

RESOLUTION NO. 523

A resolution of the Board of Commissioners of Silver Lake Water District, Snohomish County, Washington, repealing Resolution No. 444 and establishing new procedures relating to purchasing and public works contracting; establishing a vendor list process for the purchasing of supplies, materials, and equipment and a small works roster process to award public works contracts.

WHEREAS, RCW 57.08.050, 39.04.155, 39.04.190 and 39.04.200 authorize water and sewer districts to establish small works rosters and vendors lists, and to award contracts to entities on a small works roster or vendors list in lieu of the requirements for formal sealed bidding; and

WHEREAS, the District wishes to obtain a competitive price and to award contracts to the lowest responsible bidder; and

WHEREAS, the Board of Commissioners of Silver Lake Water District ("District") has determined that it is in the District's best interest to establish small works rosters and vendors list pursuant to state law; **NOW THEREFORE**,

IT IS HEREBY RESOLVED by the District as follows

1. **Repealer.** Resolution No. 444 is hereby repealed.
2. **Purchase of materials, supplies or equipment not connected to a public works project in an amount of \$10,000 or less.** The District is not required to use informal or formal sealed bidding procedures or the procedures set forth in this resolution to purchase materials, supplies, or equipment where the cost of same will not exceed ten thousand dollars (\$10,000). The District will attempt to obtain the lowest practical price for such goods and services.
3. **Criteria to Pre-qualify.** The following criteria shall be used to pre-qualify vendors or contractors placement on a vendors list or a small works roster:
 - a. The ability, capacity, and skill of the bidder or vendor to perform the contract or provide the service required;
 - b. Any preferences provided by law to Washington products and vendors;
 - c. The previous and existing compliance by the bidder with laws relating to the contract or services;
 - d. The quality of performance of previous contracts or services;

- e. The character, integrity, reputation, judgment, experience and efficiency of the bidder; and
- f. Such other information as may have a bearing on the decision to purchase the materials, supplies or equipment.

4. Purchase of materials, supplies or equipment not connected to a public works project in an amount between \$10,000 and \$50,000.

1. **PUBLICATION OF NOTICE.** At least twice a year the District shall publish, in the District's official newspaper, notice of the existence of the District's roster of vendors for materials, supplies, and equipment, and shall solicit names of vendors for the roster.
2. **TELEPHONE QUOTATIONS.** The District shall use the following process to obtain telephone quotations from vendors for the purchase of materials, supplies or equipment.
 1. A written description shall be drafted to 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;
 2. A District representative shall make a good faith effort to contact at least three (3) of the vendors on the roster to obtain telephone solicitation quotations from the vendors for the required materials, supplies, or equipment;
 3. All telephone quotations shall not be shared among the vendor's solicited for the bid on the materials, supplies, or equipment;
 4. A written record shall be made by the District representative of each vendor's bid on the material, supplies, or equipment, and of any conditions imposed on the bid by such vendor;
3. **DETERMINING THE LOWEST RESPONSIBLE BIDDER.** The District 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 District may call for new bids. The following factors, in addition to price, and to those provisions set forth in Section 3, may be taken into account by the District in determining the lowest responsible bidder:
 1. the quality of the materials, supplies and equipment to the District's specifications

2. the conformity of the materials, supplies and equipment to the District's specifications;
 3. the purposes for which the materials, supplies and equipment are required;
 4. the times for deliver of the materials, supplies and equipment; and
 5. Whether the bidder can perform the contract within the specified time.
4. **AWARD.** The District Manager or designee shall review quotations and recommendation by the staff and award the contract to the lowest responsible bidder. A written record of each vendor's quotations 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.
5. **POSTING.** A list of all contracts awarded under these procedures shall be posted at District Administration Office 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.

Section 4. Public Works Projects – Small works roster established.

