



Purchasing Manual

Resolution 2527-2009
Exhibit A

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Purchasing Decision Trees

The Visio Flow Charts Go in This Section (See Attached Visio or .pdf document)

Item to Be Purchased – Cross Reference Guide

Item	Estimated Cost (\$\$\$)	Reference Section
Accounting Services	Any	10
Architectural Design	Any	9
Auctions (purchases made from)	Exempt from Competition	6, 8.1.K
Bulk Sand, Gravel, etc.	0-40,000	4
	40,001-50,000	3
	>50,000	1
Class Instruction	Any	8.1.J, 10
Consulting Services	Any	9
Concrete Work, Contractor Used	0-20,000	4
	20,001-35,000	2.1, 2.2E
	35,001-100,000	2.1, 2.2D
	100,001-200,000	2.1, 2.2D
Cones	0-40,000	4
	40,001-50,000	3
	>50,000	1
Conferences & Seminars	Exempt from Competition	8.1.E
Construction	0-20,000	4
	20,001-35,000	2.1, 2.2E
	35,001-100,000	2.1, 2.2D
	100,001-200,000	2.1, 2.2D
Electrical	0-20,000	4
	20,001-35,000	2.1, 2.2E
	35,001-100,000	2.1, 2.2D
	100,001-200,000	2.1, 2.2D
Engineering Services	Any	9
Envelopes, Pre-printed	0-40,000	4
	40,001-50,000	3
	>50,000	1
Hydrants	0-40,000	4
	40,001-50,000	3
	>50,000	1
Letterhead	0-40,000	4
	40,001-50,000	3
	>50,000	1
Locating Service	Any	10

Mechanical Work	0-20,000	4
	20,001-35,000	2.1, 2.2E
	35,001-100,000	2.1, 2.2D
	100,001-200,000	2.1, 2.2D
Meters	0-40,000	4
	40,001-50,000	3
	>50,000	1
OEM Repair Services and/or Equipment	Exempt from Competition	8.1.H
Office Furniture	0-40,000	4
	40,001-50,000	3
	>50,000	1
Office Supplies, Special Request	0-40,000	4
	40,001-50,000	3
	>50,000	1
Office Supplies, Standard	0-40,000	4
	40,001-50,000	3
	>50,000	1
Paper Goods	0-40,000	4
	40,001-50,000	3
	>50,000	1
Pipe	0-40,000	4
	40,001-50,000	3
	>50,000	1
Plumbing	0-20,000	4
	20,001-35,000	2.1, 2.2E
	35,001-100,000	2.1, 2.2D
	100,001-200,000	2.1, 2.2D
Postage and Postal Service	Exempt from Competition	8.1.B
Printing		
Professional Licenses & Memberships	Exempt from Competition	8.1.C
Publications, Subscriptions, Directories	Exempt from Competition	8.1.D
Pump	0-40,000	4
	40,001-50,000	3
	>50,000	1
Safety Equipment	0-40,000	4
	40,001-50,000	3
	>50,000	1
Sewer TV Service	0-20,000	4
	20,001-35,000	2.1, 2.2E
	35,001-100,000	2.1, 2.2D
	100,001-200,000	2.1, 2.2D

Signs	0-40,000	4
	40,001-50,000	3
	>50,000	1
Structural Design	Any	9
Technical Inspection & Certification Services	Exempt from Competition	8.1.I
Tools	0-40,000	4
	40,001-50,000	3
	>50,000	1
Training Services	Exempt from Competition	8.1.J
Utilities	Exempt from Competition	8.1.A
Vehicles	0-40,000	4
	40,001-50,000	3
	>50,000	1
Warehouse Stock	0-40,000	4
	40,001-50,000	3
	>50,000	1

Section 1. Competitive Sealed Bid Process – RCW 57.08.050

This section covers the competitive sealed bid process to award contracts.

WORK

This section should be used for construction, building, renovation, remodeling, alteration, repair, improvement of real property, or any other work performed by outside contractors when the estimated project cost exceeds \$300,000¹.

MATERIALS

This section should be used for materials and equipment purchases when the estimated cost exceeds \$50,000.

Examples:

Work & Materials associated with Public Work

Capital Improvement Projects	> \$300,000
Equipment Purchases	> \$ 50,000
Materials Purchases (i.e. water meters, pipe, etc.)	> \$ 50,000

***These example lists are not all inclusive.**

¹ For bid limit purposes, the applicable retail sales and use tax must be included when determining the cost of a public works, or when calculating the cost of materials, supplies, and equipment purchased separately from a public works. RCW 82.04.050 provides exemptions to the sales and use tax applicability for certain public works projects. Exemptions include the “sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel or trestle...” RCW 82.04.050(8).

1.1 Procedure check sheet for Competitive Bid Process: Work >\$300,000
See Section 1.2 for Regulatory Requirements for the steps below.

		Completed
STEP 1:	Prepare contract bid documents. This may include	<input type="checkbox"/>
1.1:	Sample Contract	
1.2:	Plans	
1.3:	Specification	
1.4:	Bid Schedule	
STEP 2:	Determine Cost Estimate for Project	<input type="checkbox"/>
STEP 3:	Obtain concurrence of cost estimate and note in file	<input type="checkbox"/>
STEP 4:	Obtain Permits and Right of Way	<input type="checkbox"/>
STEP 5:	Obtain Board authorization to advertise project for bids	<input type="checkbox"/>
STEP 6:	Publish advertisement notice in newspaper(s). <ul style="list-style-type: none"> ▪ Daily Journal of Commerce ▪ Everett Herald ▪ Include, at a minimum, two² dates of advertisement no less than two weeks apart. 	<input type="checkbox"/>
STEP 7:	Notify front desk and Engineering when the project has been advertised. <ul style="list-style-type: none"> ▪ Provide bid set to front desk to be made available for on-site examination. ▪ Front desk staff shall date stamp and note time of receipt on all submitted bids. 	<input type="checkbox"/>
STEP 8:	Bid Period – During this time, bid documents are distributed, prospective bidders may submit questions, Pre-Bid meeting may be held, Bid addendums may be prepared and distributed. <ul style="list-style-type: none"> ▪ These tasks are generally the responsibility of the Consulting Engineer/Architect for the project. ▪ Prepare Bid Tab Sheet 	<input type="checkbox"/>
STEP 9:	Hold Bid Opening <ul style="list-style-type: none"> ▪ Remind front desk staff one day in advance: staff shall date stamp and note time of receipt on all submitted bids. ▪ Minimum of two AWWD Staff members shall be present at Bid Opening. ▪ Disclose only the name of the bidder and the total bid price for the bid. ▪ Note bid information on tab sheet during bid opening and reading of bids. 	<input type="checkbox"/>

² Only one publication of ad for bid is required by statute. RCW 57.08.050(1). District guidelines are to advertise 2 times.

STEP 10:	Review Bids for accuracy, check qualification information, and request any required supplemental bidder criteria. <ul style="list-style-type: none"> ▪ These tasks are generally the responsibility of Consulting Engineer/Architect. ▪ Obtain letter from Consultant of their award recommendation and certified bid tabs. 	<input type="checkbox"/>
STEP 11:	Make final preparations on two (2) original contract documents for execution.	<input type="checkbox"/>
STEP 12:	Obtain Board Authorization to award contract	<input type="checkbox"/>
STEP 13:	Send “Notice of Award” to selected contractor. Notice of Award shall including: <ul style="list-style-type: none"> ▪ Two (2) complete bid documents (original bid and one copy) for signature. These documents must be returned to AWWD. ▪ Two (2) complete contract documents for signature. These documents must be returned to AWWD. ▪ Requirement for contractor to provide all bonds ▪ Requirement for contractor to provide all insurance information. <p>NOTE: Keep copy of original bid and contract document in project file.</p>	<input type="checkbox"/>
STEP 14:	Enter into contact. All contracts must be approved by the Board of Commissioners. Both parties (contractor & District) sign both original contract documents. One executed copy is returned to the contractor, One executed copy is kept in the contract files in the vault.	<input type="checkbox"/>
STEP 15:	Obtain necessary Prevailing Wage Documentation including “Intent to Pay Prevailing Wages”	<input type="checkbox"/>
STEP 16:	Issue Contractor “Notice to Proceed”	<input type="checkbox"/>
STEP 17:	Schedule Pre-Construction meeting with Contractor.	<input type="checkbox"/>
STEP 18:	Return bid bonds to all other bidders.	<input type="checkbox"/>
STEP 19:	Review the project file for completeness. The file must contain, at a minimum, the following: <ul style="list-style-type: none"> ▪ Board Authorization to Advertise ▪ Advertisement ▪ Payments for Advertisement ▪ Addendums and associated correspondence related to addendums ▪ Bid opening Bid Tab Sheets ▪ All bids received ▪ Engineers recommendation and certified bid tab ▪ Board “Authorization to Award” memo ▪ Award Letter ▪ Board “Authorization for Contract Execution” and “Notice to Proceed” ▪ Bid Bond return letters. 	<input type="checkbox"/>

STEP 20:	Obtain necessary Prevailing Wage Documentation including “Affidavit of Wages Paid”	<input type="checkbox"/>
STEP 21:	Follow District procedures and contract requirements for payment for the contract services.	<input type="checkbox"/>

Sample documents used in the process can be found on the Engineering drive at the following path:

Engineering\CIP Division\CIP standard letters, staff memos and forms

And

Engineering Forms\Master Agreements & Contracts for Master Escrow Agreement Form

1.2 Procedure check sheet for Competitive Bid Process: Equipment & Materials >\$50,000

		Completed
STEP 1:	Prepare contract bid documents. This may include	
1.1:	Sample Contract	<input type="checkbox"/>
1.2:	Specification	
1.3:	Bid Schedule	
STEP 2:	Determine Cost Estimate for Project	<input type="checkbox"/>
STEP 3:	Obtain concurrence of cost estimate and note in file	<input type="checkbox"/>
STEP 4:	Obtain Board authorization to advertise for bids	<input type="checkbox"/>
STEP 5:	Publish advertisement notice in newspaper(s). <ul style="list-style-type: none"> ▪ Daily Journal of Commerce ▪ Everett Herald ▪ Include, at a minimum, two³ dates of advertisement no less than two weeks apart. 	<input type="checkbox"/>
STEP 6:	Notify front desk and Engineering when the bid request has been advertised. <ul style="list-style-type: none"> ▪ Provide bid set to front desk to be made available for on-site examination. ▪ Front desk staff shall date stamp and note time of receipt on all submitted bids. 	<input type="checkbox"/>
STEP 7:	Bid Period – During this time, bid documents are distributed, prospective bidders may submit questions, Pre-Bid meeting may be held, Bid addendums may be prepared and distributed. <ul style="list-style-type: none"> ▪ Prepare Bid Tab Sheet 	<input type="checkbox"/>
STEP 8:	Hold Bid Opening <ul style="list-style-type: none"> ▪ Remind front desk staff one day in advance: staff shall date stamp and note time of receipt on all submitted bids. ▪ Minimum of two AWWD Staff members shall be present at Bid Opening. ▪ Disclose only the name of the bidder and the total bid price for the bid. ▪ Note bid information on tab sheet during bid opening and reading of bids. 	<input type="checkbox"/>
STEP 9:	Review Bids for accuracy and check qualification information <ul style="list-style-type: none"> ▪ Make staff recommendation, prepare memo 	<input type="checkbox"/>
STEP 10:	Make final preparations on two (2) original contract documents for execution.	<input type="checkbox"/>
STEP 11:	Obtain Board Authorization to award contract	<input type="checkbox"/>

³ Only one publication of ad for bid is required by statute. RCW 57.08.050(1). District guidelines are to advertise 2 times.

