



Oregon

Kate Brown, Governor

Citizens' Initiative Review Commission

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WHO: Citizens' Initiative Review Commission

WHEN: Monday, June 8, 2015– 1:00 P.M.

WHERE: College of Urban & Public Affairs
Portland State University
506 S.W. Mill Street, Room 710
Portland, OR 97201

What is the purpose of the meeting?

The purpose of the meeting is to conduct regular commission business. Please use appropriate language, manners, and protocols when conducting commission business. A copy of the agenda is printed with this notice. Please visit <http://www.oregon.gov/CIRC/meetings.shtml> for current meeting information.

Is the public allowed to attend the meeting?

Yes. Members of the public are invited and encouraged to be in attendance at all commission meetings. All public audience members are asked to sign-in on the attendance roster prior to the meeting. Comments may be heard under public comment portion of the meeting as listed on the agenda. Please wait to be recognized by the Chairperson prior to commenting.

What if the board/council enters into executive session?

Prior to entering into executive session the commission chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The commission will return to open session before taking any final action or making any final decisions.

Who do I contact if I have questions or need special accommodations?

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests call 503-725-5248. All members are asked to please give at least 24-hour notice if they are unable to attend the meeting so arrangements may be made.



Citizens' Initiative Review Commission
Commission Meeting



1:00pm, Monday, June 8, 2015
Urban Center Room 710
Portland State University
506 SW Mill St.
Portland, OR 97201

- **Call to order**
- **Approval of minutes from April 20, 2015 CIRC Commission meeting**
- **Financial Update**
- **2015-2017 Budget**
 - o Review Public Comment / Input
 - o Healthy Democracy figures for 5 day CIR
 - o State Government Service Charges response from DAS
 - o Vote on Approval
- **2015-2017 Draft Work Plan**
 - o Review modifications
 - o Vote on Approval
- **Administrative Contract**
 - o Expires June 30, 2015
 - o RFP process or renewal process
- **CIRC Recommendations from 2014 CIRs**
 - o Update in timeline for Healthy Democracy Process Review
 - o Work Group volunteers (Aug / Sept / Oct)
 - o To be completed and approved by Dec 2015
- **Public Comment Period**
- **Other Business**
 - o August meeting



Citizens' Initiative Review Commission
Commission Meeting



1:00pm, Monday, April 20, 2015
College of Urban & Public Affairs
Portland State University
506 S.W. Mill St., Room 720
Portland, OR 97201

MEMBERS PRESENT:

Jerry Hudson, Chair
James Huffman, Vice-Chair
Ann Bakkensen
Mary Forst
Robin Gumpert
Kay Ogden
Marion Sharp

MEMBERS ABSENT:

Daniel Esqueda

ADMINISTRATIVE SUPPORT PRESENT:

Sarah Giles, Administrative Coordinator
Roslyn Owen, Financial Coordinator

GUESTS PRESENT:

Lucy Greenfield, Healthy Democracy
Debby Southworth, Incoming CIR Commissioner

Call to Order

Jerry Hudson, Chair, called the meeting of the Citizens' Initiative Review Commission (CIRC) to order at 1:00 pm., Monday, April 10, 2015, at the College of Urban & Public Affairs, Portland State University, 506 S.W. Mill Street, Room 720, Portland. Roll was called.

Approval of Minutes from Commission Meeting March 20, 2015

One modification was made March 20, 2015 notes, correcting the spelling of Commissioner Robin Gumpert's name. Gumpert made a motion to approve the minutes with modification from the CIRC Commission Meeting on March 20, 2015. Ann Bakkensen seconded the motion. Commissioners voted unanimously to approve the motion.

