

LAKE CHELAN RECLAMATION DISTRICT

MANSON, WASHINGTON

RESOLUTION 2018-05

**POLICY FOR SMALL WORKS ROSTER PROCESS
TO AWARD PUBLIC WORKS CONTRACTS**

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, to be able to implement small works roster processes, the Lake Chelan Reclamation District (District) is required by law to adopt a resolution establishing specific procedures;

NOW, THEREFORE BE IT RESOLVED The following small works roster procedures are established for use by the District pursuant to RCW 87.03.436 and chapter 39.04.155 RCW.

- 1. Cost.** The District 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 Thousand Dollars (\$300,000), which includes the costs of labor, material, equipment and sales and/or use taxes as applicable. Instead, the District 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 District may create a single general small works roster, or may create a small works roster for different specialties or categories of anticipated work.
- 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 all applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with the District.
- 4. Publication.** At least once a year, the District 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 the roster, at any time they submit an application and necessary records. The District 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 the District 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. **Electronic Rosters.** In addition to paper and/or electronic rosters kept on file, the District may also use the state wide electronic database developed and maintained jointly by the Daily Journal of Commerce and the Municipal Research and Services Center of Washington.
6. **Telephone or Written Quotations.** The District shall obtain telephone, written or electronic quotations for public works contracts from contractors on the 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(9) 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 at least five, or all, appropriate contractors on the small works roster in a manner that will equitably distribute the opportunity among the contractors on the roster.** If the estimated cost of the work is from one hundred-fifty thousand dollars (\$150,000) to three hundred thousand dollars (\$300,000), the District 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 District 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 District may not favor certain contractors on the small works roster over other contractors who perform similar services.** At the time bids are solicited, the

District 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 District 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.

7. **Limited Public Works Process.** If construction, alteration, repair, or an improvement project is estimated to cost less than thirty-five thousand dollars (\$35,000), the District may award such a contract using the limited public works process provided under RCW 39.04.155, subsection (3). **The District will solicit electronic or written quotations from a minimum of three contractors from the small works roster and shall award the contract to the lowest responsible bidder as defined under RCW 43.19.1911(9).**

8. **Determining Lowest Responsible Bidder.** The District 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 District may call for new bids. RCW 43.19.1911(9) states:

In determining 'lowest responsible bidder', in addition to price, the following elements shall be given consideration:

- a. The ability, capacity, and skill of the bidder to perform the contract or provide the service required;
 - b. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
 - c. Whether the bidder can perform the contract within the time specified;
 - d. The quality of performance of previous contracts or services;
 - e. The previous and existing compliance by the bidder with laws relating to the contract or services;
 - f. Such other information as may be secured having a bearing on the decision to award the contract.
9. **Award.** The Secretary Manager or his/her designee shall present all telephone quotations/bids and recommendation for award of the contract to the lowest responsible bidder to the Board of Directors. However, **for public works projects under twenty-five thousand dollars (\$25,000) the Secretary Manager shall have the authority to award public works contracts** without Board of Directors approval, provided that the Board of Directors shall ratify the Secretary Manager's approval at the next scheduled Board of Directors meeting. **For public works projects over twenty-five thousand dollars (\$25,000) the Board of Directors shall award all public works contracts by resolution.**

ADOPTED by the Board of Directors of Lake Chelan Reclamation District, Chelan County, Washington at its regular meeting held on this 13th day of February 2018.

LAKE CHELAN RECLAMATION DISTRICT

BY: Bob Christopher
President

ATTEST:

[Signature]
Secretary-Manager