STEP 12:	<p>Send “Notice of Award” to selected contractor. Notice of Award shall including:</p> <ul style="list-style-type: none"> ▪ Two (2) complete contract documents for signature. These documents must be returned to AWWD. ▪ Requirement for contractor to provide all bonds ▪ Requirement for contractor to provide all insurance information. <p>NOTE: Keep copy of original bid and contract document in project file.</p>	<input type="checkbox"/>
STEP 13:	<p>Enter into contact. All contracts must be approved by the Board of Commissioners. Both parties (contractor & District) sign both original contract documents. One executed copy is returned to the contractor, One executed copy is kept in the contract files in the vault.</p>	<input type="checkbox"/>
STEP 14:	Initiate Purchase	<input type="checkbox"/>
STEP 15:	Return bid bonds to all other bidders if applicable.	<input type="checkbox"/>
STEP 16:	<p>Review the project file for completeness. The file must contain, at a minimum, the following:</p> <ul style="list-style-type: none"> ▪ Board Authorization to Advertise ▪ Advertisement ▪ Payments for Advertisement ▪ Addendums and associated correspondence related to addendums ▪ Bid opening Bid Tab Sheets ▪ All bids received ▪ Board “Authorization to Award” memo ▪ Award Letter ▪ Board “Authorization for Contract Execution” and “Notice to Award” ▪ Bid Bond return letters. 	<input type="checkbox"/>
STEP 17:	Follow District procedures and contract requirements for payment.	<input type="checkbox"/>

1.3 Regulatory Requirements - Competitive Bid Process: >\$300,000

A formal, competitive process such as Invitation for Bids (IFB), Requests for Proposals (RFP), or other formal competition processes are required for expenditures meeting the criteria in the Limits section below.

EXAMPLES: Water Meters, Large Equipment, Construction Projects, etc.

A. LIMITS

REQUIRED FOR:

Public Work	Estimated Cost	>\$300,000
Equipment/Supplies/Materials	Estimated Cost	>\$50,000

RECOMMENDED FOR:

Public Work	Estimated Cost	>\$300,000
Equipment/Supplies/Materials	Estimated Cost	>\$50,000

ALLOWED FOR:

Public Work	Estimated Cost	<\$20,000
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B. EXCEPTIONS

Competitive bidding requirements, per RCW 39.04.280, may be waived for:

1. Purchases that are clearly and legitimately limited to a single source of supply;
2. Purchases involving special facilities or market conditions;
3. Purchases in the event of an emergency;
4. Purchases of insurance or bonds;
5. Public works in the event of an emergency;
6. When Authorized to use alternative public work contracting procedures under RCW 39.10; or
7. Pollution Control Project qualified under RCW 70.95A.

See Section 7 for additional information on Exceptions.

C. STATUTORY REQUIREMENTS

a. Requirement Reference Chart

Bid Format	Written
Public Notice	Required
Bid Opening Format	Public
Bid Recording	Required
Late Bids	Not allowed
Award Procedure	Lowest Responsible Bidder
Written Contract	Required
Small Works Process	Not Allowed
Bid Bond	5% Required
Performance Bond	Required

5% Retainage	Required
Maintenance Guaranty	Optional (Recommended for equipment and system purchases)
Prevailing Wage Affidavit 39.12.040(1)	Required
Intent to Pay Prevailing Wage 39.12.040(1)	Required (Must be approved by L&I prior to submittal to AWWD)

D. BID PROCESS

a. INVITATION FOR BIDS (IFB), REQUESTS FOR PROPOSALS (RFP)

IFB/RFP should contain, at a minimum, the following:

1. Description of purchase or work.
2. Specifications covering the item(s) needed or work required.
3. Terms and conditions of the contract.
4. General and special instructions to bidders.
5. Cost and non-cost criteria (mandatory and supplemental bidder criteria) for evaluating the bids received.
6. Whether the “lowest responsible bid” will be computed by (1) line item; (2) groups of items; (3) the entire bid; or (4) if the District has the discretion to make that determination independently.
7. Price sheets for the vendors to submit prices.
8. Offer and acceptance sheet for the bidder to sign.

b. BID DEVELOPMENT, SPECIFICATIONS

Specifications should be developed to promote full and unrestricted competition through setting forth actual, minimum requirements.

1. Plans and specifications must be complete and on-file prior to the time of publication of the public notice.
2. Plans and specifications must be available for public inspection.

c. PUBLIC NOTICE

A notice of the description of the purchase or work shall be published in the The Herald⁴ with the following requirements.

1. Published a minimum of one (1) time.
2. Published thirteen (13) days before the last date upon which bids will be received.
3. Generally state the work to be done or purchase description.
4. Invite sealed proposals for work or purchase.
5. State where to file bids.
6. State deadline for receipt of bids (day and hour).

d. BID AMENDMENTS

If, after issuance of a bid, changes must be made in quantity, specifications, delivery schedule, or closing date, or if corrections are needed because of defects or

⁴ Additional notices may be published in other papers.

ambiguities, an amendment to the bid should be issued. The amendment should be in writing. Consider the time set for receipt of quotations and the necessity or desirability of extending the closing date. Inform potential bidders of such extensions by telephone and then send confirmation by post or electronically. All firms to whom the original bid was sent must be notified of all changes and time extensions.

e. BID RECEIPT & OPENING

Bids are to be received at the time, date, and location specified in the bid document. Time and Date Stamped – Upon receipt, un-opened bids are to be time and date stamped to validate the time of receipt. Late bids shall not be considered and will be returned un-opened to the bidder.

Signed – In general, all bids or quotes which are lacking an appropriate signature of the Offer and Award form will be rejected. However, purchasing personnel may consider bids or quotes which include satisfactory evidence of the bidder's desire to be bound by the terms and conditions specified in the bid/quote document such as in the form of a signed cover letter stating bidder intent. The Offer and Award form need not include an original signature to be considered responsive. A signed copy of the Offer and Award form may be accepted provided it is received before time specified for the opening of bids/quotes. Bids/quotes which are neither signed nor include satisfactory evidence of bidders desire to be bound by terms and conditions shall be rejected after review of all documents included in the bid/quote. Bids which include provisions for digital signatures may be accepted provided they otherwise meet bid requirements.

Sealed – Bids which are not received in a sealed envelope by bid opening date/time will be rejected by the District. This includes all envelopes, which are secured by metal clasp, twist tie string, etc. or those, which do not otherwise preclude unauthorized access. Bidders who deliver their bids in an envelope, which is not sealed, may be allowed to correct this deficiency provided they do so before time/date specified for opening of bids.

Bid Disclosure – The requirement for public opening of bids is a statement of openness to reduce the possibilities of collusion and favoritism and to foster public confidence in the procurement system. Only pertinent information should be read at the opening. This includes the name of the bidder and the total bid price. The time for full disclosure is following award of the bid. The disclosure of pricing is not pertinent information and it is inappropriate to expose pricing at the opening.

Bid Withdrawal – A bidder is permitted to withdraw their bid before the bid opening date/time. Bidders withdrawing their bids may do so by providing a signed letter on their company letterhead requesting to withdraw their bid. The withdrawal request letter must identify the method of return or identify the person authorized to receive

the bid. If no method of bid return is identified, the bid shall be destroyed after the bid opening.

If the bid is returned via US Postal service or other small package carrier, the bidder must also provide shipping charges. If the bid will be withdrawn in person, the person must provide a business card and ID to validate that they are the person identified in the withdrawal letter. The withdrawal letter must also be initialed "bid withdrawn" by the person identified in the withdrawal letter and filed with the bid documents.

f. BID EVALUATION

Bids shall be reviewed and checked for accuracy. Qualification information should be checked at this point. These tasks are generally the responsibility of the Consulting Engineer/Architect, but may be staff responsibility for smaller projects. If a consultant provided the review, they should provide a letter of their award recommendation and certified bid tabs.

g. DECISION TO RE-BID OR CANCEL

The Board of Commissioners may reject all bids for good cause and re-advertise.

h. NEGOTIATION

Negotiation of contract language may take place between the District and the selected party. Final contract language must be accepted by the District attorney, General Manager, and the Board of Commissioners.

i. BID AWARD

Following selection of the contractor/vendor, a "Notice of Award" should be sent to the selected contractor/vendor. The Notice of Award should include:

- Two (2) complete contract documents for signature. These documents must be returned to AWWD.
- Requirement for contractor to provide all bonds
- Requirement for contractor to provide all insurance information.

NOTE: Keep copy of original bid and contract document in project file.

E. DISCLOSING PURCHASING INFORMATION

Full disclosure of bid information should not be made prior to award of the bid. Disclosure of this information is available through the "Request for Public Records" process. Bid documents submitted in response to a request for proposals become a public record upon submission to the District, subject to mandatory disclosure upon request by any person, unless the documents are exempted from public disclosure by a specific provision of law.