Evaluation of 2014 CIRs

Lucy Greenfield of Healthy Democracy summarized the Citizen Panelist Evaluation Report, which took place in early April with four citizen panelists from both 2014 CIR sessions participating. Two CIR Commissioners, Kay Ogden and Ann Bakkensen, observed the evaluations along the CIRC Administrative Coordinator Sarah Giles. All four panelists shared their enthusiasm for the process and, as with the moderators' evaluation, provided suggestions for process changes. Citizen panelists were interested in either adding some more time or looking at how to use the time more efficiently so that panelists had more time to write their own claims. Panelists liked the opportunity to

talk with different people from around the state on ballot measures and expressed an interest in making sure that panelists with different backgrounds were supported in making good decisions on the measures. Healthy Democracy will be using both evaluations to look at making adjustments for future processes. Bakkensen added that some of the panelists participating in the evaluation suggested panelists be given more preparation ahead of the CIRs on what the final product would be like.

Commissioners engaged in a discussion on how the vote tally is framed or conducted. Some panelists and Commissioners expressed support for engaging all panelists in every piece, including crafting their own statements, but maintaining a vote at the end showing how the panel felt in favor or against the measure. Other Commissioners and panelists also expressed interest in asking panelists how many agreed with each key finding to get a better picture of the strength of those key findings. Commissioners also discussed panelists' desire to be able to express their thoughts on how the measures were written or put together, which panelists could include as a key finding. Allowing panelists more time to write their own claims may also allow that to come to the surface.

The Research Team had also shared its report with the Commission on the 2014 CIRs. Mary Forest raised one question about the consistency of two findings from the report on page 15 and 16, which referred to the topic of consideration of different viewpoints and was reflected in figure 1.13. Forest asked for some clarification of what seems to be an inconsistency in the findings from the research team on the value of having small groups moderated by facilitators. Gumpert also noted the finding that more voters know about the statement, which raises the question of the role the Commission should be playing in outreach to voters about the CIR and the statement as a source of information for voters. Commissioners discussed what might be done to include some language that is clear, concise, and accessible to voters to point them to FAQs on the CIRC's website about the CIRs and the role of the Commission itself. The Research Team's usability studies and findings provide a basis for helpful FAQs for the public.

Commissioners began the discussion of their findings and recommendations for the 2014 CIRs, which they determined to continue to work on over the summer and early fall, with a final report posted online per ORS 250.143 by December 2015. At this stage, Commissioners were interested in finding a way to have experts who are independent from the measure campaigns provide information to the panel. The challenge may be in determining who those experts are; one potential way to do so would be to step outside the process and ask a large group of Oregon voters what kinds of experts they would want to hear from on those issues to help guide identification. They also noted the confusion of referring to campaign advocates as experts vs. advocates. Commissioners were also interested in learning more about any limitations of what can be in the statement that goes into the Voters' Guide from the Secretary of State's Office. The Commission is also interested in continuing to pursue whether to continue to have a vote on the citizen panel's support for or against the measure and in determining what mechanisms the Commission itself might strategize about to promote the CIR itself.

Report on Selection of new CIR Commissioners from Citizen Panelist Evaluation

As part of the citizen panelists' evaluation process, two new CIR Commissioners were selected from among the four who participated in the evaluation. Debby Southworth and Ernest Estes were elected to join the Commission in Spring 2015 for a two year term. Southworth was present at the meeting and welcomed by current Commissioners. Both would be asked to complete the Interest Forms required by the Governor's Office to officially join the Commission, hopefully by the June meeting.

Commissioners also asked staff to re-engage with the Senate minority leader's office on the third Governor appointment.

Draft Work Plan Review

Administrative Coordinator Sarah Giles presented a draft work plan for 2015-2017. Commissioners requested adding the following items:

- CIRC promotion / education of public on CIR process

- Work on Commission's Report on 2014 CIRs to Aug-Dec with a vote to approve a final report in December 2015
- Begin Commission's Report to the Legislature in Dec 2015 and final vote on at a March 2016 meeting
-

Draft Budget Review

Budget Coordinator Roslyn Owen presented a draft budget at the following meeting and schedule a public hearing for early June on the proposed budget. Staff clarified the budget presented was based on 4 day CIRs for the 2016 CIRs and included two years of administrative staffing as well as higher levels of panelist stipends as approved by rule by the Commission in November 2014. Commissioners also asked to see what amounts a 5 day CIR would be. Commissioners also asked for clarification on what the State Government Service Charges covered. Staff would check in with the Department of Administrative Services and also ask for a comparison with other Semi-Independent Boards and Agencies.

