purchased without strict competitive processes based upon price. Shelf life and the associated attributes may be the determining factors.

The rule enables the buyer to decide on a source based upon time since manufactured, remaining shelf life, and interim quality, since various states of decay can affect the product.

Conclusion of Compliance with Law

It is unlikely that this Special Procurement will result in favoritism in the awarding of public contracts or substantially diminish competition, since all vendors, including Oregon businesses, are able to compete, it is reasonably expected to result in substantial cost savings to the College (ORS 279B.085(4)(b)(A)), and it will enable the College to otherwise substantially promote the public interest (ORS 279B.085(4)(b)(B)), through expediting its procurement processes without compromising integrity for cost.

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Personal Property, Used (Purchase of)**CCR.220**

Competitive procurement need not be used for the procurement of Used Personal Property if the College has determined that the purchase will result in cost savings and will not diminish competition or encourage favoritism.

For purchases of used personal property or equipment costing \$25,000 or more, or an amount otherwise indicated in Section 300, the College shall, where feasible, obtain three competitive quotations, unless such comparisons are highly impractical, to obtain. Procurement files pertaining to Used Personal Property shall contain documentation of price comparisons and attempts to secure competitive pricing as much as is practical.

When the value of any such purchase exceeds the threshold for Intermediate Procurements as that threshold is defined herein, Section 300, Supplementary Provisions of the Community College Rules of Procurement, such purchases shall be authorized and/or delegated only by the College President, who shall notify the LCRB of such purchases at the next regularly scheduled meeting of the LCRB.

Comment

Used Personal Property is property which has been placed in use by a previous owner or user for a period of time recognized in the relevant trade or industry as qualifying the personal property or equipment as “used,” at the time of purchase. Used Personal Property generally does not include property or equipment of which the College was the previous or current user, whether under a lease, as part of a demonstration, trial or pilot project, or similar arrangement.

Findings of Fact

The additional liberty for purchasing used personal property is essential for those who participate in auctions or other spot sales, where it is impractical to utilize conservative procedures because of the necessities of the selling process.

Conclusion of Compliance with Law

This rule provides additional parameters for consideration that are complementary to the Public Contracting Code while supporting impartial and open competition as much as is practical. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)). Pursuant to ORS 279B.075(1) Used Personal Property may be considered a sole-source procurement, if it is available from only one source; written findings supporting this determination and conclusion shall be made by the College. Findings otherwise required by law to support this Special Procurement are unnecessary here.

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Price Regulated Items (Including Gas, Diesel Fuel, Heating Oil, Lubricants, Asphalts, Distilled Alcohol, Postage, and Certain Utilities)

CCR.222

The College may, without competitive bidding, contract for the direct purchase of goods or services where the rate or price for the goods or services being purchased is established by federal, state, or local regulatory authority (ORS 279A.025(2)(g) and ORS 279A.025(2)(j)). Regardless of whether fuel is price regulated, it may be procured via *spot purchases*, and such purchases may be combined on a single, written agreement such as an open purchase order between the supplier and the College, in an effort to reduce administrative costs to the College. Spot purchases are defined as one-time purchases occasioned by a small requirement (for example, one vehicle’s tankful of gasoline), where the purchase is taking advantage of availability and the most favorable market conditions.

Comment

If competition exists and it is practical to solicit quotations, bids, or proposals for Price Regulated Items, then these procurement methods should be utilized in an effort to obtain the best value.

Conclusion of Compliance with Law

Competition is not generally a relevant issue in the procurement of goods or services where the provider’s rate or price of the goods or services being purchased is established by federal, state, or local regulatory authority, and the goods or services

are provided through a sole source. Examples include– Postage, Sewer/Water Service, Garbage Service, Electricity, Etcetera. Since there is virtually no competition available within these price regulated items, and/or the amount of the non-regulated fuel acquisitions are *spot purchases* and are subject to market forces and availability, it is unlikely that this exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts. Consequently, findings otherwise required by law are unnecessary here.

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Requirements Contracts

CCR.226

- (1) Requirements contracts, for the purposes of this Rule, mean price agreements, services agreements, and sales that may be established for the purposes of minimizing paper work, achieving continuity of product, securing a source of supply, reducing inventory, combining college requirements for volume discounts, standardization among agencies, and reducing lead time for ordering. The College may enter into requirements contracts whereby it is agreed to purchase supplies and/or services for an anticipated need at a predetermined price provided the contract is let by a competitive procurement process pursuant to the requirements of ORS 279A,B,C and these Rules or is a contract for the procurement of products or services from a qualified nonprofit agency for individuals with disabilities pursuant to ORS 279.850.
- (2) The College may purchase the supplies and/or services from a contractor awarded a requirements contract without first undertaking additional competitive solicitation.
- (3) The term of the contract including renewals, must not exceed the maximum term stated in the original solicitation.

Conclusion of Compliance with Law

This rule provides additional parameters for consideration that are complementary to the Public Contracting Code while supporting impartial and open competition as much as is practical. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)). Pursuant to ORS 279A.065(6)(a) and ORS 279A.070, a contracting agency may, in the exercise of authority granted under ORS 279A.050, adopt rules necessary to carry out the provisions of the Public Contracting Code; consequently, findings otherwise required by law are unnecessary when the College has determined it is in its best interests to purchase supplies and/or services utilizing a competitively procured requirements contract or price agreement.

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Resale–Items for

CCR.228

Competitive procurement processes need not be used for the procurement of products or services being purchased strictly for resale. This Special Procurement applies to products or services that are specifically for resale as opposed to internal use or consumption.

Findings of Fact

1. College Enterprise, Auxiliary Fund, and/or General Fund operations that compete in the open market need to be able to purchase products or services for resale without undue restrictions.
2. In order to compete in the open market, these operations must be knowledgeable, proactive, and stay abreast of current trends, consumer wants, tastes and desires, and be able to meet those needs in their offerings. Additionally, fund operators must be free to purchase products or services for resale that the consumers want even if it means having a limiting factor such as brand, functionality, price, or quality.
3. These operations must work as efficiently as possible to hold down their own costs as well as to present the goods or services to the public at a fair market price. Thus, they will be looking for the goods for resale at the most competitive prices and highest quality within their parameters.

4. In awarding contracts, these operations must ensure the appropriate amount of the product or service will be in stock or be readily available, received, or provided at the appropriate time. Ensuring that the products or services are available and of the proper freshness and quality may prevent the operation from conducting timely competitive buying.

Conclusion of Compliance with Law

It is unlikely that this exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition, and it is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B.085(4)). Additionally, this Special Procurement will substantially promote the public interest as required by ORS 279B.085(4)(b)(B), in a manner that could not practically be realized under the requirements of ORS 279B.050, 279B.055, 279B.060, 279B.065, 279B.070 (Methods of Source Selection).

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Telecommunications Services

CCR.230

- (1) In determining the appropriate procurement method for telecommunications services, the College must determine whether competition exists. The College may consider the following factors:
 - (a) The extent to which alternative providers exist in the relevant geographic and service market. The relevant market will vary with the geographic area and from service category to service category, depending on changes in the regulatory environment and competitive marketplace. Thus, the relevant market will depend on the facts and circumstances of each case. For example, an alternative local access service or private line provider might offer services in Portland, but not in Salem or the rest of the state;
 - (b) The extent to which alternative services offered are comparable or substitutable in technology, service provided, and performance. (For example, if the College requires digital services, analog services are not comparable or substitutable, or if the College requires fiber optic technology, then copper, microwave, or satellite transmission technology may not be comparable or substitutable);
 - (c) The extent to which alternative providers can respond to the College's interests in consistency and continuity of services throughout its service area, volume discounts, equitable service for all users, centralized management, and limiting College liability. For example, to be considered as the College's telephone long distance provider, any long-distance service vendor must be able to meet, support, and interface with the College's centralized automated billing requirements. The College must document for the record the findings on these factors, or any other factors used in determining whether competition exists. In developing its findings, the College may solicit the information either through informal telephone or written contacts or through a formal request for information.
- (2) Upon determining that competition does not exist for the relevant service and geographical area, the College may proceed to secure the service on a sole source basis, as described in these Rules.

Findings of Fact

1. In some cases, the use of competitive procurement processes is either not practicable, advantageous, or in the College's best interest due to unforeseen circumstances, unreasonable costs, difficulty in locating vendors even after extensive searches, or where time constraints occur that are due to circumstances beyond reasonable control.
2. All practical measures will be taken to encourage competition when possible.

Conclusion of Compliance with Law

It is unlikely that this exemption from competitive procurement processes will encourage favoritism in the awarding of public contracts or substantially diminish competition, and it is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B.085(4)), since it would be an Exception, and would be due to extenuating circumstances. Additionally, this Special Procurement will substantially promote the public interest in a manner that could not practically be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065,

or 279B.070 or under any rules adopted thereunder. (Stat. Auth: ORS 279B.075 and 279B.085, Sole-Source Procurements and Special Procurements, respectively.)

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PERSONAL SERVICES CONTRACTING RULES

Personal Services Contracts

CCR.250

General

- (1) A Contract for "Personal Services" is a Public Contract that calls for specialized skills, knowledge, and resources in the application of highly technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment. Qualifications and performance history, expertise, knowledge and creativity, and the ability to exercise sound professional judgment are typically the primary considerations when selecting a Personal Services Contractor, with price being secondary.
 - (a) Contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services are designated as a special class of Personal Services Contracts, defined in ORS 279C.100 (5), and that definition applies only to ORS 279C.100 to 279C.125. Contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, or Related Services are not subject to the provisions of rule CCR.250 of the Community College Rules of Procurement, but are, instead, subject to the provisions of Division 48 of the *Oregon Attorney General's Model Public Contract Rules* as adopted by the College, and the Community College Rules of Procurement adopted by the College, excluding rule CCR.250.
- (2) The College may waive the requirement for a competitive selection process and directly negotiate a Personal Services Contract, if the Contract Price is not more than the Minimum Threshold as this threshold is defined in Section 300- Supplementary Provisions. Regardless of the dollar value of the contract, the College may, at its discretion, enter into a Personal Services Contract without complying with formal or informal solicitation requirements if an Emergency, as defined in CCR. 207 exists.
 - (a) Unless there are compelling reasons not to do so, competitive selection processes for Personal Services contractors should take place at intervals not greater than five years after initial completion and acceptance of services.
 - (b) The screening and selection procedures for the award of Personal Services Contracts are governed by these rules adopted under ORS 279A.055 and are subject to the competitive procurement provisions of the Personal Services Contracting rules and procedures adopted herein. Every contract for Personal Services shall be based upon these screening and selection procedures developed by the College. Personal Services Contracts are considered "public contracts" as defined in ORS 279A.010.
- (3) The College may enter into Personal Services Contracts with an independent contractor when:
 - (a) The work to be performed requires specialized skills, knowledge and resources in the application of highly technical or scientific expertise, or the exercise of professional, artistic, or management discretion or judgment;
 - (b) The College will not control the means or manner of the contractor's performance, but must rely on the Contractor's specialized skills, knowledge and expertise to accomplish the work. Note: The College's reservation of the right to determine and modify the delivery schedule, evaluate the quality of completed performance, and accept or reject the completed performance does not mean that the College will control the means and manner of performance; and
 - (c) Selecting a Contractor primarily on the basis of qualifications, rather than price, in accordance with the provisions of the Personal Services Contracting Rules and Procedures adopted herein would most likely meet the College's needs and result in obtaining satisfactory contract performance and optimal value for the College.
- (4) Pursuant to ORS 279A.055(2), the College has the authority to designate certain service contracts or classes of service contracts as Personal Services Contracts. Personal Services Contracts may include, but are not limited to, contracts for services performed in a professional capacity such as:
 - (a) Contracts for the services of an accountant;
 - (b) Contracts for the services of an attorney;

- (c) Contracts for the services of a physician or dentist,
 - (d) Contracts for the services of an information technology consultant,
 - (e) Contracts for the services of a broadcaster;
 - (f) Contracts for services as an artist in the performing or fine arts including, but not limited to, any person identified as a photographer, filmmaker, painter, weaver, or sculptor;
 - (g) Contracts for services that are specialized, creative and research-oriented;
 - (h) Contracts for services as a consultant;
 - (i) Contracts for educational services;
 - (j) Contracts for investment services;
 - (k) Contracts for travel services;
 - (l) Contracts for banking services;
 - (m) Contracts for auditing services;
 - (n) Contracts for student loan and college receivables;
 - (o) Contracts for real estate services (ORS 279A.025(2)(f));
 - (p) Contracts for property management;
 - (q) Contracts for employee benefit insurance (ORS 279A.025(2)(r));
 - (r) Contracts for investments (ORS 279A.025(2)(q)(C));
 - (s) Contracts for energy savings performance contracts (ORS 279C.335(1)(f));
 - (t) Contracts for agents of record (examples where agents of record may be used are advertising, general insurance, sales of surplus property, workers compensation insurance, etcetera);
 - (u) Contracts for speakers, lecturers, and performers;
 - (v) Contracts for human custodial care services;
 - (w) Contracts for food service management;
 - (x) Contracts for telecourse providers;
 - (y) Contracts for actuarial services;
 - (z) Contracts for web design services;
 - (aa) Contracts for branding services;
 - (bb) Contracts for process improvement services;
 - (cc) Contracts for student retention services; and
 - (dd) Contract for Title IX, accessibility, sexual harassment compliance review services
- (5) Personal Services Contracts do not include:
- (a) Contracts, even though in a professional capacity, if primarily for equipment, supplies or materials, e.g., a contract to supply all hardware and standard software is not a Personal Services Contract, but a contract with a technology consultant to design or develop a new computer system is a Personal Services Contract;
 - (b) Contracts with a temporary service or personnel agency to supply labor, which is of a type that can generally be done by any skilled worker (e.g., janitorial, security guard, crop spraying, laundry, and landscape maintenance service contracts)
 - (c) Contracts for services of a trade-related activity, even though a specific license is required to engage in the activity. Examples are repair and/or maintenance of all types of equipment or structures.

Screening and Selection Procedures and Assistance

These rules set forth procedures for the College to follow when entering into Personal Services Contracts.

- (1) The policy of the College is to select Contractors based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price. The purpose of this rule is to specify the College's policies and procedures for screening and selection of Contractors to perform Personal Services.
- (2) The College shall comply with the procedures set out in these rules for screening and selecting Contractors to perform Personal Services Contracts.
- (3) The College shall provide Evidence of Competition for all Public Contracts where competition exists or justify entering into contracts by direct negotiation if an exemption from the screening and selection

process is utilized. While qualifications are the primary criteria, whenever the College determines that the services offered by two or more individuals or firms are equally able to meet the College's needs and are of equal value, the College shall award the contract to the individual or firm offering the service at the lowest price.

- (4) The College may procure Personal Services from Contractors who are under contract with another governmental entity pursuant to a Cooperative Agreement as permitted and subject to ORS 279A.200 to 279A.225, if such action is Expressly permitted under the original contract and if the administering agency's solicitation and award process for the original contract is an open and impartial competitive process and uses source selection methods substantially equivalent to those specified in ORS 279B.055, 279B.060 or uses a competitive bidding process substantially equivalent to the competitive bidding process in ORS chapter 279C.

Conclusion of Compliance with Law

The requirements of this rule ensure that competition will be carefully addressed and protected, if the College finds it is in the public's best interest to competitively procure Personal Services. This rule satisfies the requirements of Oregon Revised Statute ORS 279A.055 wherein the College may enter into Personal Services contracts, subsequent to the Local Contract Review Board's designation of certain service contracts or classes of service contracts as personal services contracts. Consequently, findings otherwise required under ORS 279B.030 are unnecessary here.

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Solicitation Requirements for Personal Services Contracts

CCR.260

General

- (1) All formal solicitations must satisfy the requirements of this rule. Request for Proposals and Request for Qualifications must be in writing and must be advertised in accordance with the following procedures:
 - (a) All advertisements for a formal solicitation shall be placed in at least one publication of general circulation and in as many additional issues and publications as may be necessary or desirable to achieve adequate competition. At the option of the College, the College may publish its public notices electronically instead of, or in addition to, a publication of general circulation. The advertisement(s) for a formal solicitation shall be first published and appear at least once, no fewer than fourteen (14) calendar days before close of the solicitation, unless the governing body of the College, its President, or another officer authorized by the College declares in writing that a shorter period is deemed necessary in the public interest for a particular procurement. Conversely, the College shall broaden and extend public notice if deemed necessary to serve the public's interest for a particular procurement; and
 - (b) All advertisement(s) shall describe, at a minimum, a brief summary of the proposed contract, the services sought, where copies of the solicitation may be obtained, and the deadline for submitting a proposal.
- (2) The Solicitation Document must provide that the College may, at any time during the solicitation process, reject any or all proposals or cancel the solicitation without liability if it is in the public interest to do so.
- (3) Unless compensation is expressly provided for in the Solicitation Document, the Request for Proposals or Request for Qualifications must provide that the College is not responsible for any costs of any Offeror incurred while submitting Offers and that all Offerors who respond to solicitations do so solely at their own expense.
- (4) The Solicitation Document must:
 - (a) Notify proposers of potential Solicitation Document addenda. Failure to provide such notice in any solicitation may prevent addenda from being incorporated into any resulting contract, and include protest procedures for all formal solicitations and selection.

Formal Selection Procedures

The College shall use a formal selection procedure whenever the cost of the services is estimated or anticipated to be equal to or more than the Intermediate Threshold for Personal Services contracts as this threshold is defined in Section 300-- Supplementary Provisions. Under these formal procedures, Requests for Proposals (RFP) or Requests for Qualifications must be advertised in at least one publication of general circulation or through electronic means as indicated in Section 200, Rule 202, and in as many other issues or electronic procurement systems and publications as

may be necessary or desirable to achieve adequate competition.

- (1) Request for Qualifications. A Request for Qualifications may be used to determine whether competition exists to perform the needed services or to establish a list of qualified Contractors prior to issuing an RFP (Note: It is not mandatory that the College issue a Request for Qualifications; it may elect to forego using a Request for Qualifications before issuing an RFP.)
- (2) At a minimum, the Request for Qualifications shall describe the particular specialty desired, the qualifications the Contractor(s) must have in order to be considered, and the evaluation factors and their relative importance. The Request for Qualifications may require information including, but not limited to: the Contractor's particular capability to perform the required services; the number of experienced staff available to perform the required services, including specific qualifications and experience of personnel; a list of similar services the Contractor has completed, with references concerning past performance; and any other information necessary to evaluate Contractor qualifications.
- (3) A qualifications pre-submission meeting (voluntary or mandatory) may be held for all interested Contractors to discuss the proposed services. If the meeting is held, the Request for Qualifications shall include the date, time and place of the meeting(s). Unless the Request for Qualifications establishes that competition does not exist or unless the solicitation process is canceled or all qualification statements rejected, all respondents (who met the published qualifications) shall receive a notice (or other materials as appropriate) of any required services and have an opportunity to submit an Offer in response to the College's subsequent RFP.(4) Request for Proposals. The RFP is used as a formal competitive solicitation that describes specific services to be performed within a defined period of time. The solicitation sets forth criteria and methods for screening, selecting and ranking the best proposal(s). The RFP may result in contracts with more than one provider.
- (5) The RFP must either describe the situation and background for which Offers are being requested and state the outcome(s) desired, or propose a Statement of Work. The RFP must describe any conditions affecting the delivery of the services and the time period in which the services are to be completed. The RFP must, at a minimum, address the following information:
 - (a) Minimum standards and qualifications required to be met by the Offeror(s) to be eligible to provide the services;
 - (b) The evaluation process and criteria to be used to select the Contractor(s), including the weight or points applicable to each criterion. Information must include the manner in which the Offeror's cost and pricing proposal will be evaluated;
 - (c) A requirement to provide a list of similar services completed by the proposer(s) with references concerning past performance;
 - (d) The closing date and time of the solicitation and the delivery location(s) for proposals;
 - (e) Reservation of the right to seek clarifications of each proposal, and the right to negotiate the Statement of Work within the scope of work described in the RFP;
 - (f) Reservation of the right to reject any or all Proposals, if such rejection would be in the public interest;
 - (g) Reservation of the right to cancel the solicitation, if such cancellation would be in the public interest;
 - (h) Contractual provisions that will be contained in the resulting contract;
 - (i) The possibility of interviews; and
 - (j) Any other information to be used to evaluate, rank and select the best proposer(s). This should include, but is not limited to: the anticipated contract award date, and at the College's discretion, funding information and budget requirements.
- (6) A pre-proposal meeting (voluntary or mandatory) may be held for all prospective Contractors to discuss the proposed services, solicitation provisions and contract requirements. The RFP shall include the date, time and place of the meeting(s).
- (7) An evaluation committee shall evaluate Proposals. The College's Purchasing Department shall provide the evaluation committee with guidelines for completing evaluations consistent with the process described in the RFP. The evaluation committee may consist of College employees and, if desired, members of the community with experience in related services. Evaluators shall be selected on the basis of their ability to provide an objective, impartial evaluation of the proposals. If there is a conflict of interest, the evaluator shall declare this

- in writing and shall be excluded from participating in the evaluation.
- (8) The proposal evaluation committee shall review, score and rank all responsive proposals according to the evaluation criteria in the RFP, which may include, but are not limited to, the following:
 - (a) Availability and capability to perform the work;
 - (b) Experience of key staff on comparable projects, or in performing comparable services;
 - (c) Demonstrated ability to successfully complete similar projects or perform similar services on time and within budget;
 - (d) References from past clients, public and private;
 - (e) Performance history in meeting deadlines, submitting accurate estimates, producing quality work, and meeting financial obligations;
 - (f) Status and quality of any required licensing or certification;
 - (g) Knowledge and understanding of the required services as shown in the proposed approach to staffing and scheduling needs;
 - (h) Fees or costs;
 - (i) Results from oral interviews, if conducted;
 - (j) Availability of any specific required resources or equipment;
 - (k) Geographic proximity to the project or the area where the services will be performed;
 - (l) Identity of proposed subcontractors and their qualifications; and
 - (m) Any other criteria deemed relevant to the provision of services.
 - (9) Final ranking will be based on the evaluation criteria consistent with the process described in the RFP. Price will be considered, but will not necessarily govern selection of the Contractor(s).
 - (10) Contracts entered into under the formal selection procedure may be amended, provided the original contract allows for the particular amendment and the services to be provided under the amendment are included within, or directly related to, the scope of the project or the scope of the services described in the solicitation document.