F. PREVAILING WAGE

a. REQUIREMENT - RCW 39.12.040

Public works contracts require that each and every employer on the project file a Statement of Intent to Pay Prevailing Wages (Intent), and Affidavit of Wages Paid (Affidavit) forms. The forms are filed with the Department of Labor & Industries and, once they are approved, are submitted by the employer to the District. These forms are required for every public works contract regardless of size of the contract.

b. BID DOCUMENTS – RCW 39.12.030

All bid specifications for public work and public building service maintenance contracts must include the following provisions and information:

- State that prevailing wage rates shall be paid, and
- Include a list of the applicable prevailing wage rates.
- The prevailing wage rate is the rate in effect on the bid due date and shall remain the same through the duration of the project.. Exception: If the contract is awarded more than 6 months after the bid due date, then the prevailing wage rate shall be the rate in effect as of the date of the contract. WAC 296-127-011

c. CONTRACTS FOR PUBLIC WORK - RCW 39.04.010, 39.12.030, 39.12.040, 39.12.042

Employers are not responsible for making the legal determination of whether a contract does or does not meet the definition of a “public works” contract. The District must make the determination of whether the contract involves “public work” and communicate it to the employers in the bid specifications and contracts. Failure to make and include the determination that prevailing wages are required shall result in liability to the District.

d. PREVAILING WAGE PROVISIONS - RCW 39.04.010, 39.12.030, 39.12.040, 39.12.042

The District must stipulate in bid specifications and contracts for public work that workers shall receive the prevailing rate of wage. The documents must also contain a list of the applicable prevailing wage rates. Compliance with the law is not met by referring contractors to Labor & Industries or other sources to obtain wage rate information. Failure to make and include the determination that prevailing wages are required shall result in liability to the District.

e. INTENTS - RCW 39.12.020, 39.12.040

The Intent form is filed immediately after the contract is awarded and before work begins, whenever possible. The District may not make any payments until contractors have submitted an Intent form that has been approved by the Department of Labor & Industries Industrial Statistician. If work must begin prior to receipt of the approved Intent form, the complete listing of prevailing wage rates for the county may be posted and distributed to meet the immediate requirement (RCW 39.12.020).

f. AFFIDAVITS - RCW 39.12.040

The Affidavit form is not filed until after all work is completed. The District may not release final retainage until all contractors have submitted an Affidavit form that has been certified by the Industrial Statistician.

g. POSTING OF PREVAILING WAGES – RCW 39.12.020

Intent forms listing the labor classifications and wages used on the project are required to be posted for the employees' inspection at the job site for projects exceeding \$10,000. On projects where employees are in multiple locations (i.e. sewer line or pipeline project), the employer may post this form at the nearest local office as long as they provide a copy of the Intent form to the employee upon request.

h. DISBURSAL OF PUBLIC FUNDS – RCW 39.12.030, 39.12.040

The District may not make any payments where employers have not submitted an Intent form that has been approved by the Department of Labor and Industries Industrial Statistician. The requirement to submit these forms should be stated in the contract.

i. MISC.

Materials and equipment to be fabricated for incorporation into a public works project (e.g. pump stations, on-site generators, etc.) should be treated for purchase as "public works". However, the prevailing wage requirements will not apply to materials and equipment fabricated out of state.

**Section 2. Small Works Roster Contract Procedures – RCW 39.04.155
District Resolution – 2527-2009**

This section covering small works roster contract procedures can be used as an alternative to the competitive sealed bid process to award contracts for construction, building, renovation, remodeling, alteration, repair, improvement of real property, or any other work performed by outside contractors provided the estimated cost of the project does not exceed \$300,000. The small works roster process includes the limited public works process adopted under subsection (3) of RCW 39.04.155. It is recommended that the small works roster process be used when the estimated project cost exceeds \$35,000 and that the limited public works process be used for projects with an estimated project cost between \$20,000 - \$35,000. For projects where the estimated cost is less than \$20,000, see Section 4: Small Purchases and Work.

The Small Works Roster Process utilizes the Small Works Roster established by the District. RCW 39.04.155 and District Resolution 2527-2009 provide authority for the District to utilize the Small Works Roster process, including the limited public works process. The Engineering Department is responsible for maintenance of the approved Roster and list of contracts let under this process. The procedures for establishing and maintaining the roster and maintenance of the contract list can be found in Appendix C. The Roster is updated when new contractors submit applications and are determined to be qualified to addition to the roster. A copy of the Roster is also provided in Appendix C and will be updated annually. For the most current Roster, contact Engineering or view the roster on the District Web Site.

Master contracts may be required to be signed that become effective when a specific award is made using a small works roster (RCW 39.04.155(2)(a)).

This process provides for a variation to the procedure, known as Limited Works, when the estimated project cost is less than \$35,000.

Small Works Roster Procedure	Projects with Estimated cost < \$300,000
Limited Works Procedure	Projects with Estimated cost < \$ 35,000

Examples:

Work & Materials associated with Public Work

- Capital Improvement Projects
 - Equipment Repair
 - Concrete Work
 - Printing
 - Electrical
 - Construction
 - Mechanical
 - Plumbing
 - Materials, Equipment, Supplies associated with contracted work
- *These example lists are not all inclusive.**

AWWD Purchasing Manual

2.1 Procedure check sheet for purchases from approved Small Works Roster: <\$300,000
See Section 2.2 for Regulatory Requirements for the steps below.

		Completed
STEP 1:	Prepare contract bid documents. This may include:	<input type="checkbox"/>
1.1:	Sample Small Works Contract	
1.2:	Plans	
1.3:	Specification	
1.4:	Bid Schedule	
STEP 2:	Determine Cost Estimate for Project	<input type="checkbox"/>
STEP 3:	Obtain concurrence of cost estimate and note in file	<input type="checkbox"/>
STEP 4:	Obtain written bids from contractors from the District's approved Small Works Roster in accordance with the following:	<input type="checkbox"/>
4.1:	Project Estimated Cost: \$150,000 - \$300,000 Bids must be obtained from a minimum of five (5) contractors from the roster that perform the work necessary for the project. NOTE: If there are more than five (5) contractors on the roster eligible to perform the required work, notice of the project must be published in the newspaper or mailed to all remaining applicable contractors on the roster.	
4.2:	Project Estimated Cost: \$35,000 - \$150,000 Bids must be obtained from a minimum of five (5) contractors from the roster that perform the work necessary for the project.	
4.3:	Project Estimated Cost: < \$35,000 Bids must be obtained from a minimum of three (3) contractors from the roster that perform the work necessary for the project.	
STEP 5:	Review Bids and make recommendation to General Manager to enter into contract with the "lowest responsible bidder".	<input type="checkbox"/>
STEP 6:	Make final preparations on two (2) original contract documents for execution.	<input type="checkbox"/>
STEP 7:	Enter into contact. All contracts must be approved by the Board of Commissioners. Both parties (contractor & District) sign both original contract documents. One executed copy is returned to the contractor, One executed copy is kept in the contract files in the vault.	<input type="checkbox"/>
STEP 8:	Schedule Pre-Construction meeting with Contractor.	<input type="checkbox"/>
STEP 9:	Obtain Insurance documents and Bonds as appropriate.	<input type="checkbox"/>
STEP 10:	Issue Contractor "Notice to Proceed"	<input type="checkbox"/>
STEP 11:	Notify Engineering of the awarded contract/purchase. Information must including: <ul style="list-style-type: none"> ▪ Name of Vendor/Contractor ▪ Contractor's registration number (if applicable) ▪ Amount of the contract/award ▪ Brief description of the type of work performed. ▪ Date the contract was awarded ▪ Location where the bid quotations for the contract/award is 	<input type="checkbox"/>

	available for public inspection.	
STEP 12:	Bid quotes are public record and must be open to public inspection and available to the public by telephone inquiry. If the Limited Works procedure is used, bid quotes must also be made available by electronic request.	<input type="checkbox"/>
STEP 13:	Follow District procedures and contract requirements for payment for the contract services.	<input type="checkbox"/>

2.2 Regulatory Requirements – Small Works Roster Contracts: <\$300,000

The Small Works Roster Contract and Limited Works Procedures can be used as an alternative to the competitive sealed bid process to award contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of real property and meeting the criteria in the Limits section below.

A. LIMITS

SMALL WORKS ROSTER CONTRACT PROCEDURES

ALLOWED FOR:

Work Estimated Cost >\$20,000 and ≤\$300,000

RECOMMENDED FOR:

Work Estimated Cost >\$35,000 and ≤\$300,000

LIMITED WORKS PROCEDURE

ALLOWED & RECOMMENDED FOR:

Work Estimated Cost >\$20,000 and <\$35,000

B. EXCEPTIONS

Competitive bidding requirements, per RCW 39.04.280, may be waived for:

1. Purchases that are clearly and legitimately limited to a single source of supply;
2. Purchases involving special facilities or market conditions;
3. Purchases in the event of an emergency;
4. Purchases of insurance or bonds; and
5. Public works in the event of an emergency.

See Section 7 for additional information on Exceptions.

C. STATUTORY REQUIREMENTS

a. REQUIREMENT REFERENCE CHART

	Small Works Roster >\$35,000 and ≤\$300,000	Limited Works >\$20,000 and <\$35,000
Bid Format	Quotes: written, telephone, or electronic	Quotes: written or electronic
Public Notice	May be required	Not Required
Bid Opening Format	N/A	N/A
Bid Recording	Required	Required
Late Bids	Not Allowed	Not allowed
Award Procedure	Lowest Responsible Bidder	Lowest Responsible Bidder
Written Contract	Required	Required
Limited Works Process	Allowed for project <\$35,000	N/A
Bid Bond	Required – 5%	May be Waived

Performance Bond	Required	May be waived ⁵
5% Retainage	Required	May be waived
Maintenance Guaranty	Optional (Recommended for equipment and system purchases)	Optional (Recommended for equipment and system purchases)
Prevailing Wage Affidavit	Required	Required
Intent to Pay Prevailing Wage	Required	Required

D. SMALL WORKS PROCESS (\$35,000 – \$300,000)

a. INVITATION FOR QUOTES

Invitations for quotes shall contain, at a minimum, the following:

1. Estimate of the scope and nature of the work to be performed.
2. List of materials and equipment to be furnished. Detailed plans and specifications are not required. However, architectural or engineering approvals may be needed to ensure quality and compliance with building codes.
3. Quotes shall be solicited, whenever possible, from at least five (5) contractors, who have indicated the capability of performing the kind of work being contracted, from the approved roster.

b. PUBLIC NOTICE

Project Amount \$150,000 - \$300,000: Publication of notice requesting bids is required when the estimated project amount exceeds \$150,000 and bids are solicited from less than all appropriate contractors on the approved Small Works Roster. Notice may be made by: 1) public advertisement; 2) mailing a notice to all contractors on the Roster; 3) sending notice to all contractors or roster by fax or other electronic means.

Project Amount \$35,000 - \$150,000: Publication of notice requesting bids is not required when the estimated project amount is less than \$150,000.

c. QUOTE RECEIPT

Quotes may be received via written document or electronic document.

d. QUOTE EVALUATION

The Contract shall be awarded to the lowest responsible bidder.

e. DECISION TO RE-BID OR CANCEL

The Board of Commissioners may reject all bids for good cause and re-advertise.

⁵ For purchases <\$35,000, the District may retain 50% of the contract amount (with Contractor agreement) for a period of thirty (30) days after date of final acceptance, or until receipt of all necessary releases from the Department of Revenue and the Department of Labor & Industries and settlement of any liens filed under RCW 60.28, whichever is later.

f. CONTRACT AWARD

A specific contract awarded from the Small Works roster does not need to be advertised.

g. DISCLOSING INFORMATION

Immediately after an award of a contract is made, the District's manager shall record the quotations obtained for the contract, and shall make the bid quotations open to public inspection and available to the public by telephone inquiry.