Gumpert moved to approve the draft budget for public hearing. Marion Sharpe seconded the motion. All Commissioners voted in favor.

Public Comment Period

Guests had not comments at this time.

Other Business Public Comment

Giles reminded the Commissioners that both a Public Hearing on the 2015-2017 Budget and a Commission meeting would be held on June 8th. Robin Gumpert and Debby Southworth both were available to be present for the public hearing.

The meeting adjourned at 2:30 p.m.

Prepared by: Sarah Giles,
Administrative Coordinator

CITIZENS' INITIATIVE REVIEW COMMISSION 2015-2017

REVENUE

A. Beginning Balance

Ending Cash Balance 2015-17 Biennium \$ 1,992

A. Total \$ **1,992****B. Donations**

Grants

Individual Contributions \$ -

B. Total \$ -**C. Earned Income**

\$ -

C. Total \$ -**Total Revenues** \$ **1,992**

EXPENSES

A. CIR Commission Services

Voters Pamphlet Publication (2 CIRs) \$ 11,750

CIR Panelist Stipends (2 CIRs) \$ 16,000

CIR Panelist Travel Reimbursements (2 CIRs) \$ 5,000

CIR Panel Recruitment List/Mailing (2 CIRs) \$ 6,250

A. Total \$ **39,000****B. CIR Commission Administrative Expenses**

Administrative Staffing \$ 40,000

Liability Insurance \$ 2,500

Commissioner Travel Reimbursements \$ 1,000

Banking Fees \$ 650

B. Total \$ **44,150****C. CIR Event Expenses (2 CIRs)**

Project Management Staffing \$ 15,000

Research \$ 10,000

Event Staffing \$ 12,000

Moderators and Facilitators \$ 16,000

Moderator Training \$ 2,000

Event Security \$ 1,000

Venue Rental / Meals \$ 12,500

Lodging \$ 20,000

Staff Travel & Training \$ 4,000

Office Supplies \$ 500

Videography \$ 2,000

Summary Report \$ 2,500

Miscellaneous Event Expenses \$ 1,000

C. Total \$ **98,500****D. Professional Services**

State Government Service Charges \$ 10,000

Professional IT Services \$ 2,500

Professional Services \$ 7,500

D. Total \$ **20,000****E. Other**

Contingent Expenses \$ 4,500

E. Total \$ **4,460****Total Expenses** \$ **206,110****Total Revenue** \$ **1,992****Total Expenses** \$ **206,110****Balance** \$ **(204,118)**

*Budget for 2015 - 2017: based off assumption of 2 - 4 day CIRs, each with 20 panelists

CITIZENS' INITIATIVE REVIEW COMMISSION

DIVISION 5

ADMINISTRATION

710-005-0005

Commission Budget

DRAFT RULE

The Citizens' Initiative Review Commission hereby adopts by reference the Citizens' Initiative Review Commission 2015-2017 Biennium Budget of \$204,118 covering the period from July 1, 2015 through June 30, 2017. The Chair of the Commission, in consultation with the Commission, will amend budgeted accounts as necessary within the approved budget of \$204,118 for the effective operation of the Commission. The Commission will not exceed the approved 2015-2017 Biennium Budget without amending this rule and holding a public hearing thereon as required, by ORS 182.462(1). The draft budget can be found on the Commission's website.

Stat. Auth.: ORS 250.137(3)(b), 182.462 (1) & 2013 OL Ch. 722, Sec. 11

Stats. Implemented: ORS 182.462 (1) & 2013 OL Ch. 722, Sec. 11

The proposed rule is administrative, specifying the Citizens' Initiative Review Commission's 2015-17 Biennium Budget, and the method for amending the budget if necessary.

The Commission requests public comment on whether other options should be considered for achieving the rules' substantive goals while reducing any negative economic impact on business.