Informal Selection Procedures

The College may use an informal selection process to obtain services if the estimated fee or Contract Price is less than the Minimum Threshold for Personal Services Contracts, and the College shall use an informal selection process to obtain services if the estimated fee or Contract Price is more than the Minimum Threshold but less than the Intermediate Threshold for Personal Services Contracts as this threshold is defined in Section 300-Supplementary Provision, unless otherwise exempted.

- (1) The informal selection process shall solicit Offers from at least three qualified contractors offering the required services. Prospective contractors may be drawn from the ~~ORPIN~~ OregonBuys System and/or from the certified list of the ~~Advocate for Minority, Women and Emerging Small Business~~ COBID or its list of Contractors. The College may place the solicitation on the ~~ORPIN System~~ OregonBuys system and/or use the system-generated potential Offer list to meet the three (3) responses/proposals requirement for informal solicitations.
- (2) The informal selection process shall be competitive. The selection and ranking may be based on criteria including, but not limited to, each Offeror's:
 - (a) Particular capability to perform the services required;
 - (b) Experienced staff available to perform the services required, including each Offeror's recent, current, and projected workloads;
 - (c) Performance history
 - (d) Approach and philosophy used in providing services;
 - (e) Fees or costs;
 - (f) Geographic proximity to the project or the area where the services are to be performed; and
 - (g) Work volume previously awarded by the College, with the object of effecting an equitable distribution of contracts among qualified Contractors, provided such distribution does not violate the policy of selecting the most ~~highly~~ qualified Contractor to perform the services at a fair and reasonable price.
- (3) All proposals received shall be reviewed and documented and the most qualified Contractor(s) selected.

- (4) If the scope of the services is revised to the extent that the estimated cost of the services is considered to be equal to or more than the Minimum Threshold as this threshold is defined in Section 300-Supplementary Provisions, and the services are still required, the College shall either (a) terminate the contract and issue a new solicitation using the formal selection procedures or procedures allowed by subsequent rules set forth in this Section, unless waived under the provisions of Section CCR.250 (l)(2), or (b) seek approval by the College's Local Contract Review Board for contract amendment.

Selection by Negotiation

- (1) The College may procure Personal Services with Contractors directly through negotiation if the Contract Price is less than the Minimum Threshold as this threshold is defined in Section 300-Supplementary Provisions.
- (2) If the scope of the services is revised to the extent that the estimated cost of the services is equal to or more than the Minimum Threshold as this threshold is defined in Section 300-Supplementary Provisions, the College shall solicit for a new Contractor(s) using applicable selection procedures under these rules.

Conclusion of Compliance with Law

This rule satisfies the requirements of Oregon Administrative Rule 137 chapter 047 wherein the College shall adhere to the informal and formal solicitation requirements. Consequently, findings otherwise required by law are unnecessary here.

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PUBLIC IMPROVEMENT CONTRACTS EXCEPTIONS AND EXEMPTIONS

Alternative Contracting Methods

CCR.280

The College may, at its discretion, exempt public improvement contracts from competitive bidding requirements utilizing Alternative Contracting Methods (ORS 279C.335(2)). These innovative contracting methods shall ~~take into account~~ consider market realities and modern practices that are consistent with the public policy of encouraging competition. Examples of Alternative Contracting Methods are Construction Manager/General Contractor Services (CM/GC), and Design-Build, Energy Savings Performance Contracts and other developing methods including but not limited to "performance contracting", "cost plus time" contracting, and "qualification plus project approach" contracting.

The College shall adhere to ORS 279C.337 regarding the CM/GC contracting requirements as stated in OAR 137-049-0690.

The College shall prepare written findings that support the use of this exemption from competitive bidding and obtain approval from its Local Contract Review Board. A public hearing ~~shall~~ may be held before final adoption ~~of the exemption and must be held if any person files a written request for a hearing.~~ ORS 279C.335(5) of the exemption. The findings must show compliance with ORS 279C.330 and ORS 279C.335(2), and shall include, but not be limited to, information ~~regarding~~ addressing the required findings in ORS 279C.330(1) and, except as provided in ORS 279C.335(2)(c) the factors for determination compliance with ORS 279C.335(2)(b).

ORS 279C.300 findings include:

- (a) Operational, budget, and financial data;
- (b) Public benefits;
- (c) Value engineering;
- (d) Specialized expertise required;
- (e) Public safety;
- (f) Market conditions;
- (g) Technical complexity;
- (h) Funding sources but shall not be based solely on funding sources, such as a particular bond fund, or by the method of procurement.

The required factors for consideration under 279C.335(2)(b) are:

- (a) How many persons are available to bid;
- (b) The construction budget and the projected operating costs for the completed public improvement;
- (c) Public benefits that may result from granting the exemption;
- (d) Whether value engineering techniques may decrease the cost of the public improvement;
- (e) The cost and availability of specialized expertise that is necessary for the public improvement;
- (f) Any likely increases in public safety;
- (g) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;
- (h) Whether granting the exemption will affect the sources of funding for the public improvement;
- (i) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;
- (j) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;
- (k) Whether the public improvement involves new construction or renovates or remodels an existing structure;
- (l) Whether the public improvement will be occupied or unoccupied during construction;
- (m) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions;
- (n) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.

Conclusion of Compliance with Law

The College must demonstrate that the use of this exemption is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts and will likely result in substantial cost savings to the College or the public (ORS 279C.335(2)). The requirements of this rule ensure that competition will be carefully addressed and protected, if the College's Local Contract Review Board finds it is in the public's best interest to use an Alternative Contracting Method. Consequently, findings otherwise required by law are unnecessary here except with regard to those related to CM/GC contracts as required under ORS 279C.337.

* * * * *

Donated Public Improvements

CCR.281

The College may authorize a Person to construct a public improvement without competitive bidding or other competitive process regardless of dollar amount, if:

- (1) The Person has agreed to donate all of the labor, materials and services necessary to construct the public improvement and perform the work; and
- (2) The Person enters into a license or agreement with the College whereby the Person agrees to comply with the public contract requirements applicable to the particular project, requirements of the Public Contracting Code, and any requirements that the College deems necessary or beneficial to protect the College.

Findings of Fact

1. Students, staff, contractors, and other community groups from time to time offer to donate all ~~or a portion~~ of their professional skilled services and/or materials, to help the College meet its facilities' and/or educational needs. The ability to take advantage of such donated materials and/or services enables the College to use its limited funds in other areas, and frequently results in improvements or services that the College would not otherwise be able to afford. This

class special procurement thus has budgetary, operational, and public benefits.

2. This exemption enables the College to take advantage of these offers, while continuing to ensure that the requirements of the Public Contracting Code continue to be met.
3. ORS 279A.010 excludes projects for which no funds of a public entity are used from the definition of Public Improvement subject to the Code. This exemption will allow the College to take advantage of donated materials and/or services, where all or part of the project or funds used for the project are donated.

Conclusion of Compliance with Law

It is unlikely that this exemption will encourage favoritism in the award of College Contracts or substantially diminish competition for College Contracts because it will only apply when a Person donates all or part of the materials and/or services. Charitable donations are outside of the competitive market for construction services. In many instances, the donations will enable the College to construct or complete projects that it otherwise would not be able to afford to do, and thus will not displace what would otherwise be a competitively bid project.

The use of this class special procurement will result in substantial cost savings for the College because the College is not required to pay for the goods and/or services if they are donated.

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First-Tier Subcontractors; Disclosure and Substitution

CCR.282

This rule amends (i.e., additions are indicated by *italics* and deletions are indicated by a line drawn through the word(s) that has been stricken.), Appendix A of these Community College Rules of Procurement (i.e., State of Oregon, Department of Justice, Model Public Contract Rules effective January 1, 2010, Division 49), as follows:

OAR 137-049-0360(2)(b) shall be replaced with:

“(b) The College may, at its discretion, open Bids publicly immediately after the Bid Closing; ~~and~~ or it may open Bids publicly immediately following the deadline for submission of the first-tier subcontractor disclosure forms, or some other time as permitted or not prohibited by Oregon Revised Statutes.”

Conclusion of Compliance with Law

As this amendment to the Attorney General’s Public Contract Rules is not a Special Procurement or exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required.

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Limited Negotiations with Bidder

CCR.283

Definitions

For purposes of this rule, the terms below shall be defined, as follows:

“College’s Cost Estimate” shall mean the fixed limit of construction cost that has been agreed upon by the College and the College’s consultant.

“Value Engineering and Other Options” refers to a process agreed upon by the College, which involves the lowest responsive, responsible bidder and may include other consultants to identify deletions or adjustments to the project to reduce the cost of such work.

“Significantly Changed” with reference to the scope of the project, shall mean deletion or adjustment of components of the project or elements of the work, which in the aggregate are estimated to cost in excess of twenty-five percent of the College’s Cost Estimate as originally designed.

Limited Negotiations and College’s Cost Estimate

- (1) If a project is competitively bid and all the responsive bids from responsible bidders exceed the College’s Cost Estimate, the College may, prior to award, negotiate with the Lowest Responsible Bidder utilizing Value Engineering and Other Options to bring the contract price within the College’s Cost Estimate.
- (2) The College’s negotiation with the Lowest Responsible Bidder shall not result in award of the contract to such bidder if the scope of the project is Significantly Changed from that specified in the Invitation to Bid at the time of bidding.
- (3) If the College elects to use the negotiation process under this rule, the College will not produce for public inspection prior to award or termination of the negotiation process, any records of the Lowest Responsible Bidder. After award of the contract or termination of the negotiation process, the College will make available for public inspection such records as are subject to inspection under any other provision of law.

Negotiation and Award Process

- (1) If the Lowest Responsible Bidder’s Bid exceeds the College’s Cost Estimate, the College may, but shall not be required to, negotiate with the Lowest Responsible Bidder to bring the cost of the project within the College’s Cost Estimate.
- (2) If the College elects to negotiate with the Lowest Responsible Bidder, the College shall give written notice to the Lowest Responsible Bidder of its intent, within ten (10) days of bid Opening. The notice shall include disclosure to the Lowest Responsible Bidder of the College’s Cost Estimate.
- (3) During any such negotiations, the Lowest Responsible Bidder’s bid shall remain firm for the period prescribed in the Bid. At all times until the expiration of the Bid, and notwithstanding the occurrence of negotiations under this rule, the College shall have the right to accept the original Bid.
- (4) Upon and within five (5) days of receipt of the College’s notice of intent to negotiate, the Lowest Responsible Bidder and the College’s representative shall meet and present to each other, in writing, any proposals either may have for Value Engineering and Other Options to bring the project within the College’s Cost Estimate.
- (5) The College and the Lowest Responsible Bidder shall negotiate in good faith regarding value engineering and other options, exerting their best efforts to bring the cost of the project within the College’s Cost Estimate.
- (6) If the College and the Lowest Responsible Bidder are able to reach agreement through value engineering and other options to identify measures which bring the project within the college’s Cost Estimate, but do not Significantly Change the scope of the project, such value engineering and other options shall be reduced to writing and signed by the Lowest Responsible Bidder as an amendment to its bid and will be incorporated into the Contract at the time of award.
- (7) Upon award, the terms and conditions of the amendment to the Bid shall be made public.
- (8) Any protest of this negotiation process shall be subject to the Protest Process specified in the Invitation to Bid.

Conclusion of Compliance with Law

This rule satisfies the requirements of Oregon Revised Statute 279C.340 wherein the College may negotiate with the lowest responsive, responsible bidder in accordance with rules adopted by the College. Consequently, findings otherwise required by law are unnecessary here.

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**SECTION 300 SUPPLEMENTARY PROVISIONS –
CONTRACTING RULES**

These Community College Rules of Procurement were drafted by participating statewide community college representatives with the intent that Sections 100 and 200 be adopted in their entirety and remain unchanged by their respective institutions unless modified by participating committee members at a later date and subsequently and unanimously ratified by their Local Contract Review Boards. Section 300 has been specifically set aside to address the unique philosophies, cultures, and/or concerns of the various community colleges, voting districts, and contract review boards. In the event of conflict between rules or sections within these Community College Rules of Procurement, the rules in Section 300 shall take precedence over the Appendices in Section 300, and the rules in Sections 100 and/or 200 except as otherwise expressly provided.

* * * * *

Consultant Selection: Architects, Engineers, Photogrammetrists, Transportation Planners, Land Surveyors, and Providers of Related Services Contracts **CCR.301**

This rule amends (i.e., additions are indicated by italics and deletions are indicated by a line drawn through the word(s) that has been stricken), Appendix B of these Community College Rules of Procurement (i.e., State of Oregon, Department of Justice, Model Public Contract Rules effective January 1, 2012, Division 48), as follows:

OAR 137-048-0200(1)(b) shall be replaced with: “Small Estimated Fee. The Estimated Fee to be paid under the Contract does not exceed \$75,000 or”

OAR 137-048-0200(1)(c) shall be replaced with: “Continuation of Project With Intermediate Estimated Fee. For Contracting Agencies where a Project is being continued, as more particularly described below, and where the Estimated Fee will not exceed \$75,000 - \$150,000, the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services to be performed under the Contract must meet the following requirements:

- (1) The services consist of or are related to Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services that have been substantially described, planned or otherwise previously studied in an earlier Contract with the same Consultant and are rendered for the same Project as the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services rendered under the earlier Contract;
- (2) The Estimated Fee to be made under the Contract does not exceed \$75,000 - \$150,000 and
- (3) The Contracting Agency used either the formal selection procedure under OAR 137-048-0220 (Formal Selection Procedure) or the formal selection procedure applicable to selection of the Consultant at the time of original selection to select the Consultant for the earlier Contract; or”

OAR 137-048-0200(1)(d) shall be replaced with: “Continuation or Project With Extensive Estimated Fee. For Contracting Agencies where a Project is being continued, as more particularly described below, and where the Estimated Fee is expected to exceed \$75,000 - \$150,000, the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services to be performed under the Contract must meet the following requirements:”

OAR 137-048-0210(1) shall be replaced with: “The College Contracting Agencies may use the informal selection procedure described in this rule to obtain a contract if the Estimated Fee is expected not to exceed \$75,000 - \$150,000.”

OAR 137-048-0210(2)(b) shall be replaced with: "Provide a Request for Proposals to a minimum of three (3) prospective Consultants drawn from:

- (1) Contracting Agency's list of Consultants that is created and maintained under OAR 137-048-0120 (List of Interested Consultants: Performance Record);
- (2) Another Contracting Agency's list of Consultants that is created and maintained under OAR 137-048-0120 (List of Interested Consultants; Performance Record); or
- (3) All Consultants that the Contracting Agency reasonably can locate that offer the desired Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services, or any combination of the foregoing."

OAR 137-048-0210(5) shall be replaced with: "The College Contracting Agency shall terminate the informal selection procedure and proceed with the formal selection procedure under OAR 137-048-0220 if the scope of the anticipated Contract is revised during negotiations so that the Estimated Fee will exceed \$75,000 - \$150,000.

Conclusion of Compliance with Law

As this amendment to the Attorney General's Public Contract Rules, 2012, is not a Special Procurement or exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required. The requirements of this rule ensure that competition will be carefully addressed and protected, if the College finds it is in the public's best interest to competitively procure Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, or Land Surveying Services or Related Services Contracts. This rule satisfies the requirements of Oregon Revised Statute ORS 279A.055 wherein the College may enter into Personal Services contracts, subsequent to the Local Contract Review Board's designation of certain service contracts or classes of service contracts as personal services contracts, and ORS 279C.105 wherein a Local Contract Review Board shall adopt procedures for the screening and selection of persons to perform those services under ORS 279C.110 or 279C.120. Consequently, findings otherwise required by law are unnecessary here.

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Contract Amendments & Reinstatements

CCR.302

The College may award an amendment(s) to a Public Contract for additional work or product which is reasonably related to the scope of work under the original contract, including change orders, extra work, field orders, or other changes in the original specifications that increases the original Contract Price subject to the following conditions:

- (1) Contract amendments must be made in writing;
- (2) Amendments to Contracts must fall within the scope of the original solicitation. Amendments shall not be used to circumvent rules establishing approvals at certain monetary thresholds;
- (3) The original Contract was let by competitive bidding or alternate contracting method;
- (4) Such amendment(s) shall not exceed a total of thirty-three percent (33%) of the original Contract Price for goods and services or twenty-five percent (25%) over the original Contract Price if the Contract is for public improvements, public works, or general trade services and the amount of the amended Contract is defined as a Small or Intermediate Procurement as these thresholds are defined in Section 300, "Public Contracts Under Certain Dollar Amounts," Supplementary Provisions of the Community College Rules of Procurement;
- (5) Such amendment(s) shall not exceed a total of fifty percent (50%) of the original Contract Price, if the original Contract Price exceeds the threshold for Intermediate Procurements as this threshold is defined

in Section 300, "Public Contracts Under Certain Dollar Amounts," Supplementary Provisions of the Community College Rules of Procurement, and the Contract is for public improvements, public works, or general trade services;

(6) The Vice President of Finance and Chief Financial Officer or designee approves the amendment if the Contract is for a Public Contract, including a Public Contract for a Special Procurement, but may authorize the Director of Capital Projects/Facilities and Operations to approve amendments, if the Contract is for a public improvement, public work, or general trade services Contract

The "Reinstatement of Expired Contracts" means the action of reinstatement of an expired Contract that was previously properly executed containing all the required approval signatures and following all required procurement processes. The College may approve reinstatement of an expired Contract if the following conditions are met:

(1) The College determines concisely, in writing, that the failure to extend or renew the Contract in a timely manner was due to unforeseen or unavoidable conditions;

(2) The written reinstatement justification is presented to Purchasing for approval within ninety (90) days after expiration of the original Contract; and

(3) The reinstatement is exclusively for the purpose of permitting completion of the work or services for no additional compensation; or

(a) When the services are of a continuing or repetitive nature, which are compensated at an hourly, daily or similar periodic rate, the reinstatement either:

(i) Does not increase the rate of compensation; or

(ii) Does not increase the rate of compensation so as to exceed the rate of the increase determined by comparing the Portland, Oregon Metropolitan Area Consumer Price Index (all items), published immediately prior to the date the original contract was established with the same Index published immediately prior to the date of the reinstatement and extension.

(4) When a Contract is reinstated pursuant to this Rule, the College may compensate the Contractor, at the rate of compensation established in the original Contract, for work performed in the interim between the expiration of the original Contract and the execution and approval(s) of the extension or amendment.

(5) This rule authorizes only one reinstatement of a Contract.

(6) No reinstatement of a Contract must modify the original contract except with respect to the time for performance.

(7) If the reinstatement of a Contract pursuant to this rule raises the aggregate amount of compensation to a level that requires approval by the Local Contract Review Board, the College must obtain such approval before the extension becomes binding and before any services may be performed under the reinstated contract.

(8) Once a Contract is reinstated, it is in full force and effect, as if it had not expired. Stat. Auth: ORS 279A.065~~(5)(a)~~; ORS279A.070

Conclusion of Compliance with Law

Contracts are living entities. The work they represent is subject to change at any moment; contract amendments record and formalize those changes. Options for change orders are needed for contract administrators and

contractors to perform the work in the most efficient manner. As the contract amendment process is not an exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required. It is unlikely that this process will encourage favoritism in the awarding of public contracts or substantially diminish competition, and is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B(4)). Consequently, findings otherwise required by law are unnecessary here.

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Cumulative Awards of Small Contracts (i.e., Anti-Fragmenting Rule)

CCR.304

When the College awards a series of small contracts with values less than \$150,000 the most recent intermediate cap set by Board Resolution, intends to award a series of such contracts, or is likely to award a series of such contracts within one fiscal year, the sum of which will, or is likely to, meet or exceed \$150,000, the most recent intermediate cap set by Board Resolution.

- (1) The contracts are not intentionally fractionalized to avoid sealed, competitive public procurement; and,
- (2) Competition is not being diminished by the awarding of such contracts and the consequent avoidance of public advertising of the requirement; and,
- (3) Other requirements such as those of the Bureau of Labor and Industries, (prevailing wage rates), bonding, insurance and ~~Advocate for Minority, Women and Emerging Small Business~~ **COBID** will not be avoided by the award of such contracts; or, the College shall formulate and issue a formal solicitation for the totality of such annual requirements, and shall, as a result of such solicitation, establish a requirements contract naming one or more qualified providers, for the provision for the required goods or services.

Conclusion of Compliance with Law

This rule is intended to apply to all goods, services, client services, public improvements, public works maintenance, repair, supplies, and all other College requirements. Its purpose is to ensure that the College does not intentionally or in adherently exceed the Colleges’ formal competitive procurement threshold requirement of \$150,000 without good cause and without the approval of its Local Contract Review Board, and the compliance with other statutory requirements invoked by the formal competitive procurement threshold (such as prevailing wage rates, maximizing competition, ~~Advocate for Minority, Women and Emerging Small Business~~ **COBID** and the like), are not avoided. As Special Procurements may result in a series of Contacts over time or for multiple projects, and the Cumulative Awards of Small Contracts Rules is not an exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required.

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Energy Management Controls Systems

CCR.308

Competitive procurement need not be used for Energy Management Controls Systems provided the hardware or software is required to match or be specifically compatible with existing equipment (see Brand Names or Marks, “or Equal,” Single Seller and Sole Source), or that the items are available from only one source and the College has determined that competition does not exist.