The District shall make available a list of the contracts awarded under the Small Works Roster Process at least once every year. This list shall include:

1. Name of Contractor
2. Contractor's registration number
3. Amount of the Contract
4. Brief description of the type of work performed
5. Date the contract was awarded
6. Location where the bid quotations for these contracts are available for public inspection.

E. LIMITED WORKS PROCEDURE (\$20,000 - \$35,000)

Public works projects awarded under the Limited Works Procedure are exempt from the requirements of the Small Works Procedure above and are exempt from the requirement that contracts be awarded after advertisement.

a. INVITATION FOR QUOTES

Invitations for quotes shall contain, at a minimum, the following:

1. Estimate of the scope and nature of the work to be performed.
2. List of materials and equipment to be furnished. Detailed plans and specifications are not required. However, architectural or engineering approvals may be needed to ensure quality and compliance with building codes.
3. Quotes shall be solicited, whenever possible, from a minimum of three (3) contractors from the approved roster.

b. QUOTE RECEIPT

Quotes may be received via written document or electronic document.

c. QUOTE EVALUATION

The contract shall be awarded to the lowest responsible bidder.

d. CONTRACT AWARD NOTICE

A contract awarded using this process does not need to be advertised.

e. DISCLOSING INFORMATION

Immediately after an award of a contract is made, the District's manager shall record the quotations obtained for the contract, and shall make the bid quotations open to public inspection and available to the public by electronic request.

The District shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four (24) months under the Limited Works Process. This list shall include:

1. Name of Contractor
2. Contractor's registration number
3. Amount of the Contract
4. Brief description of the type of work performed
5. Date the contract was awarded
6. Location where the bid quotations for these contracts are available for public inspection.

F. PREVAILING WAGE

Purchases awarded from small works roster contracts must require that prevailing wage rates be paid and that Intent and Affidavit forms are filed. See Section 1.6 for more information.

a. ALTERNATE METHOD FOR CONTRACTS \$2500 OR LESS

An alternate method is available to the District that involves the processing of the forms by the District rather than by the Industrial Statistician. This method applies only to projects with a total cost of less than \$2500, and makes the District directly liable to workers for any unpaid prevailing wages although the District would have the right of recovery against the Contractor if Contractor falsely stated in its affidavit that such wages were paid. RCW 39.12.040 (2).

G. PHASING PROJECTS PROHIBITED

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 or limited works process.

**Section 3. Vendor List Purchasing Process – RCW 57.08.050(3)
Purchasing Roster Process – RCW 57.08.050(4)
Purchase Contract Process – RCW 39.04.190, 200
District Resolution - 2527-2009**

This Section can be used for the purchase of materials, equipment, supplies, or services when the cost of the purchase is between \$0 - \$50,000. It is recommended that this process be used when the estimated cost exceeds \$40,000. For purchases where the estimated cost is less than \$40,000, see Section 4: Small Purchases and Work.

The Vendor List Purchasing Process utilizes the Vendor List established by the District. RCW 57.08.050, RCW 39.04.190, and District Resolution 2527-2009 provide authority for the District to utilize the Vendor List purchasing and contract process. The Engineering Department is responsible for maintenance of the approved Vendor List and list of contracts let under this process. The procedures for establishing and maintaining the Vendor List and maintenance of the contract list can be found in Appendix C. A copy of the Vendor List is also provided in Appendix C and will be updated annually. The List is updated when new vendors are determined to be qualified to addition to the roster. For the most current List, contact Engineering.

The Purchasing Roster Process, authorized under RCW 57.08.050(4), utilizes pre-established purchasing rosters that have been established in accordance with the competitive bidding law (i.e. State Bid, WSCA, KCDA, etc.).

Examples:

Materials, Equipment, Supplies

Pumps

Pipes

Meters

Vehicles

Safety Equipment

Warehouse Stock

Office Furniture

***These example lists are not all inclusive.**

3.1 Procedure check sheet for purchases from approved Vendor List or Purchasing Roster:
\$0 - \$50,000

		Completed
STEP 1:	Determine purchasing need and document need including specifics on Written Quote Form (See Form in Appendix B).	<input type="checkbox"/>
1.1:	Note estimated scope and nature of the materials and/or equipment	
STEP 2:	Obtain purchase approval from the General Manager to initiate purchase.	<input type="checkbox"/>
2.1:	Note: Board of Commissioner's approval is required when the estimated cost exceeds \$5,000 and the item was not approved in the District budget process. This will require the standard process for Board Approval.	
STEP 3:	Obtain written quotes from at least three (3) vendors from the District's approved Vendor Roster.	<input type="checkbox"/>
3.1:	Quotes should contain, at a minimum, the information necessary to complete the Supplier information on the Written Quote form.	
3.2:	Note the Purchasing Roster used on the Quote Form.	
3.3:	Complete form information from quotes and attach quotes to form.	
3.4:	If there are not 3 vendors available, fewer quotes are OK.	
STEP 4:	Obtain approval from General Manager for purchase from the lowest responsible quote.	<input type="checkbox"/>
4.1:	All bids can be rejected for good cause by the Board of Commissioners. If this happens, the process must be restarted.	
STEP 5:	Enter into contact. All contracts must be approved by the Board of Commissioners.	<input type="checkbox"/>
STEP 6:	Make purchase from approved Vendor according to accepted terms.	<input type="checkbox"/>
STEP 7:	Notify Engineering of the awarded contract/purchase. Information must including: <ul style="list-style-type: none"> ▪ Name of Vendor/Contractor ▪ Contractor's registration number (if applicable) ▪ Amount of the contract/award ▪ Brief description of the type of work performed. ▪ Date the contract was awarded ▪ Location where the bid quotations for the contract/award is available for public inspection. 	<input type="checkbox"/>
STEP 8:	Bid quotes are public record and must be open to public inspection and available to the public by telephone inquiry.	<input type="checkbox"/>
STEP 9:	Follow District procedures for payment for purchased item(s) including processing of receipt, packing slip, etc.	<input type="checkbox"/>

3.2 Regulatory Requirements – Vendor List or Purchasing Roster: \$0 - \$50,000

The Vendor List Purchasing Process may be used as an alternative to the competitive sealed bid process to award contracts for the purchase of any materials, equipment, supplies, or services and meeting the criteria in the Limits section below.

A. LIMITS

REQUIRED FOR:

Equipment/Supplies/Materials Estimated Cost >\$40,000 and <\$50,000

RECOMMENDED FOR:

Equipment/Supplies/Materials Estimated Cost >\$40,000 and <\$50,000

ALLOWED FOR:

Equipment/Supplies/Materials Estimated Cost <\$40,000

B. EXCEPTIONS

Competitive bidding requirements, per RCW 39.04.280, may be waived for:

1. Purchases that are clearly and legitimately limited to a single source of supply;
2. Purchases involving special facilities or market conditions;
3. Purchases in the event of an emergency;
4. Purchases of insurance or bonds; and
5. Public works in the event of an emergency.

See Section 7 for additional information on Exceptions.

C. STATUTORY REQUIREMENTS

a. REQUIREMENT REFERENCE CHART

Bid Format	Quotes: Written; Telephone may be used for purchases < \$5,000 From: Approved Vendor List (AWWD) or Approved Roster (i.e. State Bid, etc.)
Public Notice	Not Required
Bid Opening Format	N/A
Bid Recording	Required
Late Bids	Not allowed
Award Procedure	Lowest Responsible Bidder
Written Contract	Required
Small Works Process	N/A
Bid Bond	N/A
Performance Bond	N/A
5% Retainage	N/A
Maintenance Guaranty	Not Required (recommended when no warranty)

Prevailing Wage Affidavit	N/A
Intent to Pay Prevailing Wage	N/A

D. QUOTE PROCESS

a. INVITATION FOR QUOTES

Invitations for quotes shall contain, at a minimum, the following:

1. Estimate of the scope and nature of the materials and equipment.
2. Quotes shall be solicited, whenever possible, from at least three (3) vendors from the approved roster.

b. PUBLIC NOTICE

Not Required

c. QUOTE RECEIPT

Quotes may be received via written document. Telephone quotes, or quotes using other electronic means may be used for purchases < \$5,000).

d. QUOTE EVALUATION

The Contract shall be awarded to the lowest responsible bidder.

e. DECISION TO RE-BID OR CANCEL

The Board of Commissioners may reject all bids for good cause and re-advertise.

f. CONTRACT AWARD NOTICE

A contract awarded using this process does not need to be advertised.

g. DISCLOSING INFORMATION

Immediately after an award of a contract is made, the District's manager shall record the quotations obtained for the contract, and shall make the bid quotations open to public inspection and available to the public by telephone inquiry.

The District shall post a list of the contracts awarded under the Vendor Purchasing Process at least once every two (2) months. This list shall include:

1. Name of Contractor
2. Contractor's registration number
3. Amount of the Contract
4. Brief description of the type of work performed
5. Date the contract was awarded
6. Location where the bid quotations for these contracts are available for public inspection.

Section 4. Small Purchases and Work

This Section can be used for the purchase of any materials, equipment, supplies when the cost of the purchase (single item) is between \$0 - \$40,000; or for services when the cost of the work is between \$0 - \$20,000.

Examples:

Materials, Equipment, Supplies	Work ⁶
Pumps	Equipment Repair
Pipes	Concrete Work
Meters	Sewer TV Service
Safety Equipment	Printing
Warehouse Stock	Electrical
Personal Protective Equipment	Construction
Stationary	Mechanical
Office Supplies	Plumbing
Office Furniture	

***These example lists are not all inclusive.**

There are no statutory requirements regulating purchases under \$40,000 or projects under \$20,000⁷ with the exception of the Labor and Industries requirements for work performed (Prevailing Wage Law⁸). Contracts are not required for purchases under \$40,000. The guidelines following are District developed guidelines and can be changed using the appropriate process for modification of procedures and guidelines.

Follow the steps in the sub-section below that meets the estimated purchase cost for a single item or project cost for work.

	Small Work Project	Small Purchases
Section 4.1	Estimated Cost: \$0 - \$999	Estimated Cost: \$0 - \$999
Section 4.2	Estimated Cost : \$1,000 - \$4,999	Estimated Cost : \$1,000 - \$4,999
Section 4.3	Estimated Cost: \$5,000 - \$19,999	Estimated Cost: \$5,000 - \$39,999

⁶ All work performed for the District must comply with the Prevailing Wage Law.

