

COMMISSIONERS' PROCEEDINGS

Adams County Courthouse, Ritzville
May 21, 2001

Call to Order @ 8:30 a.m.

Present:

Chairman Jeffrey W. Stevens
Vice-Chairman Rudy Plager
Commissioner Richard Johnson

*0-977

Booker/Bench Road Construction Projects

Commissioner Johnson moved, Plager seconded, to *approve Resolution No. R-47-01 In the Matter of Notice to Contractors for Sealed Bids on the following Construction Improvement Projects:*

Booker Road (CRP-127)
Bench Road (CRP-129)
Booker Road (CRP-132)
Bench Road (CRP-133)
Bench Road (CRP-134)

Motion carried.

Bid receipt was set for Friday, June 8, 2001, until 4:00 p.m.
Bid opening was set for Monday, June 11, 2001, at 10:00 a.m.

Janitorial/Maintenance Services

A detailed job description will be prepared by O'Brien. Following review and approval a notice of call for contractual bids will be prepared and advertised.

Vendor List and Small Works Roster

Commissioner Johnson moved, Stevens seconded, to *approve Resolution No. R-46-01 In the Matter of Establishing Procedures Relating to Purchasing and Public Works Contracting; Establishing a Vendor List process for Purchasing Supplies, Materials, and Equipment; Establishing a Small Works Roster Process to Award Public Works Contracts; and, Repealing R-71-98.* Motion carried.

Recess @ 12:00

Reconvene @ 1:00 p.m.

Commissioners Stevens and Johnson reviewed various roads and bridges in eastern Adams County from approximately 1:15 p.m. until 3:15 p.m.

*977-3742 (Tape changeover #2) *0-360

Public Development Authority (PDA) for East Adams County

City Mayors Todd from Washtucna, Koch from Lind; Ulleland from Ritzville, and Pitts from Hatton, met with the board to discuss the possible formation of a PDA for East Adams County.

The Board considered and approved a preliminary amount up to \$3,900 for actual invoiced costs to assist with the preliminary assessment and review efforts leading to the establishment of a PDA.

Consent Agenda

Commissioner Johnson moved, Stevens seconded, *to approve the Consent Agenda:*

Preliminary minutes of May 14, 2001

Vouchers audited and certified by the Adams County Auditor as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090 and recorded on a listing, which was made available to the board. These vouchers were listed as follows:

<u>Fund</u>	<u>Control Number</u>	<u>Amount</u>
001	012743-012797	\$ 25,902.75
103	012798-012800	\$ 11,380.44
104	012801-012826	\$ 22,546.32
105	012827	\$ 34.50
107	012828	\$ 450.00
117	012829-012831	\$ 511.91
133	012832-012833	\$ 246.14
166	012834-012835	\$ 129.37
502	012836-012839	\$ 5,271.68
115	812-846	\$ 47,654.69
401	847-853	\$ 41,958.51
501	854-871	\$ 11,391.85
590	872-906	\$ 90,611.22

TOTAL

\$258,089.38

Correspondence

DNS/Checklist for East Columbia Basin Irrigation District for Conditional Use Permit to conduct a crushing/asphalt batch plant operation in Adams County

Minutes of April 23, 2001 Adams County Water Conservancy Board and Agenda for May 29, 2001 Meeting

Permanent Minutes Signed

May 7 and 9, 2001

Adjournment @ 5:15 p.m.

Submitted:

s/Linda Reimer, CMC/AAE
Clerk of the Board

Edited and Approved:

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Jeffrey W. Stevens, Chairman
s/Rudy Plager, Vice-Chairman
s/Richard Johnson, Commissioner

RESOLUTION NO. R-46-01

**ORDER OF BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON**

IN THE MATTER OF ESTABLISHING PROCEDURES RELATING TO PURCHASING AND PUBLIC WORKS CONTRACTING; ESTABLISHING A VENDOR LIST PROCESS FOR PURCHASING SUPPLIES, MATERIALS, AND EQUIPMENT; ESTABLISHING A SMALL WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS; AND, REPEALING R-71-98

WHEREAS, RCW 39.04.190, regarding purchase of materials, supplies, and equipment not connected to a public works project, allows certain purchasing contracts to be awarded by a vendor list process; and,

WHEREAS, the Washington State Legislature in Chapter 138, Laws of 2000, amended RCW 39.04.155 and other laws regarding contracting for public works by municipalities, allowing 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 county is required by law to adopt a resolution establishing specific procedures;

NOW THEREFORE BE IT HEREBY RESOLVED AS FOLLOWS:

Section 1. Purchase of materials, supplies or equipment not connected to a public works project in an amount of \$25,000 or less. The county is not required to use informal or formal sealed bidding procedures or the procedures set forth in this resolution to purchase materials, supplies, or equipment for the purchase of any materials, supplies or equipment where the cost of same will not exceed \$25,000. The county will attempt to obtain the lowest practical price for such goods and services.