In determining the appropriate procurement method for Energy Management Controls Systems or whether competition exists, the College may consider the following factors: the extent to which alternative services offered are comparable or substitutable in technology; service provided; performance; the extent to which latest upgrades and options are offered by the manufacturer; upward and downward compatibility; and the extent to which alternative providers can respond to the College’s interests in consistency and continuity of services throughout its

service area, volume discounts, equitable service for all users, centralized management, and limiting College liability.

Conclusion of Compliance with Law

This rule will not encourage favoritism or substantially diminish competition in the awarding of public contracts. An energy management controls system is essentially a system of data processors, input/output devices, field devices (thermostats, terminal control units, etc.), and software that result in energy-saving strategies. This rule provides additional parameters for consideration that are complementary to the Public Contracting Code where competition does exist. It is not intended to diminish the College's ability to consider other factors or limit fair and open competition when arriving at best value. It is the policy of the State of Oregon that public contracting activities should provide effective outcomes that represent optimal value to the contracting agency, and to the greatest extent feasible, be consistent with market practices (ORS 279B.010(1)).

* * * * *

Exception (Including Sole Source) – Purchases of Goods or Services through

CCR.310

Competitive procurement processes need not be used for the procurement of goods or services when the College makes a determination, based on written findings subject to ORS 279B.075(2), that the goods or services, or class of goods or services, are available from only one source, and the award of the Contract is approved, in writing, by the College's VP of Finances and Operations or designee with such determination of sole source being placed on file in the Purchasing office or other designated official location; notification shall subsequently be given to the college's Local Contract Review Board, if the amount of the contract exceeds \$100,000. The College is entitled to negotiate with any sole source Contractor to obtain a favorable price, terms, and/or conditions. This exception may be used for either a Contract or class of goods or services resulting in a series of Contracts, subject to these written findings, without submitting written findings for each subsequent request for a Contract, for no longer than five years, and is to be used infrequently and only when deemed by the chief financial officer or designee to be in the best interest of the College.

Findings of Fact

- (1) In some cases, the use of competitive procurement processes is either not practicable, advantageous, or in the College's best interest due to unforeseen circumstances, unreasonable costs, difficulty in locating vendors even after extensive searches, or where time constraints occur that are due to circumstances beyond reasonable control.
- (2) All practical measures will be taken to encourage competition when possible.
- (3) The VP of Finance and Operations or designee will report to the Local Contract Review Board the reason(s) that competitive procurement processes were deemed to be impracticable and what steps, where possible, were taken to encourage competition if the acquisition exceeds the Intermediate Procurement threshold as defined in Section 300, "Public Contracts Under Certain Dollar Amounts;" a copy of the waiver shall be placed on file in the Purchasing office or other designated official location.

Conclusion of Compliance with Law

It is unlikely that this exemption from competitive procurement processes will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279B.085(3)(a), since it would be an Exception, and would be due to extenuating circumstances. Additionally, this Special Procurement will substantially promote the public interest in a manner that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065, or

279B.205 or under any rules adopted thereunder. (Stat. Auth.: ORS 279B.075 and 279B.085, Sole-Source Procurements and Special Procurements, respectively.)

* * * * *

Amendment to: Personal Services Contracting Rules

CCR.312

This rule replaces and amends Personal Services Contracts Rule CCR.250(1)(2) to read:

- (1) The College may waive the requirement for a competitive selection process and directly negotiate a Personal Service Contract, if the contract price is not more than the minimum Threshold as this threshold is defined in Section 300-Supplementary Provisions, Rule CCR.312. "Minimum Threshold" means \$75,000; Intimidated Threshold means \$75,000-\$150,000. Regardless of the dollar value of the contract, the College may at its discretion, enter into a Personal Services Contract without complying with formal or informal solicitation requirement if an Emergency, as defined in CCR.207 exists. Unless there are compelling reasons not to do so, competitive selection processes for Personal Services contractors should take place at intervals not greater than five years.
- (2) Informal Selection Procedures may be used for contracts less than the Minimum Threshold (i.e. \$75,000) but are not required to be used for contracts less than the Minimum Threshold.
- (3) Informal Selection Procedures shall be used for contracts estimated or anticipated to be equal to or more than \$75,000 but which are not estimated or anticipated to be more than the Intermediate Threshold (i.e. \$150,000).
- (4) Formal Selection Procedures shall be used for contracts estimated or anticipated to be equal to or more than the Intermediate Threshold (i.e. \$150,000) but may be used for contracts of any estimated dollar value if it is deemed to be in the College's best interest.

The screening and selection procedures for the award of Personal Services Contracts are governed by ORS 279A.055 and are subject to the competitive procurement provisions of the Personal Services Contracting rules and procedures adopted herein. Every contract for Personal Services shall be based upon these screening and selection procedures developed by the College. Personal Services Contracts are considered "public contracts" as defined in ORS 279A.010.

This rule replaces and amends Personal Services Contracts Rule CCR.250(1)(5) to read:

Personal Services Contract do not include;

- (1) Contracts, even though in a professional capacity, if primarily for equipment, supplies or materials. i.e. a contract to supply all hardware and standard software is not a Personal Services Contract but a contract with a technology consultant to design or develop a new computer system is a Personal Services contract.
- (2) Contracts with a temporary service or personnel agency to supply labor which is a type that can generally be done by any skilled worker.
- (3) Contracts for services of a trade-related activity, even though a specific license is required to engage in the activity. Examples are repair and/or maintenance of all types of equipment or structures.
- (4) Employees.

Conclusion of Compliance with law

The requirements of Rule CCR,250 and its subsequent amendment, CCR.312, ensure that competition will be carefully addressed and protected, if the College finds it is in the public's best interest to competitively procure Personal Services. This rule satisfies the requirements of ORS 279A.055 wherein the College may enter into Personal Services contracts subsequent to the local contract review board's designation of certain services contracts or classes of service contracts as personal service contracts. Consequently, findings otherwise required by law are unnecessary here.

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Public Contracts Under Certain Dollar Amounts

CCR.314

The College shall submit recommendations for contact award to the Local Contract Review Board for contacts greater than \$100,000 subsequent to College Policies and procedures contained herein and defined in Appendix A.

The College may at its discretion enter into public contracts not to exceed \$150,000 for the purchase of goods, materials, supplies and services including contacts for architectural, engineering, photogrammetric mapping, transportation planning, or land surveying services or related services and public improvement or general trade services without issuing a formal competitive solicitation document if the College has determined that the award of the contract without issuing a formal competitive solicitation document will result in cost savings and the following conditions are met.

- (1) The contract is for a single project and is not component of or related to any other project.
- (2) When the amount of the contract does not exceed \$10,000, defined herein as a "Small Procurement", the College shall, where feasible, obtain competitive quotes unless the contract is for architectural engineering, photogrammetric mapping, transportation or land surveying services or related services procedures in which case a Direct Appointment (see Appendix B 137-048-0200) may be made for contracts with estimated fees less than \$75,000.
- (3) When the amount of the contract is more than \$10,000, but less than \$150,000, defined herein as an "Intermediate Procurement", and is not for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services the College shall obtain a minimum of three informally solicited competitive quotes. At least one of the three quotes shall be obtained in accordance with ~~Advocate for Minority, Women and Emerging Small Business~~ **COBID**. The College shall keep a written record of the source and amount of the quotes received. If three quotes are not available, a lesser number will suffice provided that a written record is made of the effort to obtain the quotes.
- (4) The College will abide by ORS 279A.025(4), regarding Qualified Nonprofit Agencies unless the required goods, materials, supplies or services are unavailable from a Qualified Nonprofit Agency as provided in ORS 279.835 to 269.855.
- (5) The College shall encourage ~~Advocate for Minority, Women and Emerging Small Business~~ **COBID** agencies to participate in its purchasing process, where applicable.
- (6) The goods or services, or class of goods or services, are available from only one source and the determination of a sole source is based upon written findings in accordance with the provisions set forth in ORS 279B.075.

The College may at its discretion enter into Public Contacts not to exceed \$150,000 where competitive procurement process have been waived pursuant to ORS 279B.075 and/or 279B.085 and the provision of CCR.310

“Exception (including Sole Source) – Purchases of Goods or Services through.”

The College may at its discretion enter into public contracts for trade-related projects, i.e. construction maintenance, repair or similar labor and materials contracts without competitive bidding if the College has determined that the awarding of the contract without competitive bidding will result in cost savings and the following conditions are met.

- (1) The contract is for a single project, and is not a component of or related to any other product.
- (2) When the amount of the contract does not exceed \$10,000 the College should, where feasible, obtain competitive quotes per ORS 279B.065.
- (3) When the amount of the contract is more than \$10,000, but less than \$150,000 the College shall obtain a minimum of three competitive quotes. The College shall keep a written record of the source and amount of the quotes received. If three quotes are not available, a lesser number will suffice provided that a written record is made of the effort to obtain the quotes.
- (4) When the contract is a public improvement contract of less than \$150,000 and the bidders are being drawn exclusively from a list from ~~Advocate for Minority, Women and Emerging Small Business~~ **COBID** the College may let the contract without formal competitive bidding after a good faith effort to obtain a minimum of three competitive quotes from ~~Advocate for Minority, Women and Emerging Small Business~~ **COBID**. To obtain maximum exposure for all firms, and guard against favoritism, care shall be taken to obtain quotes from different firms each time the list is used. The College shall keep a written record of the source and amount of the quotes received and comply with the requirements, as applicable, of the ~~Advocate for Minority, Women and Emerging Small Business~~ **COBID**. A lesser number will suffice provided a written record is maintained of the effort to obtain the quotes.
- (5) When the contract is for a “public improvement” as defined in ORS 279A.010(1)(aa) and/or for “public ~~works~~agency” as defined in ORS 279C.800(5), and the contact price exceeds \$75,000 but is less than \$150,000 the College and the contractor shall comply with;
 - (a) The prevailing wage provisions of ORS 279C.800 to 279C.870, when applicable.
 - (b) The contractor registration requirements of ORS 701.
 - (c) Any other law applicable to such a contract.

If more than one supplier may be available and the total purchase is estimated to exceed \$150,000 the College shall select a contractor through a formal competitive solicitation process.

Pursuant to ORS 279C.105, when the contract is for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services and the estimated fee is \$150,000 or greater, the College shall screen and select a contractor through formal competitive solicitation process as these procurements are defined in Appendix B 137-048-0220 of these CCOP.

Renegotiated Contacts for Supplies and Services

The College may renegotiate the terms and conditions, including the contract price, of a contract without additional competition and amend a contract if it is in the best interest of the College subject to the following conditions.

- (1) The College may determine that, with all things considered, the renegotiated contact is at least as favorable to the College as the original contract and;

- (2) The renegotiated contract will not have a total term greater than allowed in the original solicitation document, contract or approval of Special Procurement after combining the initial and extended terms. For example, a one-year contract, renewable each year for up to four additional years, may be renegotiated as a two to five-year contract, but not beyond a total of five years. Also, if contracts with a single Contractor are restated as a single contract, the term of the single contract may not have a total term greater than any one of the prior contract.
- (3) If a contract offers a lower price in exchange for a change in term or condition that was expressly rejected in the original solicitation, the amended contract may be structured with this changed term as an optional, but not as a mandatory contract term.
- (4) If the contact is the result of a Cooperative Procurement, the amended contact must be within the scope of the original contact and may not materially change the terms, conditions and prices of the original contact.

If the procurement is grant-funded, “Minimum Threshold” means the amount as identified by the grant funding agency if the grant funding agency’s threshold requirements are more restrictive than the College’s. The College will follow the provisions of the Public Contracting rules of the grant funding agency and/or those of the College, or a combination thereof, as identified by the grantor.

Comment:

Public contracts shall mean the “completed project cost basis” of a public contract (i.e. the total cost of performing one discreet, identifiable totality of work, including all components, shipping, warranty costs, service agreements obtain in conjunction with the purchase contract, reimbursables and any other associated costs.)

Conclusion of Compliance with Law

This rule is more restrictive than the requirements of the Public Contracting Cod. As such, it is not an exemption of Special Procurement to the competitive bidding requirements of law. Consequently, findings otherwise required by law are unnecessary here.

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Rejection of an Offer

CCR.316

This rule amends (i.e., additions are indicated by italics and deletions are indicated by a line drawn through the word(s) that has been stricken.), Appendix B of these Community College Rules of Procurement (i.e., State of Oregon, Department of Justice, Model Public Contract Rules 2004, Division 48) as follows:

ORAR 137-047-0640(1)(b) shall be replaced with:

“(b) The College shall may reject an Offer upon the College’s finding that the Offer:”

ORAR 137-049-0440(1)(b) shall be replaced with:

“(b) The College shall may reject an Offer upon the College’s finding that the Offer:”

Conclusion of Compliance with Law

As this amendment to the Attorney General’s Public Contract Rules, 2004, is not a Special Procurement or exemption from the competitive procurement requirements of law, the College has determined that findings of fact are not required.

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Space Rentals (hotels, conferences, temporary offices, etcetera)**CCR.318**

Competitive procurement need not be used for the rental of real estate, floor space or other short- or long-term rentals of physical space.

Findings of Fact

Many space rental transactions must, of necessity, take place in private in order to ensure that public disclosure will not have negative effects upon price or other contractual considerations. Additionally, rentals are subject to considerable personal judgment in the selection of the space, its availability, its surrounds, its geographical location, the landlord, and the contract terms. Many of these items are not subject to negotiation or are extremely difficult to compare objectively. Moreover, many such rentals must be finalized in extremely short periods, occasionally within minutes, or the arrangement may be lost to another offeror. It is not in the best interest of the public to disadvantage the College by necessitating an arduous selection process for rentals of space, which, of necessity, are highly subjective activities.

Conclusion of Compliance with Law

It is unlikely that this Special Procurement will result in favoritism in the awarding of public contracts or substantially diminish competition since all vendors, including Oregon businesses, are able to compete, and it is reasonably expected to result in substantial cost savings to the College or to the public (ORS 279B.085(4)a), or otherwise substantially promote the public interest (ORS 279B(4)(b)(B)), through expediting its procurement processes without compromising integrity for cost.

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Property Disposition**CCR.320****Auction Sales of Personal Property**

Personal Property may be sold at auction if the College determines that the auction contemplated will probably result in a higher net return than if the property were sold by competitive written bid.

Sales of Personal Property

The College may sell personal property, including recyclable or reclaimed materials, without competitive bidding if it has determined that a negotiated sale will result in increased net revenue and the following conditions are met:

- (1) The personal property has been made available to other College departments and local government units when deemed appropriate; and
- (2) when the current market value per item is deemed to be less than \$1,000, the College may establish a selling price, schedule and advertise a sale date, and sell to the first qualified bidder meeting the sales terms; or
- (3) when the current value per item is deemed to exceed \$1,000 the personal property must be offered for competitive written bid and be advertised, or be offered for sale at public auction.

- (4) When the personal property is deemed relevant to students enrolled in a certificate or degree program, the College may sell directly to students prior to making the sale available to the public.

Liquidation Sales of Personal Property

The College may sell personal property through a commercially recognized third party liquidator if it has determined that a liquidation sale will result in increased net revenue and the following conditions are met:

- (1) The personal property has been made available to College departments and local government units; and
- (2) selection of the liquidator was conducted by a competitive process.

Donations of Personal Property

The College may transfer personal property without remuneration or only nominal remuneration without competitive bids to the following entities:

- (1) Another public agency; or
- (2) any QRF, work activity center or group care home which operates under contract or agreement with, or grant from, any State agency and which is certified to receive federal surplus property; or
- (3) any recognized 501(c)(3) non-profit activity.

Trade of Personal Property

Surplus property may be traded for goods or services of an equivalent value, the intent to trade will be advertised on the College website.

- (1) Property with an estimated value of \$1,000 or less may be traded for goods or services of an equivalent value without conducting a competitive bid process.
- (2) Surplus property with an estimated value in excess of \$1,000 may be traded for goods or services of an equivalent or greater value:
 - (a) after a public solicitation of bids or public sale, and
 - (b) when the bids or offers received at the public sale are for less than the value of the goods or services for which the property is exchanged.

Destruction of Personal Property

Surplus property may be recycled or destroyed when the estimated unreimbursed costs of transfer or sale exceed the estimated proceeds or if no bids are received for the surplus items.

Conclusion of Compliance with Law

It is unlikely that this Special Procurement will result in favoritism in the disposition of surplus property. The intent of CCR.320 is to minimize the costs of disposing of surplus property for items of low value, while ensuring that the College receives maximum return for items of greater value. For items of limited value the costs of storage, advertising a sealed bid sale and the time consumed by the sale itself can take a larger portion of the proceeds received from sale. The rule also allows for the donation of property to other specific entities when such action is deemed to be in the public good.



Central Oregon Community College Board of Directors: Resolution

Subject	COCC's Community College Rules of Procurement (CCRP)
Strategic Plan Initiatives	College Sustainability
Prepared By	Sharla Andresen, Director of Contracts and Risk Management

A. Background

Beginning in the spring of 2004 a task force was brought together from all the Oregon Community Colleges with the focus to create a statewide document that would provide continuity in purchasing and contracting decisions throughout the state's community college system with only minor variations due to institutional philosophies or needs. In March 2005 the Board, convened as the Local Contract Review Board, adopted the Community College Rules of Procurement (CCRP). This document incorporates rules regarding competitive procurement, personal/professional services and special procurements. Special procurements are those goods or services that are exempt from competitive processes and which are authorized by the Board in its capacity as the College's Local Contract Review Board.

The CCRP is fashioned in three sections; 100, 200, 300. It was written with the intention that sections 100 and 200 would be consistent between participating community colleges and that section 300 would reflect minor variations due to institutional philosophies or needs.

Pursuant to ORS 279A.065, as changes to the Public Contracting Code occur (ORS Chapters 279A, 279B, and 279C), the Attorney General's model rules must be reviewed and subsequently modified if applicable. These revisions and housekeeping measures are reflected in the document attached. Additionally, the Participating Oregon Community Colleges (POCC) continually review the rules with regard to best practices and makes revisions to reflect this review. Upon approval by the Board, these changes will be incorporated into the CCRP and become effective immediately.

B. Options/Analysis

- 1) Approve recommended changes to the Community College Rules of Procurement (CCRP).
- 2) Do not approve recommended changes to the Community College Rules of Procurement (CCRP).

C. Timing

Approval of the revisions and housekeeping measures are requested at this time so they can be incorporated into the College's current procurement practices.

D. Budget Impact

None

E. Proposed Resolution

Be it resolved that the Board of Directors do hereby approve the proposed changes to the Community College Rules of Procurement (CCRP).



**Central Oregon Community College
Board of Directors: Resolution**

Subject	Emeritus status approval for retiring Administrative Employee: Michael Fisher
Prepared By	Laura Boehme, Vice President for People and Technology
Approved By	Laurie Chesley, President

A. Background

The President received a nomination for Administrative Emeritus and has made the recommendation for the above-named Administrator for their commitment to the College, the students, and the community over their multiple years of service.

B. Options/Analysis

- Approve Emeritus status for retiring administrator: Michael Fisher
- Decline approval of Emeritus status for retiring administrator: Michael Fisher

C. Timing

Effective with retirement date.

D. Budget Impact

None.

E. Proposed Resolution

Be it resolved that the Board of Directors of Central Oregon Community College district approves Emeritus status for retiring administrative employee: Michael Fisher

Michael Fisher

Dr. Michael Fisher retired this year after serving COCC an instructor and administrator for 27 years, beginning as a part time instructor in 1997. As a full-time tenure track instructor beginning in 1999, he received tenure and rose through the ranks to Professor before moving in to his role as an instructional dean in 2012. As a dean for twelve years, Michael worked with almost every academic department at the college, most recently overseeing several areas of career and technical education. Active in the community and at the state level, his CTE leadership, in particular, has been appreciated by his peers at COCC and statewide. Michael earned an A.S. from COCC (1990), followed by a B.S. (1993), M.S. (1996), and Ph.D. (2004) at Oregon State University.



Central Oregon Community College Board of Directors Resolution

Subject:	Hiring Presidential Search Consultant
Strategic Plan Connection:	College Sustainability
Prepared By:	Paul Taylor

A. Background

President Chesley recently announced her intention to retire effective June 30, 2025. Her timely announcement allows the College the best opportunity to undertake a successful search for her successor.

Preston Pulliams of Gold Hill Associates, LLC is a widely known and respected community college search consultant. He is a past president of Portland Community College. His firm specializes in community college executive searches, and he served as the College's search consultant when it hired President Chesley.

Under the Central Oregon Community College Rules of Procurement ("CCR"), a contract with Gold Hill Associates, LLC would be a personal services contract. Pursuant to CCR.250(I.)(2), the College may waive the requirement for a competitive selection process and directly negotiate a personal services contract, if the contract price is not more than \$75,000. If it were more, the College would need to follow a competitive selection process.

B. Options/Analysis

- Approve the proposed resolution below.
- Decline approval of the proposed resolution below.

Hiring an experienced search consultant when seeking a new community college president is considered a best practice. It provides extensive outreach to potential candidates and helps ensure that the search process used is an effective one that also adheres to best practices. Also, it is doubtful that existing college personnel have sufficient time to conduct the search within the time available.

C. Timing

If approved, the presidential search process can begin in a timely manner, which positions the

College to advertise the position at the most beneficial time (Fall 2024).

D. Budget Impact

Dr. Pulliams' preliminary estimate of the cost of retaining Gold Hill Associates, LLC to conduct the search is between \$43,000 and \$48,000. Gold Hill Associates, LLC is currently developing a Scope of Work/Draft Contract for the College's review.