⁷ RCW 57.08.050 states that all work ordered, the estimated cost of which is in excess of \$20,000, shall be let by contract and competitive bidding.

⁸ All work performed by contract, including maintenance work, must comply with the Prevailing Wage Law.

4.1 Procedure check sheet for small purchases and work: \$0 - \$999
 No contract is required for this size of purchase or project.

		Completed
STEP 1:	Determine purchasing need.	<input type="checkbox"/>
STEP 2:	Obtain purchase approval from the Department Head or Supervisor with purchase authority to initiate purchase.	<input type="checkbox"/>
STEP 3:	Is this a purchase of materials(s), equipment, or supplies(s); or for work to be done? WORK: ALL work performed by an outside contractor must comply with the Prevailing Wage requirements. When obtaining quotes/bids/confirmation of pricing for work to be performed, you must inform the Vendor/Contractor (verbally or in writing) that this is a prevailing wage project as this may affect bid pricing.	<input type="checkbox"/>
STEP 4:	Purchase Item or schedule work. No contract is required. Vendors for items to be purchased or work to be done should be selected based on the following priority: <ul style="list-style-type: none"> • Available under a contract already established between the District and a specific vendor. • Available from a Vendor/Contractor authorized under state contract? • Available from a Vendor on the District’s approved vendor list or a contractor on the Small Works Roster • Other vendor offering product or work. 	<input type="checkbox"/>
STEP 5:	WORK: Skip to Step 6 Follow District procedures for payment for purchased item(s) including processing of receipt, packing slip, etc. PURCHASE PROCEDURE COMPLETE	<input type="checkbox"/>
STEP 6:	Obtain a “Statement of Intent to Pay Prevailing Wages” that has been approved by the Department of Labor & Industries, Industrial Statistician. This should be provided by the Contractor and can also be found on the L&I Web Site.	<input type="checkbox"/>
STEP 7:	Hire selected contractor according to accepted terms.	<input type="checkbox"/>
STEP 8:	When job is finished, obtain an “Affidavit of Wages Paid” that has been approved by the Department of Labor & Industries, Industrial Statistician.	<input type="checkbox"/>
STEP 9:	Follow District procedures for payment for work completed.	<input type="checkbox"/>

4.2 Procedure check sheet for small purchases and work: \$1,000 - \$4,999
 No contract is required for this size of purchase or project.

		Completed
STEP 1:	Determine purchasing need and document need including specifics on Telephone Quote Form (See Form in Appendix B).	<input type="checkbox"/>
STEP 2:	Obtain purchase approval from the Department Head or Supervisor with purchase authority to initiate purchase.	<input type="checkbox"/>
STEP 3:	Is this a purchase of materials(s), equipment, or supplies(s); or for work to be done? ALL work performed by an outside contractor must comply with the Prevailing Wage requirements.	<input type="checkbox"/>
STEP 4:	Determine purchasing method. WORK: When obtaining quotes/bids/confirmation of pricing for work to be performed, you must inform the Vendor/Contractor (verbally or in writing) that this is a prevailing wage project as this may affect bid pricing.	<input type="checkbox"/>
Alternate 1:	Is item to be purchased, or work to be done, available under a contract already established between the District and a specific vendor? If yes, continue following Alternate 1 steps. If no, skip to next alternate.	<input type="checkbox"/>
1.1:	Note Contract Number on Telephone Quote Form.	<input type="checkbox"/>
1.2:	Obtain verbal confirmation of purchase price or job cost and note confirmation information on Telephone Quote Form. Also note quoted purchase price on Form.	<input type="checkbox"/>
1.3:	Obtain approval from Department Head (or Supervisor if appropriate) to make purchase from this process.	<input type="checkbox"/>
Alternate 2:	Is the item to be purchased, or work to be done, available from a Vendor/Contractor authorized under state contract? If yes, continue following Alternate 2 steps. If no, skip to next alternate.	<input type="checkbox"/>
2.1:	Note State Contract Number on Telephone Quote Form.	<input type="checkbox"/>
2.2:	Obtain verbal, written, or electronic (on-line pricing acceptable) confirmation of purchase price from authorized vendor/contractor under State Contract. Note quoted purchase price(s) on Form.	<input type="checkbox"/>
2.3:	Obtain approval from Department Head (or Supervisor if appropriate) to make purchase from this process. If more than one quote was obtained, make purchase recommendation.	<input type="checkbox"/>
Alternate 3:	Is the item to be purchased, or work to be done, available from a Vendor on the District's approved vendor list or a contractor on the Small Works Roster? The List/Roster is maintained by Engineering and available on the District's web site. If yes, continue following Alternate 3 steps. If no, skip to next alternate.	<input type="checkbox"/>
3.1:	Complete top portion of the Telephone Quote form.	<input type="checkbox"/>

3.2:	Obtain verbal quotes from a minimum of 3 vendors/contractors from the appropriate approved list. Quotes should contain, at a minimum, the information necessary to complete the Supplier information on the Telephone Quote form. Complete form information from quotes.	<input type="checkbox"/>
3.3:	Obtain approval from appropriate Department Head (or Supervisor if appropriate) for purchase from the lowest responsible quote.	<input type="checkbox"/>
3.4:	Enter into contract, if required. If not required, skip this step. All contracts must be approved by the Board of Commissioners. When the contract is for work, the contract must contain prevailing wage language.	<input type="checkbox"/>
Alternate 4:	If no Alternates above apply, make the purchase, or hire the work, using the following steps.	<input type="checkbox"/>
4.1:	Complete top portion of the Telephone Quote form.	<input type="checkbox"/>
4.2:	Obtain verbal quotes from a minimum of 3 vendors/contractors that supply the item(s) or perform work required. Quotes should contain, at a minimum, the information necessary to complete the Supplier information on the Telephone Quote form. Complete form information from quotes.	<input type="checkbox"/>
4.3:	Obtain approval from appropriate Department Head (or Supervisor if appropriate) for purchase from the lowest responsible quote. Give priority to local vendors whenever feasible.	<input type="checkbox"/>
4.4:	Enter into contract, if required. If not required, skip this step. All contracts must be approved by the Board of Commissioners. When the contract is for work, the contract must contain prevailing wage language.	<input type="checkbox"/>
STEP 5:	WORK: Skip to Step 7 Material(s), Equipment, Supplies Make purchase from approved Vendor according to accepted terms.	<input type="checkbox"/>
STEP 6:	Follow District procedures for payment for purchased item(s) including processing of receipt, packing slip, etc. DONE	<input type="checkbox"/>
STEP 7:	Obtain a "Statement of Intent to Pay Prevailing Wages" that has been approved by the Department of Labor & Industries, Industrial Statistician. This should be provided by the Contractor and can also be found on the L&I Web Site.	<input type="checkbox"/>
STEP 8:	Hire selected contractor according to accepted terms.	<input type="checkbox"/>
STEP 9:	When job is finished, obtain an "Affidavit of Wages Paid" that has been approved by the Department of Labor & Industries, Industrial Statistician.	<input type="checkbox"/>
STEP 10:	Follow District procedures for payment for work completed.	<input type="checkbox"/>

4.3 Procedure check sheet for small purchases \$5,000 - \$39,999; and work: \$5,000 - \$19,999

		Completed
STEP 1:	Determine purchasing need and document need including specifics on Written Quote Form (See Form in Appendix B).	<input type="checkbox"/>
STEP 2:	Obtain purchase approval from the General Manager to initiate purchase. Note: Board of Commissioner's approval is required when the item was not approved in the District budget process. This will require the standard process for Board Approval.	<input type="checkbox"/>
STEP 3:	Is this a purchase of material(s), equipment, or supplies; or for work to be done? ALL work performed by an outside contractor must comply with the Prevailing Wage requirements.	<input type="checkbox"/>
STEP 4:	Determine purchasing method. WORK: When obtaining quotes/bids/confirmation of pricing for work to be performed, you must inform the Vendor/Contractor that this is a prevailing wage project as this may affect bid pricing.	<input type="checkbox"/>
Alternate 1:	Is item to be purchased, or work to be done, available under a contract already established between the District and a specific vendor? If yes, continue following Alternate 1 steps. If no, skip to next alternate.	<input type="checkbox"/>
1.1:	Note Contract Number on Written Quote Form.	<input type="checkbox"/>
1.2:	Obtain written confirmation of purchase price or job cost and attach confirmation information to Written Quote Form. Also note quoted purchase price on Form.	<input type="checkbox"/>
1.3:	Obtain approval from General Manager to make purchase from this process.	<input type="checkbox"/>
Alternate 2:	Is the item to be purchased, or work to be done, available from a Vendor/Contractor authorized under state contract? If yes, continue following Alternate 2 steps. If no, skip to next alternate.	<input type="checkbox"/>
2.1:	Note State Contract Number on Written Quote Form.	<input type="checkbox"/>
2.2:	Obtain written confirmation of purchase price from authorized vendor/contractor under State Contract. Attach to Written Quote Form and note quoted purchase price(s) on Form.	<input type="checkbox"/>
2.3:	Obtain approval from General Manager to make purchase from this process. If more than one quote was obtained, make purchase recommendation.	<input type="checkbox"/>

Alternate 3:	Is the item to be purchased, or work to be done, available from a Vendor on the District's approved vendor list or a contractor on the Small Works Roster? The List/Roster is maintained by Engineering and available on the District's web site. If yes, continue following Alternate 3 steps. If no, skip to next alternate.	<input type="checkbox"/>
3.1:	Complete top portion of the Written Quote form.	<input type="checkbox"/>
3.2:	Obtain written quotes from a minimum of 3 vendors/contractors from the appropriate approved list. Quotes should contain, at a minimum, the information necessary to complete the Supplier information on the Written Quote form. Complete form information from quotes and attach quotes to form.	<input type="checkbox"/>
3.3:	Obtain approval from General Manager for purchase from the lowest responsible quote.	<input type="checkbox"/>
3.4:	Enter into contract, if required. If not required, skip this step. All contracts must be approved by the Board of Commissioners. When the contract is for work, the contract must contain prevailing wage language.	<input type="checkbox"/>
Alternate 4:	If no Alternates above apply, make the purchase, or hire the work, using the following steps.	<input type="checkbox"/>
4.1:	Complete top portion of the Written Quote form.	<input type="checkbox"/>
4.2:	Obtain written quotes from a minimum of 3 vendors/contractors that supply the item(s) or perform work required. Quotes should contain, at a minimum, the information necessary to complete the Supplier information on the Written Quote form. Complete form information from quotes and attach quotes to form.	<input type="checkbox"/>
4.3:	Obtain approval from General Manager for purchase from the lowest responsible quote. Give priority to local vendors whenever feasible.	<input type="checkbox"/>
4.4:	Enter into contract, if required. If not required, skip this step. All contracts must be approved by the Board of Commissioners. When the contract is for work, the contract must contain prevailing wage language.	<input type="checkbox"/>
STEP 2:	WORK: Skip to Step 7 Material(s), Equipment, Supplies Make purchase from approved Vendor according to accepted terms.	<input type="checkbox"/>
STEP 3:	Follow District procedures for payment for purchased item(s) including processing of receipt, packing slip, etc. DONE	<input type="checkbox"/>
STEP 4:	Obtain a "Statement of Intent to Pay Prevailing Wages" that has been approved by the Department of Labor & Industries, Industrial Statistician. This should be provided by the Contractor and can also be found on the L&I Web Site.	<input type="checkbox"/>
STEP 5:	Hire selected contractor according to accepted terms.	<input type="checkbox"/>

STEP 6:	When job is finished, obtain an “Affidavit of Wages Paid” that has been approved by the Department of Labor & Industries, Industrial Statistician.	<input type="checkbox"/>
STEP 7:	Follow District procedures for payment for work completed.	<input type="checkbox"/>

4.4 Regulatory Requirements - Small Purchases \$0 - \$40,000 and Work; \$0 - \$20,000
 These guidelines can be used for the purchase of any materials, equipment, supplies, or services when the purchase meets the criteria in the Limits section below.

