

Policy & Procedures Committee Minutes

Wednesday, April 20, 1 p.m. | Zoom Meeting

Members: Jessica Epley, Micah Brown, Josh Thomas, Alba Vogland, Sean Tarter, Kevin Hennessy, and Kitty O'Keefe

Guests: none

1. Announcements and Introductions

- a. Jessica called the meeting to order at 1 p.m. and introductions were made.
- b. Motion was made by Micah and 2nd by Alba to approve the minutes from 4.6.22. Kitty to post on website.

2. New Business

- a. Review Chapter 6
 - i. See attachments #1 for reference.
 - ii. Update to Revision Log in page to reflect now on version 3.
 - iii. Jessica shared to members, there is no longer a Chapter 6 in the P&P manual.
 - iv. Committee considered adding section under Chapter 1 defining "ad hoc" Committees? Decision - hold until later date if needed.
 - v. 1.4.3 - Board noted at 4/6/22 meeting to move the "Tariff" related work to Budget and Audit which was removed as a standing committee. Committee discussed options, elected to move this work to Staff rather than to another committee or reintroduce Budget and Audit as a standing committee.
 - vi. Next Board Meeting Action Item: request approval of revised section 1.4.3
- b. Discuss new policy on reserve amount
 - i. 3.2 Reserve Policy discussion:
Options: Add a dollar amount for reserve, change to a multiple of identified expenses or wait for the upcoming financial audit to determine the correct result. Decision - change to a multiple of expense.
 - ii. Committee added Staff under the list of expenses to be contemplated in the reserve.
 - iii. Next Board Meeting Action Item: request approval of revised section 3.2
- c. Discuss audit/financial review frequency
 - i. Sect. 3.5.2: Write-off authority discussion:
Committee updated language to dictate write off authority (\$5 or less - OCC; \$6-\$499 - Executive Director/Executive Committee; \$500 or more - Board).
 - ii. 3.9.1 – Jessica noted to wait on making this revision until after financial audit is completed.
 - iii. 4.1 Contracts for Service – Jessica noted to hold for next meeting.
 - iv. 4.2 Compliance – Members discussed and agreed to retain 'will comply'.
 - v. 5.3 Board Resolutions – Jessica noted to revise after bylaws are updated. Replace Secretary with Staff.
 - vi. Next Board Meeting Action Item: request approval of revised section 3.5.2.

3. Old Business

4. For the Good of the Order

- i. Josh will replace 'shall' with 'will' or 'must', depending on context.
- ii. Jessica shared with members the Bylaws are 3 pages. Please come prepared at the next committee meeting to review. It takes a 2/3 vote to change the Bylaws.
- iii. Next Board Meeting Action Item: request approval of all replaced "shall".

5. Next Meetings

ii. June 28, 2022 – discuss Employee Manual.

6. For the Good of the Order

Meeting adjourned at 1:44 p.m. Minutes submitted by Kitty O'Keefe 4.20.22



POLICY AND PROCEDURES MANUAL

Updated: 4/19/22

Oregon Utility Notification Center
305 NE 102nd Avenue, Suite 300
Portland, OR 97220-4170
Oregon811.com | digsafelyoregon.com

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**OREGON UTILITY NOTIFICATION CENTER
POLICY AND PROCEDURES MANUAL**

Author: OUNC Staff, Policy & Procedures Committee
Approval: OUNC Board of Directors
Revision No. 3

Revision Log		
Revision Number	Date	Revision Description
2	3/9/2022	Removal of Bylaws, Removal of Employee Manual content, creation of introduction section and approval of revisions to chapter 1.
3	4/19/2022	Approval of revisions to chapter 2, 3, 4 and 5.

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POLICY AND PROCEDURES MANUAL

STATEMENT OF PURPOSE

The purpose of this manual is to ensure that the Oregon Utility Notification Center, and its board and staff, operate within guidelines that ensure appropriate compliance, transparency, stewardship, accountability, and management of the organization and its business activities and assets consistent with the Bylaws.