E. Proposed Resolution

Be it resolved that the Central Oregon Community College Board of Directors... (i) waives the requirement for a competitive process to select a search consultant to assist the College with its presidential search; (ii) approves the engagement of Gold Hill Associates, LLC as the College's presidential search consultant; and (iii) authorizes the Board Chair and the President (or the President's designee) to negotiate and execute a personal services contract with Gold Hill Associates, LLC, in an amount not to exceed \$60,000, and otherwise in such form and substance as the Board Chair, President (or the President's designee), and the College's legal counsel deem necessary or appropriate.

Advocacy Committee Proposed Addition to Board Policies

GP 6: Committee Structure

9. Advocacy Committee- This committee consists of three Board members who devise and implement strategies to achieve Board advocacy goals. Additionally, as appropriate, the committee will educate and assist all Board members in effective advocacy strategies for the benefit of the College. The president and designated staff serve as ex officio. While the committee may invite others to its meetings, only the three Board members of the committee will vote.

Suggested annual calendar

Fall: Considering the current College strategic plan and the Board goals adopted in the summer/fall retreat together with recommendations from the committee, the Board will develop advocacy priorities and goals

Winter/Spring: Committee will develop and execute advocacy strategies

Summer: Evaluate performance, including identifying successes and challenges to inform future efforts. Using input gleaned from research, consultations with third parties and prior experiences, committee may make recommendations to Board for next year's advocacy priorities. Board consider annual report and committee recommendations in putting together goals and advocacy priorities for next year.

Advocacy priority development

- Priorities should be aligned to the COCC strategic plan and Board goals
- Based upon experience and research (including consulting of outside expert or experienced resources, as needed), advise Board on feasibility of potential priorities.
- At the summer/fall retreat, the Board will consider and adopt advocacy priorities as part of annual goal-setting.
- Committee to report on efforts at regular monthly Board meetings; avoid taking actions that could be politically sensitive or controversial without first obtaining Board consent; and seek Board approval/consent for actions that would involve College expenditures.

Anticipated committee participation

- Regular attendees
 - Three Board members
 - President
 - Others to be invited at the committee's discretion, which may include Director of Marketing and Public Relations, and a COCC Foundation member
- Other staff as appropriate
 - VP of Student Affairs
 - VP for College Advancement
 - VP of Academic Affairs
 - Others as needed

Activities

- Develop advocacy strategies for execution by Board and committee

- Create toolkits as needed containing talking points, materials, letters and other tools to support advocacy priorities
- Support preparation and training for Board members to support advocacy goals, including advising Board members during goal-setting process of the feasibility of potential priorities being considered
- As approved by the Board, support partner organization priorities as appropriate, with an emphasis on alignment with OCCA and ACCT
- Meet regularly to advance agendas
- Provide regular updates to the Board on advocacy activities, successes, and challenges
- Obtain education and, as needed, consult with Board legal counsel to assure activities do not run afoul of laws regulating lobbying.

Resources

The committee should consider the following among other potential resources/partners

- **Association of Community College Trustees**
 - ACCT's "The Trustee's Role in Effective Advocacy". Copies to be provided to committee members
 - ACCT annual legislative agendas and toolkits
- **Oregon Community College Association**
 - OCCA annual legislative agendas and toolkits
- **American Association of Community Colleges**
 - AACC annual legislative agendas and toolkits

Board of Directors' Governing Process Policies

GOVERNANCE PROCESS**GP 1: BOARD MISSION AND VISION STATEMENT**Approved: ~~November 14, 2012~~ _____, 2023

Mission - Central Oregon Community College ~~promotes student success and community enrichment by providing quality,~~ empowers students and engages communities through high-quality, equitable and accessible, lifelong ~~educational opportunities.~~ education.

Vision Statement - ~~To achieve student success and community enrichment, COCC fosters student completion of academic goals, prepares students for employment, assists regional employers and promotes equitable achievement for the diverse students and communities we serve.~~ At Central Oregon Community College, we are committed to fostering a culture of excellence in education that empowers all members of our communities to reach their full potential. We strive to promote equity, inclusion and sustainability in all aspects of our College, ensuring every student has access to needed resources and supports. By providing high-quality education and building strong community partnerships, we prepare our students to excel in their chosen fields and contribute meaningfully to the workforce needs of our region.

GP 2: GOVERNING STYLE

Approved: July 13, 2011 Revised: 12/9/2015

The ~~board~~Board will be actively involved in the governance of the ~~college~~College, being proactive rather than reactive, staying adequately informed on relevant issues and approaching its task with a style which emphasizes outward vision rather than an internal preoccupation, encouragement of diversity in viewpoints, strategic leadership more than administrative detail, clear distinction of ~~board~~Board and staff roles, collective rather than individual decisions and an orientation towards the future while respecting lessons from the past..

More specifically, the Board will:

1. Operate in all ways mindful of its civic trusteeship obligation to the citizens of its district.
2. Enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, policy making principles, respect of roles, speaking with one voice and adherence to ethical practices.
3. ~~The Board will keep~~Keep adequately informed about relevant global, regional and local educational and other issues, actively gathering information to fulfill this role.
4. Direct, control and inspire the organization through the careful establishment of the broadest organizational values and perspectives through written policies.
5. Focus chiefly on intended ~~long-term~~long-term impacts on the world outside the organization (*ends*), not on the administrative or programmatic means of attaining those effects (*means*).

6. Be an initiator of policy, not merely a reactor to staff initiatives. The ~~board~~Board, not the staff, will be responsible for ~~board~~Board performance.
7. Use the expertise of individual members to enhance the ability of the ~~board~~Board as a body, rather than to substitute their individual values for the group's values.
8. Monitor and regularly discuss the Board's own process and performance. Insure the continuity of its governance capability by ongoing training and review:
 - A. Self-monitoring will include at least ~~a biannual~~an annual comparison of ~~board~~Board activity and discipline to its Governance Process and Board-Staff Relationship policies.
 - B. Ongoing training will include orientation of new members in the Board's adopted governance process and periodic Board discussion of process improvement.
9. Be accountable to the general public for competent, conscientious and effective accomplishment of its obligations as a body. It will allow no officer, individual or committee of the ~~board~~Board to usurp this role or hinder this commitment.
10. ~~Acting as a committee of the whole~~In consultation with the Audit and Finance Committee and the Vice President of Finance and Operations, the Board shall perform the following functions ~~of an Audit Committee including~~:
 - A. ~~The~~Approve the appointment ~~and establishment of the compensation~~ of any public accounting firm employed by the College in connection with the attest function.
 - B. ~~Establishment of~~Establish procedures for:
 - i. The receipt, retention and treatment of complaints received by the College regarding accounting, internal controls and auditing matters.
 - ii. The confidential, anonymous submission by employees regarding questionable accounting or auditing matters.
 - C. The appointment, compensation and oversight of independent counsel or other advisor as deemed necessary to carry out ~~its~~the Board's audit duties.
11. Unless otherwise specifically delegated by the Board, the Board shall have sole responsibility for appointment of legal counsel or real estate agencies that represent the College in whole, any College department or College unit. No ~~college~~College funds including resources collected through student fees or other program or department fees may be used for legal counsel or real estate representation without prior approval of the Board or designee.

* Any legal representation available to the College that may be a related benefit from ~~college~~College departments, or ~~college~~College unit membership in regional or national organizations shall be coordinated through the ~~college~~College legal counsel approved by the Board.

GP 3: BOARD JOB DESCRIPTION

Approved: June 9, 1993 Revised: December 9, 2015

The job of the ~~board~~Board is to make certain contributions which lead the organization toward the desired performance and assure that it occurs. The ~~board's~~Board's specific contributions are *unique* to its trusteeship role and *necessary* for proper governance and management.

Consequently, the contributions and responsibilities of the ~~board~~Board shall be:

1. To serve as the link between the organization and its many stakeholders and constituents (this occurs through ~~board~~Board meetings, committee meetings, formal ~~college~~College events and day-to-day communication with the public).
2. To develop and abide by written governing policies.
3. To approve the annual budget.
4. To assure Presidential performance.
5. To be an active and engaged Board member - attend Board meetings and functions, participate on one or more committees, and take the initiative to be informed to make good decisions (i.e. communicate with staff through the President).
6. To participate in legislative and public policy activities (through testifying, lobbying and taking positions as appropriate).
7. To provide oversight of financial resource development.

GP 4: CHAIRPERSON / VICE CHAIRPERSON ROLE

Approved: June 9, 1993

Revised: March 13, 1996; December 9, 2015

The role of the Chair is, primarily, to ensure the integrity of the Board's process and, secondarily, occasional representation of the Board to outside parties. The Chair is the only Board Member authorized to officially speak for the Board (beyond simply reporting Board decisions), other than in rare and specifically authorized instances.

1. The outcome of an effective Chair is that the Board behaves consistent with its own policies on governance and Board/staff relationship and those legitimately imposed upon it from outside the organization.
 - A. The Chair is responsible for reviewing the Board meeting agenda and facilitating the Board meetings to ensure the Board remains proactive, forward looking and value-added in its deliberations.
 - B. Meeting discussion content will only be those issues which, according to Board policy, clearly belong to the Board to decide, not the President.
 - C. Deliberation will be timely, fair, orderly and thorough, but also efficient, limited to time allotted and kept to the point.
 - D. The Board's policies concerning individual and group behavior will be enforced appropriately.
2. The authority of the Chair consists of making and/or carrying out decisions on behalf of the Board. This authority extends to all decisions which fall within and are consistent with any reasonable interpretation of Board policies on Governance

Process and on the Board-President Relationship, except where the Board specifically delegates portions of this authority to others.

- A. The Chair is empowered to chair Board meetings with all the commonly accepted power of that position (e.g., ruling, recognizing, etc.).
 - B. The Chair has no authority to make unilateral decisions about policies and no authority to individually supervise or direct the President.
 - C. The Chair may represent the Board to outside parties in announcing Board-stated positions and in stating Chair decisions and interpretations within the area delegated.
 - D. The Chair shall communicate regularly with the President and the Vice-Chair on matters that may require Board consultation, setting Board agendas, and identifying issues that require the attention of the whole Board.
 - E. ~~D.~~ The Chair may call special meetings as required.
3. The ~~Vice-Chair~~Vice-Chair will assume responsibilities of the Chair in the event of Chair's absence or inability to serve.
- A. The Vice-Chair will communicate regularly with the Chair and act as a second voice to inform and assist the Chair in setting agendas and addressing Board issues, particularly governance matters.
 - B. The Vice-Chair will meet regularly with the Chair and the President to stay informed, be able to step in when the Chair is absent, and be current on issues and governance if/when the Vice-Chair becomes the Chair.
4. The Chair and ~~Vice-Chair~~Vice-Chair of the Board will be elected at the Annual Meeting in July.
5. The selection of the Chair will be based on the following factors:
Desire, leadership ability, availability of time to complete the obligations of the job, experience relative to the goals/opportunities for the ~~college~~College in the ensuing year, and zone representation.

It is generally anticipated that the ~~Vice-Chair~~Vice-Chair will succeed the Chair in the following year if the criteria for the Chair can still be met.

GP 5: BOARD COMMITTEE PRINCIPLES

Approved: June 9, 1993 Revised: December 9, 2015; March 10, 2021

The Board may establish committees to help carry out its responsibilities, subject to the following:

1. Purpose. The purpose of committees shall be:
 - a. To tap the special talents, skills and knowledge of individual Board members;
 - b. To develop knowledge and skills to more ably consider specific issues in the committee's areas of expertise;
 - c. To educate the full Board on particular issues or subjects within the committee's areas of expertise;

- d. To divide the work of the Board into manageable sections;
 - e. To provide counseling and advice to the Board; and
 - f. To handle specific tasks assigned by the Board.
2. Guidelines. All committees shall operate under the following guidelines:
- a. Committees do not speak on behalf of the Board;
 - b. Committees do not act on behalf of the Board;
 - c. Committee recommendations to the Board shall be based upon a vote or consensus, with a majority ruling;
 - d. Committees shall remain focused on the specific issues/tasks assigned by the Board. If a committee wishes to consider additional issues or tasks, it shall first seek approval for the whole Board; and
 - e. Committees shall not deviate from Board directions.
 - f. Committees shall be subject to public meetings and records law in the same manner as regular Board meetings, including all laws regarding public notice, requirements around open meetings, ~~minute-taking and record-keeping~~minute-taking and record-keeping obligations, and requirements associated with recording.
3. Annual Review. The Board shall do the following each year with respect to all committees, which it may do at the annual meeting, at a retreat, or at a regular meeting:
- a. Evaluate the need for each existing committee;
 - b. Consider whether any additional committee(s) is/are needed;
 - c. Review and consider whether updates are needed to any committee's charge; and
 - d. Evaluate the effectiveness of each committee.
4. Committee Chairs. Each committee chair shall seek to do the following:
- a. Involve all members in committee meetings and work;
 - b. Leverage the particular skills/knowledge of individual members;
 - c. Clearly define and remind committee members of the specific jobs or goals established by the Board to keep the committee on task;
 - d. Help identify and coordinate outside assistance and ~~college~~College liaisons that would be helpful or necessary to the committee completing its work; and
 - e. Assist the ~~board~~Board in annually evaluating the effectiveness of the committee.

5. Committee Membership; Consultants.

- ~~a. Only Board members may serve as voting members of Board committees, except as otherwise required by applicable law or applicable contracts.~~
- a. Except for the Investment Committee, the Audit and Finance Committee, and as otherwise required by applicable law or applicable contracts, only Board members may serve as voting members of Board committees.
- b. However, as the Board or committees may determine, a committee may have one or more College liaisons.
- c. Each committee shall consult with such third parties, within the College and outside, as it deems reasonably necessary to effectively and efficiently complete its work; provided, however, no committee shall hire any outside expertise without the approval of the whole Board.

GP 6: COMMITTEE STRUCTURE

Revised: December 8, 2010; December 9, 2015; September 8, 2021; September 19, 2023

The COCC Board will have ~~eight~~ten (10) standing committees with members and chairs appointed by the ~~board chair~~Board Chair. Additionally, the ~~board chair~~Board Chair will appoint members of the ~~board~~Board to serve as liaison to ~~non-board~~non-Board committees and outside organizations. The ~~board chair~~Board Chair will use reasonable efforts to consult with each ~~board~~ member prior to making an appointment. Appointments will be made ~~at the annual organization~~no later than at the September Board meeting ~~of the board, or as,~~and when necessary due to unexpected vacancy.

Unless otherwise noted below, each committee appointment shall be for a period of one year, and members may serve more than one term.

Board Committees:

1. President Evaluation – This committee consists of three ~~board~~Board members who will in collaboration and mutual agreement with the President, adopt an annual performance review policy, instrument, and procedure ~~in collaboration with and mutually agreed upon by the president~~for evaluating the performance of the President. The committee will gather ~~agreed-upon~~agreed-upon data/information, facilitate the evaluation discussion with the Board, and discuss the evaluation results with the ~~president~~President.
2. Board Self-Evaluation – This committee consists of three ~~board~~Board members who will oversee the ~~board's~~Board's Self-Evaluation, including reviewing the process used for evaluation, gathering necessary data/information, and facilitating the evaluation discussion with the full ~~board~~Board. The committee will coordinate a discussion of the results with the full Board at a retreat in the summer or fall, as the Board schedule permits.
3. COCC Memorial Education / Keyes' Trust – This committee consists of one ~~board~~Board member (serving a renewable, two-year term) and the ~~president~~President. They annually determine how best to spend earnings from Keyes Trust investments in compliance with the instructions of the Trust.

4. Audit and Finance – This committee consists of three ~~board~~Board members and two budget committee members and meets at least twice annually to do the following: 1) review external and internal audit plans and results prior to their submission to the ~~board~~Board as a whole; 2) report to the ~~board~~Board its findings and opinions regarding internal and external audit results; and 3) recommend specific areas of future internal and external audit focus for consideration by the full ~~board~~Board. The ~~president~~President and designated staff serve as *ex officio*.
5. Real Estate – This committee consists of three ~~board~~Board members who review all material real estate plans, purchases, sales, and changes. The committee makes recommendations to the full ~~board~~Board about all material real estate matters. The ~~president~~President and designated staff serve as *ex officio*.
6. Student Success – This committee consists of three ~~board~~Board members who recommend Institutional student success indicators to the full ~~board~~Board and monitor longitudinal Institutional student success data. The committee also may monitor and review other institutional measures of student success and initiatives undertaken to improve student performance. The ~~president~~President and designated staff serve as *ex officio*.
7. Policy Review – This committee consists of three ~~board~~Board members who review and recommend revisions to policies of the COCC Board of Directors, including those related to the Governance Process, Board-President Relationship, and Expectations of the President. The ~~president~~President may be invited to attend as an *ex officio*.
8. Board Member Orientation – This committee consists of ~~3-board~~three Board members who create, review, and adjust the plan for orientation of new ~~board~~Board members. The committee will meet at least yearly to review and update the orientation plan. The ~~president~~President and designated staff serve as *ex officio*.
9. [Investment Committee – The Investment Committee is established to provide oversight and guidance on the investments of Central Oregon Community College, ensuring prudent management in line with the College’s investment policies and objectives. This committee consists of one Board member and two outside experts, who are recommended by the Vice President of Finance and Operations, but subject to the approval of the Board. The committee shall serve as advisory to the Vice President of Finance and Operations as requested in making decisions regarding College investments. The committee may make recommendations to the Board on matters within its purview as requested by the Board or as a majority of the committee may desire. The Board member on this committee shall serve as a liaison to the Board to regularly update the Board on activities or matters of concern addressed by the committee. This committee shall meet at least quarterly to review the College’s investment performance, investment strategy, internal controls and such other matters as the committee and/or the Vice President of Finance and Operations may request.](#)
10. [Advocacy Committee – This committee consists of three Board members who devise and implement strategies to achieve Board advocacy goals. Additionally, as appropriate, the committee will educate and assist all Board members in effective advocacy strategies for the benefit of the College. The president and designated staff serve as ex officio. While the committee may invite others to its meetings, only the three Board members of the committee will vote.](#)

Board Liaison Roles:

- ~~9. College Affairs Committee—One board member serves as an ex-officio member of the college's committee to adopt, revise, and sunset general college policies.~~
- ~~11. 10.~~ COCC Foundation Board – One ~~board~~Board member serves as an ex officio member on the ~~board~~Board of the COCC Foundation, which provides funds for scholarships and capital improvements, cultivates relationships with stakeholders to support COCC and its students, and develops programs that foster COCC student success.
- ~~12. 11.~~ Oregon Community College Association – Along with the ~~president~~President of the ~~college~~College, one ~~board~~Board member serves on the governing ~~board~~Board of the Oregon Community College Association, whose purpose is to support the ~~colleges~~Colleges before policy-makers and partners whose actions affect the well-being of community ~~colleges~~Colleges across the state. Each College has one vote on the ~~board~~Board.
- ~~13. 12.~~ OSU-Cascades Advisory Board – One ~~board~~Board member, recommended by the COCC Board of Directors and approved by the OSU ~~president~~President, serves on this ~~board~~Board, which provides an opportunity for alumni, friends and community members to deepen their engagement with OSU-Cascades, and for the vice ~~president~~President of OSU-Cascades to gain advice and support.
- ~~14. 13.~~ Association of Community Colleges & Trustees – One ~~board~~Board member attends the annual ACCT Conference as a voting delegate. If the ~~board chair~~Board Chair is in attendance, that person will have the ~~college's~~College's voting rights.

All other ~~board~~Board committees will be established on a designated or ad hoc basis, with a specific charge, and timeline for completion.

Committee Chairs

1. Committee chairs shall be responsible for scheduling regular committee meetings as needed to complete the work of the committee, including specific assignments made by the Board.
2. Committee chairs shall prepare agendas for meeting as early as possible but in no case later than two (2) business days before the meeting.
3. Committee chairs shall endeavor to seek input from all committee members and to use the special expertise of each member.
4. Committee chairs will be responsible for reporting on committee activities or seeking Board approval, as necessary; provided, however, a committee chair may ask another committee member to perform any of these tasks.

GP 7: BOARD PLANNING CYCLE

Approved: June 9, 1993

Revised: June 13, 2001; December 9, 2015

To accomplish its goals with a governance style consistent with Board policies, the Board will utilize a planning cycle which typically starts with a Board Retreat in the summer and/or

fall and continues through the year, taking into special consideration if there is an upcoming legislative session.

Topics to be covered include, but are not limited to: in consultation with the President, setting annual or multi-year goals for the President; consideration of the long-term financial health of the institution; strategic planning; master plan update; facility maintenance review; student success measures; new programs; and review of Board policies.

Board members will also be encouraged to identify those areas of education and training needed to increase their knowledge and effectiveness in future deliberations.

While the actual calendar may vary from year to year based upon the schedules of the individual Board members, the following is a guideline for completing the Board's annual activities:

January-March: 1. Consider spring retreat, as necessary.

April: 1. The President Evaluation Committee shall convene and begin the review process, including consultation with the President on the form of evaluation instrument and the identity of individuals to be consulted or interviewed in connection with the evaluation process. 2. The first Budget Committee meeting will be held.

May: 1. The second and final Budget Committee meeting will be held. 2. Depending upon when the Board retreat is scheduled, the Board Self-Evaluation Committee shall identify the form for the year's self-evaluation and distribute the same to Board members.

June: 1. The annual budget will be adopted. 2. The Board will give the President their annual evaluation and make a determination on any adjustment to the President's salary, which will take effect July 1.

June-October: 1. Hold annual retreat, including consideration and adoption of Board and President goals for the upcoming year. 2. Complete board self-evaluation, which is ideally done at annual retreat.

July: 1. The regular July meeting shall also constitute annual organizational meeting at which the Chair and Vice-Chair shall be elected for the upcoming year. 2. The President shall designate the Presidential line of succession to the Board.

July-August: 1. New chair consults each board member regarding preferred committee assignments for the upcoming year.