A. LIMITS

REQUIRED FOR:

Public Work	Estimated Cost	<\$20,000
Equipment/Supplies/Materials	Estimated Cost	<\$40,000

B. EXCEPTIONS

Competitive bidding requirements, per RCW 39.04.280, may be waived for:

1. Purchases that are clearly and legitimately limited to a single source of supply;
2. Purchases involving special facilities or market conditions;
3. Purchases in the event of an emergency;
4. Purchases of insurance or bonds; and
5. Public works in the event of an emergency.

See Section 7 for additional information on Exceptions.

C. STATUTORY REQUIREMENTS

There are no statutory requirements regulating purchases under \$40,000 or projects under \$20,000⁹ with the exception of the Labor and Industries requirements for work performed (Prevailing Wage Law¹⁰). Contracts are not required for purchases under \$40,000.

a. REQUIREMENT REFERENCE CHART

	\$0-\$999 Section 4.1, 4.4E	\$1,000-\$,999 Section 4.2, 4.4F	Work \$5,000-\$19,999 Purchases \$5,000-\$39,000 Section 4.3, 4.4G
Bid Format	Not Required	Phone Quotes	Written Quotes
Public Notice	N/A		
Bid Opening Format	N/A		
Bid Recording	N/A		
Late Bids	N/A		
Award Procedure	N/A		
Written Contract	Allowed		
Small Works Process	Allowed		
Bid Bond	Allowed		
Performance Bond	Optional		
5% Retainage	Optional		
Maintenance Guaranty	N/A		

⁹ RCW 57.08.050 states that all work ordered, the estimated cost of which is in excess of \$20,000, shall be let by contract and competitive bidding.

¹⁰ All work performed by contract, including maintenance work, must comply with the Prevailing Wage Law.

Prevailing Wage Affidavit	Required for Work ¹¹
Intent to Pay Prevailing Wage	Required for Work ¹²

D. QUOTE PROCESS

a. INVITATION FOR QUOTES

Invitations for quotes shall contain, at a minimum, the following:

1. Estimate of the scope and nature of the materials and equipment.
2. Quotes shall be solicited, whenever possible, from at least three (3) vendors.

b. PUBLIC NOTICE

Not Required

c. QUOTE RECEIPT

Quotes may be received via written document including electronic document or telephone based on requirements in table in section 5.3(a).

d. QUOTE EVALUATION

The purchase or agreement shall be awarded to the lowest responsible bidder. Quote amounts should be pre-tax amount including shipping and handling.

e. DISCLOSING INFORMATION

No specific disclosure of purchases under this section is required.

E. PURCHASES OR WORK: \$0 - \$999

For single individual items <\$1,000, including taxes.

a. PURCHASES

Make your purchasing decision using the following process.

1. Determine your purchase need.
2. Obtain purchase approval if required.
3. Purchase item.
 - i. Check to see if purchase of item(s) is allowed under a contract between the District and a specific Vendor. If yes, make the purchase under this contract.
 - ii. Check to see if purchase of item(s) is available from a Vendor authorized under a State Contract. If yes, make the purchase from the State Contract Vendor.
 - iii. Check to see if purchase of item(s) is available from a Vendor on the District's approved vendor list. If yes, make the purchase from the approved vendor.

¹¹ For contracts under \$2,500, the Intent and Affidavit may be combined and sent to Department of Labor & Industries after contract completion.

¹² See Footnote 9 above.

- iv. If no options above are available, purchase item from vendor that supplies needed item. Give priority to local vendors when feasible.
4. Process receipt, packing slip, etc. in accordance with District requirements.

b. WORK

Define the work needed to be done and determine if it is “Public Work” or “Ordinary Maintenance”.

Work that is classified as “Ordinary Maintenance” is an exception to the statutory definition of “Public Work” (RCW 39.04.010). For work to be classified as “Ordinary Maintenance”, it must be work that is performed on a regularly scheduled basis (not less frequently than once per year) and not performed by contract -- OR -- Work that is performed by contract that is not regularly scheduled but is required to maintain the asset so that a repair does not become necessary.¹³

It is possible for work to be performed that is not classified as “Public Work” but requires prevailing wages to be paid. It is the responsibility of the staff hiring for the work to be performed to ensure compliance with the prevailing wage laws.

F. PURCHASES OR WORK: \$1,000 - \$4,999

For single individual items \$1,000- \$4,999, including taxes.

a. PURCHASES

Make your purchasing decision using the following process.

1. Determine your purchase need.
2. Obtain purchase approval from appropriate Supervisor.
3. Purchase item.
 - i. Check to see if the item(s) to be purchased is allowed under a contract between the District and a specific Vendor. If yes, make the purchase under this contract.
 - ii. Check to see if the item(s) to be purchased is available from a Vendor authorized under a State Contract. If yes, make the purchase from the State Contract Vendor.
 - iii. Check to see if the item(s) to be purchased is available from a Vendor on the District’s approved vendor list. If yes, make the purchase from the approved vendor using following process.
 1. Obtain telephone quotes from a minimum of 3 vendors from the approved Vendor list.
 2. Obtain approval of Selected Vendor from appropriate Supervisor. Approved vendor should be the Vendor that provides the lowest responsible quote.
 3. Make purchase from approved vendor.

¹³ See WAC 296-127-010(7)(b)(iii) for the definition of “Ordinary Maintenance” in the context of prevailing wages.

- iv. If no options above are available, purchase item from vendor that supplies needed item.
 1. Obtain telephone quotes from a minimum of 3 vendors that supply the item required.
 2. Obtain approval of Selected Vendor from appropriate Supervisor. Approved vendor should be the Vendor that provides the lowest responsible quote.
 3. Give priority to local vendors when feasible.
 4. Make purchase from approved vendor.
4. Process receipt, packing slip, etc. in accordance with District requirements.

b. WORK

Define the work needed to be done and determine if it is “Public Work” or “Ordinary Maintenance”.

Work that is classified as “Ordinary Maintenance” is an exception to the statutory definition of “Public Work” (RCW 39.04.010). For work to be classified as “Ordinary Maintenance”, it must be work that is performed on a regularly scheduled basis (not less frequently than once per year) and not performed by contract -- OR -- Work that is performed by contract that is not regularly scheduled but is required to maintain the asset so that a repair does not become necessary.¹⁴

It is possible for work to be performed that is not classified as “Public Work” but requires prevailing wages to be paid. It is the responsibility of the staff hiring for the work to be performed to ensure compliance with the prevailing wage laws.

G. PURCHASES \$10,000 - \$39,999 OR WORK: \$5,000 - \$19,999

For the purchase of single individual items, or lots of like items, \$5,000- \$39,999, including taxes or a work project \$5,000 - \$19,000. Every attempt should be made to ensure that these items are included in the District’s annual budget.

a. PURCHASES

Make your purchasing decision using the following process.

1. Determine your purchase need.
2. Obtain purchase approval from General Manager. Board of Commissioners approval is required when the item was not approved in the District budget process.
3. Purchase item.
 - i. Check to see if the item(s) to be purchased is allowed under a contract between the District and a specific Vendor. If yes, make the purchase under this contract.

¹⁴ See WAC 296-127-010(7)(b)(iii) for the definition of “Ordinary Maintenance” in the context of prevailing wages.

- ii. Check to see if the item(s) to be purchased is available from a Vendor authorized under a State Contract. If yes, make the purchase from the State Contract Vendor.
 - iii. Check to see if the item(s) to be purchased is available from a Vendor on the District's approved vendor list. If yes, make the purchase from the approved vendor using following process.
 - 1. Obtain written quotes from a minimum of 3 vendors from the approved Vendor list.
 - 2. Obtain approval of Selected Vendor from appropriate Supervisor or General Manager. Approved vendor should be the Vendor that provides the lowest responsible quote.
 - 3. Make purchase from approved vendor.
 - iv. If no options above are available, purchase item from vendor that supplies needed item.
 - 1. Obtain written quotes from a minimum of 3 vendors that supply the item required.
 - 2. Obtain approval of Selected Vendor from appropriate Supervisor. Approved vendor should be the Vendor that provides the lowest responsible quote.
 - 3. Give priority to local vendors when feasible.
 - 4. Make purchase from approved vendor.
4. Process receipt, packing slip, etc. in accordance with District requirements.

b. WORK

Define the work needed to be done and determine if it is "Public Work" or "Ordinary Maintenance".

Work that is classified as "Ordinary Maintenance" is an exception to the statutory definition of "Public Work" (RCW 39.04.010). For work to be classified as "Ordinary Maintenance", it must be work that is performed on a regularly scheduled basis (not less frequently than once per year) and not performed by contract -- OR -- Work that is performed by contract that is not regularly scheduled but is required to maintain the asset so that a repair does not become necessary.¹⁵

It is possible for work to be performed that is not classified as "Public Work" but requires prevailing wages to be paid. It is the responsibility of the staff hiring for the work to be performed to ensure compliance with the prevailing wage laws.

¹⁵ See WAC 296-127-010(7)(b)(iii) for the definition of "Ordinary Maintenance" in the context of prevailing wages.

Section 5. Electronic Data Processing and Telecommunications Systems – RCW 39.04.270

This Section should be used for the acquisition of electronic data process or telecommunication equipment, software, or services. The unique aspects of electronic data processing and telecommunications systems and the importance of these systems for effective administration warrant separate acquisition authority. It is the intent that staff utilizes an acquisition method that is both competitive and compatible with the needs of the District. State statute allows both the competitive bid process and competitive negotiation process for these types of purchases.

