

RESOLUTION NO. 344

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARNATION, WASHINGTON, AMENDING RESOLUTION NO. 322 TO INCREASE THE MAXIMUM DOLLAR AMOUNT ALLOWED FOR USE OF THE SMALL WORKS ROSTER.

WHEREAS, the City Council of the City of Carnation has adopted Resolution 322 establishing a Purchasing Policy; and

WHEREAS, the City's Purchasing Policy governs the use of the Small Works Roster for public works projects; and

WHEREAS, the Washington State Legislature passed and the Governor signed into law HB 1196 which increases the maximum dollar amount allow for use of the Small Works Roster from \$200,000 to \$300,000; and

WHEREAS, the City Council wishes to amend the City's Purchasing Policy to remain consistent with State law; and

WHEREAS, the City Council has determined it is prudent and necessary to amend the Purchasing Policy adopted by Resolution No. 322; NOW, THEREFORE,

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARNATION AS FOLLOWS:

Section 1. Amendment to Resolution No. 322. Revising section V. Public Works as follows:

F. Small Works Roster Process. For public works projects costing less than \$300,000, the City may use the small works roster procedures for public works projects as set forth herein in lieu of formal sealed bidding.

1. Number of Rosters. The City may create a single general small works roster, or may create a small works roster for different categories of anticipated work. Small works rosters may distinguish between contractors based upon different geographic areas served by the contractor.

2. Contractors on Small Works Roster(s). The small works roster(s) shall consist of all responsible contractors who have requested to be on the roster(s) and are properly licensed or registered to perform such work in this state. Contractors desiring to be placed on a roster must keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with the City.

3. Publication. At least once a year, the City shall publish in a newspaper of general circulation within the City a notice of the existence of the roster or rosters and shall solicit the names of contractors for such roster or rosters. Responsible contractors shall be added to an appropriate roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts be signed that become effective when a specific award is made using a small works roster. An interlocal contract or agreement between the City and other local governments establishing a small works roster or rosters to be used by the parties to the agreement or contract must clearly identify the lead entity that is responsible for implementing the small works roster provisions.

4. Electronic, Telephone, or Written Quotations. The City shall obtain electronic, telephone, or written 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 the lowest responsible bidder, as defined in RCW 39.04.010, as follows:

a. A contract awarded from a small works roster need not be advertised. 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. This paragraph does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes;

b. 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 (5) contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that attempts to equitably distribute opportunities among the contractors on the appropriate roster;

c. If the estimated cost of the work is between \$100,000 to \$300,000, the City may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must also 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: (1) publishing notice in a legal newspaper of general circulation in the area where the work is to be performed;

(2) mailing a notice to these contractors; or, (3) sending a notice to these contractors by facsimile or other electronic means;

d. For purposes of these procedures, "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. 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;

e. 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 made available by telephone inquiry; and

f. At least once every year a list of contracts awarded under that process shall be furnished to the City Council and made available to the general public. The list shall contain the name of the contractor or vendor awarded each contract, the amount of the contract, a brief description of the type of work performed or items purchased under the contract, and the date it was awarded. The list shall also state the location where the bid quotations for these contracts are available for public inspection.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 1ST DAY OF SEPTEMBER, 2009.

CITY OF CARNATION

MAYOR, MIKE FLOWERS

ATTEST/AUTHENTICATED:

CITY CLERK, MARY OTNESS