Section 2. Purchase of materials, supplies or equipment not connected to a public works project in an amount between \$2,500 and \$25,000.

1. **Publication of Notice.** At least twice a year, the county shall publish, in the county's official newspaper, notice of the existence of a roster(s) of vendors for materials, supplies, and equipment, and shall solicit names of vendors for the roster.
2. **Telephone Quotations.** The county shall use the following process to obtain telephone quotations from vendors for the purchase of materials, supplies, or equipment.
 - a. A written description shall be drafted of the specific materials, supplies, or equipment to be purchased, including the number, quantity, quality, and type desired, the proposed delivery date, and any other significant terms of purchase.
 - b. A county representative shall make a good faith effort to contact at least three (3) of the vendors on the roster to obtain telephone solicitation quotations from the vendors for the required materials, supplies, or equipment.
 - c. The county representative shall not share telephone quotation from one vendor with other vendors solicited for the bid on the materials, supplies, or equipment.
 - d. A written record shall be made by the county representative of each vendor's bid on the material, supplies, or equipment, and of any conditions imposed on the bid by such vendor.
 - e. The county representative shall present to the legislative body all telephone quotations and a recommendation for award of the contract to the lowest responsible bidder.

3. **Determining the Lowest Responsible Bidder.** The county shall purchase the materials, supplies or equipment from the lowest responsible bidder, provided that whenever there is reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the county may call for new bids. The county, in determined the lowest bidder may take the following factors, in addition to price, into account:
 1. Any preferences provided by law to Washington products and vendors;
 2. The quality of the materials, supplies, and equipment to the City's specifications;
 3. The conformity of the materials, supplies, and equipment to the County's specifications;
 4. The purposes for which the materials, supplies, or equipment are required;
 5. The times for delivery of the materials, supplies, or equipment;
 6. The character, integrity, reputation, judgment, experience, and efficiency of the bidder; and,
 7. Such other information as may have a bearing on the decision to purchase the materials, supplies, or equipment.
4. **Award.** The county shall review quotations and recommendations by city staff and award the contract to the lowest responsible bidder. A written record of each vendor's quotations shall be made open to public inspection or telephone inquiry after the award of the contract. Any contract awarded under this subsection need not be advertised.
5. **Posting.** A list of all contracts awarded under these procedures shall be posted at the county's main administrative offices once every two months. The list shall contain the name of the vendor awarded the contract, the amount of the contract, a brief description of the items purchased, and the date it was awarded.

Section 3. The following small works roster procedures are established for use by the county pursuant to RCW 36.32.250 and chapter 39.04.155 RCW.

1. **Cost.** The county 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 Two hundred thousand dollars (\$200,000), which includes the costs of labor, material, equipment and sales and/or use taxes as applicable. Instead, the county may use the small 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. **Number of Rosters.** The county may create a single general small works roster, or may create a small works roster for different specialties or categories of anticipated work. Said small works rosters may make distinctions between contractors based upon different geographic areas served by the contractor.
3. **Contractors on Small Works Roster(s).** The small works roster(s) shall consist of all responsible contractors who have requested to be on the roster(s), and where required by law are properly licensed or registered to perform such work in this state. Contractors desiring to be placed on a roster or rosters must keep current records of any applicable licenses, certifications, registration, bonding, insurance, or other appropriate matters on file with the county as a condition of being placed on a roster or rosters.
4. **Publication.** At least once a year, the county 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 an appropriate roster or rosters at any time that they submit a written request and necessary records. The county may require master contracts to be signed that become effective when a specific award is made using a small works roster. An interlocal contract or agreement between Adams County and other local governments establishing a small works roster or rosters to be used by the parties to the agreement or contract must clearly identify the lead entity that is responsible for implementing the small works roster provisions.
5. **Telephone or Written Quotations.** The county shall obtain telephone, 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 the lowest responsible bidder, as defined in RCW 43.19.1911, as follows:
 - a. A contract awarded from a small works roster need 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. This paragraph does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes.
 - 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.