THE MISSION OF THE OREGON UTILITY NOTIFICATION CENTER

To operate and maintain a state-of-the-art one-call system for the State of Oregon to reduce damages to underground facilities and to promote public safety related to excavation issues.

THE CREATION OF THE OREGON UTILITY NOTIFICATION CENTER

The 1995 legislature created the Oregon Utility Notification Center as a state agency with the mandate to:

- Solicit prospective Board Members from organizations that have a vested interest in excavation related activities and submit those nominees to the Governor for appointment to the Board of Directors.
- Develop, adopt and implement the Oregon Administrative Rules (OAR's) necessary to protect excavators, the general public and buried facilities from damages caused by excavation activities.
- Institute a statewide one-call system that will provide the critical communication link between those planning to dig and those operators that may have buried facilities in an area of proposed excavation so that those facilities may be located and marked before excavation begins.
- Require all operators of buried facilities in a public right of way, or utility easement, to register those facilities with the Oregon Utility Notification Center so that a statewide inventory could be created.
- Require all excavators to call the Oregon Utility Notification Center and request locates prior to excavation. All operators of buried facilities identified within an area of proposed excavation shall be notified of the impending excavation and shall be required to accurately mark their facilities within two business days.
- Establish an equitable rate structure to support the work and activities directed by the Board of Directors.

TABLE OF CONTENTS

1. LEADERSHIP AND FUNCTION6

1.1. Oregon Utility Notification Center Organization6

1.2. Oregon Utility Notification Center Board Member Onboarding.....7

1.3. Adding or Removing Seats on the Board of Directors7

1.4. Committees Appointed by the Board7

1.4.1. Executive Committee9

1.4.2. Publicity Committee9

1.4.3. Oregon Administrative Rules (OARs) and Tariff Committee9

1.4.4. Policy and Procedures Committee 10

1.5. Oregon Utility Notification Center/Oregon Utilities Coordinating Council Standards Manual 10

2. PERSONNEL POLICIES 10

2.1 Zero Discrimination Policy 10

2.2 Employees and HR Policy 10

2.3 Executive Director..... 11

2.4 Consultants and Contractors 11

2.5 Travel and Other Expense Reimbursements..... 11

2.6 Conflict of Interest..... 12

2.7 Unlawful Harassment, Including Sexual Harassment 12

2.8 Board of Directors Files 12

Deleted: 11

Deleted: 13

2.9 Confidentiality Policy..... 13

3. ACCOUNTING, AUDIT AND FINANCIAL MANAGEMENT POLICIES..... 13

3.1 Accounting Policies..... 13

3.2 Reserve Policy 14

3.3 Revenue..... 14

3.5 Delinquent Debts, Charges and Account Management 15

3.6 Investing Policy..... 18

3.7 Budget Principles/Procedures 18

4. PROCUREMENT POLICIES 19

4.1. Contracts for Service 19

4.2. Compliance 20

5. RECORDS MANAGEMENT POLICY 20

5.1. Records Management Policy 20

5.2. Oregon Utility Notification Center Mail 21

5.3. Board Resolutions..... 21

5.4. Public Records Request 21

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1. LEADERSHIP AND FUNCTION

1.1. Oregon Utility Notification Center Organization

Board of Directors and Representation

The Oregon Utility Notification Center Board of Directors consists of 22 members, each appointed by the Governor for a four-year term. Each board member represents a specific industry segment and is nominated for their position by their organization.

