

Resolution No. 1995-18

[\(Council Minutes 95/11/20\)](#)

RESOLUTION NO. 1995-18

A RESOLUTION of the City of Lakewood, Washington, relating to public works contracting and purchasing; establishing a small works roster process to award public works contracts

WHEREAS, state laws regarding purchasing of materials, supplies and equipment and contracting for public works by municipalities, allows certain purchases and contracts to be awarded by a small works roster process; and

WHEREAS, in order to be able to implement the small works roster process, the City Council is required by law to adopt a resolution establishing the specific procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE LAKEWOOD, WASHINGTON, HEREBY RESOLVES as follows:

Section 1. Small Works Roster Procedures Established.

The following small works roster procedures are established for use by the City, pursuant to RCW 35.23.352, 35A.40.210 and Chapter 39.04 RCW.

A. Public Works Contracts.

Whenever the costs of a public works project or improvement, including materials, supplies, and equipment are in excess of the sum of thirty thousand dollars (\$30,000.00) if more than one trade or craft is involved, or in excess of the sum of twenty dollars (\$20,000.00) if only one trade or craft is involved, the City shall comply with formal sealed bidding procedures pursuant to state law and City Purchasing Policy to award the contracts for such public works projects or improvements.

B. Small Works Roster Public Works Contracts.

1. Cost. The City need not comply with formal sealed bidding procedures to award public works contracts where the estimated cost is under One Hundred Thousand Dollars (\$100,000.00), which includes the costs of labor, material and equipment, and the City may use the small works roster procedures set forth herein.

2. Number of Roster. The City may create a single general small works roster, or may create a small works roster for different categories of anticipated work.

3. Contractors on Small Works Roster(s). The small works roster(s) shall consist of contractors who:

- a. Have requested to be on the roster(s); and
- b. Are properly licensed or registered in the state to perform the work.

The construction specialties and areas of work performed by the contractors shall be listed so that the City may identify which contractors should be called for various projects involving different tasks and types of work.

4. Publication. In the months of January and June of every year, the City shall publish a notice in the City's official newspaper, stating the existence of the small works roster(s) and shall solicit names of contractors for the roster(s).

5. Telephone or Written Quotations. The City shall obtain telephone or written quotes for public works contracts under this section as follows:

- a. The City shall write a description of the scope and nature of the work to be done, together with any other specifications material to the bid;
 - b. A City representative shall contact at least five appropriate contractors from the small works roster(s), and reading from the written description, obtain telephone or written bids from the contractors. At the time each of the bids are solicited, the City representative shall not inform the contractors of the terms or amount of any other contractor=s bid for the same project;
 - c. One a contractor has been afforded an opportunity to submit a proposal, that contractor shall not be offered another opportunity until all other appropriate contractors on the roster have been given an opportunity to submit a bid;
 - 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;
 - e. All of the telephone bids or quotes 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. 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 and the City Council may call for new bids or enter into direct negotiations to achieve the best possible price. In addition to price, the City Council shall take into account all of the factors described in the City's purchasing policy, together with other relevant factors including, but not limited to, the following:
- a. The ability, capacity and skill of the bidder to perform the contract;
 - b. Whether the bidder can perform the contract within the time specified by the City;
 - c. The quality of the bidder=s performances of previous contracts or services with the City and/or other public and private entities ;
 - d. The previous and existing compliance by the bidder with laws relating to the contract or services.

7. Award. Immediately after the contract award is made, the written record of each contractor

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8. Posting. A List of all contracts awarded under the above procedures must be posted at City Hall on the front entry bulletin board, at least once every two months. The list shall contain the name of the contractor awarded the contract, the amount of the contract, a brief description of the items purchased under the contract and the date is was awarded. The list shall also state the location where the bid quotations are available for public inspection.

Section 2. Effective Date. This Resolution shall be in full force and effect on the 28th day of February, 1996, provides that the terms of this Resolution shall be in effect during the interim period from the date hereof to February 28, 1996.

PASSED by the City Council this 20th day of November, 1995.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

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