



Clallam County Fire District 3

323 N Fifth Ave., Sequim, Washington 98382

360-683-4242, Fax: 360-683-6834

www.ccf3.org

James D. Barnfather

G. Michael Gawley

Steven K. Chinn

Commissioners

Ben J. Andrews, Fire Chief

RESOLUTION 2017-4

SMALL PUBLIC WORKS, CONSULTANT, and VENDOR ROSTERS RESOLUTION

A RESOLUTION OF CLALLAM COUNTY FIRE DISTRICT #3 (Herein referred to as CCFD3), WASHINGTON, ON THE SUBJECTS OF ESTABLISHING A SMALL PUBLIC WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS; A CONSULTING SERVICES ROSTER FOR ARCHITECTIURAL, ENGINEERING, AND OTHER PROFESSIONAL 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, allow 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 allow 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, THE BOARD OF COMMISSIONERS OF CLALLAM COUNTY FIRE DISTRICT #3, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1: Resolution No. 2005-1 and 2000-3 are hereby repealed.

Section 2: **MRSC Rosters** – CCFD3 contracts with the Municipal Research and Services Center of Washington (MRSC) to have their official rosters hosted in the online database for CCFD3 use for small public works contracts, consulting services, and vendor services developed and maintained by MRSC through MRSC Rosters.

Section 3: **Small Public Works Roster** – The following small works roster procedures are established for use by CCFD3 pursuant to RCW 39.04.155:

1. **Cost** – CCFD3 need not comply with formal sealed bidding procedures for construction, building, renovation, remodeling, alteration, repair, or improvement of real property where estimated costs do not exceed Three Hundred Thousand Dollars (\$300,000.00), which includes the costs of labor, material, equipment, sales, or use taxes as applicable. Instead, CCFD3 may use the Small Public Works Roster procedures for public works projects as set forth in this resolution. Breaking 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 CCFD3, shall 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.

3. **Telephone, Written, or Electronic Quotations** – CCFD3 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). CCFD3 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. 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.
 - 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 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 CCFD3 may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

If the estimated cost of the work is from one hundred and fifty thousand dollars (\$150,000) to three hundred thousand dollars (\$300,000), CCFD3 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. CCFD3 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 CCFD3 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 CCFD3 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.

4. **Limited Public Works Process** – If a work, construction, alteration, repair, or improvement project is estimated to cost less than thirty-five thousand dollars (\$35,000), CCFD3 may award such a contract using the limited public works process provided under RCW 39.04.155 (3). For a limited public works project, CCFD3 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, CCFD3 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, CCFD3 shall have the right of recovery against the contractor for any payments made on the contractor's behalf.

CCFD3 shall maintain a list of the contractors contacted and the contracts awarded during the previous 24 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.

5. **Determining Lowest Responsible Bidder** – CCFD3 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 CCFD3 may call for new bids. A responsible bidder shall be a registered or licensed contractor who meets the mandatory bidder responsibility criteria established by Chapter 133, Laws of 2007 (SHB 2010) and who meets any supplementary bidder responsibility criteria established by CCFD3.
6. **Award** – All of the bids or quotations shall be collected by the CCFD3 Fire Chief, or their designee.
 - a) The Fire Chief, or their designee, shall then present all bids or quotations and their recommendation for award of the contract to the Board of Commissioners. The Board of Commissioners shall consider all bids or quotations received, determine the lowest responsible bidder, and award the contract; or
 - b) If the Board of Commissioners delegates authority to award bids to the Fire Chief for public works projects costing less than or equal to \$20,000.00, the Fire Chief shall have the authority to award public works contracts for budgeted projects without Commissioner approval, provided that the Board of Commissioners shall ratify the Fire Chief's approval at the next scheduled regular Board meeting by means of the consent agenda. For public works projects costing more than \$20,000.00, the Board of Commissioners shall award all public works contracts.