The stakeholders represented on the Oregon Utility Notification Center Board of Directors include (*seats 1-16 are specified in ORS 757.547*):

1. Cities with a population of 25,000 or more
2. Cities with a population under 25,000
3. Counties
4. Natural Gas Utilities regulated by the PUC
5. Electric Utilities regulated by the PUC
6. Water districts, special districts, sanitary districts or water and sanitary authorities
7. Telecommunications utilities serving fewer than 50,000 access lines and regulated by the PUC
8. Telecommunications utilities serving more than 50,000 access lines and regulated by the PUC
9. Telecommunications Cooperatives
10. Electric Cooperatives
11. People's Utility Districts
12. Contractors
13. Excavators
14. Railroads
15. Cable System Operators
16. Municipal Electric Utilities
17. Interstate Natural Gas Transmission/Pipeline
18. National Utility Locating Association
19. Oregon Department of Transportation
20. Oregon Utilities Coordinating Council
21. Oregon Public Utility Commission
22. National Telecommunication Damage Prevention

Commented [EJ1]: Does not conform with ORS 757.547. Need DOJ to comment on whether this is permissible or if the statutes need to be updated to allow these members to be full voting members in perpetuity.

Commented [EJ2]: Need to confirm this position was actually adopted by the Board.

1.2. Oregon Utility Notification Center Board Member Onboarding

- 1.2.1. Board Members are recruited through representatives of the respective industry or organization they will represent. Nominees must apply for appointment and reappointment through the Governor's Office for review and confirmation.
- 1.2.2. Oregon Utility Notification Center Board Members are provided business cards, an email address and login credentials to access files. Name and contact information will be posted with a photo on the Oregon Utility Notification Center website alongside the other current board members.
- 1.2.3. Oregon Utility Notification Center Board Members receive an initial clothing allowance of \$200 to purchase Oregon 811 logo shirts, jackets or hats that can be worn to meetings and events. Members receive a \$100 annual clothing allowance for each additional year of service to the Oregon Utility Notification Center Board.
- 1.2.4. Oregon Utility Notification Center Board Members will be invited to participate in an orientation session with the Executive Director, Administrative and Outreach Coordinator and Chairperson or designee. Members are required to complete state-mandated training modules annually.

1.3. Adding or Removing Seats on the Board of Directors

The Board of Directors may, from time to time, at its discretion, determine the need for representation from a new stakeholder or the removal of an existing seat. Providing there is a quorum of the board present, a simple majority vote of Oregon Utility Notification Center board members present at any meeting will be sufficient to submit a recommendation to the Governor's Office for consideration.

1.4. Committees Appointed by the Board

Per the Oregon Utility Notification Center Board of Directors Bylaws:

The Board of Directors may, from time to time, appoint or disband committees from the membership of the Board. Such committees shall have authority to review and report to the full Board of Directors with respect to matters that may be assigned to them. Committee members shall serve at the pleasure of the Board of Directors. Chairmen of standing committees shall be appointed during the first Board meeting of each new year and as needed if a Committee Chair is unable to fulfill their term.

Committee chairs are appointed by the Oregon Utility Notification Center Board Chair. Committee membership can be comprised of Oregon Utility Notification Center board members or non-board members; however, the only voting members of the committee are current Oregon Utility Notification Center board members. The Executive Director and the Executive Assistant and Outreach Coordinator serve as non-voting members on all committees. The Executive Director may serve as an interim committee chair as needed, as directed by the Board Chair. Committee members may be added or removed by the Board Chair or Committee Chairs as needed.

The Committees will meet as needed and follow the Public Meeting Law detailed by the State of Oregon Attorney General's Public Record and Meetings Manual. Oregon Utility Notification Center committees shall have a consensus by its members before presenting their work for a vote by the Oregon Utility Notification Center board. A quorum of the voting committee members shall be present for voting matters. A quorum is defined as a simple majority of voting members, but not less than two.

Preferred consensus of a committee method should be from a vote held at a meeting of that committee. However, if a committee meeting cannot be held in a timely manner and an emergency decision must be made, the committee chair can text, phone, or email the current Oregon Utility

Notification Center board members serving on that committee, asking for their recommendations. This is recognized as an approved method under the Public Meeting Law when calling for an emergency meeting. Any board member that would like to bring up new information that is currently not being addressed by a committee shall do so under the New Business portion of any month's meeting agenda.