CITIZENS' INITIATIVE REVIEW COMMISSION

2015-2017 WORK PLAN

Review for Approval June 8, 2015

Key goal:

To provide oversight of the Citizens' Initiative Review (CIR) in a manner that ensures its integrity, effectiveness, and sustainability

Key tasks:

- Regularly assess progress toward key work plan tasks and revise as needed
- Consider additional administrative rules re CIR process, moderators, and criteria for ballot measure selection
- Secure long-term administrative services contract for 2017-2019
- Secure program services contract for 2016 CIR
- Finalize and Approve CIRC Recommendations from 2014 CIRs
- Develop and approve biennial Commission report on financial and other activities in 2016
- Review and approve policies & procedures for 2016 CIR
- Review Commissioner terms, plan for new appointments, consider administrative rules re term staggering
- Determine sufficiency of funds
- Select 2016 ballot measures for review
- Develop promotion and education strategies for public on CIR process
- Review and approval of annual financial report for previous fiscal year
- Review panelist and moderator evaluations of 2016 CIR to develop Commission findings and recommendations re CIR in 2017
- Develop and approve 2017-19 biennium budget

Meeting Dates (precise dates TBD):

August 2015

December 2016

March 2016

June 2016

July 2016

September 2016

December 2016

February 2017

April 2017

June 2017

August 2015 Meeting:

- Standing legislative and financial updates
- Finalize CIRC recommendations on 2014 CIRs
- Review Commissioner terms, plan for new appointments, consider administrative rules re term staggering
- Consider additional administrative rules re CIR process, moderators, and criteria for ballot measure selection

December 2015 Meeting:

- Standing legislative and financial updates
- Vote on CIRC recommendations on 2014 CIRs
- Begin Full Report to Legislature

March 2016 Meeting:

- Standing legislative and financial updates
- Vote on Full Report to Legislature
- Approve program services contract for 2016 CIRs

June 2016 Meeting:

- Determine sufficiency of funds to carry out duties of CIR Commission and to pay for statements to be printed in Voters Pamphlet

- Standing legislative and financial updates

July 2016 Meeting:

- Review and approve policies & procedures for 2016 CIR
- Select 2016 ballot measures for review
- Standing legislative and financial updates

September 2016 Meeting:

- Standing legislative and financial updates

December 2016 Meeting:

- Standing legislative and financial updates

February 2017 Meeting:

- Review panelist and moderator evaluations of 2016 CIR to develop Commission findings and recommendations re CIR
- Review and approve abbreviated biennial Commission report on financial and other activities (due April 1, 2016)
- Review Commissioner terms, plan for new appointments (terms are four years, with no more than six member terms expiring every two years)
- Standing legislative and financial updates

April 2017 Meeting:

- Develop and hold hearing for 2017-2019 biennium budget
- Standing legislative and financial updates

June 2017 Meeting:

- Approve 2017-19 biennium budget
- Approve administrative contract
- Standing legislative and financial updates

CITIZENS' INITIATIVE REVIEW COMMISSION (CIRC)

CONTRACTING AND PROCUREMENT POLICY

(Approved: August 22, 2013)

The Citizens' Initiative Review Commission establishes as general policy that it will:

- (a) secure contract services at the best possible value to meet the business needs of the CIRC while ensuring its contracting process promotes fairness, integrity, security, and transparency and*
- (b) purchase goods needed to carry out the conduct of CIRC business using the least expensive methods possible to secure comparable products while accounting for quality, availability, and special operational needs.*

Contracts: The CIRC has authority under ORS 182.466 to enter into contracts. The CIRC will generally contract for services where necessary to:

- ensure completion of needed services in a reasonable timeframe,
- secure services which can only be completed by someone with special capabilities, experience, or technical expertise,
- provide for an impartial, unbiased, and independent evaluation, such as but not necessarily limited to a financial review or audit,
- address a bona fide emergency situation, or
- respond to other situations as the need arises.

