

RESOLUTION NO. 18-04

A RESOLUTION OF THE BOARD OF TRUSTEES OF SPOKANE COUNTY LIBRARY DISTRICT, SPOKANE COUNTY, WASHINGTON, ON THE SUBJECTS OF ESTABLISHING A SMALL PUBLIC WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS, AND A CONSULTING SERVICES ROSTER FOR ARCHITECTURAL, ENGINEERING, AND OTHER PROFESSIONAL SERVICES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

SPOKANE COUNTY LIBRARY DISTRICT Spokane, Washington

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF SPOKANE COUNTY LIBRARY DISTRICT, SPOKANE COUNTY, WASHINGTON, as follows:

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED as follows:

Section 1: **MRSC Rosters.** Spokane County Library District (Library District) wishes to contract with the Municipal Research and Services Center of Washington (MRSC) to have its official rosters hosted in the online database for the Library District's use for small public works contracts and consulting services developed and maintained by MRSC through MRSC Rosters, and authorizes the Executive Director or designee to sign that contract.

Section 2: **Small Public Works Roster.** The following small works roster procedures are established for use by the Library District pursuant to RCW 39.04.155:

- 1. Cost.** The Library District 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 \$50,000.00, which includes the costs of labor, material, equipment, sales, or use taxes as applicable. Instead, the Library District may use the Small Public Works Roster procedures for public works projects as set forth in this resolution. 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 Library District, 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.** The Library District shall obtain telephone, written, or electronic quotations for public works contracts from contractors on the appropriate small works roster to ensure 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 Library District 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 the Library District may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.
- c) At the time bids are solicited, the Library District 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 Library District 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 \$35,000, the Library District 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 Library District 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 Library District 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 Library District shall have the right of recovery against the contractor for any payments made on the contractor's behalf.

The Library District 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.** 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 Library District 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 the Library District.

6. **Award.** All of the bids or quotations shall be collected by the Executive Director or designee.
 - a) The Executive Director or designee shall then present all bids or quotations and their recommendation for award of the contract to the Board of Trustees. The Board of Trustees shall consider all bids or quotations received, determine the lowest responsible bidder, and award the contract for public works projects costing more than \$50,000.
 - b) The Board of Trustees delegates the authority to award bids to the Executive Director of the Library District for public works projects costing less than or equal to \$50,000.

Section 3: Consulting Services Roster. The following consulting services roster procedures are established for use by the Library District 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 the Library District, 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.** The Library District shall use the following process to select the most highly qualified architectural or engineering firm from the Consulting Services Roster to provide the required services:
 - a) The Board of Trustees shall establish criteria that the Executive Director, or designee, must consider 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 Library District.
 - b) The Executive Director, or designee, shall evaluate the written statements of qualifications and performance data on file with the Library District at the time that architectural or engineering services are required.
 - c) Such evaluations shall be based on the criteria established by the Board of Trustees, and;
 - d) The Executive Director, or 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.**

4. Award.

- a) The Board of Trustees shall consider the proposals received and award the contract for consulting services for projects costing more than \$50,000.
- b) The Executive Director or designee shall consider the proposals received and award the contracts for consulting services for projects costing less than or equal to \$50,000.

Section 4: Effective Date.

This resolution shall be effective immediately upon its adoption and approval.

ADOPTED by the Board of Trustees of Spokane County Library District, Spokane County, Washington, at a regular meeting thereof, held this 18th day of September 2018.

SPOKANE COUNTY LIBRARY DISTRICT
Spokane County, Washington



John Craig, Chair
Board of Trustees

ATTEST



Patrick Roewe, Secretary to the Board of Trustees

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CERTIFICATION

I, Patrick Roewe, Secretary to the Board of Trustees of Spokane County Library District, Spokane County, Washington, hereby certify that the foregoing resolution is a full, true and correct copy of a resolution duly passed and adopted at a regular meeting of the Board of Trustees of Spokane County Library District, duly held at the regular meeting place thereof on September 18, 2018, of which meeting, all members of such Board had due notice, and at which a majority thereof were present; and that at such meeting such resolution was adopted by the following vote:

AYES, and in favor thereof, Trustees: John Craig, Mark Johnson, Sonja Carlson, Kristin Thompson, and Wesley Teterud.

NAYS, Trustees: None.

ABSENT, Trustees: None.

ABSTAIN, Trustees: None.

I further certify that I have carefully compared the same with the original resolution on file and of record in my office; that such resolution is a full, true, and correct copy of the original resolution adopted at such meeting; and that such resolution has not been amended, modified or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and the seal of the District on the 18th day of September 2018.

SPOKANE COUNTY LIBRARY DISTRICT
Spokane County, Washington



Patrick Roewe
Secretary to the Board of Trustees

(SEAL)