1.4.1. Executive Committee

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Statement of Purpose: The Committee was established by the Board of Directors to address legal matters, administrative and tax concerns, public records requests, complex disputes, and organizational logistics not otherwise covered in other standing committees. The Executive Committee reviews and guides decisions and activities affecting the agency. The Committee is authorized by the Board to resolve billing disputes not exceeding \$500. The Executive Committee is comprised of the Board-elected officers: Chair, Vice Chair, Treasurer, Secretary and the PUC representative with participation from the Executive Director and the Executive Assistant and Outreach Coordinator.

1.4.2. Publicity Committee

Statement of Purpose: The Publicity Committee is charged with developing a variety of educational and promotional materials to raise the awareness to excavators, facility operators and the general public of the requirements of the Oregon damage prevention excavation laws. The Committee uses traditional television, radio and print media as well as social media and digital/online audio and video content delivery. The Committee also oversees public event sponsorships where Oregon 811 gets widespread visibility. Metrics and measurements are used by the committee to determine strategy on an ongoing basis.

1.4.3. Oregon Administrative Rules (OARs)

Deleted: and Tariff Committee

Statement of Purpose: To review and revise, as necessary, the Oregon Administrative Rules (Chapter 952, Division 1) and related Oregon Revised Statutes on behalf of Oregon Utility Notification Center stakeholders.

1.4.4 Policy and Procedures Committee

Statement of Purpose: The Policy and Procedures Committee is designed to review, maintain and update the Policy and Procedures Manual and Bylaws for the Oregon Utility Notification Center. Recommends new policy proposals for approval by the full board.

1.5. Oregon Utility Notification Center/Oregon Utilities Coordinating Council Standards Manual

The Oregon Utility Notification Center Board of Directors shall, in coordination with Oregon Utilities Coordinating Council, maintain, publish (digital and printed formats), and distribute the Standards Manual.

2. PERSONNEL POLICIES

2.1 Zero Discrimination Policy:

It is the policy of Oregon Utility Notification Center that it will operate and conduct business without discrimination or segregation because of age, sex, race, color, religion, national origin, handicap, genetic information, disability, and pregnancy, except where there is a bona fide occupational qualification for the job tasks to be performed.

The Oregon Utility Notification Center Board has adopted the Oregon Department of Administrative Services Discrimination and Harassment Free Workplace Policy (50.010.01).

REFERENCE: <https://www.oregon.gov/das/Policies/50-010-01.pdf>

2.2 Employees and HR Policy:

Deleted: The Tariff portion of the Committee develops and maintains the current fee structure for subscribing operators. Tariffs are coordinated with assistance from the Budget Committee and the full Oregon Utility Notification Center Board. Current tariffs are on file at the Oregon Utility Notification Center Call Center and posted on the agency's website.

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Commented [EJ3]: Should this move to the Records Management Policy (chapter 5)?

The Oregon Utility Notification Center is exempt from Oregon Revised Statutes chapter 240 (per ORS 757.552). The Oregon Utility Notification Center follows the policies established by the Human Resource Policy section of the Oregon Department of Administrative Services. Unless otherwise specified in this manual or other board-approved documents guiding employee expectations, performance and conduct, the Oregon Utility Notification Center and its employees will follow the guidance of statewide human resource policy.

REFERENCE: <https://www.oregon.gov/das/Pages/policieshr.aspx>

2.3 Executive Director:

The Board of Directors oversees the performance and conduct of the Executive Director and conducts performance reviews. The Board has the power to make decisions regarding recruitment, hiring, salary, benefits, scope of authority, spending limits, disciplinary action, termination, and any other human resource matters.

2.4 Consultants and Contractors:

Contractors may enter into an agreement for a specific scope of work and/or time period and are not employees of the Oregon Utility Notification Center.

2.5 Travel and Other Expense Reimbursements:

Oregon Utility Notification Center Board members may be reimbursed for travel and certain expenses provided the trip and related costs are approved by the Oregon Utility Notification Center Board.

