

RESOLUTION NO. 186

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO PUBLIC WORKS CONTRACTING AND PURCHASING; ESTABLISHING A SMALL WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS AND FOR THE PURCHASE OF SUPPLIES, MATERIALS AND EQUIPMENT, REPEALING RESOLUTION NO. 56

WHEREAS, the Washington State Legislature has recently amended the laws regarding purchasing of materials, supplies and equipment and contracting for public works by municipalities, allowing certain purchases and contracts to be awarded by a small works roster process; and

WHEREAS, in order to be able to implement the small works roster process, the City Council is required by law to adopt a resolution establishing the specific procedures; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Small Works Roster Procedures Established. The following small works roster procedures are established for use by the City, pursuant to Chapter 35.22, 35A.40 and Chapter 39.04 RCW.

A. Purchase of Materials, Supplies or Equipment.

1. Purchase of materials, supplies and/or equipment shall be pursuant to RCW 35.22.620 and RCW 35A.40.210(1).

B. Public Works Contracts.

1. **Cost.** The City need not comply with formal sealed bidding procedures to award public works contracts where the estimated cost is under One Hundred Thousand Dollars (\$100,000.00), which includes the costs of labor, material and equipment, and the City may use the small works roster procedures set forth herein.
2. **Number of Roster.** The City may create a single general small works roster, or may create a small works roster for different categories of anticipated work.
3. **Contractors on Small Works Roster(s).** The small works roster(s) shall consist of contractors who:
 - a. have requested to be on the roster(s); and
 - b. are properly licensed or registered in the state to perform the work.
4. **Publication.** In the months of December and June of every year, the City shall publish a notice in the City's official newspaper, stating the existence of the small works roster(s) and shall solicit names of contractors for the roster(s).

Contractors may submit a Small Works Roster Application only during the dates specified in the notices.

5. **Expiration.** The Small Works Roster shall be for a calendar year, commencing on January 1. Contractors added to the Small Works Roster as a result of a mid-year notice shall remain on the roster until December 31 of that year.
6. **Telephone or Written Quotations.** The City shall obtain telephone or written quotes for public works contracts under this section as follows:
 - a. the City shall write a description of the scope and nature of the work to be done, together with any other specifications material to the bid;
 - b. a City representative shall contact at least five appropriate contractors from the small works roster(s), and reading from the written description, obtain telephone or written bids from the contractors. At the time each of the bids are solicited, the City representative shall not inform the contractors of the terms or amount of any other contractors bid for the same project;
 - c. Once a contractor has been afforded an opportunity to submit a proposal, that contractor shall not be offered another opportunity until all other appropriate contractors on the roster have been given an opportunity to submit a bid;
 - d. a written record shall be made by the City representative of each contractors bid on the project, and of any conditions imposed on the bid;
 - e. all of the telephone bids or quotes shall be collected and presented at the same time to the City Council for consideration, determination of the lowest responsible bidder and award of the contract.
 - f. The most responsible bidder must obtain a City business license as a condition of contract award.
7. **Determining Lowest Responsible Bidder.** The City Council shall award the contract for the public works project to the lowest responsible bidder provided that whenever there is a reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the City Council may call for new bids or enter into direct negotiations to achieve the best possible price. In addition to price, the City Council shall take into account all of the following factors:
 - a) any preferences provided by law to Washington products and vendors;
 - b) the quality of the materials, supplies and equipment to be purchased;
 - c) the conformity of the materials, supplies and equipment to the City specifications;
 - d) the purposes for which the materials, supplies and equipment are required;
 - e) the times for delivery of the materials, supplies and equipment;
 - f) the character, integrity, reputation, judgment, experience and efficiency of the bidder; and

- g) such other information as may have a bearing on the decision to purchase the supplies, materials or equipment.
- h) the ability, capacity and skill of the bidder to perform the contract;
- i) whether the bidder can perform the contract within the time specified by the City;
- j) the quality of the bidders performances of previous contracts or services;
- k) the previous and existing compliance by the bidder with laws relating to the contract or services.

8. **Life Cycle Costing.** In considering bids for purchase or lease, whenever there is reason to believe that applying the life cycle costing method to bid evaluation would result in the lowest total cost to the City, first consideration shall be given to the bid with the lowest life cycle cost which complies with the specifications. Life cycle cost means the total cost of an item to the City over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined, minus the salvage value at the end of its estimated useful life. The estimated useful life of an item means the estimated time from the date of acquisition to the date of replacement or disposal, determined in any reasonable manner.

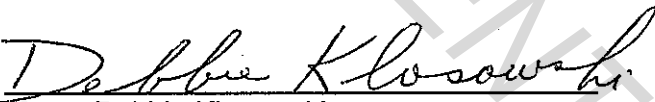
9. **Award.** Immediately after the contract award is made, the written record of each contractors bids or quotes shall be open to public inspection and available to the public by telephone inquiry. Any contract awarded under this subsection need not be advertised.

10. **Posting.** A List of all contracts awarded under the above procedures must be posted at City Hall on the front entry bulletin board, at least once every two months. The list shall contain the name of the contractor awarded the contract, the amount of the contract, a brief description of the items purchased under the contract and the date is was awarded. The list shall also state the location where the bid quotations are available for public inspection.

Section 2. Repealer. Resolution No. 56 is hereby repealed.

Section 3. Effective Date. This resolution shall take effect immediately upon signing.

ADOPTED BY THE CITY COUNCIL AUGUST 17, 1998.



Mayor Debbie Klosowski

ATTEST:



Susan Matthew, City Clerk