Procurements: The CIRC also has authority under ORS 182.466 to acquire, hold, own, encumber, issue, replace, and dispose of real and personal property. This policy addresses CIRC procurement of goods as necessary to carry out the business of the CIRC. Standard purchases include but are not necessarily limited to:

- **Office Supplies:** CIRC staff or contractor on behalf of the CIRC will generally purchase office supplies through the primary office supplies vendor with a State of Oregon price agreement. However, discretion may be used to take advantage of any special sales or other factors that result in a better deal through an alternate vendor.
- **Office Equipment:** CIRC staff or contractor on behalf of the CIRC will generally purchase any office equipment through vendors with State of Oregon price agreements. For items not reasonably available through a vendor on price agreement, state surplus, or qualified rehabilitation facility programs, CIRC staff and or contractor on behalf of the CIRC will research alternative sources on the open market for the best value.
- **Printing/Stationery Supplies:** CIRC staff or contractor on behalf of the CIRC will generally purchase letterhead, envelopes, registration card stock, and related custom products

through the Oregon Correctional Enterprises program. However, discretion may be used to take advantage of any special sales or other factors that result in a better deal through an alternate vendor.

Contracting and Procurement Methods:

The CIRC will generally use the contracting and procurement methods provided for in this policy. Purchases of goods will be made off price agreements to the extent feasible unless better value is obtainable through alternate vendors.

The CIRC may determine on a case-by-case basis by vote of the CIRC members to implement an alternative method to contracting or procurement if necessary to address an unexpected or unique situation not contemplated within this policy.

Small Procurement: direct purchase of goods or a contract for procurement of goods or services not exceeding \$10,000.

- Such purchases may be made and contracts may be awarded in any manner deemed practical or convenient by the CIRC Administrator or CIRC Chair, including by direct selection or award.
- Purchases and contracts may not be artificially fragmented so as to qualify as small procurements. Furthermore, small procurement contracts can only be amended in accordance with the contract amendment section of this policy.
- See Authorization and Payment Section of this policy for requirements for CIRC approval.

Intermediate Procurement: direct purchase of goods or a contract for procurement of goods or services exceeding \$10,000 but not exceeding \$150,000.

- The CIRC Administrator or CIRC Chair will make and document a good faith effort to obtain at least two (2) informally solicited competitive price quotes or proposals from prospective contractors. The CIRC Administrator or CIRC Chair shall keep a written record of the sources of the quotes/proposals. If only one (1) quote/proposal can be reasonably obtained, one will suffice, but the CIRC Administrator or CIRC Chair shall keep as part of the written record an explanation of the effort made to obtain two (2) quotes/proposals.
- If a direct purchase is made or contract awarded, the CIRC Administrator or CIRC will select the contractor whose quote/proposal will best serve the CIRC's needs, taking into account price as well as considerations such as experience, expertise, product functionality, suitability for a particular purpose, and contractor responsibility.
- The CIRC retains the option of directing the CIRC Administrator or CIRC Chair to initiate a Request for Proposals procedure as described under Large Procurements. The CIRC may find this necessary to aid in locating and ensuring quality of prospective contractors.
- See Authorization and Payment Section of this policy for requirements for CIRC approval.

Large Procurement: direct purchase of goods or a contract for procurement of goods or services exceeding \$150,000.

- The CIRC will initiate a Request for Proposals procedure for any large procurement and generally follow State of Oregon procedures for such procurements as defined by the Department of Administrative Services through policy and rules.

Sole-Source: direct purchase of goods or a contract for procurement of goods and services that would normally qualify as an intermediate procurement, i.e. require review of quotes/proposals, but where the CIRC or CIRC Administrator has determined that the goods or services are available from only one source.

- The CIRC Chair or CIRC Administrator shall document in writing any such determinations. This documentation shall be maintained with the associated procurement or contract file.

Emergency: direct purchase of goods or a contract for procurement of goods and services in relation to a bona fide emergency situation.

- The CIRC Chair or CIRC Administrator shall document in writing the nature of the emergency and the reasons for the contract. This documentation shall be maintained with the associated purchase or contract file.

Interagency Agreement: a contract with another local, state, university, tribal, or federal agency that is established through negotiation, direct award, direct appointment or in any other manner that satisfies legal requirements as confirmed through consultation with the Oregon Department of Justice.

