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### The Policy of the State of Oregon

ORS 279.840:  
Encourage and assist individuals with disabilities to achieve maximum personal independence through productive, gainful employment; by assuring an expanded, constant market for Oregon Forward Contractor products and services.



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### DAS Duties

ORS 279.845

- Qualify Nonprofit Applicants
- Write and Clarify Rules
- Determine product and service suitability and pricing
- Public list of OFP Products/Services
- Assist and Facilitate Contractual Relationships
- ID Contracting Opportunities
- Price Agreements when possible



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### Product / Service Suitability

OAR 125-055-0020

Suitability Determination Process

- Oregon Forward Program Status
- Ownership
- No "Tied Products"
- Prices charged are not excessive
- Meets the purpose of Program
- Legal compensation for workers
- Subcontractors must be approved
- Quality Standards and Delivery



**Product Suitability**

- Statewide one provider
- DAS Price Agreements

**Service Suitability**

- By county or area of the state
- May request additional areas if advisable economically

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### Procurement List

The Definitive Source of Suitable Oregon Forward Contractor Products and Services

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### DAS Oregon Forward Program Price Agreements

Contractor	Product/Service	Price Agreement	Ordering Instrument
Witco	Engraved Products	PO-10700-0007294	Purchase Order/Order Form
Rockwest Training Co.	1st Aid Supplies and AEDs	3438	Purchase Order
Galt Foundation	IT Support Services	8350	Work Order Contract
Garten Services	Mailing Services	7562	Purchase Order
DePaul (DPI Security)	Security Guards, etc.	8349	Work Order Contract
BlueSun	Temporary Staffing	8357	Work Order Contract
DePaul (DPI Staffing)	Temporary Staffing	505	Work Order Contract
Galt Foundation	Temporary Staffing	8275	Work Order Contract
Rockwest Training Co.	Screen printed and embroidered products	9396	Purchase Order

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### Oregon Forward Price Determination

**Price Request Exhibits**

- ▶ Costing Workbooks
- ▶ Statement of Work or Statement of Services
- ▶ Price Determination Approval Form
- ▶ Proposal Cover Letter
- ▶ Other information as seems necessary
- ▶ Evaluation by DAS is expedited by complete information

**Appeal of Results**

- ▶ Provide information that proves price is too high, inadequate
- ▶ DAS will take this information to further review the price.
- ▶ If price is legit and still too high, SOW adjustment is possible.

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### Evaluate the Proposed Price(s)

- ▶ **Review** to assure Price matches the SOW/Agency requirements
  - ▶ Equipment and material included match requirements
  - ▶ Direct Labor
  - ▶ Days of Service
  - ▶ Transportation costs
  - ▶ Price Determination Approval Form
  - ▶ Overhead and Margin
  - ▶ [Price Determination Request Form](#)
  - ▶ Proposal Letter



**Costing Workbooks**  
Cost workbook for each priced service component

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### Public Agency Participation

ORS 279.835 (4)

- Public Agency Defined:
  - The State of Oregon, any political subdivision authorized to enter into a contract
  - State, City, County, Regional Government
  - Excludes Federal Government
  - Excludes agencies specifically exempted by statute



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### Public Agency Responsibilities

- ▶ Buy Decision
- ▶ [Check Procurement List](#)
- ▶ Choose OFC by following the process in [OAR 125-055-0040\(5\)](#)
- ▶ Assure price determination by DAS
- ▶ Oregon Forward Price Agreements
- ▶ Effective and detailed statement of work
- ▶ Administer contracts effectively (communication)
- ▶ Maintain Incumbent OFC when satisfied (book end contracts)

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**Procurement Agreements**  
 ORS 279.850(1)(a)

(1) Public Agencies must procure products and services from OFCs  
 (2) Close cooperation between OFCs, DAS, and public agencies.