August: 1. Typically, either the July or August meeting is canceled in recognition of the reduced volume of reports and activities during the summer. 2. An annual retreat will be held between June and November. At this retreat, among other things, the Board will, in consultation with the President, set goals for the following year. In addition, the Board will conduct its annual self-evaluation.

September: 1. New committee assignments made.

GP 8: BOARD MEMBERS' CODE OF CONDUCT*Approved: June 9, 1993**Revised: February 8, 1995; December 9, 2015*

Given the role that a Board member plays, and the fact that they are often seen as the "face" of the institution, the Board expects at all times that its members will exhibit ethical and professional conduct. This commitment includes proper use of authority and appropriate decorum in group and individual behavior at all times.

1. Board members must represent unconflicted loyalty to the interests of the stakeholders and constituents. This accountability supersedes any conflicting loyalty such as that to advocacy of interest groups and membership on other ~~boards~~Boards or staffs. This accountability supersedes the personal interest of any Board member acting as an individual consumer of the organization's services.
2. Board members must avoid any conflict of interest with respect to their fiduciary responsibility.
 - A. There must be no self-dealing or any conduct of private business or personal services between any Board member and the organization except as procedurally controlled to assure openness, competitive opportunity and equal access to information.
 - B. Board members must not use their positions to obtain employment in the organization for themselves, family members or close associates.
 - C. Should a Board member be considered for employment, s/he must temporarily withdraw from Board deliberation, voting and access to applicable Board information.
3. Board members may not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies.
 - A. Board members' interaction with the President or with staff must recognize the lack of authority in any individual Board member or group of Board members except as noted above.
 - B. Board members' interaction with the public, press or other entities must recognize the same limitation and the similar inability of any Board member or Board members to speak for the ~~board~~Board.
 - C. Board members will refrain from making any public remarks or disparaging comments about the President or staff that could damage the ~~college's~~College's reputation.
4. Board members will be reimbursed for all Board/~~college-related~~College-related travel; however, the ~~college~~College does not pay meals, lodging, or other costs for family member(s) who may accompany the Board member unless circumstances are pre-approved by the Board Chair.

GP 9: BOARD OPERATIONS*Approved: June 9, 1993**Revised: March 13, 1996; November 14, 2001; December 9, 2016; September 8, 2021*

The Board will operate in a consistent manner, following the policies detailed herein, and, unless otherwise noted and/or subject to applicable law, adhere to these operational proceedings:

1. The Board will meet on the second Wednesday of each month, normally at 5:45 p.m. in the Christiansen Board Room of the Boyle Education Center on the Bend campus. When the ~~chair~~Chair deems it necessary or advisable to reschedule the time or date of a regular meeting, the ~~chair~~Chair may do so, in consultation with the ~~president~~President and the remainder of the Board. Reasons for rescheduling may include, but are not limited to, assuring quorum, accommodating other College needs for the Board Room, and avoiding conflicts with holidays or community/College events. The ~~chair~~Chair may upon ~~his or her~~their own motion, or at the request of three members of the Board, by giving notice to all members of the Board and the public call for an emergency meeting or special meeting of the Board; provided, however, special meetings must be called and noticed at least 24 hours prior to the holding of the special meeting. All meetings of the Board will be called, noticed, and held in accordance with the rules of the Board, ORS Chapter 341, and Oregon's Public Meetings Law. The Board will use reasonable efforts to hold at least one meeting on each campus annually and one meeting a year in other communities within the College's district.
2. To foster equitable participation by all Board members and to facilitate efficient and effective meetings, the Board shall generally follow Robert's Rules of Order in the conduct of meetings.
3. At the annual organization meeting, to be held as part of the regular July Board meeting, the Board shall elect a ~~chair~~Chair and a ~~vice-chair~~Vice-Chair. The ~~vice-chair~~Vice-Chair will serve as ~~chair-elect~~Chair-elect, with the expectation, but not the obligation, of becoming ~~chair~~Chair. No ~~vice-chair~~Vice-Chair is required to subsequently serve as ~~chair~~Chair, and the Board has no obligation to elect a former ~~vice-chair as chair. The vice-chair~~Vice-Chair as Chair. The Vice-Chair shall fulfill the duties of the ~~chair~~Chair in the absence of the ~~chair~~Chair.
4. When a vacancy as specified under ORS 341.335(1)(a)-(d) occurs on the Board, the remaining Board members shall cause the College to publicly advertise the vacancy and seek applications from members of the public who reside within the zone represented by the vacancy. The Board shall prescribe the format in which applications to fill the vacancy are to be submitted. Time permitting, the Board may choose to convene a subcommittee of Board members to screen applications, and/or interview applicants, and make a recommendation to the Board. At a regular or special meeting, the Board shall then fill the vacancy with a qualified individual. The member so selected shall serve until the next Board election at which time the current Board member (or a successor) shall be formally elected to fill the remainder of the unexpired term, if applicable.
5. During the budget review process, the Board will convene the District Budget Committee, in accordance with ORS Chapter 294.
6. The Board Chair, in consultation with the Vice-Chair and with input from Board members and the President, will set the Board's meeting agendas. The Chair will seek to base agendas upon then-current issues for the College as well as upon the goals and issues agreed upon by the full ~~board~~Board at a retreat.

7. To the extent permitted by Oregon law and College technology, Board members may participate in meetings via telephonic conference call or other electronic means of conferring and be considered present, provided all members of the Board and the public attending the meeting can reasonably hear the voice of the Board member, and the Board member can reasonably hear the voices of the other members of the Board and the public attending the meeting. In accordance with applicable law, the College will provide electronic access or other means for the public to attend meetings of the Board.
8. The Board will give high priority to participation by members of the public and of the College community. The Board reserves the right to establish time limits for public comment, take partial testimony, to limit debate, or to take whatever actions are necessary to offer a fair hearing to an individual within the time necessary to complete the published agenda.
9. The naming of any campus, building, or significant spaces within Central Oregon Community College shall be at the discretion of the Board of Directors.
 - A. The Board may choose to name a building after a major geographical feature, facility function or after persons
 - involved with the College or state of Oregon. The Board may use a naming committee to recommend names for
 - particular campuses, buildings or significant spaces.
 - B. The Board may choose to name smaller areas of the College, such as rooms or spaces, after persons living or
 - deceased, or organizations which have given a major service or made major contributions to the College, [College Foundation](#), or College
 - ~~distreit~~ [district](#).
 - C. The Board will consult with, and consider requests from, the
 - ~~president~~[President](#) and the executive director of the COCC
 - Foundation in exercising naming opportunities.
 - D. The Board may, as it deems appropriate, change the name of any campus, building, room, space, or area of the
 - College.

10. When the Board finds it to be in the best interest of the College, the Board may disregard any of its policies and take action contrary to such policy(ies). [Such action will first require a resolution approving a deviation from policy or the clear consensus of a majority of the Board.](#)

GP 10: POLICY REQUIREMENTS

Revised: July 13, 1994

Board policy will include appropriate and/or required policies to meet federal and state laws and regulations, and program requirements, i.e., equal opportunity, affirmative action, sexual harassment, ~~handicap~~[and disability](#) accessibility.

GP 11: BOARD MONITORING/EVALUATION

Revised: November 10, 2010; December 9, 2015

The Board will complete a ~~self-evaluation~~self-evaluation annually, normally at the summer or fall Retreat.

The Board of Directors will formally review the Board Governing Policies every other year (although changes may be made sooner than that if necessary)

The Board will review and evaluate the President's performance annually. ~~Prior~~As appropriate or necessary, prior to the June Board meeting, the Board Chair and Board ~~Vice-Chair~~Vice-Chair will confer with the ~~college~~College legal counsel over the review of the President's contract. The ~~college~~Board Chair and/or College legal counsel will confer with the President to develop a ~~mutually agreeable~~mutually-agreeable contract. A contractual revision may not always result from the annual review. Board approval of contract revisions will occur at the June Board meeting or such other time as may be mutually-agreed upon by the Board and the President.

GP 12: BUDGET COMMITTEE

Approved: November 12, 1998; Revised: October 9, 2013; December 9, 2015

The COCC Budget Committee will follow the provisions of ORS 294.414. The Board will attempt to appoint one Budget Committee member from each Board zone. However, at the discretion of the Board, under special circumstances (such as boundary changes impacting incumbent Budget Committee members or no candidates from a particular zone), the Board can choose to make exceptions and appoint Budget Committee members who reside in the District but in a neighboring zone to represent that ~~area~~zone.

GP 13: BOARD PROFESSIONAL IMPROVEMENT

Approved: November 10, 2010; Revised: December 9, 2015

The Board will strive to maintain an awareness of local, regional and national trends in community ~~college~~College education. As such, there is an expectation that a least once in their 4-year term, a Board member will attend a convention of American Association of Community College Trustees (ACCT), American Association of Community Colleges (AACC), or Oregon Community College Association (OCCA).

Given their role on the Board, the Chair will be especially encouraged to attend the ACCT annual convention each year.

GP 14: NEW BOARD MEMBER ORIENTATION

Approved: March 13, 1996; Revised: December 9, 2015

All new Board Members will receive an orientation to COCC and the role and responsibilities of the COCC Board of Directors within the first three months of election and/or appointment. The orientation will be ~~conducted by~~coordinated by the Board ~~Members~~Member Orientation Committee in collaboration with the President and include topics in: Policies, governance, statutory responsibilities, institutional financial status and other topics as determined by the Chair.

GP 15: Media Attendance at Executive Sessions

Approved January 11, 2012; Revised: December 9, 2015

Under the Oregon Public Meetings Law and ORS 192.660, recognized representatives of the news media are allowed to attend executive sessions. However, the proceedings of this executive session are for background information only and not for publication or broadcast.

The following entities are recognized as news media organizations eligible to attend executive sessions at COCC because they have an established history:

The Bulletin
The Broadside
The Source
Cascade Business Journal
The Redmond Spokesman
The Central Oregonian
The Madras Pioneer
The Sisters Nugget
The Newberry Eagle
The Spilyay Tymoo
KTVZ
KOHD
KBNZ
Bend Radio Group
Combined Communications
Horizon Broadcasting Group
Oregon Public Broadcasting

No other entity shall be permitted to attend an executive session unless it is recognized through the process described below.

The following organizations' members are eligible to seek application to attend executive sessions:

- A general or associate member newspaper of the Oregon Newspaper Publishers Association, a broadcast member of the Oregon Association of Broadcasters or a member of the Associated Press; or
- A newspaper that the College uses for publication of public notices and that meets the requirements of ORS 193.020; or
- An entity recognized by the College as being a news source that:
 - Is organized and operated to regularly and continuously publish, broadcast, transmit via the Internet or otherwise disseminate news to the public; and
 - Regularly reports on activities of the College or matters of the nature under consideration by the College; and
 - Is a well-established entity committed to complying with the requirement that confidential executive session information be undisclosed.

In making this determination, the College may consider any factors that it deems to be relevant, including whether the entity has an available process for correcting errors, including violations of executive session statutes, by a person with authority to take corrective measures.

Any entity seeking recognition as a news media organization has the burden of proof to establish that it meets the standards of this policy. A determination that the entity is not recognized shall be based upon written findings addressing the criteria in this policy.

The College may require that a request to attend an executive session be made in writing, in advance of the meeting. The request shall ~~disclosure~~disclose the person's name and the entity for which ~~he or she is~~they are a news reporter. The request shall also include a certification that the person is gathering news for a recognized news media organization, that the information given is true, and that the person agrees to comply with ORS 192.660.

The College may consider any relevant evidence provided or gathered in making its decision as to whether a person shall be recognized as a representative of a recognized news media organization.

In making its determination whether to recognize a specific person as a representative of the news media organization, the College may also require:

- A press badge or identification issued by the recognized news media organization, plus proof of identity (such as a driver's license); or
- A recently published news article in the recognized news media organization publication or broadcast, with the person's byline, or a masthead showing the person's name as a member of the news gathering staff of the news media organization, plus proof of identity; or
- A letter on letterhead from an editor of the recognized news media organization in which the editor states that the reporter is covering the meeting for the news media organization, plus proof of identity.

Representatives of the news media are not permitted to attend executive sessions involving deliberations with persons designated to carry on labor negotiations (ORS 192.660(4)). Additionally, if the executive session is being held for the purpose of conferring with counsel about current litigation or litigation likely to be filed, the College shall exclude any member of the news media from attending if the member is a party to the litigation to be discussed or is an employee, agent or contractor of a news media organization that is a party to the litigation (ORS 192.660(5)).

Cameras, tape recorders and other recording devices shall not be used in executive sessions, except for the official executive session tapes made by College staff.

Any person or entity which has a direct personal interest in the subject of the executive session may be barred from attending.

BOARD-PRESIDENT RELATIONSHIP

BPR 1: DELEGATION TO THE PRESIDENT

Approved: June 9, 1993; Revised: December 9, 2015

The President is accountable to the full ~~board~~Board. The ~~board~~Board will establish the governing policies, delegating implementation of the policies and the development and implementation of procedures to the ~~president~~President.

1. All ~~board~~Board authority delegated to staff is delegated through the President, so that all authority and accountability of staff is considered to be the authority and accountability of the President.
2. The President is authorized to establish all procedures, make all decisions, take all actions and develop and implement all activities as long as they are consistent with the Board's direction and policies. This includes specific goals set by the Board ~~on an annual basis~~. In general, to allow the President time and capacity to meet the goals set by the Board, such goals will be set annually at the annual Board retreat in the summer or fall in consultation with the President. Notwithstanding the foregoing, the Board may, from time to time, determine that individual goals need to be added, modified or eliminated as circumstances warrant. The Board will consult with the President in setting or changing goals for the President.
3. No individual Board member, officer or committee has authority over the President. Information or assistance may be requested by individuals or groups, but if such a request - in the President's judgment - requires a material amount of staff time or funds or is disruptive, it may be refused, unless authorized by the Board.

BPR 2: PRESIDENT'S JOB DESCRIPTION

Approved: June 9, 1993; Revised: December 9, 2015

The President's job duties and responsibilities can be stated as performance in the following areas:

1. Performance of Board Goals and Objectives
2. Relationship with the Board of Directors
3. Operational Skills and Services
4. Professional and Leadership Activities
5. Knowledge, Skills and Abilities.

BPR 3: EVALUATING PRESIDENTIAL PERFORMANCE

Approved: June 9, 1993; Revised: December 9, 2015

The President Evaluation Committee, comprised of three members, including the ~~chair~~Chair of the Board, shall annually prepare a draft Presidential evaluation for consideration by the full Board. In preparing its draft, the Committee shall consult with all Board members, the President and such other individuals as the President and Committee ~~deems~~deem relevant. The form used to prepare the evaluation will be adopted in consultation with the President and shall seek details and conclusions on the following criteria:

(a) to compare the President's performance with the requirements stated in the Presidential job description adopted by the Board;

(b) to evaluate the success of the College in meeting its strategic objectives as set forth in the adopted Strategic Plan, and the President's role in such success or lack of success;

(c) to evaluate the President's performance in carrying out specific goals and tasks assigned by the Board; and

(d) to evaluate such other aspects of the President's performance as the Committee deems relevant.

At an executive session of the Board, the Committee shall present the Board with the draft performance evaluation for consideration as soon as reasonably possible before May of each year. Such draft performance evaluation shall include a proposed salary and benefits adjustment, if any, recommended by the Committee. The Board may take any of the following actions with respect to the draft performance evaluation:

(a) approve it;

(b) modify and approve it;

(c) instruct the Committee to consider additional matters and propose a revised draft performance evaluation in the future. When the Board adopts the performance evaluation, the ~~Chair~~[President Evaluation Committee](#) shall provide a copy to the President and meet with the President to discuss it.

BPR 4: EMERGENCY EXECUTIVE SUCCESSION

Approved: June 9, 1993

(Formerly EL 5) Revised: February 8, 1995; December 9, 2015

In order to protect the Board from sudden loss of Presidential services, the President may not have fewer than two other executives familiar with Board and Presidential issues and processes. The President will designate to the Board each year, at the organizational meeting, ~~his or her~~ [in July, their](#) recommended line of succession.

BPR 5: APPOINTMENT OF ACTING PRESIDENT

Approved: March 13, 1991

(Formerly EL 5) Revised February 8, 1995; October 14, 1998; March 10, 2010; December 9, 2015; October 22, 2020

In the absence of the College President, an individual holding the position of Vice President ~~or Chief Officer~~ may be designated by the College President to serve as Acting President of Central Oregon Community College for short periods of time, not to exceed 30 consecutive working days at a time. For periods in excess of 30 working days, the Acting President of Central Oregon Community College shall be selected by the Board of Directors.

BPR 6: ORDER OF ADMINISTRATIVE RESPONSIBILITY

Approved: March 13, 1991

Revised February 8, 1995; October 14, 1998; March 10, 2010; December 9, 2015; April 2, 2024

In the absence of the College President and when an Acting President has not been named, administrative responsibility shall reside with:

~~1. Vice President of Academic Affairs~~

1. ~~2.~~ Vice President of Finance and Operations

2. [Vice President of Student Affairs](#)

3. [Vice President of Academic Affairs](#)

BPR 7: EMERITUS STATUS FOR COLLEGE PRESIDENT

Approved: March 15, 2018

The Board of Directors of Central Oregon Community College may, at its sole discretion, grant President Emeritus status to a retiring or retired ~~college president~~[College President](#). President Emeritus status shall be reserved to honor, in retirement, a ~~college president~~[College President](#) who has provided outstanding and distinguished service to the College. The designation identifies the ~~college president~~[College President](#) as a continuing member of the ~~college~~[College](#) community.

1. A member of the College Board of Directors may nominate a retiring or retired ~~college president~~[College President](#) to become President Emeritus. The title must be approved by a majority vote of the College Board of Directors.
2. In addition to the benefits and privileges received by all emeritus faculty and staff, a ~~college president~~[College President](#) granted emeritus status will also receive a resolution naming and honoring the ~~college president~~[College President](#) as President Emeritus and use of the title "President Emeritus in community and professional activities.
3. The current College President may call upon the President Emeritus to provide counsel or to serve in various volunteer roles and/or capacities in support of the ~~college~~[College](#); provided however, Presidents Emeriti are not required to continue to serve the ~~college~~[College](#) community.
4. The title of President Emeritus confers no remuneration, rights to employment, or benefit in addition to those provided above. Presidents Emeriti do not exercise any of the authority or administrative functions associated with holding a staff position at the ~~college~~[College](#).
5. The Board of Directors retains the authority to withdraw a President Emeritus title at its discretion, as it deems necessary and appropriate. Such action would require a majority vote of the Board of Directors.

BOARD EXPECTATIONS OF THE PRESIDENT

BEP 1: STAFF TREATMENT

Approved: June 9, 1993 Revised: December 9, 2015; November 9, 2016; May 12, 2021

The President shall foster a welcoming and inclusive campus environment reflective of our diverse ~~college~~[College](#) district, ensuring that working conditions are fair and dignified for all paid and volunteer staff.

Accordingly, the President must:

1. Operate with personnel procedures which clarify personnel rules for staff, provide for effective handling of grievances, and protect against wrongful conditions.
2. Ensure there will be no discrimination or harassment on the basis of age, disability, sex, marital status, national origin, ethnicity, color, race, religion, veteran or military status, sexual orientation, genetic information, gender identity, citizenship status, pregnancy or any other classes protected under Federal and State statutes in any educational programs, activities or employment.
3. Report annually to the ~~board~~Board on employee hiring and retention related to the protected classes listed above.
4. Allow staff to file a grievance with the Board when (A) internal grievance procedures have been exhausted and (B) the employee alleges either (i) that Board policy has been violated to ~~his or her~~their detriment or (ii) that Board policy does not adequately protect ~~his or her~~their human rights.
5. Ensure that staff are acquainted with and fully understand their rights under this policy.

BEP 2: BUDGETING

Revised: January 12, 2011; December 9, 2015

Budgeting for any fiscal year or the remaining part of any fiscal year shall be consistent with Board priorities and guidance, avoiding unnecessary fiscal risk, and generally showing acceptable levels of oversight.

Accordingly, the President must produce (or cause to be produced) budgeting which:

1. Contains sufficient information to enable accurate projections;
Contains sufficient information to separate capital and operational items;
Contains sufficient information to do cash flow projections; and
Contains sufficient information to clarify planning assumptions.
2. Plans the expenditure in any fiscal year of fewer funds than are conservatively projected to be available in that period.
3. Ensure cash accounts do not drop below a safety reserve of at least \$500,000 at any time.
4. Provides at least \$30,000 per annum for Board prerogatives during the year.
5. Is derived from long-term planning, to include but not limited to a 5-year forecast and reserves based on projected issues.
- ~~6. Ensures working capital at the end of any fiscal year does not drop below 10 percent of the year's operating expenditures.~~

BEP 3: FINANCIAL CONDITION

Revised: March 9, 2011; December 9, 2015

The President must ensure that the organization is in strong or at the very least stable financial health.

Accordingly, the President must:

1. Expend fewer funds than have been budgeted and appropriated for in the fiscal year to date.
2. Not indebt the organization of an amount greater than can be repaid by certain, otherwise unencumbered revenues within 60 days, except ~~board-approved~~Board-approved debt service and/or certificates of participation.
3. Not use any Reserves that are not budgeted and appropriated for expenditure.
4. Not allow deficit fund balances at the end of any fiscal year without a plan to eliminate those deficit balances.
5. Not allow cash to drop below the amount needed to settle payroll and debts in a timely manner.
6. Ensure tax payments or other government-ordered payments or filings are accurate and submitted in a timely manner.
7. Ensure actual allocations to not deviate materially from Board priorities and guidance.
8. Contract with the College's independent auditors for nonaudit services only after prior approval of the Board.
9. Ensure the following certifications to the Board upon the completion of an audit:
 - A. He/she has reviewed the annual audit report;
 - B. Based on his/her knowledge, the annual audit report does not contain any untrue statement of a material fact or omission of a material fact necessary in order to make the statement misleading;
 - C. Based on his/her knowledge, the financial statements present in all material respects, the financial condition and results of operations.
 In addition, the President must operate with the following certifications from the CFO, Director of Fiscal Services and Accounting Manager:
 - D. He/she has reviewed the annual audit report;
 - E. Based on his/her knowledge, the annual audit report does not contain any untrue statement of a material fact or omission of a material fact necessary in order to make the statement misleading;
 - F. Based on his/her knowledge, the financial statements present in all material respects, the financial condition and results of operations.
10. Ensure that the organization has established and maintains an adequate internal control structure and procedures for financial reporting.