- The CIRC has authority to enter into such agreements per ORS 190.110 and ORS 182.466.

Contracting for Personal Services:

Personal Service Contracts: a contract with an independent contractor who provides specific services to the CIRC where independent contractor means a person who provides services to CIRC in which the CIRC may control the results of the services but does not control the means or manner by which the work is performed.

- It is the policy of the CIRC to not enter into personal service contracts of a nature where the services or project create an employee/employer relationship.
- Personal service contracts will be developed using the appropriate contracting method, as specified in this policy. See Contracting and Procurement Methods section of this policy for more information.
- The CIRC may enter into an Interagency Agreement in lieu of a personal service contract where the services are to be provided by another governmental entity.

Authorization & Methods of Payment:

The designated contract and procurement officer for the CIRC, whether the CIRC Administrator or CIRC Chair, is authorized to procure goods or enter into contracts for goods or services in accordance with this policy.

▪ Office Service Contracts (e.g., phone, internet, e-mail, mail service, and office equipment maintenance):

- <\$10,000 without formal CIRC approval.

▪ All Other Service Contracts

- <\$10,000 after consultation with either the CIRC Chair or CIRC Administrator about the need and proposed solution.
- ≥\$10,000 only with formal CIRC approval of the actual contract.

▪ Procurement of Goods (via purchase order, contract, or reimbursement basis):

- <\$10,000 after consultation with either the CIRC Chair or CIRC Administrator about the need and proposed solution.
- ≥\$10,000 only with formal CIRC approval of the actual contract.

- Contract and procurement expenditures shall be documented and tracked to ensure that they remain within budgeted limits.
- The CIRC Administrator or CIRC Chair is authorized to approve payments for services obtained under established contracts without formal CIRC approval. Payments will be made by check to the service provider upon receipt and review of invoices.
- The CIRC Administrator or CIRC Chair is authorized to procure goods via purchase orders or through other means as necessary. When purchase orders are not accepted, time constraints preclude the use of standard vendors, or purchases must otherwise be made from personal funds, these expenses will be reimbursable with submittal of a receipt.
- The CIRC Administrator or CIRC Chair is authorized to approve payments for goods obtained without formal CIRC approval. Payments will be made by check upon receipt in accordance to the terms of the purchase order, or for purchases made other than by purchase order based upon appropriate documentation such as receipts or order confirmations.
- The CIRC does not maintain a credit card for making payments.

Contract Amendments/Renewals/Reinstatement:

Amendments: The CIRC Administrator in consultation with the Board Chair, or the CIRC Chair in consultation with the CIRC, may approve contract amendments where prudent and necessary to ensure work critical to CIRC operations is completed and where the amendment is reasonably related to the initial contract. The CIRC Administrator or CIRC Chair will document the changes or extenuating variables that have resulted in the need for the amendment; this will include discussion of unforeseen circumstances which occurred since the initiation of the original contract. Unforeseen circumstances can include a need for additional services to address emerging issues related to existing laws, rules, or policies or new issues related to newly enacted laws, rules, or

policies if such changes affect the performance of the ,original contract. This information will be provided to the CIRC for review and approval.

The CIRC Administrator or CIRC Chair may also renegotiate the terms and conditions, including contract price, of a contract if it is advantageous to the CIRC subject to the following conditions:

- (a) The amended contract involves work that falls within the original contract Scope of Work;
- (b) The CIRC Administrator or CIRC Chair determines that, with all things considered, the renegotiated contract is at least as favorable to the CIRC as the original contract;
- (c) If the small procurement method was used, the contract price is not amended to exceed the amount allowed for amendments as specified in this policy; and
- (d) The CIRC Administrator consults with the CIRC Chair, or the CIRC Chair consults with the CIRC, before such contract amendments are finalized, except for office service contracts.

All contract amendments must be in writing and signed by the CIRC Administrator or CIRC Chair and the independent contractor in the case of personal service contracts or governmental entity in the case of interagency agreements.