**Procurement Ethics**  
 OAR 125-055-0010(1)(a)

Agencies must not develop specifications that inhibit or tend to discourage public contracting with an Oregon Forward Contractor



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**Choosing an Oregon Forward Contractor**  
 OAR 125-055-0040(5) ORS 279A.025(4) ORS 279C.335(1)(a)

- ▶ Check Oregon Forward Procurement List -potential vendors
- ▶ Contact OFCs identified–Determine selection criteria
- ▶ Send SOW
- ▶ Request any certifications required, references, similar contracts, etc.
- ▶ Give OFCs a reasonable deadline for response
- ▶ Evaluate Respondents
- ▶ Choose Vendor
- ▶ Request Proposed Price



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**Oregon Forward Contractors**

- Nonprofit Community Vocational Program for Individuals with Disabilities
  - Qualified by DAS
- Employs Individuals with Disabilities > 60% direct labor
- Complies with Health and Safety Regulations



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**Oregon Forward Contractor duties**

- ▶ Provide Products and Services as authorized
- ▶ 60% or more Direct Labor by Individuals with Disabilities
- ▶ Respond to requests from Public Agencies
- ▶ Provide price proposals to Public Agencies using DAS tools
  - ▶ Costing Workbooks
  - ▶ Price Approval Form
- ▶ Administer contract performance
- ▶ Communicate
- ▶ Employee Records
- ▶ Annual Report
- ▶ CPA audit every two years
- ▶ Maintain safe and supportive work environment



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**Oregon Forward Contracts**

**OFC Contract Characteristics**

- ▶ Each Contract is negotiated with the vendor (no competitive solicitation for price)
  - ▶ ORS 279A.025(4)
  - ▶ ORS 279C.335(1)(a)
- ▶ Simplified and reduced purchasing process.
- ▶ OFCs show their costs
- ▶ Price may not be the lowest available
- ▶ Flexibility to renegotiate SOW
- ▶ Ability to extend contractual relationships
- ▶ Social benefits

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**Recent statutory changes**

- Direct Labor better than 60% across OFC
- No more subminimum wages
- Successor Contractor Requirements
  - Must offer work at same or better pay and benefits
  - Workers working more that 28 hours or more on contract
  - Successor contract must contain provision



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**Oregon Forward Successor Contractors**

**Public Agency Role**

- ▶ Include a provision in contract for compliance with requirements
- ▶ Collect wage and health benefit information for both outgoing and successor contractor
- ▶ Procurement List and OFC selection process (OAR 125-055-0040 (5))
- ▶ Make preliminary determination
- ▶ Submit outcomes to DAS  
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**Outgoing OFC Role**

- ▶ Provide worker information to Public Agency and DAS
- ▶ Perform contract duties until termination date
- ▶ Cooperate with Successor Contractor for job offers

**Successor Contractor Role**

- ▶ Provide proposed wage and benefits to Public Agency and DAS
- ▶ Offer employment to any qualified, interested workers
- ▶ Provide Report to DAS about workers making the transition to DAS after 90 days

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**Oregon Forward Successor Contracts**

**DAS' Role**

- ▶ Provide oversight and assistance to all parties to the transition
- ▶ Collect Terminated Contractor employee data
- ▶ Collect Successor Contractor proposed wages and health benefits
- ▶ Collect outcomes of Public Agency Review
- ▶ Provide Report to Public Agency, Successor Contractor and qualified workers

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**Program History 2022 Statistics**

- ▶ Program History
  - ▶ Est. in 1977
  - ▶ Program Evolution
- ▶ Current Status
- ▶ 2022 Program Stats
  - ▶ 1,960 Employees with Disabilities
  - ▶ 2.5 Million direct labor hours
  - ▶ 30 Oregon Forward Contractors
  - ▶ \$80.6 Million Spend by Public Agencies

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2022 Oregon Forward Program  
Comparison of State & Local Government  
Contracts

Category	Percentage
Local Government	66%
State	34%

Total Program Contracts: \$80,600,022.71

**Local Government 66%**

- 102 Local govt customers 314 kts
- Port of Portland largest P.A. customer

**State Government 34%**

- 62 State Agency 349 kts
- DHS Largest State Agency

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**Thank you!**

Alaina-DPI Security  
 Andrew-Rockwest Training  
 Jamie-Relay Resources  
 Cori-IS Living  
 James-Garten Services  
 Joni-Rockwest Training

Oregon Forward Program Website:  
<https://www.oregon.gov/das/Procurement/Pages/OregonForward.aspx>

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 Oregon Forward Contract Administrator 503-507-1246  
[rena.sawyer@oregon.gov](mailto:rena.sawyer@oregon.gov)

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