BEP 4: ASSET PROTECTION

Revised: March 9, 2011; December 9, 2015

The President must ensure that material, fiscal and human resource assets are protected, adequately maintained, and not put at unnecessary risk.

Accordingly, the President must:

1. Inform the Board of misalignment among fiscal resources, staffing, and programmatic commitments for implementing ~~college~~College vision and mission.

2. Insure responsibly against theft and casualty and against liability losses to Board members, staff or the organization itself.
3. Not allow personnel access to material amounts of funds without purchasing a fidelity bond or providing equivalent coverage.
4. Ensure maintenance schedules are reviewed at least annually.
5. Not allow unnecessary exposure to the organization, its Board or staff to claims of liability.
6. Not make any purchase or commit the organization to any expenditure of greater than \$100,000 without full knowledge and approval of the Board.
7. Not make any material purchase without complying with the Central Oregon Community College Rules of Procurement (CCRP) or the Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). (The purchasing guidelines will automatically change with changes in CCRP, ORS, and OAR purchasing statutes.)
8. Receive, process or disburse only those funds under controls which are sufficient to meet the Board-appointed auditor's standards.
9. Not invest or hold operating capital in investments in violations of state or federal law.
10. Not acquire, encumber or dispose of real property.

BEP 5: INVESTMENT POLICY

Adopted: January 10, 2024

I. Purpose

This Investment Policy defines the parameters within which funds are to be invested by the Central Oregon Community College District (COCC). COCC is an Oregon Community College District whose purpose is to offer educational opportunities to the public. This policy also formalizes the framework, pursuant to ORS 294.135, for COCC's investment activities to ensure effective and judicious management of funds within the scope of this policy.

These guidelines are intended to be broad enough to allow designated investment staff to function properly within the parameters of responsibility and authority, yet specific enough to adequately safeguard the investment assets.

II. Governing Authority

COCC's investment program shall be operated in conformance with Oregon Revised Statutes and applicable federal law. Specifically, this investment policy is written in conformance with ORS 294.035; 294.040; 294.052; 294.135; 294.145; and 294.810. All funds within the scope of this policy are subject to laws established by the state of Oregon. Any revisions or extensions of these sections of the ORS shall be assumed to be part of this Investment Policy immediately upon being enacted.

III. Scope

This policy applies to activities of COCC with regard to investing the financial assets of operating funds, capital funds, bond proceeds and bond reserve funds. Funds managed by

COCC that are governed by other investment policies are excluded from this policy; however, all funds are subject to Oregon Law. The amount of funds falling within the scope of this policy over the next three years is expected to range between \$30 million and \$70 million.

IV. General Objectives

The primary objectives, in priority order, of investment activities shall be:

1. **Preservation of Invested Capital**
Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The goal is to mitigate credit risk and interest rate risk.
2. **Liquidity**
The investment portfolio shall remain sufficiently liquid to meet all reasonably anticipated operating requirements. Furthermore, the portfolio should consist largely of securities with active secondary or resale markets. A portion of the portfolio also may be placed in the Oregon Short Term Fund which offers next-day liquidity. Where possible and prudent, the portfolio should be structured so that investments mature concurrent with anticipated demands.
3. **Return**
The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into consideration the safety and liquidity needs of the portfolio. Although return consists of both principal return (gains and losses due to market value fluctuations) and income return (yield), this policy discourages active trading and turnover of investments. Investments should generally be held to maturity.

V. Standards of Care

1. **Prudence**
The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported and appropriate action is taken to control adverse developments within a timely fashion as defined in this policy.

~~1.~~The "prudent person" standard states:
"Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."
- ~~2.~~**Ethics and Conflicts of Interest**
Officers and employees involved in the investment process shall refrain from personal activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial

decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. Disclosure shall be made to the governing body. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of COCC. Officers and employees shall, at all times, comply with the State of Oregon Government Standards and Practices code of ethics set forth in ORS Chapter 244.

2. ~~3.~~ Delegation of Authority and Responsibilities

i. Governing Body

COCC's Board of Directors will retain ultimate fiduciary responsibility for invested funds. The governing body will receive reports, pursuant to, and with sufficient detail to comply with ORS 294.155.

ii. Delegation of Authority

Authority to manage investments within the scope of this policy and operate the investment program in accordance with established written procedures and internal controls is granted to COCC's Vice President of Finance and Operations hereinafter referred to as Investment Officer, and derived from the following: ORS 294.035 to 294.053, 294.125 to 294.145, and 294.810.

~~ii.~~ No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Investment Officer. The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

All participants in the investment process shall seek to act responsibly as custodians of the public trust. No officer or designee may engage in an investment transaction except as provided under the terms of this policy and supporting procedures.

~~iii. Investment Committee~~

~~COCC's Board of Directors may seek to establish an investment committee to provide guidance to the Investment Officer and monitor investment policy compliance.~~

iii. ~~iv.~~ Investment Adviser

The Vice President of Finance and Operations may engage the services of one or more external investment managers to assist in the management of the entity's investment portfolio in a manner consistent with this investment policy. Investment advisers may be hired on a non-discretionary basis. All investment transactions by approved investment advisers must be pre-approved in writing by the Investment Officer and compliant with this Investment Policy. If COCC hires an investment adviser to provide investment management services, the adviser is authorized to transact with its direct dealer relationships on behalf of COCC.

VI. Transaction Counterparties, Investment Advisers and Depositories

1. Broker/Dealers

The Investment Officer shall determine which broker/dealer firms and registered representatives are authorized for the purposes of investing funds within the scope of this investment policy. A list will be maintained of approved broker/dealer firms and affiliated registered representatives. The broker/dealer selection will follow all COCC Procurement Policies.

~~4.~~The following minimum criteria must be met prior to authorizing investment transactions. The Investment Officer may impose more stringent criteria.

- i. Broker/Dealer firms must meet the following minimum criteria:
 - A. Be registered with the Securities and Exchange Commission (SEC)
 - B. Be registered with the Financial Industry Regulatory Authority (FINRA)
 - C. Provide most recent audited financials
 - D. Provide FINRA Focus Report filings
- ii. Approved broker/dealer employees who execute transactions with COCC must meet the following minimum criteria:
 - A. Be a registered representative with the Financial Industry Regulatory Authority (FINRA);
 - B. Be licensed by the state of Oregon;
 - C. Provide certification (in writing) of having read; understood; and agreed to comply with the most current version of this investment policy.
- iii. The Investment Officer, with Board approval, may want to establish policy for engaging broker/dealer firms and registered representatives that are more restrictive than stated in this policy. Additional requisites or due diligence items may include:
 - A. Positive references from at least three other local government.
 - B. As part of the periodic due diligence review, inquiries with other local government clients with regard to their recent experiences with broker/dealer firms or registered representatives and any change in relationship status.

- C. Requirement that approved registered representatives provide notification within 30 days of any formal investigations or disciplinary actions initiated by federal or state regulators.
 - D. Requirement that prospective registered representatives have an established history of advising local governments with similar amounts of assets under management.
 - iv. Periodic (at least annual) review of all authorized broker/dealers and their respective authorized registered representatives will be conducted by the Investment Officer. Factors to consider would be:
 - A. Pending investigations by securities regulators
 - B. Significant changes in net capital
 - C. Pending customer arbitration cases
 - D. Regulatory enforcement actions
 - 2. Direct Issuers
Obligations that are permitted for purchase by this policy may be purchased directly from the issuer.
 - 3. Investment Advisers
A list will be maintained of approved advisers selected by conducting a process of due diligence.
 - i. The following items are required for all approved Investment Advisers:
 - A. The investment adviser firm must be registered with the Securities and Exchange Commission (SEC) or licensed by the state of Oregon (*Note: Investment adviser firms with assets under management > \$100 million must be registered with the SEC, otherwise the firm must be licensed by the state of Oregon*).
 - B. All investment adviser firm representatives conducting investment transactions on behalf of COCC must be registered representatives with FINRA.
 - C. All investment adviser firm representatives conducting investment transactions on behalf of COCC must be licensed by the state of Oregon.
 - D. Certification, by all of the adviser representatives conducting investment transactions on behalf of this entity, of having read, understood and agreed to comply with this investment policy.
 - ii. A periodic (at least annual) review of all investment advisers under contract will be conducted by the Investment Officer to determine their continued eligibility within the portfolio guidelines. Factors to consider would be:

- A. Pending investigations by securities regulators
 - B. Significant changes in net capital
 - C. Pending customer arbitration cases
 - D. Regulatory enforcement actions
- iii. The Investment Officer, with Board approval, may want to establish guidelines or policy for engaging investment advisers' services that are more restrictive than stated in this Additional requisites or due diligence items may include:
- A. Positive references from at least three other local government clients of a prospective investment adviser firm.
 - B. As part of the periodic due diligence review, inquiries with other local government clients of approved investment advisers with regard to their recent experiences with the adviser and any change in the relationship
 - C. Requirement that approved investment advisers provide notification within 30 days of a relationship termination by an Oregon based local
 - D. Requirement that approved investment adviser provide notification within 30 days of any formal investigations or disciplinary actions initiated by federal or state regulators.
 - E. Requirement that prospective investment advisers have an established history of advising local governments with similar amounts of assets under management.

4. Depositories

All financial institutions who desire to become depositories must be qualified Oregon Depositories pursuant to ORS Chapter 295.

5. Competitive Transactions

- i. The Investment Officer shall obtain and document competitive bid information on all investments purchased or sold in the secondary market. Competitive bids or offers should be obtained, when possible, from at least three separate brokers/financial institutions or through the use of a nationally recognized trading
- ii. In the instance of a security for which there is no readily available competitive bid or offering on the same specific issue, then the Investment Officer shall document quotations for comparable or alternative securities.
- iii. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities as the same original issue price. However, the Investment Officer is encouraged to document quotations on comparable securities.

- iv. If an investment adviser provides investment management services, the adviser must retain documentation of competitive pricing execution on each transaction and provide upon request.

VII. Administration and Operations

1. Delivery vs. Payment

All trades of marketable securities will be executed (cleared and settled) by delivery vs. payment (DVP) to ensure that securities are deposited in COCC's safekeeping institution prior to the release of funds.

2. Third-Party Safekeeping

Securities will be held by an independent third-party safekeeping institution selected by the Investment Officer. All securities will be evidenced by safekeeping receipts in COCC's name. Upon request, the safekeeping institution shall make available a copy of its Statement on Standards for Attestation Engagements (SSAE) No. 16.

3. Internal Controls

COCC's Board of Directors are responsible for establishing and maintaining an adequate internal control structure designed to reasonably assure that invested funds are invested within the parameters of this Investment policy and, protected from loss, theft or misuse. Specifics for the internal controls shall be documented in writing. The established control structure shall be reviewed and updated periodically by the Investment Officer.

~~3.~~ The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and the valuation of costs and benefits requires estimates and judgments by management.

The internal controls shall address the following points at a minimum:

1.
 - i. Compliance with Investment Policy
 - ii. Control of collusion
 - iii. Separation of transaction authority from accounting and record keeping
 - iv. Custodial safekeeping
 - v. Avoidance of physical delivery of securities whenever possible and address control requirements for physical delivery where necessary
 - vi. Clear delegation of authority to subordinate staff members
 - vii. Confirmation of transactions for investments and wire transfers in written or digitally verifiable electronic form
 - viii. Dual authorizations of wire and automated clearing house (ACH) transfers
 - ix. Staff training
 - x. Review, maintenance and monitoring of security procedures both manual and automated

4. An external auditor shall provide an annual independent review to assure compliance with Oregon state law and COCC's policies and procedures.

VIII. Suitable and Authorized Investments

1. Permitted Investments

The following investments are permitted pursuant to ORS 294.035, 294.040, and ORS 294.810.

- *US Treasury Obligations: S. Treasury and other government obligations that carry the full faith and credit guarantee of the United States for the timely payment of principal and interest.*
- *US Agency Obligations: Senior debenture obligations of US federal agencies and instrumentalities or U.S. government sponsored enterprises (GSE).*
- *Oregon Short Term Fund*
- *Corporate Indebtedness*
 1. *Commercial Paper issued under the authority of section 3(a)2 or 3(a)3 of the Securities Act of 1933.*
 2. *Corporate Bonds*
- *Repurchase Agreements*
- *Municipal Debt*
- *Bankers Acceptances*
- *Qualified Institution Time Deposits/Savings Accounts/Certificates of Deposit*
- *Oregon Local Government Intermediate Fund (OLGIF). To invest in OLGIF COCC must fulfill the requirements listed below:*
 1. 1. *Maintain an existing account with the Oregon Short Term Fund.*
 2. 2. *OLGIF listed as an eligible investment in the participant's investment policy.*
 3. 3. *Investment policy reviewed by the Oregon Short Term Fund Board.*
 4. 4. *Investment policy approved by the participant's governing body.*
 5. 5. *Statement of understanding recorded in the participant governing body's minutes as follows and with no deviations.*

The governing body of COCC acknowledges the following:

- *Members of this body and investment staff have read and understand the "Oregon Local Government Intermediate Fund Information Pamphlet" provided by Oregon State Treasury;*
- *Investments in OLGIF are subject to loss; and*

- ~~investments~~Investments in OLGIF and divestments from OLGIF may be subject to restriction by Oregon State Treasury.

2. Approval of Permitted Investments

If additional types of securities are considered for investment, per Oregon state statute they will not be eligible for investment until this Policy has been amended and the amended version adopted by COCC's Board of Directors.

3. Prohibited Investments

- Private Placement or "144A" Securities**
Private placement or "144A" securities are not allowed. For purposes of the policy, SEC Rule 144A securities are defined to include commercial paper privately placed under section 4(a)(2) of the Securities Act of 1933.
- US Agency Mortgage-backed Securities**
US agency mortgage-backed securities such as those securities issued by FNMA and FHLMC are not allowed.
- Securities Lending**
COCC shall not lend securities nor directly participate in a securities lending program.

~~4.~~ Demand Deposits and Time Deposits

- All demand deposits and time deposits (Examples of time deposits are: certificates of deposit and savings accounts) shall be held in qualified Oregon depositories in accordance with ORS Chapter 295.
- Demand deposits in qualified depository institutions are considered cash vehicles and not investments and are therefore outside the scope and restrictions of this policy. Pursuant to ORS 294.035(3)(d), time deposits, certificates of deposit and savings accounts are considered investments and within the scope of this policy.

~~5.~~ Repurchase Agreements

- ORS 294.035 (3)(j) requires repurchase agreement collateral to be limited in maturity to three years and priced according to percentages prescribed by written policy of the Oregon Investment Council or the Oregon Short Term Fund Board.
- ORS 135 (2) limits the maximum term of any repurchase agreement to 90 days.
- The OSTF Board has adopted the following margins:
 - ~~1.~~ 1. US Treasury Securities: 102%
 - ~~2.~~ 2. A. US Agency Discount and Coupon Securities: 102%

3. ~~B.~~ Mortgage Backed and Other*: 103%
 *Limited to those securities described in ORS 294.035(1)

IX. Investment Parameters

1. Credit Risk

Credit risk is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. Credit risk will be mitigated by the following guidelines:

- i. **Diversification**
It is the policy of COCC to diversify its investments. Where appropriate, exposures will be limited by security type; maturity; issuance, issuer, and security type, allowed security types and Investment exposure limitations are detailed in the table below.
- ii. **Recognized Credit Ratings**
Investments must have a rating from at least two of the following nationally recognized statistical ratings organizations (NRSRO): Moody's Investors Service; Standard & Poor's; and Fitch Ratings Service as detailed in the table below. Ratings used to apply the guidelines below should be investment level ratings and not issuer level ratings.
- iii. **Portfolio Average Credit Rating**
The minimum weighted average credit rating of the portfolio's rated investments shall be Aa/AA or P1/AA or F1 by Moody's Investors Service; Standard & Poor's; and Fitch Ratings Service respectively.
- iv. **Exposure Constraints and Minimum Investment Credit Ratings**
The following table limits exposures among investments permitted by this policy.

Issue Type	Maximum % Holdings	Minimum Moody's
US Treasury Obligations	100%	None
US Agency Securities	100%	-
Per Agency (Senior Obligations Only)	33%	-
Oregon Short Term Fund	Maximum allowed per ORS 294.810	-
Bankers' Acceptances	25%	A1+/F
Time Deposits/Savings	50%	-
Accounts/Certificates of Deposit		

Per Institution	25%	
Repurchase Agreements	5%	-
	15%	
Corporate Debt (Total)	15%	-
Corporate Commercial Paper Per Issuer	2.5%	A1/P1
Corporate Bonds	10%	
Per Issuer	2.5%	Aa/AA
Municipal Debt (Total)	10%	-
Municipal Commercial Paper	10%	A1/P1
Municipal Bonds	10%	Aa/AA

v. Determining a Security's Rating

A single rating will be determined for each investment by utilizing the lowest security level rating available for the security from Standard and Poor's, Moody's Investor Services and Fitch Ratings respectively.

vi. Restriction on Issuers with Prior Default History

Per ORS 294.040, the bonds of issuers listed in ORS 294.035 (3)(a) to (c) may be purchased only if there has been no default in payment of either the principal of or the interest on the obligations of the issuing county, port, school district or city, for a period of five years next preceding the date of the investment.

2. Liquidity Risk

Liquidity risk is the risk that an investment may not be easily marketable or redeemable. The following strategies will be employed to mitigate liquidity risks:

- i. The value of at least 25% of funds available for investing or three months of budgeted operating expenditures will be invested in the Oregon Short Term Fund, with a qualified depository institution, or investments maturing in less than 90 days to provide sufficient liquidity for expected disbursements.
- ii. Funds in excess of liquidity requirements are allowed for investments maturing in greater than one year. However, longer-term investments tend to be less liquid than shorter term Portfolio investment maturities will be limited as follows:

Total Portfolio Maturity Constraints:

Maturity Constraints	Minimum % of Total Portfolio
Under 90 days	25% or three months

	Estimated Operating Expenditures
Under 1 year	50%
Under 3 years	100%

iii. Reserve or Capital Improvement Project monies may be invested in securities exceeding the maximum term if the maturities of such investments are made to coincide as nearly as practicable with the expected use of the funds.

iv. Larger issuance sizes enhance liquidity as there are likely to be a greater number of investors. Issuance sizes above a minimum amount qualify a corporate or municipal debt bond issuance for index eligibility. Index eligible bonds have a significantly larger investor base which improves liquidity.

v. Limiting investment in a specific debt issuance improves secondary market liquidity by assuring there are other owners of the issuance.

Issue Type	Maximum % of Is
US Agency Securities	50%
Corporate Debt (Total)	-
Corporate Commercial Paper Corporate Bonds	100%
	25%
Municipal Bonds	25%

3. Interest Rate Risk

Longer-term investments have the potential to achieve higher returns but are also likely to exhibit higher market value volatility due to the changes in the general level of interest rates over the life of the investment(s). Interest rate risk will be mitigated by providing adequate liquidity for short term cash needs, and by making longer-term investments only with funds that are not needed for current cash flow purposes. Certain types of securities, including variable rate securities, securities with principal pay-downs prior to maturity, and securities with embedded options, will affect the interest rate risk profile of the portfolio differently in different interest rate environments. The following strategies will be employed to control and mitigate adverse changes in the market value of the portfolio due to changes in interest rates:

- i. Where feasible and prudent, investment maturities should be matched with expected cash outflows to mitigate market risk.
- ii. To the extent feasible, investment maturities not matched with cash outflows, including liquidity investments under one year, should be staggered to mitigate re-investment risk.
- iii. No commitments to buy or sell securities may be made more than 14 days prior to the anticipated settlement date, or receive a fee other than interest for future.

- iv. The maximum percent of callable securities in the portfolio shall be 10%;
- v. The maximum stated final maturity of individual securities in the portfolio shall be three years, except as otherwise stated in this policy.
- vi. The maximum portfolio average maturity (measured with stated final maturity) shall be 1.5 years.

X. Investment of Proceeds from Debt Issuance

- 1. Investments of bond proceeds are restricted under bond covenants that may be more restrictive than the investment parameters included in this Bond proceeds shall be invested in accordance with the parameters of this policy and the applicable bond covenants and tax laws.
- 2. Funds from bond proceeds and amounts held in a bond payment reserve or proceeds fund may be invested pursuant to ORS 052. Investments of bond proceeds are typically not invested for resale and are maturity matched with outflows. Consequently, funds within the scope of ORS 294.052 are not subject to this policy's liquidity risk constraints within section IX (2).

XI. Investment of Reserve or Capital Improvement Funds

- 1. Pursuant to ORS 294.135(1)(b), reserve or capital Improvement project monies may be invested in securities exceeding three years when the funds in question are being accumulated for an anticipated use that will occur more than 18 months after the funds are invested, then, upon the approval of COCC's Board of Directors, the maturity of the investment or investments made with the funds may occur when the funds are expected to be used. These investments will be excluded from the calculation in IX.3.vi.

