

CITY OF BUCKLEY, WASHINGTON

RESOLUTION NO. 24-11

**A RESOLUTION OF THE CITY OF BUCKLEY, 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**

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, in order to be able to implement small works roster processes, the City of Buckley is required by law to adopt a resolution establishing specific procedures; and

WHEREAS, RCW 39.80.030 requires that an agency publish in advance that agency's requirement for professional services and that one of the ways to accomplish that notification is to announce generally to the public its projected requirements for any category or type of professional services and request qualification statements to be kept on file with the agency.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON, HEREBY
RESOLVES AS FOLLOWS:**

Section 1. MRSC Rosters. The City wishes to contract with the Municipal Research and Services Center of Washington (MRSC) to have their official rosters hosted in the online database for City use for small public works contracts and consulting services developed and maintained by MRSC and authorizes City Staff to sign that contract. As provided by contract between the City and MRSC, the City may use the MRSC rosters according to this Resolution. In addition, paper and/or electronic rosters may be kept on file by appropriate City departments. Nothing prevents the City from advertising for any small works roster project or consultant through this procedure without use of the MRSC procedure.

Section 2. Small Public Works Roster

The following small works roster procedures are established for use by the City pursuant to RCW 39.04.155:

1. **Cost.** The city 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 Three Hundred and Fifty Thousand Dollars (\$350,000.00), which includes the costs of labor, materials, equipment and sales and/or use taxes as applicable. Instead, the City may use the Small Public Works Roster procedures for public works projects as set forth herein. 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, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of

the roster or rosters and solicit the names of contractors for such roster or rosters. Responsible contractors shall be added to appropriate MRSC Roster(s) at any time that they complete the online application and meet the minimum State requirements for roster listing.

3. **Telephone, Written, or Electronic Quotations.** The City shall obtain 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 under RCW 39.04.350(3)

- 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 must be invited from all appropriate contractors on the appropriate small works roster.

The Invitation to Bid should contain the following information:

- i. Project name and number (consistent with agency accounting/contracting and/or platform identification).
- ii. The scope of work* including:
 - A. Existing conditions (as applicable)
 - B. Materials and equipment that will be provided by the public agency* or that the public agency requires.
 - C. Current understanding of permitting requirements and authorities having jurisdiction.
- iii. The estimated cost*
- iv. Project schedule and deadlines for completing the project.
- v. Information on a site walk and/or pre-bid conference if offered.
- vi. Bid due date and time.
- vii. Bid form.

- viii. Instructions to Bidders, including mandatory bidder responsibility criteria and any supplemental bidder responsibility criteria (RCW 39.04.350)
- ix. Where and how to submit bids.
- x. How questions can be submitted and how addendums, if necessary, will be provided and communicated.
- xi. General agency contact information.
- xii. Sample contract (contract form) that will be awarded, including:
 - A. General conditions.
 - B. Agency required forms.
 - C. Insurance requirements (could be included in *instructions to bidders*).
 - D. Bonding Requirements (could be included in *instructions to bidders*).
 - E. Retainage approach (could be included in *instructions to bidders*).
 - F. Payment procedures.
 - G. Any other contract or project requirements.
- c. At the time bids are solicited, the City 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 City 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. **Determining Lowest Responsible Bidder.** The City Council 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.

5. **Award.** All of the quotations shall be collected and presented at the same time to the City Council for consideration, determination of the lowest responsible bidder, and award of the contract.

6. **Publication.** All awards utilizing the small public works roster shall be posted on the City's website for public review as required by RCW 39.04.152(6). Once per year, the City must publish on its website a list of all small works contracts awarded as required by RCW 39.04.152(7) and RCW 39.04.200. The City may use the MRSC rosters system to meet these publication requirements in lieu of publishing on its website to the extent authorized by State law.

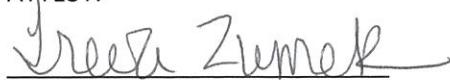
Section 3. Consulting Services Roster.

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, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the consulting services roster or rosters and solicit statements of qualifications from firms providing consulting services. Such advertisements will include information on how to find the address and telephone number of a representative of the City who can provide further details as to the City's projected needs for consulting services. Firms or persons providing consulting services may complete the online application an anytime and be listed if they meet the minimum State requirements.
3. **Professional Architectural and Engineering Services.** The MRSC Rosters will distinguish between professional architectural and engineering services as defined in RCW 39.80.020 and other consulting services and will announce generally to the public the City's projected requirements for any category or type of professional or other consulting services. The City reserves the right to publish an announcement on each occasion when professional services or other consulting services are required by the agency and to use paper and/or other electronic rosters that may be kept on file by appropriate City departments.

Introduced, passed and approved this 10th day of December 2024.


Beau Burkett, Mayor

ATTEST:



Treva Zumeck, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

Posted: December 11, 2024