- 2.5.1** Itemized receipts should be kept and provided along with details of the business purpose for the expense. This applies to reimbursements and credit card usage. Expenses should be restricted to business purposes only, using good judgement on what costs are reasonable and appropriate.

2.5.2 Oregon Utility Notification Center Board members may be reimbursed on a case-by-case basis, subject to review and approval. All requests for mileage and expense reimbursements will be documented using Oregon Utility Notification Center reimbursement forms.

2.6 Conflict of Interest:

No Oregon Utility Notification Center Board member will participate in activities or other employment that may cause a conflict of interest with the activities of Oregon Utility Notification Center. Activities or employment that create possible conflicts will be disclosed to the Board of Directors in writing for review.

When applicable, members should declare an actual or potential conflict of interest before voting on items coming before the Oregon Utility Notification Center Board or its committees. Oregon Government Ethics law defines actual conflict of interest [ORS 244.020(1)] and potential conflict of interest [ORS 244.020(13)]. In brief, a public official is met with a conflict of interest when participating in official action which could result in a financial benefit or detriment to the public official, a relative of the public official or a business with which either are associated.

2.7 Unlawful Harassment, Including Sexual Harassment:

It is the policy of the Oregon Utility Notification Center that it will not tolerate verbal or physical conduct by any employee, Contractor or Board member which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment. The Oregon Utility Notification Center Board participates in annual training addressing these issues and has adopted the Oregon Department of Administrative Services Discrimination and Harassment Free Workplace Policy (50.010.01).

2.8 Board of Directors Files:

All Oregon Utility Notification Center Board members have a right of access to the files to review agreements made with the Oregon Utility Notification Center Board. It is the responsibility of the Board member to provide information to the Board Secretary to keep contact folders current (e.g., address, telephone numbers).

2.9 Confidentiality Policy:

It is the policy of the Oregon Utility Notification Center that Board members of the organization may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with the organization to any person, including relatives, friends, and business and professional associates, other than to persons who have a legitimate need for such information and to whom the organization has authorized disclosure.

2.9.1 Board members shall use confidential information solely for the purpose of performing services while representing the Oregon Utility Notification Center or Contractor for the organization. This policy is not intended to prevent disclosure where disclosure is required by law. Board members must always exercise good judgment and care to avoid unauthorized or improper disclosures of confidential information.

2.9.2 At the end of a board member's term in office, he or she shall return, at the request of the organization, all documents, papers, and other materials, regardless of medium, which may contain or be derived from confidential information, in his or her possession.

3. ACCOUNTING, AUDIT AND FINANCIAL MANAGEMENT POLICIES

3.1 Accounting Policies:

It shall be the policy of Oregon Utility Notification Center to create and maintain accounting, billing, and cash control policies, procedures and records which are consistent with Generally Accepted Accounting

Principles (GAAP) and which meet the requirements of state and federal statutes and regulations. Oregon Utility Notification Center accounting, audit, and financial management policies are designed to:

- 3.1.1 Protect and secure the assets of Oregon Utility Notification Center.
- 3.1.2 Ensure the maintenance of accurate records of the Oregon Utility Notification Center's financial activities.
- 3.1.3 Ensure compliance with governmental and private funder reporting requirements.
- 3.1.4 In accordance with ORS 293.226 and ORS 293.229, the Oregon Utility Notification Center shall provide a report of delinquent accounts to the Legislative Fiscal Office no later than October 1st.

3.2 Reserve Policy:

It shall be the policy of the Oregon Utility Notification Center to keep a reserve in the budget equal to three months of essential operating costs. Reserve funds support ongoing operational costs, under the direction and approval of the Oregon Utility Notification Center board. Priority funding shall ensure continued service provided by a one call contractor alongside other legal or contractually mandated responsibilities and staff.