XII. Guideline Measurement and Adherence

- 1. Guideline Measurement
Guideline measurements will use market value of investments.
- 2. Guideline Compliance
 - i. If the portfolio falls outside of compliance with adopted investment policy guidelines or is being managed inconsistently with this policy, the Investment Officer shall bring the portfolio back into compliance in a prudent manner and as soon as prudently feasible.
 - ii. Violations of portfolio guidelines as a result of transactions; actions to bring the portfolio back into compliance and; reasoning for actions taken to bring the portfolio back into compliance shall be documented and reported to COCC's Board of Directors.
 - iii. Due to fluctuations in the aggregate surplus funds balance, maximum percentages for a particular issuer or investment type may be exceeded at a point in time. Securities need not be liquidated to realign the portfolio; however, consideration should be given to this matter when future purchases are made to ensure that appropriate diversification is maintained.

XIII. Reporting and Disclosure

1. Compliance

The Investment Officer shall prepare a report at least quarterly that allows COCC's Board of Directors to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to COCC's Board of Directors. The report will include, at a minimum, the following:

- i. A listing of all investments held during the reporting period showing: par/face value; accounting book value; market value; type of investment; issuer; credit ratings; and yield to maturity (yield to worst if callable).
- ii. Average maturity of the portfolio at period-end.
- iii. Maturity distribution of the portfolio at period-end.
- iv. Average portfolio credit quality of the portfolio at period-end.
- v. Average weighted yield to maturity (yield to worst if callable investments are allowed) of the portfolio.
- vi. Distribution by type of investment.
- vii. Transactions since last report.
- viii. Distribution of transactions among financial counterparties such as broker/dealers.
- ix. Violations of portfolio guidelines or non-compliance issues that occurred during the prior period or that are outstanding. This report should also note actions (taken or planned) to bring the portfolio back into compliance.

2. Performance Standards/ Evaluation

At least annually, the Investment Officer shall report comparisons of investment returns to relevant alternative investments and comparative Bond Indexes. The performance of the portfolio should be compared to the performance of alternative investments such as available certificates of deposit; the Oregon Short Term Fund; US Treasury rates; or against one or bond indices with a similar risk profile (e.g., Bond indexes comprised high grade investments and maximum maturities of three years).

When comparing performance, all fees and expenses involved with managing the portfolio shall be included in the computation of the portfolio's rate of return.

3. Marking to Market

The market value of the portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued at least quarterly.

4. Audits

Management shall establish an annual process of independent review by the external auditor to assure compliance with internal controls. Such audit will include tests deemed appropriate by the auditor.

XIV. Policy Maintenance and Considerations

1. Review

The investment policy shall be reviewed by COCC's Board of Directors at least annually to ensure its consistency with the overall objectives of preservation of principal, liquidity and return, and its relevance to current law and financial and economic trends.

The annual report should also serve as a venue to suggest policies and improvements to the investment program, and shall include an investment plan for the coming year.

2. Exemptions

Any investment held prior to the adoption of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested as provided by this policy.

3. Policy Adoption and Amendments

This investment policy and any modifications to this policy must be formally approved in writing by COCC's Board of Directors.

This policy must be submitted to the Oregon Short Term Fund (OSTF) Board for review if:

- i. This policy allows maturities beyond 18 months unless the funds are being accumulated for a specific purpose, including future construction projects, and upon approval of COCC's Board of Directors, the maximum maturity date matches the anticipated use of the funds (ORS 294.135(1)(b) and 294.135(3)).

And either:

- A. This policy has never been submitted to the OSTF Board for comment;
Or
- B. Material changes have been made since the last review by the OSTF

Regardless of whether this policy is submitted to the OSTF Board for comment, this policy shall be re-submitted not less than annually to COCC's Board of Directors for approval.

XV. List of Documents Used in Conjunction with this Policy

(The following is a list of suggested documents that may be used in conjunction with this policy.)

- Listing of authorized personnel
- Relevant investment statutes and ordinances
- Description of benchmark(s)
- Master repurchase agreements and tri-party agreements

- Listing of authorized broker/dealers and financial institutions
- Credit studies for securities purchased and financial institutions used
- Safekeeping agreements
- Wire transfer agreements
- Sample investment reports
- Methodology for calculating rate of return
- Broker confirmations and safekeeping receipts

BEP 6: COMPENSATION AND BENEFITS

Revised: May 10, 2017. Renumbered: April 1, 2024.

With respect to employment, compensation and benefits to employees, consultant, contract workers and volunteers, the President must ensure the organization's fiscal integrity, public image and program quality.

Accordingly, the President must:

1. Not change unilaterally ~~his or her~~their own compensation and benefits.
2. Not promise or imply permanent or guaranteed employment.
3. Establish compensation and benefits offerings which are competitive at the local or regional level. He/she shall not create obligations over a term longer than can be covered conservatively by projected revenue, in no event longer than one year or the terms of Board approved collective bargaining contract, and in all events subject to potential losses of revenue.
4. Establish deferred or long term compensation and benefits, within the following constraints:
 - A. Must not cause unfunded liabilities that commit the organization to benefits which incur unpredictable future costs.
 - B. Must not provide less than some basic level of benefits to all eligible full time employees, though differential benefits to encourage retention of key employees are permitted.
5. Ensure timely negotiations with employee groups in accordance with state labor laws.
6. Inform the Board prior to the establishment of negotiation teams, allowing the Board to consider the option of including a Board member on a team.

BEP 7: COMMUNICATION & COUNSEL TO THE BOARD

Approved: June 9, 1993. Revised: December 9, 2015. Renumbered: April 1, 2024.

With respect to providing information and counsel to the Board, it is critical that the President keep the Board fully informed.

Accordingly, the President must:

1. Make the Board aware of all relevant trends, anticipated adverse media coverage, information which might have political consequences, material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established.
2. Submit the required monitoring data (see policy on Monitoring Executive Performance) in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored.
3. Gather for the Board as many staff and external points of view, issues and options as needed for fully informed Board choices, particularly with respect to faculty opinion on instructional matters.
4. Present information clearly and in a concise format with minimal jargon.
5. Provide a mechanism for official Board, officer or committee communications.
6. Communicate with the Board as a whole except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.
7. Report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

BEP 8: DEBT LEVEL AND MANAGEMENT

Approved: January 9, 2002; Revised: December 9, 2015. Renumbered: April 1, 2024.

With respect to the incurrence and management of institutional debt, the President shall insure that sufficient funds are available to meet current and future debt requirements on all indebtedness within prudent fiscal parameters.

Accordingly, the President must:

1. Issue bonds and other obligations that are in full accordance with the guidelines and limitations set forth in the Oregon Revised Statutes.
2. Ensure that future budgets adequately plan to pay for maturing principal and interest of its general obligation indebtedness.
3. Issue certificates of participation (e.g., full faith and credit obligations) only when sufficient revenues are available and identified to pay the obligation in the future.
4. Ensure adequate accounting to occur for the property taxes that have been levied to pay for the maturing principal and interest of general obligation bonds.
5. Not allow general obligation debt to exceed fifty percent of the district's general obligation debt capacity.
6. Ensure that a periodic review of interest rates is conducted at least once every 3 years to determine whether potential savings from refinancing meet and exceed 3% aggregate interest costs savings required by the State Treasurer's guidelines.
7. Not allow debt to be incurred without the use of legal services, financial services and a paying agent.

BEP 9: DEBT LEVEL AND MANAGEMENT

Approved: _____ . Renumbered: _____ , 2024.

Establishing and Managing General Fund Unrestricted Fund Balances

The General Fund's unrestricted fund balance, often referred to as a reserve, plays a pivotal role in ensuring the consistent provision of services, addressing emergencies, acting as a safeguard against enrollment fluctuations, buffering against uncertainties in State funding, mitigating temporary revenue shortfalls, and maintaining stability during economic cycles. We aim to strategically manage these reserve funds to guarantee robust cash flow, stabilize interest rates, and ensure the seamless continuity of service delivery.

Defining "Unrestricted Fund Balance"

For the purposes of this policy, "unrestricted fund balance" specifically refers to the portion of the General Fund balance that remains unreserved, meaning it is not earmarked for existing college obligations.

Aspirational Reserve Levels

Central Oregon Community College endeavors to maintain an unrestricted fund balance within the range of 29% to 45% of general fund expenditures. This commitment is driven by our dedication to institutional stability and the long-term financial health of the College. In the event that the unrestricted fund balance of the General Fund falls below 29%, the College will promptly adopt a comprehensive plan to restore it to the 29% threshold within a two-year timeframe. In cases where the unrestricted fund balance exceeds 45% of annual general fund expenditures, the excess will be transferred to the Capital Fund for future capital projects including deferred maintenance, equipment replacement and new construction.

Funding of the Unrestricted Fund Balance

The funding of the General Fund's unrestricted fund balance will primarily stem from the surplus of General Fund revenues over expenditures.

Decision-Making Authority

The Board of Directors is vested with the authority to make decisions regarding the utilization of the General Fund's unrestricted fund balance. These decisions will be made in consultation with the President and the appropriate personnel within the Office of Finance and Operations. Potential utilization avenues encompass capital equipment acquisitions, acquisition of real property, matching funds for construction projects, capital construction initiatives, IT infrastructure, deferred maintenance, investments in new programs or services that will transition to recurring funding sources following a defined trial period, and projects aligned with the College's strategic direction, among others. It is important to note that the General Fund's unrestricted fund balance shall not be allocated to support regular or annual operating expenditures.

Monitoring and Oversight

The Vice President of Finance and Operations, or their designated representative, will assume responsibility for the management and vigilant monitoring of the General Fund's unrestricted fund balance. Regular reports will be provided to the Board and the Budget Committee, detailing the current status and projected trajectory of the unrestricted fund balance during each budgeting cycle.

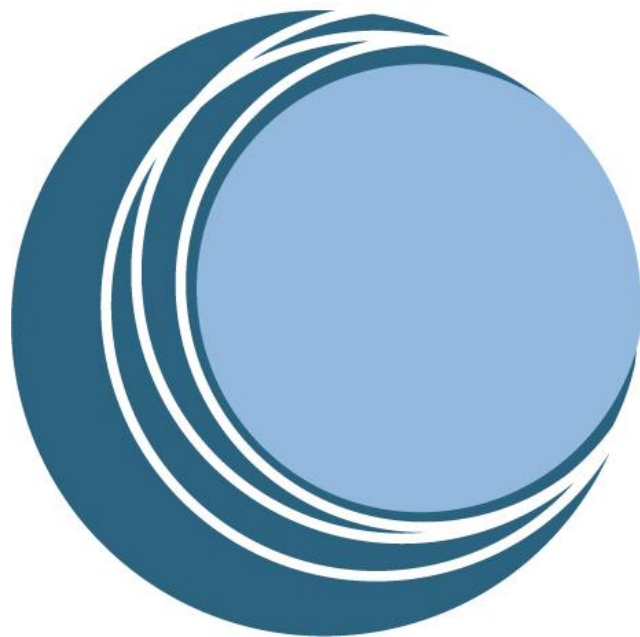
STATUTORY

S 1: STATUTORY REQUIREMENTS

Revised: July 13, 1994; Revised: December 9, 2015

The Board of Directors will comply with Chapter 341 of the Oregon Revised Statutes (O.R.S.) and all other appropriate federal and state statutory regulations.

Summary report: Litera Compare for Word 11.8.0.56 Document comparison done on 7/5/2024 12:31:01 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
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Modified DMS: \\cloud-2475\corporate\wdocs\clntfls\9999\000\00207904.DOCX	
Changes:	
<u>Add</u>	236
Delete	249
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	485



CENTRAL OREGON
community college

COCC / WSPI

COCC RE Committee Update – July 2, 2024

Agenda

Neighboring Ventures

- 180+ Unit Campus Village Apartments
- 3-Acre RH Land

Outcrop Subdivision

Village Core & Commercial Development



The Veridian – 186-unit Apartment Development

Construction Updates

- July – First ground lease payment
- C of O – Bldg. 9 (12 units)
 - 3 units occupied
 - 3 units pre-leased
- Next building ready for move-ins 8/1
- Final construction ETA 3/1/2025
- COCC Storm Water Agreement: Signed & w/ COB
- Website is live
<https://www.theveridianbend.com/>
- Rents available on the website

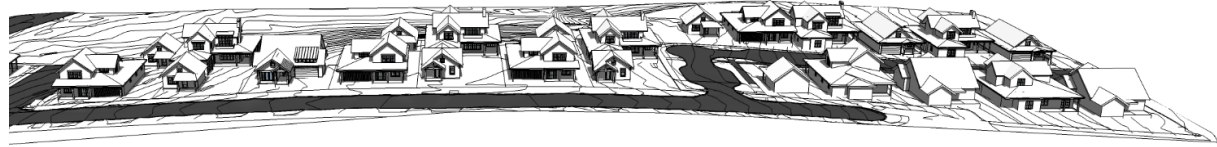


Phase 2: 3-Acre RH Land

17a.4

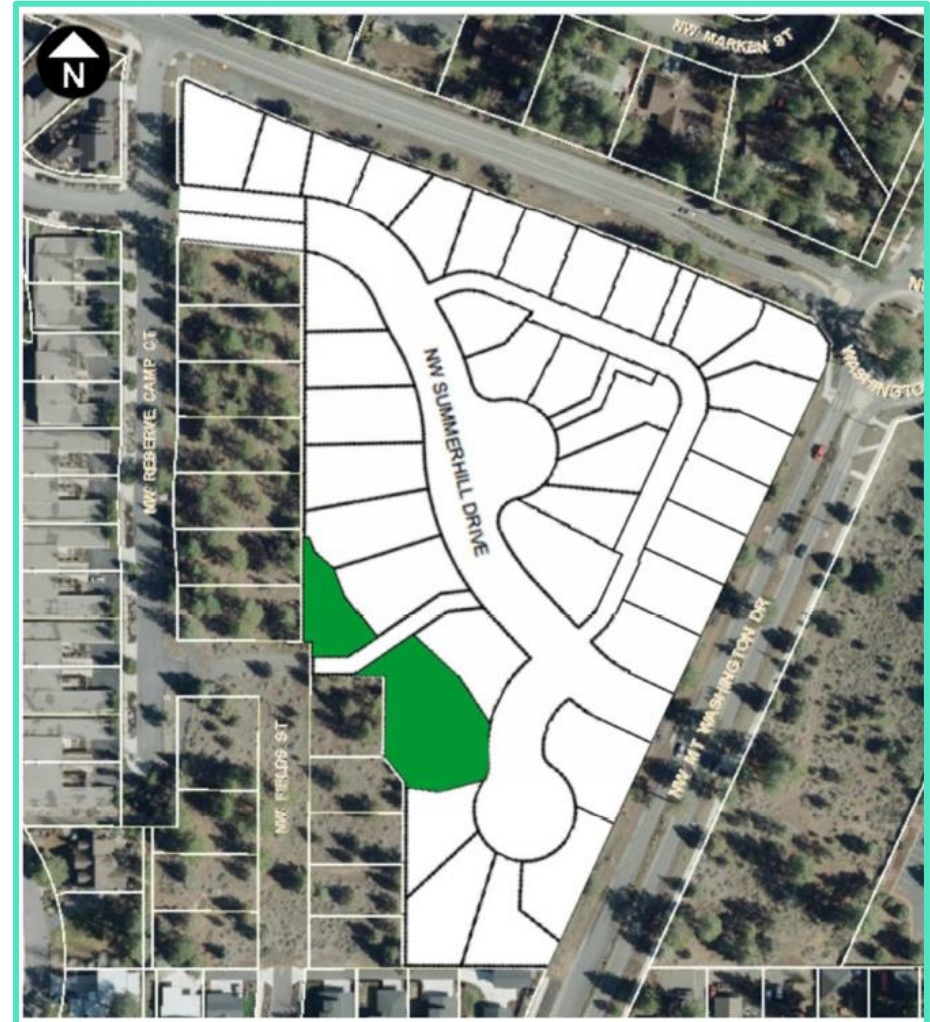
- Project on-hold until seeing lease-up of Phase 1





Phase II Updates

- Lots 17-51
- Preliminary Plat Approval
- Engineering: PFIA – Signed & w/ COB
 - Awaiting INFR Permit: Delayed due to Pacific Power drawings
- Cost Estimating: In progress
 - Met w/ TNW & Dowl to brainstorm timing and project start w/ INFR delays
 - Preliminary estimates are ~~\$3M+~~ **\$2.3M+** for roads & infrastructure
 - Financing: Line of credit secured by WSPI property available

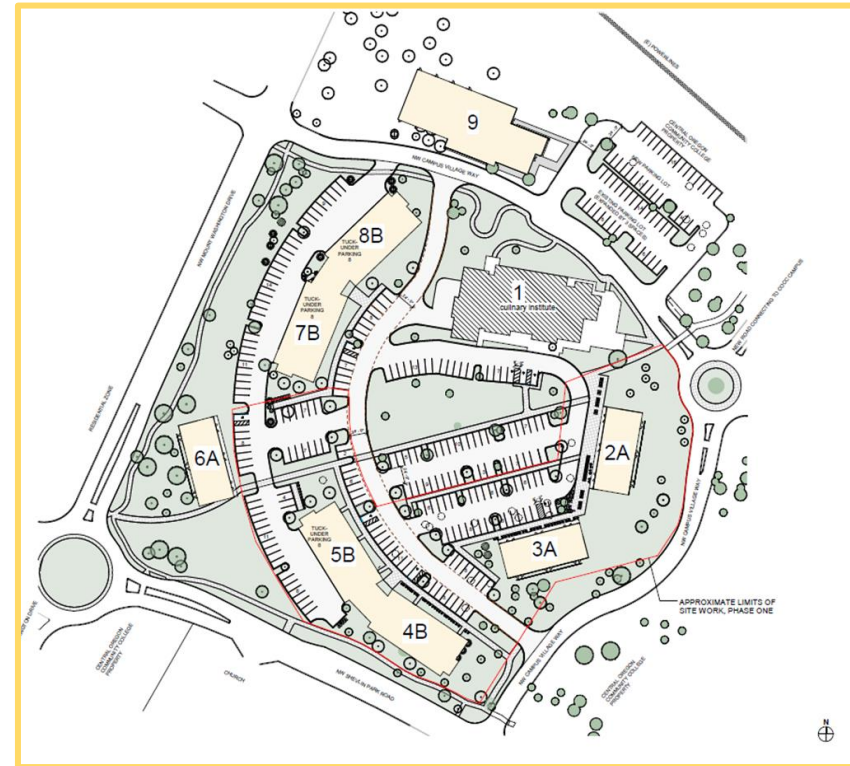


Village Core & Commercial District

- **Strategy:** Draft off Veridian and Outcrop projects to enhance ground lease rates
 - Harmony between projects

Village Core Development Opportunities

- F&B Developer/Operator - analyzing food-anchored mixed-use concept
 - For discussion: openness to drive-through business on Village Core
- Flex-Office Community - contemplated in conjunction with food-anchored project discussed above
- Medical Office Owner/Operator: met with prospect owner/operator and spec medical developer. User determined ground lease was not suitable for him
- Other concepts: Hospitality (hotel/STR); grocer-anchored retail; medical office owner/operator buildings



Reference Slides

Progress Pictures

17a.8



Progress Pictures

17a.9









SITE INFORMATION

CITY OF BEND DEVELOPMENT CODE
 CENTRAL OREGON COMMUNITY COLLEGE
 SPECIAL PLANNED DISTRICT OVERLAY (S.P. 1000)
 CAMPUS VILLAGE AREA
 SETBACKS: NONE EXCEPT ADJACENT TO A RESIDENTIAL ZONE:
 25' FROM THE BOUNDARY WHERE IT ABUTS A RESIDENTIAL ZONE
 ALL BUILDINGS WITHIN 100 FEET OF THE CAMPUS BOUNDARY
 WHERE THE BOUNDARY LINE ABUTS A RESIDENTIAL ZONING
 DISTRICT ARE SUBJECT TO THE APPLICABLE DESIGN STANDARDS
 OF BDC2 1.900 AND 2.1.1000
 LANDSCAPE REQUIREMENTS: APPLY 25' BEYOND THE PERIMETER
 OF THE FOOTPRINT OF PROPOSED NEW DEVELOPMENTS SITES
 FOR BUILDINGS AND OR PARKING LOTS.
 LANDSCAPE BUFFER REQUIREMENTS: 25' LANDSCAPE
 PRESERVATION BUFFER REQUIRED ADJUTING STREETS ALONG
 THE EXTERNAL BOUNDARY OF THE CAMPUS.
 100' LANDSCAPE PRESERVATION BUFFER IS REQUIRED ADJUTING
 RESIDENTIAL ZONED PROPERTY (EXCLUDING RIGHTS OF WAY)
 ALONG THE EXTERNAL CAMPUS BOUNDARY OF THE CORE
 CAMPUS AREA.

