

7.02.02 AUTHORIZATION FOR PURCHASES. The General Manager and Corporation Counsel are authorized to purchase without calling for sealed bids materials, equipment, or supplies when the purchase amount of the same kind of materials, equipment, or supplies is:

- (1) Five thousand dollars (\$5,000) or less, exclusive of sales tax, in any calendar month; or
- (2) Less than thirty-five thousand dollars (\$35,000), exclusive of sales tax, if the quotation procedures of Section 7.02.03 are complied with.

[Res. No. (1995); History: 3989 (1993); 3443 (1990); 3373 (1990); 3042 (1987); 3025 (1987); 2914 (1985); 17 (1937)]

7.02.03 PURCHASES BY QUOTATIONS----ITEMS IN EXCESS OF \$5,000 AND LESS THAN \$35,000.

(1) Written or telephone quotations for items in excess of \$5,000 but less than \$35,000 shall be secured from at least three different vendors, whenever possible, to insure establishment of a competitive price; contracts shall be awarded to the lowest responsible vendor.

(2) Telephone quotations shall be secured pursuant to procedures established by the General Manager. All quotations will be documented, dated, and signed. Telephone quotes shall be confirmed by the vendor in writing when possible.

(3) Bid bonds and deposits are waived for quotations received pursuant to this Section 7.02.03, except when required by directive of the General Manager.

(4) The General Manager shall:

(a) Issue a Purchase Order; and

(b) Include the contract award in the Report of Future Procurement and Quotations which is filed with the Commission at each regular meeting.

(5) Immediately after an award is made, all quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

(6) At least once every two months, the District shall post a list of all contracts awarded by the District under this Section 7.02.03. The list shall contain the name of the vendor awarded each contract, the amount of each contract, a brief description of

the items purchased, and the date each contract was awarded. The list shall also contain the location where the bid quotations for these contracts are available for public inspection.

(7) At least twice per year, the District shall publish in a newspaper of general circulation within the boundaries of the District, a notice of the existence of vendor lists and solicit the names of vendors for the lists.

[Res. No (1995); History: 3989 (1993); 3443 (1990); 3373 (1990); 2162 (1977)]

7.03.02 PUBLIC WORKS CONTRACTS.

(1) **WORK BY DISTRICT PERSONNEL.** Work may be undertaken by District personnel if the project has a material cost under \$50,000. In determining material cost, equipment shall be excluded. All projects to be performed by District personnel with an estimated cost of \$15,000 or more, shall be advertised in a newspaper of general circulation in or as near as possible to that part of the county in which the work is to be performed. This notice shall be published 15 days prior to commencement of the work and shall include an estimate of the cost of the work.

(2) BIDDING BY SEALED PROPOSALS.

(a) All public works with an estimated cost in excess of \$10,000, and not undertaken by District personnel, shall be by contract entered into after competitive bidding utilizing sealed proposals.

Copies of bid proposals submitted to the District shall be available for public inspection following the official bid opening.

(b) No contract that is subject to Subsection 7.03.02(2)(a) above, shall be entered into until public notice has been given inviting sealed proposals for undertaking the work. Such notice shall be published at least once in a newspaper of general circulation within the boundaries of the District no less than 13 days before the last date when bids will be received. The notice shall state the time and place requirement for submission of bids.

Notice inviting sealed proposals shall, at the time of publication, also be mailed to all established trade associations which have filed a written request to receive such mailed notices.

(3) **PLANS AND SPECIFICATIONS.** Prior to soliciting any public work, plans and specifications for the work shall be on file and available for public inspection.

(4) BID AND PERFORMANCE SECURITY.

(a) All notices inviting sealed bids shall require that bids be accompanied by bid security in the form of a certified or cashier's check payable to the order of the Commission, or a bid bond issued by a surety licensed to do business in the state of Washington, or any other reasonable security. Each bidder must be informed that the entire security is subject to forfeiture to the District as liquidated damages, unless the bidder enters into a contract in accordance with his/her bid and furnishes the required performance security within 10 days from the date of notification that he/she is the successful bidder. Bid security shall be not less than 5% of the bid amount, including tax.

(b) Performance security for all public works contracts shall not be less than 25% of the contract price, including tax, as established by the bid. However, for contracts with an estimated cost of \$25,000 or less, the General Manager shall have the authority to waive the performance security and instead retain 50% of the contract amount for a period of 60 days after the date of final acceptance of the contract, or until receipt of all necessary releases from the Department of Revenue and the Department of Labor and Industries and settlement of any liens, whichever is later.

(c) The District may accept performance security for public works contracts of \$100,000 or less from an individual surety or sureties.

(d) The District may set the actual amounts of the bid and performance security in excess of the minimums established herein.

(5) ELECTRICAL FACILITIES/PREQUALIFICATIONS. Whenever a request for proposals to construct or improve electrical facilities is published, the contract shall be awarded to the lowest responsible prequalified bidder. All bidders wishing to submit a proposal for the construction of electrical facilities may request prequalification consideration at the time of such submittal, or at any other time regularly scheduled by the District for consideration of prequalification of bidders. The District shall provide for prequalification of bidders at least once annually. The Commission shall be the sole determiner as to such prequalification.

Electrical facilities means the facilities primarily used, or to be used, for the transmission or distribution of electricity at voltages above 750 volts.

(6) SMALL WORKS ROSTER. Notwithstanding the provisions of Subsections 7.03.02(2) and (5) above, all public works projects with an estimated cost of less than \$100,000 may be awarded to a contractor on the small works roster. The small works roster shall be comprised of all responsible contractors who have

requested to be on the roster and who are properly licensed or registered as required by law to perform such work in the state of Washington.

