

RESOLUTION NO. 25-1120

A RESOLUTION OF THE CITY OF LYNDEN ELECTING TO UTILIZE THE SMALL WORKS ROSTER AND CONSULTANT SERVICES ROSTER DEVELOPED AND MAINTAINED BY THE MUNICIPAL RESEARCH SERVICES CENTER.

WHEREAS, the City of Lynden is a noncharter code city operating under the mayor-council plan of government as set forth in RCW Chapter 35A.12; and

WHEREAS, the City is subject to the public works contracting requirements of RCW Chapter 39.04; and

WHEREAS, during the 2023 legislative session the Washington State Legislature passed, and the Washington State Governor subsequently signed into law, Second Substitute House Bill No. 5268 (“SSSB 5268”), which (1) revised small works roster requirements for public works contracting, and (2) directed that a statewide small works roster be developed and maintained by the Municipal Research and Services Center (“MRSC”); and

WHEREAS RCW 39.04.151(1) authorizes cities to elect to utilize the statewide small works roster maintained by MRSC; and

WHEREAS chapter 39.80 RCW and other laws regarding contracting for consulting services by municipalities allow certain contracts to be awarded by a consultant roster process; and

WHEREAS, MRSC also maintains consultant rosters used for the procurement and award of consultant services; and

WHEREAS, the City wishes to utilize the small works roster and consultant services rosters maintained by MRSC; and

WHEREAS, the foregoing recitals are material findings and declarations of the City Council of Lynden.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lynden, Washington, as follows:

Section 1: The City of Lynden hereby elects to utilize the statewide small works roster established pursuant to RCW 39.04.151(2) and administered by MRSC.

Section 2: The City of Lynden hereby elects to utilize the MRSC consultant rosters to be used for the procurement and award of consultant services.

Section 3: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 4: If any section, subsection, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases has been declared invalid or unconstitutional, and if, for any reason, this resolution should be declared invalid or unconstitutional, then the original resolution or resolution shall be in full force and effect.

Section 5: This resolution shall be in full force and effect five (5) days after its passage, approval, and publication as provided by law.

AFFIRMATIVE VOTE _____ IN FAVOR, AND _____ AGAINST, AND SIGNED BY THE MAYOR THIS _____ DAY OF _____, 2025.

Scott Korthuis, Mayor

ATTEST:

Pamela Brown, City Clerk

APPROVED AS TO FORM:

Robert Carmichael, City Attorney