1. A small works roster shall be maintained by the District that shall consist of all responsible contractors who have qualified to be on the roster and who are properly licensed to work in the state of Washington.
2. For the purpose of this section, the term public work shall include all work; construction, alteration, repair or improvement other than ordinary maintenance. Ordinary maintenance shall be defined as any work performed on a regularly scheduled basis (e.g., daily, weekly, monthly, seasonally, semiannually, but not less than once per year,) to service, check, or replace items that are not broken; or work that is not regularly scheduled but is required to maintain the asset to avoid repairs.
3. The District need not comply with formal sealed bidding procedures for contracting public works contracts where the estimated cost does not exceed two hundred thousand dollars (\$200,000.)
4. **PUBLICATION OF NOTICE.** At least once a year, the District shall publish, in the District's official newspaper, notice of the existence of the District's small works roster and solicit the names of contractor's for use on said roster through approved application forms of the District. Responsible contractors shall be added to the small works roster upon request and receipt of the small works roster application and necessary records.
5. **INFORMAL BID PROCESS.** The District shall use the following process to obtain telephone quotations/bids from contractor's listed on the small works roster:

The District shall prepare a written description of the scope and nature of the work to be done, together with any other specifications material to the bid

Invitations for Quotations/Bids

- a) **Projects \$100,000 and less.** Quotations shall be invited from at least five (5) contractors who have indicated the capability of performing the type of work being sought.
- b) **Projects between \$100,000 and \$200,000.** Quotations shall be invited from all contractors who have indicated the capability of performing the type of work being sought. If the District chooses to solicit bids from less than all the appropriate contractors on the small works roster, the District shall notify the remaining contractors either by publishing a notice in the District's official newspaper; mailing a notice to these contractors or sending a notice by facsimile or other electronic means that quotations on the work are being sought.

At the time the quotations are solicited, the District shall not inform a contractor of the terms or amount of any other contractors quote for the same project. Once a contractor has been afforded an opportunity to submit a proposal, the contractor shall not be offered another opportunity until all other appropriate contractors on the roster have been given an opportunity to submit a quote.

A written record shall be made of each contractor's quotation/bid on the project and of any conditions imposed on the quote/bid.

The Public Works Director or his designee shall award of the contract to the lowest responsible bidder.

- 6. **DETERMINING THE LOWEST RESPONSIBLE BIDDER.** The District 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 District may call for new bids. In addition to price, the District shall take into account all factors described in Section 3 of this resolution, together with the following:

- 1. the quality of the materials, supplies and equipment to the District's specifications
- 2. the conformity of the materials, supplies and equipment to the District's specifications;
- 3. the purposes for which the materials, supplies and equipment are required:
- 4. the times for deliver of the materials, supplies and equipment; and

5. Whether the bidder can perform the contract within the specified time.
7. **AWARD.** Immediately after the contract award is made, a written record of each contractor's bid or quotation shall be open to public inspection. Any contract awarded under this subsection need not be advertised.
8. **WAIVER OF PROCEDURES.** The Board of Commissioners may waive the competitive bidding requirements pursuant to RCW 39.04.280 if an exemption contained within that section applies to the purchase or public work.
9. **POSTING.** A list of all contracts awarded under the small works roster process shall be posted at District Administration Office 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 contract, and the date it was awarded. The list shall also state the location where the bid quotations are available for public inspection.

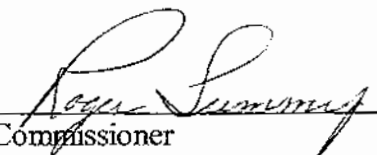
ADOPTED by the Board of Commissioners at a regular meeting of the Silver Lake Water District, Snohomish County, Washington this 14th day of December 2000.



President and Commissioner



Secretary and Commissioner



Commissioner

I CERTIFY the above to be a true and correct copy of Resolution No. 523 adopted by the Board of Commissioners of the Silver Lake Water District this 14th day of December, 2000 as said Resolution appears in the records of the Silver Lake Water District.



Secretary of the Silver Lake Water District