(a) Responsible Contractor Defined. A contractor shall be considered responsible if, in the opinion of the District, the contractor possesses qualifications sufficient to perform the work including, but not limited to, the requisite knowledge and experience, meeting applicable licensing, bonding, and insurance requirements, and providing satisfactory references. For projects involving the construction or improvement of electrical facilities to be used to transmit or distribute electricity at voltages above 750 volts, a contractor shall not be considered responsible and may not bid on any such work until the contractor has been prequalified by the District to perform the work.

(b) The General Manager shall make the initial determination as to whether to utilize the small works roster.

(c) Projects to be awarded from the small works roster shall be posted on the small works roster bid board located in the District's Material Systems Department. The District will notify and request quotations from all contractors on the roster.

(d) All quotations must be submitted in writing on proposal forms provided by the District. Bidders shall have five days from the day the particular job is posted on the small works roster bid board to submit their proposals.

Any contractor who fails to honor a quotation by entering into a contract in accordance with his/her bid and furnishing the required performance security within 10 days of being notified that he/she is the successful bidder, shall, in addition to other available remedies, be subject to payment to the District of liquidated damages in an amount equal to 5% of the quotation amount. The District reserves the right to strike from the small works roster any contractor who fails to so honor a bid. The District also reserves the right to require quotation security from any contractor deemed necessary.

(e) The General Manager shall canvass the bids and award the contract to the lowest responsible bidder. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

(f) The District shall provide an annual small works roster contract for contractors on the small works roster, the terms and conditions of which shall govern all jobs awarded from such roster. The District reserves the right to delete from the small works roster any contractor who does not bid on a

roster project during the annual term of a small works roster contract. Any such contractor will be relisted on the roster only upon request by the contractor.

(g) At least once every two months, the District shall post on the small works roster bid board a list of all roster contracts awarded by the District. The list shall contain the name of the contractor awarded each contract, the amount of each contract, a brief description of the type of work performed, and the date each contract was awarded. The list shall also state the location where the bid quotations for these contracts are available for public inspection.

(h) At least twice per year, the District shall publish in a newspaper of general circulation within the boundaries of the District, a notice of the existence of the roster, including all categories of work contained therein, and solicit the names of contractors for such roster.

(7) **CHANGE ORDERS.** The General Manager shall have the authority to approve all public works change orders that do not exceed \$10,000. Change orders exceeding \$10,000 shall require Commission approval. All change orders must be in writing and executed upon a District approved change order form.

(8) **REPORTS.** Each month the General Manager shall provide to the Commission a summary of all change orders to public works contracts issued the previous month. In addition, the General Manager shall submit monthly to the Commission a report of all quotations received and contracts awarded pursuant to the small works roster.

[Res. No. (1995); History: 3989 (1993); 3443 (1990); 3373 (1990); 2818 (1984)]

SMALL WORKS ROSTER DEVELOPMENT
How to Get Contractors on the Small Works Roster and How to Establish Additional Categories

Your Contact: Janice Barrett, x5585

WHO	WHAT	TIME ESTIMATE	FORM
Project Leader	<ul style="list-style-type: none"> Identifies a Need for a NEW Roster Category of Work or Additions to an Existing Category of Work Sends to Contracts a List of Contractors' Names and Addresses for Identified Categories 	You Decide	•Memo
Contracts	<ul style="list-style-type: none"> Sends Small Works Roster Application to Contractors on List Receives Application Back from Contractor, Which Includes Three (3) Work References, Certificate of Insurance, and Financial Statement Routes as follows: <ul style="list-style-type: none"> -References and Standard Reference Questionnaire to Project Leader -Certificate of Insurance to Risk Management Requesting Review and Approval -Financial Statement to General Accounting for Review and Analysis 	1 week 1-2 weeks	•Letter •Application
Project Leader	<ul style="list-style-type: none"> Checks References and Returns Completed Reference Questionnaires to Contracts <i>(Completed questionnaires include recommendation/rejection information by category and include requests for additional references when applicable.)</i> 	You Decide	•Reference Questionnaires
Risk Mgmt.	<ul style="list-style-type: none"> Checks and Returns Certificate of Insurance to Contracts with Comments 	Variable	
General Accounting	<ul style="list-style-type: none"> Returns Financial Statement and Report to Contracts 	2-3 days	
Contracts	<ul style="list-style-type: none"> Follows up on Deficiencies in References and/or Certificate of Insurance with Contractor Routes Additional Information to Project Leader and/or Risk Management 		
Project Leader Risk Mgmt.	<ul style="list-style-type: none"> Approve Contractor for Placement on the Roster 		
Contracts	<ul style="list-style-type: none"> Assigns Small Works Roster Contract Number Sends Two Small Works Roster Contracts to Contractor for Signature Receives back the two (2) signed originals from Contractor 	2-3 days 1-2 weeks	•Letter •SWR Contracts

CONTINUED...

SMALL WORKS ROSTER DEVELOPMENT

How to Get Contractors on the Small Works Roster and How to Establish Additional Categories
Your Contact: Janice Barrett, x5585

WHO	WHAT	TIME ESTIMATE	FORM
Contracts	<ul style="list-style-type: none">• Forwards the two (2) signed Contracts to General Manager/Designee for Signature	1-2 days	•Memo
General Manager/ Designee	<ul style="list-style-type: none">• Signs Both SWR Contracts and Routes Back to Contracts	Variable	
Contracts	<ul style="list-style-type: none">• Sends One Signed Small Works Roster (SWR) Contract to Contractor and Advises Them They are now on the Roster• Places Responsible Contractor on Small Works Roster and Sends Copy of Updated Roster to Project Leader	1-2 days 1 day	•Letter •SWR Contract •Roster

(Note: Small Works Roster Development can occur simultaneously with the bidding process, but if Contractors are already approved and on the Roster your project initiation will go quicker.)
9/3/93