If the estimated cost of the work is from one hundred thousand dollars to two hundred thousand dollars, the county may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must also notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. The county has the sole option of determining whether this notice to the remaining contractors is made by:

- (i) Publishing notice in a legal newspaper in general circulation in the area where the work is to be done;
 - (ii) mailing a notice to these contractors; or
 - (iii) sending a notice to these contractors by facsimile or other electronic means.
- c. For purposes of this resolution, “equitably distribute” means that the county may not favor contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services. At the time bids are solicited, the county 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 county 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.
- e. At least once every year a list of the contracts awarded under that process is to be furnished to the county legislative body and made available to the general public. The list shall contain the name of the contractor or vendor awarded the contract, the amount of the contract, a brief description of the type of work performed or items purchased under the contract, and the date it was awarded. The list shall also state the location where the bid quotations for these contracts are available for public inspection.
6. **Determining Lowest Responsible Bidder.** The legislative body 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 legislative body may call for new bids. In addition to price, the legislative body shall take into account 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 county;
 - c. the quality of the bidder's performance of previous contracts or services;
 - d. the previous and existing compliance by the bidder with laws relating to the contract or services.
7. **Award.** The county designee (Public Works Director) or his designee shall present all telephone quotations/bids and recommendation for award of the contract to the lowest responsible bidder to the legislative body. However, for public works projects under \$25,000, the county designee has the authority to award public works contracts without legislative approval, provided that the legislative body shall ratify the county designee's approval at the next scheduled commissioner meeting by means of the consent agenda. For public works projects over \$25,000, the legislative body shall award all public works contracts by resolution.

DATED this 21st day of May, 2001.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Jeffrey W. Stevens, Chairman
s/Rudy Plager, Vice-Chairman
s/Richard Johnson, Commissioner

ATTEST:
s/Linda Reimer, CMC/AAE
Clerk of the Board

RESOLUTION NO. R-47-01

**NOTICE TO CONTRACTORS
County of Adams
Department of Public Works – Ritzville, Washington**

Sealed bids will be received by Adams County at the office of the Board of County Commissioners located in the courthouse at 210 W. Broadway, Ritzville, Washington 99169, until 4:00 p.m., Friday, June 8, 2001 and will be opened and publicly read on June 11, 2001 at 10:00 a.m. for the following construction improvements:

Booker Road (CRP-127) Group #1, MP 6.051 to MP 8.027 by the reconstruction of the roadway by grading, draining, gravel base, asphalt surfacing and other work, and the,

Bench Road (CRP-129) Group #2, MP 5.508 to MP 7.008 by the reconstruction of the roadway by grading, draining, gravel base, asphalt surfacing and other work, and the

Booker Road (CRP-132) Group #3, MP 4.290 to MP 6.051 by the rehabilitation of the roadway by preleveling, asphalt surfacing and other work, and the

Bench Road (CRP-133) Group #4, 7.008 to MP 7.997 by the rehabilitation of the roadway by preleveling, asphalt surfacing and other work, and the

Bench Road (CRP-134) Group #5, MP 0.000 to MP 1.954 by the rehabilitation of the roadway by preleveling, asphalt surfacing and other work.

All bid proposals shall be accompanied by a bid proposal deposit in cash, certified check, cashier's check or surety bond in amount equal to five percent (5%) of the amount of such bid proposal. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated in the specifications, the bid proposal deposit shall be forfeited to the County of Adams. All checks and bonds shall be made payable to the Adams County Treasurer.

The Board of Adams County Commissioners reserves the right to reject any or all bids, to waive informalities or irregularities in the bids or in the bidding, if the best interest of Adams County will be served, or to accept the bid, which in their opinion best serves the interest of Adams County.

Pre-qualification of bidders is required (see specifications). Maps, plans, specifications, and proposals may be obtained from the office of the Department of Public Works, 210 W. Alder, Ritzville, Washington 99169; phone (509) 659-3276.

Informational copies of maps, plans and specifications are on file for inspection in the office of the Adams County Engineer in Ritzville, Washington, and the chapter office of the Associated General Contractors of America in Spokane, Washington.

DATED this 21st day of May, 2001.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Jeffrey W. Stevens, Chairman
s/Rudy Plager, Commissioner
s/Richard Johnson, Commissioner

ATTEST:
s/Linda Reimer, CMC/AAE
Clerk of the Board