Examples:

<u>Electronic Data Processing</u>	<u>Telecommunications Systems</u>
Computer Software Applications	Telecommunications Software
Computer Services	Telecommunications Services
Computer Equipment	Telecommunications Equipment

***These example lists are not all inclusive.**

5.1 Procedure check sheet for Competitive Negotiation Process for the purchase of Electronic Data Processing and Telecommunications Systems

		Completed
STEP 1:	Determine purchasing need.	
1.1:	Prepare Request for Proposal (RFP). RFP must include: <ul style="list-style-type: none"> ▪ Estimated scope and nature needed equipment and/or system. ▪ Identify significant evaluation factors and their relative importance. Price may be one of the factors. 	<input type="checkbox"/>
STEP 2:	Obtain approval from the Board to initiate RFP process.	<input type="checkbox"/>
STEP 3:	Determine “Qualified Sources”	<input type="checkbox"/>
STEP 4:	Submit RFP to Qualified Sources	
4.1:	RFP shall be submitted to an adequate number of qualified sources to permit reasonable competition for the procurement process. “Adequate number of qualified sources” is at the District’s discretion.	<input type="checkbox"/>
STEP 5:	Publish advertisement notice in newspaper(s).	
5.1:	Daily Journal of Commerce	
5.2:	Everett Herald <ul style="list-style-type: none"> ▪ Publishing must occur at least thirteen (13) days before the submittal deadline. ▪ Must be published a minimum of one (1) time. 	<input type="checkbox"/>
STEP 6:	RFP Evaluation Process	
6.1:	Develop RFP evaluation criteria for technical evaluation of the proposals received.	
6.2:	Put together RFP Evaluation Team	
6.3:	Distribute RFPs and Evaluation Criteria to Team Members.	
6.4:	Compile Evaluation Results	
6.5:	Interview respondents if desired <ul style="list-style-type: none"> ▪ Award shall be made to the qualified bidder whose proposal is “most advantageous” to the District with price and other factors considered. 	<input type="checkbox"/>
6.6:	Make award recommendation to Board	
STEP 7:	Negotiate final pricing and contract document language with selected vendor if appropriate.	<input type="checkbox"/>
STEP 8:	Obtain approval from Board for purchase.	
8.1:	Any and all proposals can be rejected for good cause by the Board of Commissioners.	<input type="checkbox"/>
For Purchases of Materials, Software, Equipment, etc.		
STEP 9:	Make purchase from approved Vendor according to accepted terms.	<input type="checkbox"/>
STEP 10:	Follow District procedures for payment for purchased item(s) including processing of receipt, packing slip, etc.	<input type="checkbox"/>
For Projects requiring Work to be performed by outside contractors		
STEP 9:	Make final preparations on two (2) original contract documents for execution.	<input type="checkbox"/>

STEP 10:	Obtain Board Authorization to award contract	<input type="checkbox"/>
STEP 11:	<p>Send “Notice of Award” to selected Vendor. Notice of Award shall including:</p> <ul style="list-style-type: none"> ▪ Two (2) complete contract documents for signature. These documents must be returned to AWWD. ▪ Requirement for contractor to provide all insurance information. <p>NOTE: Keep copy of original bid and contract document in project file.</p>	<input type="checkbox"/>
STEP 12:	<p>Enter into contact.</p> <p>All contracts must be approved by the Board of Commissioners. Both parties (Vendor & District) sign both original contract documents. One executed copy is returned to the Vendor, One executed copy is kept in the contract files in the vault.</p>	<input type="checkbox"/>
STEP 13:	Issue “Notice to Proceed”.	<input type="checkbox"/>
STEP 14:	Schedule Pre-Construction meeting with Vendor if applicable.	<input type="checkbox"/>
STEP 15:	<p>Review the project file for completeness. The file must contain, at a minimum, the following:</p> <ul style="list-style-type: none"> ▪ Board Authorization to Advertise ▪ Advertisement ▪ Payments for Advertisement ▪ Addendums and associated correspondence related to addendums ▪ Bid opening Bid Tab Sheets ▪ All bids received ▪ Engineers recommendation and certified bid tab ▪ Board “Authorization to Award” memo ▪ Award Letter ▪ Board “Authorization for Contract Execution” and “Notice to Proceed” ▪ Bid Bond return letters. 	<input type="checkbox"/>
STEP 16:	Follow District procedures and contract requirements for payment for the contract services.	<input type="checkbox"/>

5.2 Regulatory Requirements - Competitive Negotiation Process for the purchase of Electronic Data Processing and Telecommunications Systems

These guidelines should be used for the acquisition of electronic data process or telecommunication equipment, software, or services. The unique aspects of electronic data processing and telecommunications systems and the importance of these systems for effective administration warrant separate acquisition authority. It is the intent that staff utilizes an acquisition method that is both competitive and compatible with the needs of the District. State statute allows both the competitive bid process and competitive negotiation process for these types of purchases.

A. LIMITS

N/A

B. EXCEPTIONS

N/A

C. STATUTORY REQUIREMENTS

a. REQUIREMENT REFERENCE CHART

Bid Format	Competitive Bid or Competitive Negotiation
Public Notice	Required
Bid Opening Format	N/A
Bid Recording	Required
Late Bids	Not allowed
Award Procedure	Most advantageous, qualified bidder
Written Contract	Required
Small Works Process	N/A
Bid Bond	Optional
Performance Bond	Optional
5% Retainage	Required
Maintenance Guaranty	Recommended
Prevailing Wage Affidavit	Required when Public Work part of contract
Intent to Pay Prevailing Wage	Required when Public Work part of contract

D. COMPETITIVE BID PROCESS

Follow procedures in Sections above based on estimated cost of purchase or project.

E. COMPETITIVE NEGOTIATION PROCESS

a. REQUESTS FOR PROPOSALS

Requests for proposals shall contain, at a minimum, the following:

1. Estimate of the scope and nature of project, equipment, etc.

2. Identify significant evaluation factors, including price, and their relative importance.
3. Proposals shall be solicited, whenever possible, from at least three (3) qualified sources.

b. PUBLIC NOTICE

Notice of the request for the proposal must be published in a newspaper of general circulation at least 13 days before the last date upon which proposals will be received.

c. QUOTE RECEIPT

Quotes may be received via written document.

d. QUOTE EVALUATION

The District shall provide reasonable procedures for technical evaluation of the proposals received, identification of qualified sources, and selection for awarding the contract. The Contract shall be awarded to the qualified bidder whose proposal is most advantageous to the District with price and other factors considered.

e. DECISION TO RE-BID OR CANCEL

The Board of Commissioners may reject all bids for good cause and request new proposals.

f. CONTRACT AWARD NOTICE

A contract awarded using this process does not need to be advertised.

g. DISCLOSING INFORMATION

N/A

Section 6. Purchases at Auction – RCW 39.30.045

The District may purchase any supplies, equipment, or materials at auctions, when the item(s) can be obtained at a competitive price, conducted by the following:

- United States Government, or any Federal Agency
- State of Washington, or any State Agency
- Any Municipality or other Government Agency
- Any Private Party

Section 7. Competitive Bidding Requirements - Exceptions

The following are situations where exemptions to competitive bidding requirements can be utilized when awarding contracts for public works and contracts for purchases.

Competitive bidding requirements, per RCW 39.04.280, may be waived for:

- Purchases that are clearly and legitimately limited to a single source of supply;
- Purchases involving special facilities or market conditions;
- Purchases in the event of an emergency;
- Purchases of insurance or bonds;
- Public works in the event of an emergency;

Additionally, the following situations are covered under other regulations as noted:

- When Authorized to use alternative public work contracting procedures under RCW 39.10; or
- Pollution Control Project qualified under RCW 70.95A.

7.1 Purchases that are clearly and legitimately limited to a single source of supply

A “single source of supply” means that only one supplier (source), to the best of the requester’s knowledge and belief, based upon thorough research, is capable of delivering the required product. There are instances where products are truly “sole-source”, but they are few and far between. If there is a way to draft the specifications so that more than one respondent can reply, it is not a sole source situation. The following guidelines¹⁶ can be used to determine if it is a sole source situation:

1. The District has conducted a screening process whereby it can justify purchase of a specific product;
2. It can draft legitimate specifications, to which only one vendor can successfully respond;
3. The product is available only through one manufacturer (or distributor, and the manufacturer so certifies); and
4. The vendor certifies that the District is getting the lowest price it offers anyone.

Similar types of products may exist, but only one supplier, for reasons of expertise, and/or standardization, quality, compatibility with existing equipment, specifications, or availability, is the only source that is acceptable to meet a specific need.

7.2 Purchases involving special facilities or market conditions

See Section 7.1 above¹⁷

¹⁶ Guidelines from *The Bidding Book*

¹⁷ Consult with the District’s attorney and the auditor prior to utilizing this exception.

7.3 Purchases in the event of an emergency – District Resolution 2308-97

Purchases during an emergency situation can be made without competitive bidding. This requires the following steps:

- Emergency Declaration by the Board of Commissioners or designee
- Disclosure of all contracts awarded without competitive bidding due to an emergency

7.4 Purchases of Insurance or Bonds

Purchase of all insurance, fidelity and surety bonds and notary public commissions for the District is the responsibility of the General Manager or his Designee.

7.5 Public Works in the Event of an Emergency

Work needed during an emergency situation can be made without competitive bidding. This requires the following steps:

- Emergency Declaration by the Board of Commissioners or designee
- Disclosure of all contracts awarded without competitive bidding due to an emergency

7.6 Using Alternative Public Works Contracting Procedures under RCW 39.10

These processes include design-build, general contractor/construction manager, and job order contracting procedures authorized by state statute. This manual does not cover these contracting procedures. The District would be required to go through a qualifying procedure to gain state authority prior to utilizing this process.

7.7 Pollution Control Projects Qualified under RCW 70.95A

This process provides an additional means to provide for financing, development, and operation of water pollution control facilities needed for achievement of state and federal water pollution control requirements for the protection of the state's waters. This manual does not cover this procedure.

