

RESOLUTION NO. 21-011

A RESOLUTION OF THE CITY OF CAMAS, WASHINGTON, repealing Resolutions 1159 and 596, establishing a small public works roster process to award public works contracts, a consulting services roster for architectural and engineering services, and a vendor roster for goods and services not related to public works contracts.

WHEREAS, RCW 39.04.155 and other laws regarding contracting for public works by municipalities, permit certain contracts to be awarded by a small works roster process; and

WHEREAS, Ch. 39.80 RCW and other laws regarding contracting for consulting services by municipalities permit certain contracts to be awarded by a consultant roster process; and

WHEREAS, RCW 39.04.190, regarding purchase of materials, supplies, or equipment not connected to a public works project, allows certain purchasing contracts to be awarded by a vendor roster process;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAMAS, WASHINGTON, AS FOLLOWS:

SECTION I

Resolution No. 1159 is hereby repealed.

SECTION II

Resolution No. 596 is hereby repealed.

SECTION III

MRSC Rosters. The City wishes to contract with the Municipal Research and Services Center of Washington (MRSC) to use the MRSC Rosters online database, developed and maintained by MRSC, as the City's official rosters for small public works contracts, consulting services, and vendor services and authorizes the Mayor to sign the Washington Public Agencies Contract with MRSC.

SECTION IV

Small Public Works Roster. The following small works roster procedures are established for use by the City pursuant to RCW 39.04.155:

1. **Limits.** The City need not comply with formal sealed bidding procedures for the construction, building, renovation, remodeling, alteration, repair, or improvement of real property where the estimated cost does not exceed the threshold in RCW

39.04.155, currently Three Hundred Fifty Thousand Dollars (\$350,000.00), as may be amended by State Law, which includes the costs of labor, material, equipment, sales, or use taxes as applicable. Instead, the City may use the Small Public Works Roster procedures for public works projects as set forth in Exhibit “A”, which may be administratively modified unless substantial changes are needed. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process.

2. **Publication.** At least once a year, MRSC shall, on behalf of the City, publish in a newspaper of general circulation within the municipality’s jurisdiction a notice of the existence of the small works roster and solicit the names of contractors for the small works roster. MRSC shall add responsible contractors to the small works roster at any time that a contractor completes the online application provided by MRSC, and meets minimum State requirements for roster listing.

SECTION V

Consulting Services Roster. The following consulting services roster procedures are established for use by the City pursuant to RCW 39.80.030:

1. **Consulting Services.** Consulting services are professional services that have a primarily intellectual output or product and include architectural and engineering services as defined in RCW 39.80.020. The City may use Consulting Roster procedures as set forth in Exhibit “B” which may be administratively modified unless substantial changes are needed.
2. **Publication.** At least once a year, MRSC shall, on behalf of the City, publish in a newspaper of general circulation within the municipality’s jurisdiction a notice of the existence of the consulting services roster and solicit the names of consultants for the consulting services roster. MRSC shall add responsible consultants to the consulting services roster at any time that a consultant completes the online application provided by MRSC, upload a Statement of Qualifications, and meets minimum State requirements for roster listing.

Section 6. Vendor List Roster. The following vendor list roster procedures are established for use by the City pursuant to RCW 39.04.190:

1. **Purchase of materials, supplies, or equipment not connected to a public works project.** The City is not required to use formal sealed bidding procedures to purchase materials, supplies, or equipment not connected to a public works project. City Council has directed the Finance Director to establish and administer the necessary policies and procedures for contracting, agreements, and purchasing to ensure compliance with state law, municipal code, and any applicable resolutions. The City will attempt to obtain the lowest practical price for such goods and services. The City may use Vendor List Roster

procedures as set forth in Exhibit "C" which may be administratively modified unless substantial changes are needed.

2. **Publication.** At least twice per year, MRSC shall, on behalf of the City, publish in a newspaper of general circulation within the municipality's jurisdiction a notice of the existence of the vendor list roster and solicit the names of vendors for the vendor list roster. MRSC shall add responsible vendors to the vendor list roster at any time when a vendor completes the online application provided by MRSC and meets minimum State requirements for roster listing.

ADOPTED at a regular Council meeting this 4th day of October, 2021.

SIGNED: _____
Mayor

ATTEST: _____
Clerk

APPROVED as to form:

City Attorney

EXHIBIT "A"

Small Works Roster Procedures using the Municipal Research and Services Center Small Public Works Rosters

1. **Telephone, Written, or Electronic Quotations.** The City shall obtain telephone, written, or electronic quotations for public works contracts from contractors on the appropriate small works roster to assure that a competitive price is established and to award contracts to a contractor who meets the mandatory bidder responsibility criteria in RCW 39.04.350(1). The City may establish supplementary bidder criteria under RCW 39.04.350 (2) to be considered in the process of awarding a contract.

- a) A contract awarded from a small works roster will not be advertised in a newspaper of general circulation. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation.

Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. "Equitably distribute" means that the City may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

- b) If the estimated cost of the work is from two hundred fifty thousand dollars (\$250,000) to three hundred fifty thousand dollars (\$350,000) under RCW 39.04.155 (1)(c), the City may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. The City has the sole option of determining whether this notice to the remaining contractors is made by:
 - (i) publishing notice in a legal newspaper in general circulation in the area where the work is to be done;
 - (ii) mailing a notice to these contractors; or
 - (iii) sending a notice to these contractors by facsimile or email.
- c) At the time bids are solicited, the City representative shall not inform a contractor of the terms or amount of any other contractor's bid for the same project;
- d) A written record shall be made by the City representative of each contractor's bid on the project and of any conditions imposed on the bid. Immediately after an

award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

2. **Limited Public Works Process.** If a work, construction, alteration, repair, or improvement where the estimated cost does not exceed the threshold in RCW 39.04.155, currently Fifty Thousand Dollars (\$50,000), as may be amended by State Law, the City may award such a contract using the limited public works process provided under RCW 39.04.155 (3). For a limited public works project, the City will solicit electronic or written quotations from a minimum of three contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder as defined under RCW 39.04.010. After an award is made, the quotations shall be open to public inspection and available by electronic request.

For limited public works projects, the City may waive the payment and performance bond requirements of chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, material men, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project. However, the City shall have the right of recovery against the contractor for any payments made on the contractor's behalf.

The City shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded.

3. **Determining Lowest Responsible Bidder.** The City 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 may call for new bids. A responsible bidder shall be a registered or licensed contractor who meets the mandatory bidder responsibility criteria established by RCW 39.04.350 and who meets any supplementary bidder responsibility criteria established by the City.
4. **Award.** All of the bids or quotations shall be collected by the City representative.
 - a) The City representative shall then present all bids or quotations and their recommendation for award of the contract to the City Council. The City Council shall consider all bids or quotations received, determine the lowest responsible bidder, and award the contract; or
 - b) Pursuant to Resolution 21-002, the City has established thresholds for the delegation of contracting and agreement authority to the Mayor or designee and has directed the Finance Director to establish and administer the necessary

policies and procedures for contracting, agreements, and purchasing to ensure compliance with state law, municipal code, and any applicable resolutions.

EXHIBIT "B"

Consulting Services Roster Procedures using the Municipal Research and Services Center Consultant Rosters

1. **Review and Selection of the Statement of Qualifications Proposals.** The City shall use the following process to select the most highly qualified Architectural or Engineering firm off of the Consulting Services Roster to provide the required services:
 - a) The department head or their designee shall establish criteria that must be considered in evaluating Architectural or Engineering firms for a given project. Such criteria shall include a plan to ensure that minority and women-owned firms and veteran-owned firms are afforded the maximum practicable opportunity to compete for and obtain public contracts for architectural or engineering services. The level of participation by minority and women-owned firms and veteran-owned firms shall be consistent with their general availability within the jurisdiction of the City of Camas.
 - b) The department head or their designee, shall evaluate the written statements of qualifications and performance data on file with the City of Camas at the time that architectural or engineering services are required;
 - c) Such evaluations shall be based on the criteria established by the department head or their designee; and
 - d) The department head or their designee, shall conduct discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services.
 - e) The firm deemed most highly qualified by the agency to do the project will be selected.

3. Award.
 - a. The City Council considers the proposal received and awards the contract; or
 - b. Pursuant to Resolution 21-002, the City has established thresholds for the delegation of contracting and agreement authority to the Mayor or designee and has directed the Finance Director to establish and administer the necessary policies and procedures for contracting, agreements, and purchasing to ensure compliance with state law, municipal code, and any applicable resolutions.

EXHIBIT “C”

Vendor List Roster Procedures using the Municipal Research and Services Center Vendor Rosters

1. **Telephone, Written, or Electronic Quotations.** The City shall use the following process to obtain telephone or written quotations from vendors for the purchase of materials, supplies, or equipment not connected to a public works project:
 - a) A written description shall be drafted of the specific materials, supplies, or equipment to be purchased, including the number, quantity, quality, and type desired, the proposed delivery date, and any other significant terms of purchase;
 - b) The department head or their designee ensure all public contracts and agreements are satisfactorily and efficiently executed at the least cost to the public, while avoiding fraud and favoritism in the awarding of such contracts;
 - c) The department head or their designee shall not share telephone or written quotations received from one vendor with other vendors soliciting for the bid to provide the materials, supplies, or equipment;
 - d) A written record shall be made by the City representative of each vendor’s bid on the material, supplies, or equipment, and of any conditions imposed on the bid by such vendor;
2. **Determining the Lowest Responsible Bidder.** The City shall purchase the materials, supplies, or equipment from the lowest responsible bidder, provided that whenever there is reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the City may call for new bids.
3. **Award.** All of the bids or quotations shall be collected by the City representative. The City representative, shall create a written record of all bids or quotations received, which shall be made open to public inspection or telephone inquiry after the award of the contract. Any contract awarded under this subsection need not be advertised.
 - a) The department head or their designee, shall then present all bids or quotations and their recommendation for award of the contract to the City Council. The City Council shall consider all bids or quotations received, determine the lowest responsible bidder, and award the contract; or
 - b) Pursuant to Resolution 21-002, the City has established thresholds for the delegation of contracting and agreement authority to the Mayor or designee and has directed the Finance Director to establish and administer the necessary policies and procedures for contracting, agreements, and purchasing to ensure compliance with state law, municipal code, and any applicable resolutions.

4. **Posting.** A list of all contracts awarded valued at more than \$7,500 awarded using the Vendor Roster procedure shall be posted on the City's webpage (www.cityofcamas.us) under the Public Works Department at least once every two months. The list shall contain the name of the vendor awarded the contract, the amount of the contract, a brief description of the items purchased, and the date it was awarded.