3.3 Revenue:

- 3.3.1 Bank Accounts are established as required by funding requirements.
- 3.3.2 Individuals generally authorized to sign checks include the Chair, Treasurer, Executive Director, and with approval, the Oregon Utility Notification Center's accounting firm.
- 3.3.3 All persons approved to sign checks will be formally approved by the Oregon Utility Notification Center Board of Directors.

- 3.3.4 The Executive Committee authorizes all bank accounts, determines who can hold credit/procurement cards, and approves all check signers. The approval of cardholders and signers shall be reflected in the Board of Directors meeting minutes.
- 3.3.5 Banks are promptly notified of all changes of authorized check signers. All checks are to be accounted for by the Treasurer or authorized bookkeeping company (used, voided, or not used).
- 3.3.6 Voided checks are to be properly defaced and maintained.
- 3.3.7 Bank reconciliations to the general ledger are done monthly by the bookkeeping company.

3.4 Expenses:

- 3.4.1 Expenses are charged directly to programs.
- 3.4.2 Checks for payment are signed only when supported by approved invoices (checks will not be processed and signed in advance of proper invoicing approval procedures). An account code will be assigned before an invoice is processed.

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3.5 Delinquent Debts, Charges and Account Management:

- 3.5.1 Records from the one call contractor must indicate that all efforts to obtain payment have been exhausted before the decision is made by the Oregon Utility Notification Center Board of Directors to write off any debt.

3.5.2 The request for approval of a write-off must include a short narrative of actions taken to collect and the rationale for the debt being considered uncollectable. Pursuant to 3.5.4. of this manual, any write-off equal to or less than \$5 may be resolved by the one call contractor. Any write-off equal to or less than \$500 must be reviewed by the Executive Director and authorized by the Executive Committee. Any write-off greater than \$500 must be Board authorized.

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- 3.5.2** Oregon Utility Notification Center and its one call contractor will use available, legal, and cost-effective means that are appropriate to the circumstances of the collection effort. A means of collection may be considered cost-effective when it is reasonable to expect the costs of collection to be less than the debt. If the anticipated recovery would be only marginally in excess of the cost of collection, it may be reasonable to exert little or no effort to collect the debt (reference OAM 35.70.10).
- 3.5.3** For delinquent accounts with small dollar amounts ranging from \$0.01 to \$5, if the amount cannot be combined with any other invoices that the company or organization has not paid, the one call contractor may make an informed decision to write it off per section 3.5.3. This information shall be presented to the Board as a part of the contractor's regular monthly reporting, and the Oregon Utility Notification Center Executive Director shall keep records and track these accounts on an ongoing basis.
- 3.5.4** Write-offs are intended for unique circumstances and are not to be used as an ongoing waiver. As such, the Oregon Utility Notification Center reserves the right to exempt specific accounts from write-offs if they repeatedly appear in the reports referenced in 3.5.4.
- 3.5.5** Oregon Utility Notification Center permits the one call contractor to assess interest charges and collection fees for delinquent accounts. Language shall be included on invoices to indicate that a failure to make payment in full by the due date may result in additional costs from interest and fees as authorized by law.
- 3.5.6** Reasonable efforts by the one call contractor to collect delinquent accounts receivable can include emails, calls and must include at least one collection letter to the debtor using the guidance and templates in OAM 35.30.50. These efforts can reference collection fees (refer to OAM 35.40.20), interest charges of 9% per annum (refer to OAM 35.30.20 and ORS

Deleted: Any write-off greater than \$5 must be Board authorized. ¶

82.010) and assignment to the Oregon Department of Revenue for collection as required by ORS 293.231.