BUILDING AREAS

RETAIL	APARTMENT
1. 16,000 SF	
2A. 5,378 SF	
3A. 5,378 SF	
4B. 5,070 SF	14,000 SF - 20 1-BED UNITS
5B. 5,070 SF	14,000 SF - 20 1-BED UNITS
6A. 5,378 SF	
7B. 5,070 SF	14,000 SF - 20 1-BED UNITS
8B. 5,070 SF	14,000 SF - 20 1-BED UNITS
9. 15,696 SF	
GRAND TOTAL: 81,303 SF	62,000 SF - 80 UNITS

PARKING

PARKING REQUIRED	PARKING PROVIDED
PLANNING ESTIMATE: 4 SPACES/1000 SF 274 SPACES	

CITY OF BEND ZONING (TABLE S.3.300):
 AUTO: STANDARD
 RETAIL (GENERAL TRADE) AND OFFICE
 AT 1 SPACE PER 300 SF
 MULTI-FAMILY RESIDENTIAL AT:
 STUDIO+1-BED: 1 SPACE/UNIT

STANDARD AUTO SPACES REQUIRED:
 RETAIL
 81,303 / 300 = 271 SPACES REQUIRED
 300

MULTI-FAMILY RESIDENTIAL
 80 UNITS: 80 SPACES

TOTAL: 278 SPACES

ACCESSIBLE AUTO PARKING
 REQUIRED (OSBO TABLE 1198.1)
 313 SPACES PROVIDED
 7 ADA SPACES REQUIRED
 (WITH 2 WHEELCHAIR ONLY OF THE 7)

BICYCLE PARKING REQUIRED:
 MULTIPLE USE (COMMERCIAL OR
 MIXED USE CENTER) 1 FOR EVERY 10
 REQUIRED AUTO SPACES

205 / 10 = 20.5 = 20 SPACES REQUIRED
 TO

AUTO SPACES PROVIDED:
 MAIN LOT 220
 EXISTING NORTH LOT 25
 NEW NORTH LOT # SPANDED 33

ACCESSIBLE PARKING PROVIDED:
 8 PROVIDED
 WITH 2 WHEELCHAIR ONLY (WC)
 DESIGNATED SPACES

BICYCLE PARKING PROVIDED:
 NEAR BUILDING 7: 8
 NEAR BUILDING 7B: 12
 BETWEEN BUILDINGS 4B/5B: 2



WSP Village Center
 Bend Oregon

Revisions:
 No. Date Description

CONCEPTUAL PRICING

SITE PLAN OVERALL

Project # 18007

A1.00

Date: 3.22.2019





SOUTH SITE DATA:

SITE AREA: 3.02 ACRES; 131,494 SQUARE FEET

ZONING: RH (HIGH DENSITY RESIDENTIAL)

DENSITY = 21.7 UNITS / AC. MIN., 43 UNITS/ AC. MAX.
= 65 UNITS MIN.; 129 UNITS MAX.

PROPOSED LIVING UNITS:

ONE BEDROOM UNITS= (18) UNITS

TWO BEDROOM UNITS= (51) UNITS

TOTAL APARTMENT UNITS = 69 UNITS

PROPOSED DENSITY = 22.85 UNITS / ACRE.

PARKING REQUIRED:

1 BR = (18) X 1.0 STALLS / UNIT = 18 STALLS REQ'D.

2 BR = (51) X 1.5 STALLS / UNIT = 77 STALLS REQ'D.

TOTAL PARKING REQ'D. 95 STALLS MIN.

PROPOSED PARKING: 90 STANDARD STALLS

28 COMPACT STALLS

5 HANDICAP STALLS

TOTAL PARKING : 123 TOTAL STALLS PROVIDED

TOTAL PARKING RATIO= 1.78 STALLS / UNIT

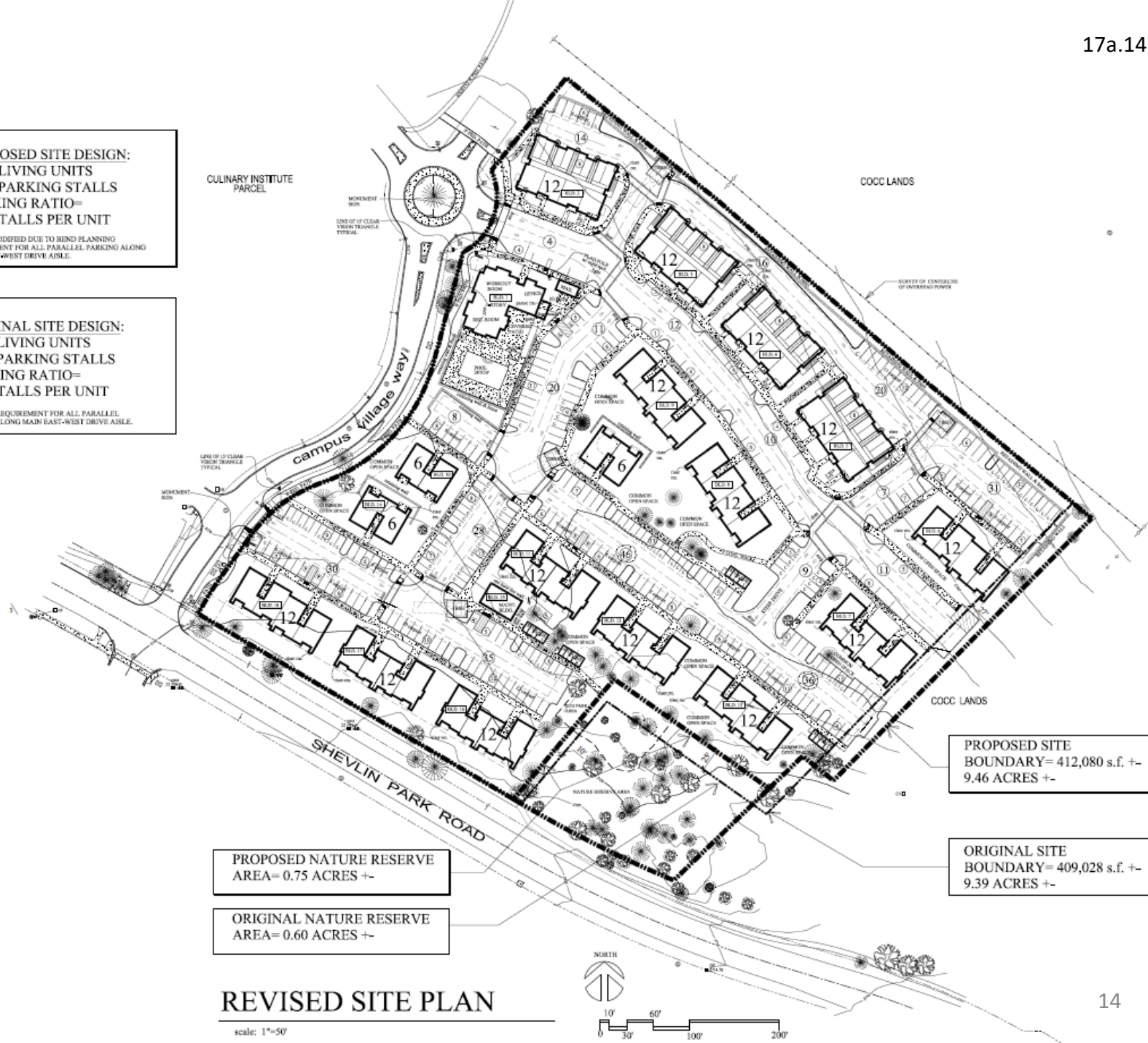
BICYCLE PARKING: (69) SPACES MINIMUM REQUIRED

PROPOSED SITE DESIGN:
 (186) LIVING UNITS
 (348) PARKING STALLS
 PARKING RATIO=
 1.87 STALLS PER UNIT

PARCEL MODIFIED DUE TO BEND PLANNING REQUIREMENT FOR ALL PARALLEL PARKING ALONG MAIN EAST-WEST DRIVE AISLE.

ORIGINAL SITE DESIGN:
 (180) LIVING UNITS
 (346) PARKING STALLS
 PARKING RATIO=
 1.90 STALLS PER UNIT

PRIOR TO REQUIREMENT FOR ALL PARALLEL PARKING ALONG MAIN EAST-WEST DRIVE AISLE.



PROPOSED NATURE RESERVE
 AREA= 0.75 ACRES +/-

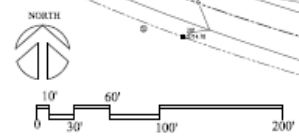
ORIGINAL NATURE RESERVE
 AREA= 0.60 ACRES +/-

PROPOSED SITE
 BOUNDARY= 412,080 s.f. +/-
 9.46 ACRES +/-

ORIGINAL SITE
 BOUNDARY= 409,028 s.f. +/-
 9.39 ACRES +/-

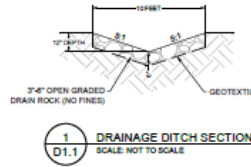
REVISED SITE PLAN

scale: 1"=50'

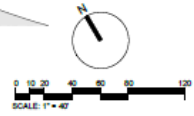
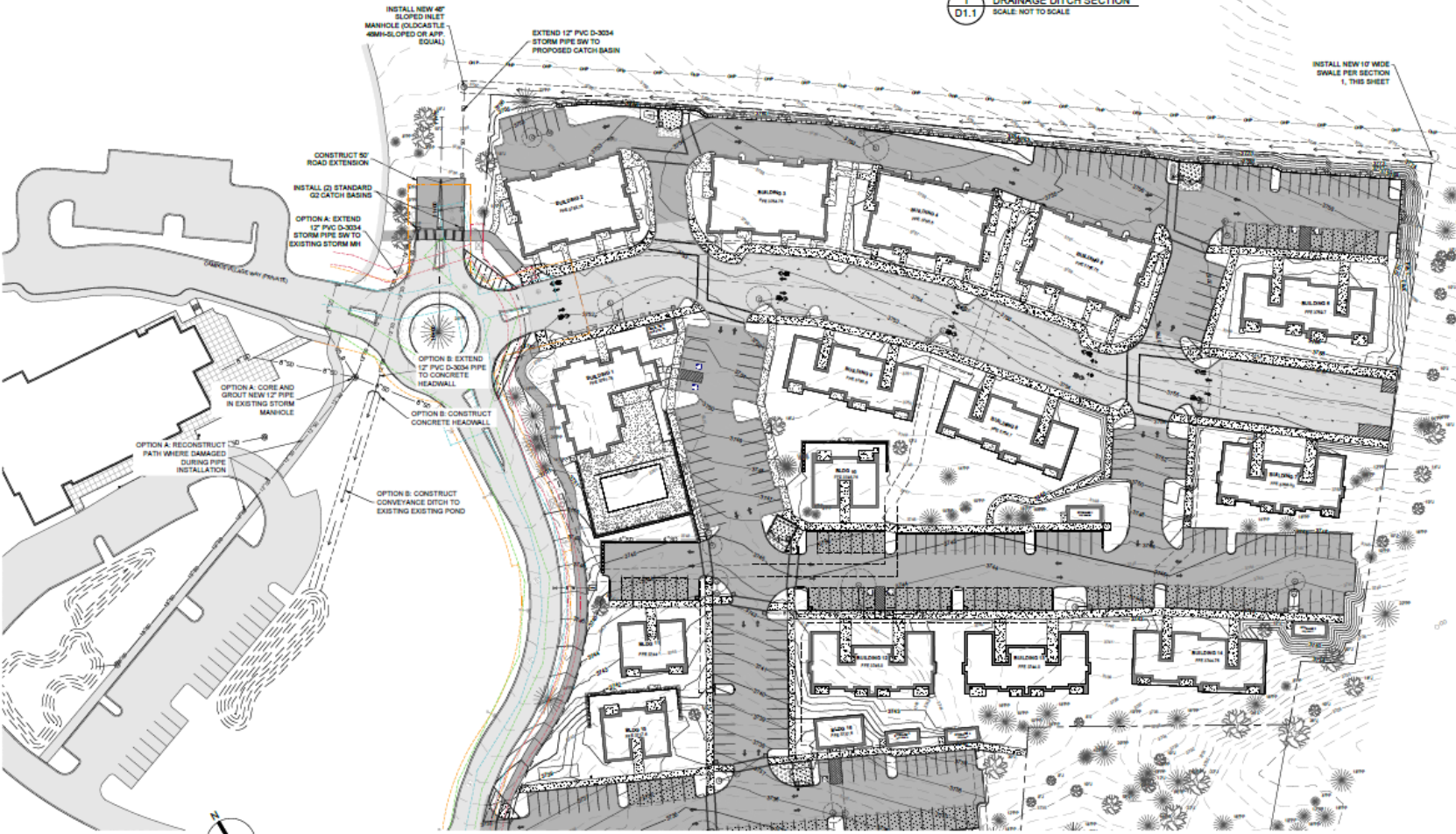


GRADING LEGEND

	DRAINAGE BASIN BOUNDARY		PROPOSED HMAc PAVEMENT
	PROPOSED 12" CONCRETE CURB		PROPOSED LIGHT-DUTY PCC PAVEMENT
	EXISTING 1' GROUND SURFACE CONTOUR		PROPOSED HEAVY-DUTY PCC PAVEMENT
	EXISTING 5' GROUND SURFACE CONTOUR		
	PROPOSED 1' GROUND SURFACE CONTOUR		
	PROPOSED 5' GROUND SURFACE CONTOUR		



CITY OF BEND APPROVAL



**CAMPUS VILLAGE APARTMENTS
SITE IMPROVEMENT PLANS**

GRADING & DRAINAGE PLAN
CITY OF BEND, OR



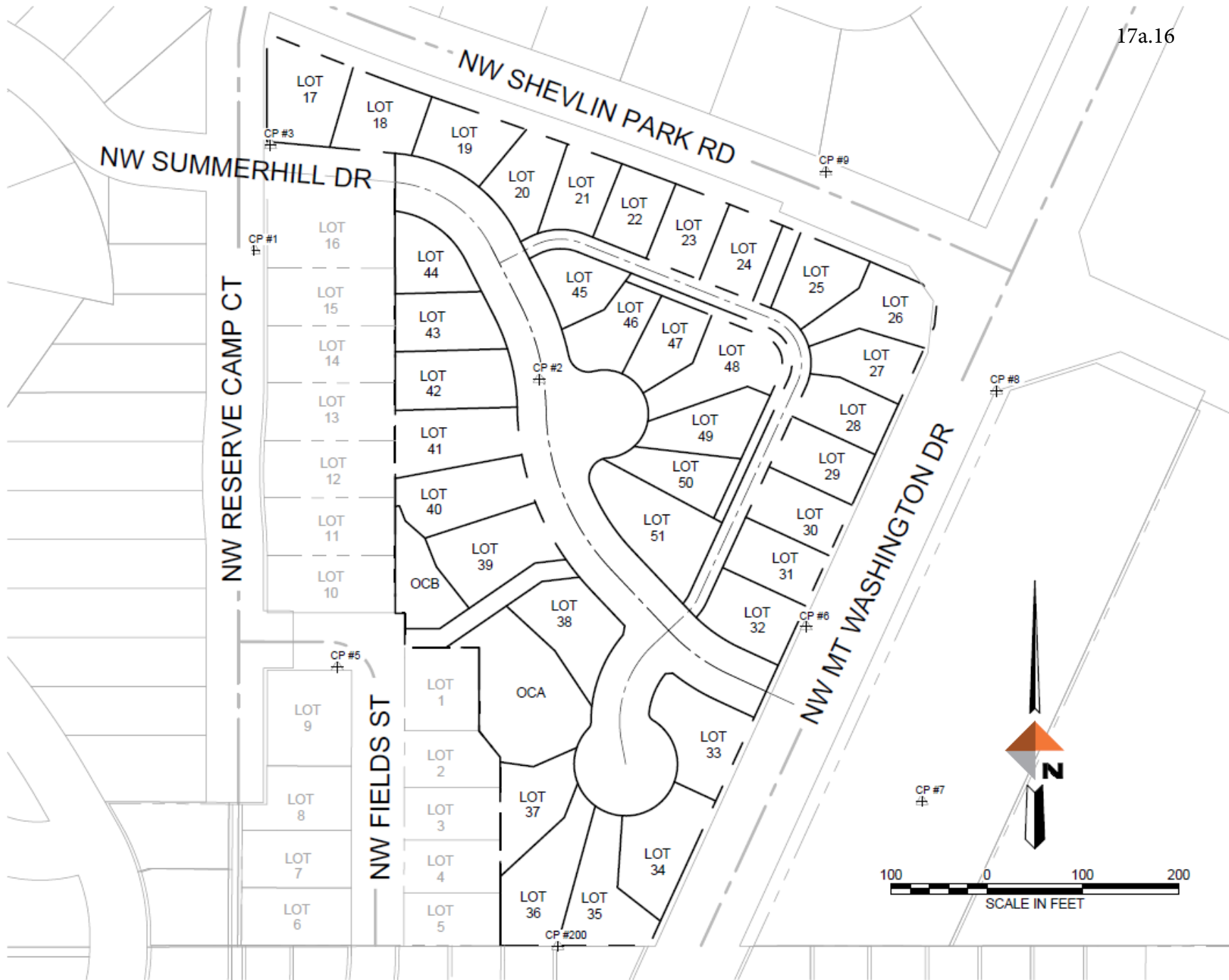
DESIGNED BY: SKM
DRAWN BY: SKM
CHECKED BY: GMM
SCALE: AS NOTED
DATE: 11/15/2022

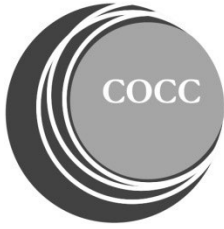
VERIFY SCALES
0 1'
BAR SCALES ONE INCH ON ORIGINAL DRAWING

SHEET: **D1.1**

HWA # 210203
COB # PRSIMP202202348

100% CONSTRUCTION DOCUMENTS





**Central Oregon Community College
Board of Directors: Resolution**

Subject:	Outcrop Phase 2 Subdivision Lots; WSPI Development Agreement Addendum No. 5
Strategic Plan Connection:	Institutional Efficiency
Prepared by:	Michael LaLonde; Paul Taylor

A. Background

Through the College’s Development Agreement with William Smith Properties, Inc. (“**WSPI**”), 12 acres located at the southwest corner of Mt. Washington Drive and Shevlin Park Road were identified for potential development. In 2020, that property was platted as part of the Outcrop Subdivision. The first phase of the Outcrop development (“**Phase 1**”) consisted of 16 residential lots. WSPI, as the College’s development agent under the Development Agreement, has been pursuing land use approval for Outcrop Development Tract A, and has obtained tentative plan approval for 35 residential lots and related infrastructure improvements (“**Phase 2**”).

When Phase 1 was developed, WSPI arranged and paid for all infrastructure improvements necessary to obtain final approval for the Phase 1 plat. The College conveyed the finished Phase 1 lots to WSPI, who then sold the lots to a developer for the construction of single-family homes. The Phase 1 lot sale proceeds were allocated between the College and WSPI pursuant to the Development Agreement. For Phase 2, WSPI has proposed that it perform the same developer functions that it did for Phase 1, but that the College fund the infrastructure improvements (in lieu of WSPI obtaining commercial financing). By doing so, the funds provided by the College become part of the expense recovery formula in the Development Agreement, and WSPI avoids the financing expense. The College will receive an additional preferred return as consideration for its investment in the infrastructure funding. An analysis of this additional return was presented to the Board in executive session.

To proceed as proposed, the Development Agreement will need to be amended as shown in Addendum No. 5, attached as Exhibit A. As provided in Addendum No. 5, the College would retain ownership of Development Tract A. WSPI would continue to perform its developer functions and, upon completion of the infrastructure improvements and recording of the final Phase 2 plat, market the Phase 2 lots for sale to residential builders. The College would sell the lots directly to the builders identified by WSPI. To facilitate the efficient sale of the Phase 2 lots, WSPI and the College have developed a template sale agreement (attached to Addendum No. 5) for WSPI’s use when marketing the lots. In addition, the College and WSPI have determined a minimum lot price (presented to the Board in executive session) for each of the Phase 2 lots. Addendum No. 5 gives WSPI the authority to market and sell the Phase 2 lots, using the template sale agreement, as long as each lot is sold for not less than the approved minimum price. The total sale proceeds, if each lot is sold at the minimum price, is \$12,069,000. The College and WSPI intend to sell for the highest available price, not merely the minimum price. As with Phase 1, the College will receive its share of the Phase 2 lot sale proceeds

as provided in the Development Agreement (as amended by Addendum No. 5), after payment of all development expenses (including return of the College's infrastructure investment).

In order to move forward as proposed, the Board needs to approve completion of the Phase 2 subdivision (including the dedication of all rights of way and easements necessary to obtain final subdivision plat approval), find that the Phase 2 property is not needed for public use and that the public interest may be furthered by development and sale by the Phase 2 lots, and approve Addendum No. 5 (including the template sale agreement and minimum lot price). In addition, Phase 2 includes common area property that the College will convey to the homeowners' association at a future date.

B. Options/Analysis

Approve the proposed resolution below.

Decline approval of the proposed resolution below.

C. Timing

Approval of Addendum No. 5 at this time would allow WSPI to move forward with construction of the Phase 2 infrastructure improvements during the current construction season.

D. Budget Impact

The goal of the Development Agreement is to generate alternative sources of income from College-owned real property that is not needed for academic purposes. The estimated net proceeds that the College would receive, if the lots were sold for the minimum lot price, is \$5,057,733. Of that amount, \$401,925 is the estimated increase attributable to the College's investment in funding the Phase 2 infrastructure.

E. Proposed Resolution

Be it resolved that the Central Oregon Community College Board of Directors (i) finds that Outcrop Development Tract A (the "**Property**") is not needed for public use and that the public interest may be furthered by development and sale of the Property; (ii) approves the development of the Property as a residential subdivision consisting of 35 single-family lots (the "**Lots**"); (iii) approves dedication of the public rights-of-way and pedestrian and parking easements shown on the tentative plan approval for Outcrop Phase 2, together with ordinary utility, drainage, and other similar easements required for development of the Property as a residential subdivision; (iv) approves transferring all common area parcels on the Property to the Outcrop homeowners' association; (v) approves modification of the Development Agreement pursuant to Addendum No. 5; (vi) approves expenditure of up to \$2,300,000 from the Real Estate Development Fund to finance infrastructure improvements on the Property; (vii) approves the sale of the Lots for not less than the minimum lot price determined for each Lot and otherwise on the terms and conditions of the template Purchase and Sale Agreement (the "**Template PSA**") attached to Addendum No. 5; and (viii) authorizes the President or the President's designee to execute and deliver Addendum No. 5, the final Outcrop Phase 2 subdivision plat, any sale agreement presented to the College by WSPI for any Lot (provided that it is substantially in the form of the Template PSA), and such other instruments and documents as are necessary to complete the Outcrop Phase 2 subdivision development and sell each Lot in accordance with this

Resolution, all in such form and substance, and with such clarifications and other modifications, as the President and the College's legal counsel deem necessary and appropriate.