The CIRC does not intend to use contract amendments as a means to alter the essential identity or main purpose of the original contract. The CIRC also limits the use of contract amendments for those contracts entered into using the small or intermediate procurement method; such contract amendments shall not increase the total contract price to a sum that is greater than 10% above the original contract price.

Notwithstanding the above requirements, the CIRC Administrator or CIRC Chair is authorized, without further, specific approval action by the CIRC, to execute any contract amendment that results in a reduction of the price paid by the CIRC for the services secured through the initial contract.

Renewals: In addition to the general authority for amending contracts above, the CIRC may renew a contract as set forth in this policy.

The CIRC Administrator or CIRC Chair may renew, modify, or cancel service contracts (e.g., phone, internet, e-mail, mail service, and office equipment maintenance) as necessary to ensure efficient and cost effective operation of any CIRC office. For other types of contracts, the CIRC Administrator may in consultation with the CIRC Chair, or the CIRC Chair may in consultation with the CIRC, renew an existing contract for an additional year or biennium if:

- Both parties agree to renew,
- The work has been performed to CIRC specifications,
- The hourly or other established rate has not changed significantly for the proposed new contract period, and
- The services provided are part of ongoing work that must be performed to meet CIRC business needs.

The CIRC Administrator may also propose to the CIRC Chair, or the CIRC Chair may also propose to the full CIRC, that any given service contract not be renewed due to service issues, change in business needs, budgetary considerations, or other factors.

Reinstatement: The CIRC may reinstate an expired contract if it deems such action prudent and necessary for the contractor to complete one or more deliverable(s) within the Scope of Work. The CIRC Administrator or CIRC Chair will document the reinstatement in the contract file.

Miscellaneous:

Affirmative Action: The general policy of the CIRC is to assure that all employment practices, personnel policies, direct services, and program operations and efforts are conceived and conducted without regard to age, race, color, religion, sex, sexual orientation, national origin, marital status, mental or physical disability, or any other status protected by federal or state laws. This CIRC policy applies to purchasing and contracting actions. The CIRC will look for opportunities to encourage minority, women-owned, and emerging small businesses to offer bids for services in relation to needs of the CIRC. For contracts over \$10,000, the CIRC will provide timely notice to the Advocate for Minority Women and Emerging Small Business regarding bid or proposal solicitations and contract awards..

Ethics: CIRC staff and CIRC members shall follow all applicable state ethics requirements in relation to CIRC contracts. CIRC staff and CIRC members are prohibited from soliciting or receiving gifts in relation to the development, implementation, or termination of CIRC contracts. CIRC staff and CIRC members must declare any potential conflicts of interest that could impair ability to be impartial and objective or that relate to a personal or financial interest in a particular contract. Neither CIRC staff nor CIRC members shall use their official positions for personal or financial gain.

Legal Sufficiency Review: The CIRC policy is to obtain legal sufficiency review by the Department of Justice in accordance with OAR 137-045-0030, i.e. for contracts over \$150,000.

Records Management/Retention: The CIRC shall maintain contracting and purchasing records in accordance with OAR 166-300-0015(8), except in cases where the records must be kept longer in relation to a warranty or other extenuating circumstances.

Disclaimer:

Although the CIRC is exempt from ORS Chapter 279A and 279B, which govern public contracts and procurement for state agencies without semi-independent status, the CIRC reserves the right to use relevant provisions of ORS Chapter 279A and 279B, the Attorney General's Model Public Contract Rules (OAR chapter 137, divisions 46 and 47) or the Public Contracting Rules established by the Oregon Department of Administrative Services (OAR chapter 125, divisions 246 and 247), as guidelines to govern its contracting actions in instances not explicitly covered under this policy in whole or in part. However, these statutes and administrative rules are referenced as guidance only, not as adopted policies. The CIRC has not adopted these statutes and rules for contracting and procurement directly as they cover a much broader range of contracting scenarios than the CIRC ever will conceivably face and thus in total are more complicated than is necessary to ensure conscientious use of CIRC funds and management of risk to CIRC operations. However, the CIRC has adapted most of this policy from ideas and policies in these state statutes and rules.