- 3.5.7** After collection attempts have been deemed unsuccessful, escalation means the debt may be assigned to the Oregon Department of Revenue for collection and may be reassigned to a private collection company. The Oregon Utility Notification Center Board will approve or deny accounts that the one call contractor plans to send to collections. If approved, the OUNC Executive Director shall submit the account information to the Oregon Department of Revenue. This does not apply if the delinquent account is another state agency or governmental entity.
- 3.5.8** If the debt is incurred by another state agency or other governmental entity, such agencies are required to pay any undisputed accounts within 30 days of receiving the interagency invoice. After a 45-day grace period (ORS 293.462), escalation can include contacting the respective agency's CFO or Director, and as a last option, requesting intervention by the Oregon Department of Administrative Services Chief Financial Office.
- 3.5.9** In the interest of damage prevention and public safety, every effort should be made to determine who is responsible for an account if the contact on file becomes unreachable. The one call contractor should use whatever contact information they have for the account and make reasonable attempts to reach a responsible party for the respective facility. If unsuccessful, the one call contractor should try searching the names associated with the account on Google or other online searches for any publicly available contact information.
- 3.5.10** If still unsuccessful, the contractor will forward the account information to the Oregon Utility Notification Center Executive Director with an explanation of the attempts to reach the account contact(s). The Executive Director will work with the one call contractor to determine if the account can ultimately be updated with new contact information,

reassigned to a responsible party or closed. Removal of any inactive accounts will be reported to the board in the one call contractor's regular monthly reports.

3.6 Investing Policy:

The Oregon Utility Notification Center Board of Directors will approve the placement of assets not needed for immediate operations assuring compliance with all contractual requirements, using the principles identified in Sections, 3.8, 3.9 and 3.10 and that all principles in those sections have been met.

3.7 Budget Principles/Procedures:

Structure of the budgetary process shall evolve from the mission and by-laws of Oregon Utility Notification Center with consideration given to the requirements of any of the organization's funding partners.

- 3.7.1** The budgetary process shall comply with the organization's funding partners and in accordance with applicable state and federal laws.
- 3.7.2** The budgetary process shall comply with the guidelines and principles set forth by the Board of Directors.
- 3.7.3** Annually, each program area requiring a budget shall be identified and a plan developed with concurrence from the Treasurer and Executive Director.
- 3.7.4** The Oregon Utility Notification Center's budget process includes the Treasurer and the Executive Director preparing a proposed operating budget to the Board of Directors in advance of the beginning of the new calendar year.

3.7.5 Oregon Utility Notification Center's Board of Directors will review a preliminary budget and adopt annually.

3.7.6 Adjustments in Budget/Spending Plans

Any adjustments or changes in spending policies/budget plans which vary by more than 10% from the original approved budget will be noted by the Treasurer and submitted for approval to the Board of Directors.

3.7.7 Expenditure Caps:

Unless authorized by the Board of Directors, an expenditure cap of \$5000 is in place for the Board Chair in the event that the Executive Director is unavailable.

3.8 Banking Policy:

Oregon Utility Notification Center shall keep all funds available not already invested in a financial institution of high credit quality.

3.9 Financial Review/Audit Procedure:

3.9.1 Oregon Utility Notification Center will contract for an independent review to be performed by a Certified Public Accountant (CPA) at the conclusion of every three (3) years but should not exceed five (5) years.

3.9.2 The auditor(s) will test accounting mechanisms in accordance with generally accepted auditing standards for not-for-profit organizations and as contractually required by funding sources.

4. PROCUREMENT POLICIES

4.1. Contracts for Service:

The call center contract and any other contract services over \$150,000 will be competitively bid through the Request for Proposal (RFP) process.

Contracts for services in excess of \$10,000 will be competitively bid. The

Commented [EJ4]: Need a standard for how often a full Financial Statement audit is performed versus just a financial audit.

Commented [EJ5R4]: 4/20/22 Meeting Notes - wait on making this revision until after financial bid is completed.

Commented [LM(6)]: What is the states policy?

Commented [JT7R6]: Procurement by Micro-Purchase is the purchase of supplies or services when the total dollar amount does not exceed the micro-purchase threshold (currently set at \$10,000). An Intermediate Procurement is a competitive solicitation for products or services with a contract value exceeding \$10,000 but not more than \$150,000. For this type of procurement, an agency must seek at least three informally solicited competitive price quotes or competitive proposals.