Section 4: Consulting Services Roster – The following consulting services roster procedures are established for use by CCFD3 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.
2. **Publication** – At least once a year, MRSC shall, on behalf of CCFD3, shall 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.
3. **Review and Selection of the Statement of Qualifications Proposals** – CCFD3 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 Board of Commissioners shall establish criteria that the Fire Chief, or their designee, must consider in evaluating Architectural or Engineering firms for a given project. Such criteria shall include a plan to insure 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 CCFD3.
 - b) The Fire Chief, or their designee, shall evaluate the written statements of qualifications and performance data on file with CCFD3 at the time that architectural or engineering services are required;
 - c) Such evaluations shall be based on the criteria established by CCFD3; and
 - d) The Fire Chief, 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.
4. **Award**
 - a) The Board of Commissioners considers the proposal received and awards the contract; or
 - b) If the Board of Commissioners delegates authority to award projects to the Fire Chief for consulting services costing less than or equal to \$5,000.00, the Fire Chief shall have the authority to award contracts for consulting services without Commissioner approval, provided that the Board of Commissioners shall ratify the Fire Chief’s approval at the next scheduled regular Board meeting by means of the consent agenda. For consulting services costing more than \$5,000.00, the Board of Commissioners shall award all contracts for consulting services.

Section 5: Vendor List Roster – The following vendor list roster procedures are established for use by CCFD3 pursuant to RCW 39.04.190:

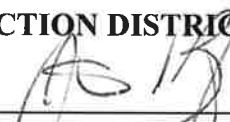
1. **Purchase of materials, supplies, or equipment not connected to a public works project** – CCFD3 is not required to use formal sealed bidding procedures to purchase materials, supplies, or equipment not connected to a public works project where the cost will not exceed \$50,000.00. CCFD3 will attempt to obtain the lowest practical price for such goods and services.
2. **Publication** – At least twice per year, MRSC shall, on behalf of CCFD3, shall 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.
3. **Telephone, Written, or Electronic Quotations** – CCFD3 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 Fire Chief, or their designee, shall make a good faith effort to contact at least three (3) of the vendors on the roster to obtain telephone or written quotations from the vendors for the required materials, supplies, or equipment;
 - c) The Fire Chief, 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 Fire Chief, or their designee, of each vendor’s bid on the material, supplies, or equipment, and of any conditions imposed on the bid by such vendor;
4. **Determining the Lowest Responsible Bidder** – CCFD3 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 CCFD3 may call for new bids.
5. **Award.** All of the bids or quotations shall be collected by the Fire Chief, or their designee. The Fire Chief, or their designee, 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 Fire Chief, or their designee, shall then present all bids or quotations and their recommendation for award of the contract to the Board of Commissioners. The Board of Commissioners shall consider all bids or quotations received, determine the lowest responsible bidder, and award the contract; or

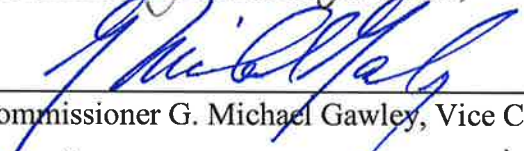
b) If the Board of Commissioners delegates the authority to award bids to the Fire Chief, or their designee for materials, supplies, or equipment costing less than or equal to \$20,000.00, the Fire Chief shall have the authority to award public works contracts without Commissioner approval, provided that the Board of Commissioners shall ratify the Fire Chief's approval at the next scheduled regular Board meeting by means of the consent agenda. For materials, supplies, or equipment costing more than \$20,000.00, the Board of Commissioners shall award all vendor contracts.

6. **Posting** – A list of all contracts awarded under these procedures shall be posted at CCFD3 main administrative offices 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.

ADOPTED: The foregoing resolution was duly and regularly adopted by the Clallam County Fire District #3 Board of Commissioners on the 5th day of December, 2017, at their regular Commission meeting.

CLALLAM COUNTY FIRE PROTECTION DISTRICT # 3

BY: 
Commissioner James D. Barnfather, Chairman

BY: 
Commissioner G. Michael Gawley, Vice Chairman

BY: 
Commissioner Steven Chinn

ATTEST:

BY: 
Ben Andrews, Fire Chief