SPOKANE COUNTY LIBRARY DISTRICT

POLICY: Procurement
Approval Date: July 15, 1982
Revision Date: May 16, 2017

RELATED POLICIES:
Fixed Assets

STATUTORY REFERENCES: RCW 27.12; RCW 39.04; RCW 39.26; RCW 39.80; RCW 43.09.2855; DES Policies 140-00 and 130-00

Purpose
When procuring goods and services, Spokane County Library District solicits competition to the fullest possible extent. The objective of competition is to promote confidence in the integrity and cost-effectiveness of the District’s procurements while maximizing economic benefits. Toward this end, the purchasing method for most goods and services shall be based on a triad of cost, quality, and availability.

General Policy
District policy will be organized by levels of competition in the bidding process and the types of procurement.

Levels of Competitive Bidding
The following are general levels of competitive bidding.

1. Minimal Competition
   Some level of competition is recommended but not required. Calls to one to three qualified vendors describing the desired goods or services usually suffice, requesting pricing, schedules and qualifications. The result will be to negotiate the purchase or contract with the lowest responsible bidder.

2. Informal Competition
   The District shall prepare a written solicitation including, at a minimum, a description of the required goods or service, the project schedule or date goods are needed, the price and the due date for replies. Solicitation of three to five vendors is recommended.

3. Formal Competition
   The District will prepare a formal solicitation such as a Request for Proposal (RFP) or Invitation for Bid (IFB), which will describe all the project requirements in order for vendors to understand the District needs and how responses will be evaluated. The RFP or IFB will be published via appropriate legal notice. Responses will be submitted via sealed bids and opened during a public bid opening. Contracts for formal competition shall be approved by the Board of Trustees.
Types of Procurement
The following are recognized as the primary different types of procurement.

- Public Works
- Personal Services
- Architectural & Engineering Services
- Purchased Services

1. Public Works
RCW 39.04 describes and governs the laws and regulations for public works projects for the District. Public works is defined in RCW 39.04.010 as “all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein.”

The District must use competitive bidding for public works projects; state statutes do not establish any specific bid limits or specific competitive processes for library districts. The following limits are established for public works projects:

- Informal Competition
  Informal competition may be used for public works projects less than $50,000. Contracts for the awarding of these informally competitive projects shall be awarded by the Executive Director or designee.

- Formal Competition
  The formal competition or bidding process will be used for all public works projects in excess of $50,000. Contracts for the awarding of public works projects shall be awarded by the Board of Trustees at a regular or special meeting.

Prevailing wages per RCW 39.12 are required on all public works contracts of any size.

2. Personal Services
Personal services involve technical services and expertise provided by a consultant to accomplish a specific study, project, task, or other work. These activities and services are mostly intellectual in nature.

Library districts have no statutory restrictions on contracting for personal services; alternatively they have flexibility in setting their own policies and limits. The following are the limits established by the District for procurement of personal services:

- Minimal Competition
  For purchases under $5,000, the District may use minimal competition.

- Informal Competition
  For purchases from $5,000 to $50,000, the District may use informal competition.
- **Formal Competition**
  For purchases in excess of $50,000, the District shall use formal competition. Contracts for the awarding of personal services shall be awarded by the Board of Trustees at a regular or special meeting.

3. **Architectural and Engineering Services**
   Architectural and engineering services, although a type of personal service, have their own requirements established in RCW 39.80. All local governments including library districts must follow RCW 39.80 for procuring architectural and engineering (A/E) services.
   Unlike most other contracts awarded to lowest responsible bidder, A/E contracts are awarded primarily based on qualifications, a process known as qualifications-based selection, which recognizes that the lowest price should not be the primary determining factor for selecting highly skilled A/E services.

   Solicitations are done via RFQ (Request for Qualifications). Upon receipt of the respondents’ proposals, the District will evaluate and assess the expertise of the competing firms and select the highest qualified firm with whom the District will then negotiate the final project scope, schedule and associated fee. If the District cannot reach an agreement with the highest qualified firm, it may then negotiate with the next most qualified firm.

   A/E services are qualifications-based and the District will conduct all solicitations for A/E services as formal competition. All contracts for A/E services shall be awarded by the Board of Trustees at a regular or special meeting.

4. **Purchased Services**
   Purchased services are those provided by vendors for routine, necessary, and continuing functions of the District. They are usually repetitive, routine, or mechanical in nature, often supporting the day-to-day operations of the District.

   Library districts have no statutory restrictions on contracting for purchased services; alternatively they have flexibility in setting their own policies and limits. The following are the limits established by the District for procurement of purchased services.

   - **Minimal Competition**
     For purchases under $5,000, the District may use minimal competition.

   - **Informal Competition**
     For purchases from $5,000 to $50,000, the District may use informal competition.

   - **Formal Competition**
     For purchases in excess of $50,000, the District shall use formal competition. Contracts for the awarding of purchased services shall be awarded by the Board of Trustees at a regular or special meeting.
Exceptions to Competitive Bidding Requirements
The following is a list of District-deemed sole source goods and services allowed to be exceptions from competitive bidding requirements (Department of Enterprise Services (DES) policy 130-00).

- Goods and services that meet an emergency requirement (DES) policy 140-00)
- Utilities
- Postage & postal services
- Insurance
- Original equipment manufacturer repair services
- Professional licenses and memberships
- Library materials
- Conferences and seminars
- Repair or replacement of rental equipment
- Legal & promotional advertising
- Purchases through state of Washington or political subdivision purchasing contracts or from established governmental price schedules that offer favorable pricing terms

Code of Ethics
District employees, and specifically the District’s purchasing employees, may neither solicit, accept, nor agree to accept any gratuity for themselves, their families, or others that results in their personal gain which may affect their impartiality in making District decisions. Discounts or concessions realistically available to the general population, items received that do not result in personal gain, and samples provided for general District use are examples of items that are not gratuities. Personal judgment should be used.

Credit cards
As permitted by RCW 43.09.2855, the District may contract to establish a credit card account with a cumulative credit limit not to exceed $50,000. All credit invoices shall be paid in their entirety to avoid incurring finance charges.

Grants
For all grants, either federal, state or privately funded, the District shall ensure that the related purchase activity will be in accordance with the applicable rules, regulations and any other terms and conditions contained within the grant award.

Environmentally Preferable Purchasing (EPP) activities (Buying Green)
Within Washington State, the EPP mandate is articulated in laws, executive orders and statewide plans, which require state agencies to purchase recycled-content and energy-saving products. It also provides flexibility for the state to award state contracts based on environmental considerations. It establishes that factors beyond price, including past performance and life-cycle costing, are to be used in determining the responsible bidder. Significant opportunities exist for cost savings and improved environmental performance by purchasing remanufactured toner cartridges, greener office paper and office products, and reusing office supplies and furniture. While the District is not required to follow the mandates of the State’s EPP programs, the District’s intent is to follow the spirit of the program whenever economically feasible. Accordingly, when procuring office supplies, cleaning...
supplies or other EPP appropriate material, strong consideration will be made in the selection of recycled, or refurbished materials, even though the item’s price is not lower than a similar, but not-recycled item.

The Executive Director is responsible for establishing administrative procedures necessary to carry out this policy and will respond to appeals of District staff action and/or decision in the application of this policy and any related procedures. Any appeal of Executive Director’ action and/or decision may be made in writing to the Board of Trustees.

The District will make a good faith effort to implement this policy in a fair and consistent manner.