Commented [EJ8R6]: 4/20/22 Meeting note - hold for next meeting

Commented [EJ9]: Will review once the state procurement policy is reviewed.

Commented [EJ10R9]: <https://www.oregon.gov/das/Procurement/Pages/Index.aspx>

competitive requirement is satisfied by soliciting proposals from at least three bidders with and deviations documented on a case-by-case basis. A cost, value, and quality analysis shall be documented before awarding general contracts. Oregon Utility Notification Center will enter a contract with the winning bidder that specifies the services to be completed. The Oregon Utility Notification Center Board of Directors must approve any contract in excess of \$5,000 before it is executed for the service.

Per ORS 279A.025(3)(j) the Oregon Utility Notification Center is among the agencies exempted from following the Public Contracting Code. Besides the call center contract, awards may be made to the vendor whose bid or offer is responsive to the solicitation and is most advantageous to the Oregon Utility Notification Center and its stakeholders, considering cost, value, and quality. Oregon Utility Notification Center reserves the right to reject all bids or offers.

A file shall be kept with a copy of the request for proposal or any ~~their~~ respective bid proposal. In all instances in which the lowest bid is not awarded, the contract and justification documentation, such as the selection criteria, shall be placed in the file.

Deleted: competitively bid service, a list of individuals/organizations solicited for bids, and a bid sheet that lists the bids received by individual/organizations and

4.2. Compliance:

In all instances, Oregon Utility Notification Center Staff and Board of Directors will comply with all applicable federal, state and local laws relating to contracts and procurement. Oregon Utility Notification Center will rely upon the Oregon Department of Justice for review and advice.

5. RECORDS MANAGEMENT POLICY

5.1. Records Management Policy:

To ensure that all programs operated by Oregon Utility Notification Center are properly managed and reported on, Oregon Utility Notification Center

will establish and monitor a comprehensive record management policy adhering to Oregon Administrative Rule Division 350 (166-350-0005 through 166-350-0010).

5.2. Oregon Utility Notification Center Mail:

Oregon Utility Notification Center will use the physical address of the one call contractor for mail. If an item is urgent or not able to be forwarded, Staff or designated Oregon Utility Notification Center Board member should immediately be notified by the one call contractor staff so they can arrange a pickup or alternate means of delivery. Urgent tax, banking or legal matters should be scanned and sent via electronic mail email when practicable, followed with a phone call to verify receipt. This policy will be posted at the front desk of the one call contractor.

5.3. Board Resolutions:

In accordance with bylaws article 2 section 3, the Secretary's other duties shall include updating Oregon Utility Notification Center Board resolutions to be held electronically and password-protected on the secure Oregon Utility Notification Center Board of Directors website and/or a secure cloud-based network location. The Secretary may opt to assign this task to staff.

Commented [EJ11]: This work is principally done by staff. If the bylaws are going to be updated to reflect the actual process this will need to be updated.

5.4. Public Records Request:

All public records requests will be granted in accordance with Oregon state law (specifically ORS Chapter 192). Public records may be requested through a written or emailed submission to the Oregon Utility Notification Center Board of Directors. If applicable, fees associated with the retrieval of public records will be in accordance with Department of Administrative Services Policy 107-001-030.

Commented [EJ12R11]: 4/20/22 - revise after bylaws are updated. Replace Secretary with Staff.

Either form of Public Records Requests shall include:

the Requestor's Contact Information

name,
email address,
phone number,
mailing address

specific request information

dates,
specific subject matter,
persons associated with the matter,
and key words,

Mail written Public Records Requests to:

Oregon Utilities Notification Center PRR
305 N.E. 102nd Avenue, Suite 300
Portland, OR 97220

Email Public Records Requests to info@digsafelyoregon.com.

Requests will be forwarded to the Executive Director or Board Chair for response.

- 5.4.1.** While unlikely, employees may be required to turn their computer equipment and/or mobile device(s) over in the case of a specific public records request or certain legal matters. The employee agrees to make their equipment available if such a request arises.