7.1.1 Regulatory Requirements – Competitive Bidding Exemptions

A. Purchases that are clearly and legitimately limited to a single source of supply

a. JUSTIFICATION REQUIREMENTS & DOCUMENTATION

Sole Source acquisitions must be fully justified and documented to include at a minimum:

1. **Market Survey Discussion**
Reasonable effort must be used to ensure that competition is not feasible. This may be accomplished by written or telephone contacts with knowledgeable experts regarding similar or duplicate requirements. If only one source is identified as a result of the market research, this fact may be used to justify a noncompetitive acquisition.
2. **Supporting Documentation**
 - a. A description of the supplies or services required.
 - b. A description of the circumstances permitting other than full and open competition.
 - c. A description of how the nature of the acquisition or the proposed contractor's unique qualifications is consistent with the circumstances permitting other than full and open competition. If a unique capability is required, the justification should include a description of the way in which the source or the product is uniquely qualified to meet the District's needs such as: Facilities or specialized equipment; patents, data copyrights; or availability of technical data and other information, including drawings and specifications.
 - d. A description of efforts made to ensure that quotes are solicited from as many potential sources as practicable.
 - e. A determination of the market survey and the results.
 - f. A listing of the sources that expressed an interest in the acquisition during the conduct of a market survey.
 - g. Certification that the justification is accurate and complete to the best of the purchaser's knowledge and belief.

b. TYPICAL TYPES OF SOLE SOURCE PURCHASES

One of a kind – The product has no competitive product and is available from only one supplier.

- Proprietary/patented products. A one of a kind product which has essential unique design/performance features providing superior utility not obtainable from similar products.
- Used goods.

Compatibility – The product must match an existing brand of equipment for compatibility and is available from only one supplier.

- Products that are an integral repair part or accessory compatible with existing equipment.
- Products that, although not an integral repair part or accessory, must be compatible with existing equipment, systems or substantial parts inventory and compatibility is the overriding consideration.
- Products which match existing equipment.
- Item standardization: Requirements have been standardized.
- Equipment that include a part(s), which must meet a set of specifications.

Replacement Part – The product is a replacement part for a specific brand of existing equipment and is available from only one supplier.

- Components or replacement parts for which there is no commercially available substitute.
- Warranty required service and/or parts.

Delivery Date – Only one supplier can meet necessary delivery requirements. Delivery by a specific date is essential for the completion of a task or project. Delays would cause an extreme increase in cost or detriment to the District.

Project or Research Continuity – The product must comply with established standards and is available from only one supplier. Changing brands or manufacturers would compromise the continuity of the project.

- A product, equipment, part, service or supplier that, due to technically constraining factors associated with a project or research, are needed to ensure the fairness and validity of the underlying project or research.
- The requested product is being used in ongoing experiments and use of another product could cast doubt on research results.
- Other investigators have used a specific product in similar research and, for compatibility of results, the same product is essential.
- Products for instructional use. The product is to be used in an instructional setting and the intent is to provide instruction on the specific product or diversity of products.

Unique Design – The product must meet physical design or quality requirements or demonstrates a unique capability to provide a particular function and is available from only one supplier.

- Products that have specific features essential for the completion of a task or project.
- Products with physical design characteristics, which satisfy aesthetic requirements.
- Products where it is practical to match existing equipment, e.g. office furniture.

Unique and innovative concept – A service that demonstrates a unique and innovative concept or, demonstrates a unique capability of the source to provide the particular services requested or proposed. In this context, the term does not mean that the source has the sole capability of performing the service. It is the approach that is unique.

A service is considered unique and innovative when:

- It is the product of original thinking submitted by a single source;
- Contains new, novel, or changed concepts, approaches, or methods;
- Was not submitted previously by another; and
- Is not otherwise available within the District.

Requirement by funding source – A product that is specifically and clearly required by a lender, grantor (such as a Federal government) or other provider of funds where the usage of those funds is specifically, explicitly, and clearly restricted by the lender, grantor, or other provider.

Legal Monopoly – Circumstances may dictate that only one supplier can furnish the service such as utility services.

- Public utility services, such as electricity, from natural or regulated monopolies.

Authorized service provider –

- A specific service provider is required by previous contract.
- A specific service provider is required by a warranty.

B. Purchases in the event of an emergency – District Resolution 2308-97;

Purchases during an emergency situation can be made without competitive bidding when the following procedures are followed. See the Glossary for the definition of emergency.

a. EMERGENCY DECLARATION

When an emergency situation exists, the Board of Commissioners (or their designee) may declare an emergency, waive competitive bidding requirements, and award all necessary contracts on behalf of the District to address the emergency situation. See Appendix C for sample Resolution and Contract.

b. DISCLOSING INFORMATION

If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the Board of Commissioners or General Manager and duly entered into record no later than two weeks following the award of the contract.

C. Public works in the event of an emergency;

Work during an emergency situation can be made without competitive bidding when the following procedures are followed. See the Glossary for the definition of emergency.

a. EMERGENCY DECLARATION

When an emergency situation exists, the Board of Commissioners (or their designee) may declare an emergency, waive competitive bidding requirements, and award all necessary contracts on behalf of the District to address the emergency situation.

b. DISCLOSING INFORMATION

If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the Board of Commissioners or General Manager and duly entered into record no later than two weeks following the award of the contract.

Section 8. Purchases Exempt from Competition

The following acquisitions are clearly and legitimately limited to a single source of supply or involve special facilities, services, or market conditions and are designated as exempt from competitive bid requirements. The District should use state contracts if available, if no state contracts exist, purchase authority is granted for the following:

8.1.a UTILITIES

Fees, charges, and assessments for public utilities such as garbage, heat, cable TV, power, lights, fire protection, and recycling services.

8.1.b POSTAGE AND POSTAL SERVICE

8.1.c PROFESSIONAL LICENSE AND MEMBERSHIPS

Professional association membership dues or professional licenses required by employer or state law.

8.1.d PUBLICATIONS, SUBSCRIPTIONS AND INFORMATION SERVICE DIRECTORIES

Publications, subscriptions, and information service directories in print or electric format.

8.1.e CONFERENCES AND SEMINARS

- Registration/tuition for conferences and seminars.
- Booth or room rentals, facilities including furnishings and directly related services and materials for public hearings required by agency mission are included.
- Entrance fees to professional management award programs which are determined to be in pursuit of agency mission are also included.

8.1.f MISCELLANEOUS FEES

- Court imposed fees,
- Fees for obtaining records,
- Juries and directly related materials and services,
- Court ordered attorney fees,
- Out of court settlement costs,
- Registration/cancellation fees,
- Transfer fees or other transaction fees,
- Customs and brokerage fees and duties associated with procurement of goods from foreign countries where such costs are not paid by shipper.

8.1.g LEGAL/PROMOTIONAL ADVERTISEMENTS AND AWARDS

- Legal or promotional advertisements cost via public media to include but not limited to newspapers, video, radio, billboards or journals, and
- Prizes or awards materials which are related to the agency mission.

8.1.h ORIGINAL EQUIPMENT MANUFACTURER (OEM) REPAIR SERVICES

OEM repair services and component parts, and technical and maintenance services (including start-ups, training, and testing), and chemical supplies, which can only be obtained from the original equipment manufacturer or regionally authorized single distributor.

8.1.i TECHNICAL INSPECTION

Survey or certification services, and related expenses required for vessels, boilers, vehicles, and related equipment.

8.1.j TRAINING SERVICES

Recurring training for all or most employees

Materials (including training aids and devices) used in presentation of the training.

Routine and ongoing training required for vendors/contractors/consultants to enable them to comply with contractual requirements.

Training provided incidental (10% or less of equipment cost) to the purchase of equipment, but not included in equipment purchase price.

8.1.k PURCHASE FROM AUCTION

Purchases of supplies, equipment, or materials at auctions conducted by a government agency or any private party are allowed without being subject to competitive bidding requirements if the items can be obtained at a competitive price. RCW 39.30.045

Section 9. Contracting for Professional Services - RCW 39.80 District Resolution No. 2527-2009; 2553-2010

All procurement of architectural and engineering services shall be by contract. It is required that the District publicly announce requirements for these types of services and negotiate contracts on the basis of demonstrated competence and qualification for the type of professional service required and at fair and reasonable prices.

RCW 39.80.030 provides two options that may be used to comply with the “Advance publication” requirement for procurement of professional services: (1) Publishing an announcement on each occasion when professional services provided by a consultant are required by the agency; (2) announcing generally to the public its projected requirements for any category or type of professional services (Contract from established Consultant Roster). The District utilizes both methods under specific circumstances based on the estimated fee for the proposed project.

The procedures for establishing and maintaining the professional services roster can be found in Appendix C. A copy of the roster is also provided in Appendix C and will be updated annually.

Advertise by Project	Fee Estimate => \$150,000
Select from Established Roster	Fee Estimate < \$150,000

Examples:

Professional Services

Architectural Services as defined by RCW 18.08

Engineering Services as defined by RCW 18.43

Land Surveying as defined by RCW 18.43

Landscape Architecture as defined by 18.96

***These example lists are not all inclusive.**

9.1 Procedure check sheet for Procurement for Professional Services: <\$150,000

		Completed
STEP 1:	Determine general scope and nature of the project or work for which services are needed.	<input type="checkbox"/>
STEP 2:	Obtain Board authorization to obtain requested services. NOTE: If the expenditure was approved in your department budget, you do not need to obtain Board authorization to obtain the services. Instead: Inform the Board of intent to obtain the services either verbally or in writing.	<input type="checkbox"/>
STEP 3:	Select professional service provider from Professional Services Roster. Roster maintained by the Engineering Department and is located on the District's web site. When using this method, staff shall endeavor to rotate through the list of consultants within given expertise as practical.	<input type="checkbox"/>
STEP 4:	Negotiate Contract for services. Use standard contract template which can be found on the L: drive.	<input type="checkbox"/>
STEP 5:	Prepare two (2) original contract documents for execution by Consultant.	<input type="checkbox"/>
STEP 6:	Obtain two (2) original executed contract documents from the Consultant and prepare for authorization for Board to execute contracts: <ul style="list-style-type: none">• Prepare Board Report and Motion for Board Approval of Contract.	<input type="checkbox"/>
STEP 7:	Contract executed One executed copy is returned to the contractor, One executed copy is kept in the contract files in the vault with current insurance certificates.	<input type="checkbox"/>
STEP 8:	Initiate Project.	<input type="checkbox"/>
STEP 9:	Follow District procedures and contract requirements for payment.	<input type="checkbox"/>

9.2 Procedure check sheet for Procurement for Professional Services: >=\$150,000

		Completed
STEP 1:	Determine general scope and nature of the project or work for which services are needed.	<input type="checkbox"/>
STEP 2:	Prepare Request for Proposal (RFP)	
STEP 3:	Notify Board of intent to advertise for Request for Proposal. A copy of the District standard RFP is available on the L: drive. NOTE: If the expenditure was approved in your department budget, you do not need to obtain Board authorization to obtain the services. Instead: Inform the Board of intent to obtain the services either verbally or in writing.	<input type="checkbox"/>
STEP 4:	Publish advertisement notice in newspaper(s). <ul style="list-style-type: none"> ▪ Daily Journal of Commerce ▪ Everett Herald Announcement must include: <ul style="list-style-type: none"> ▪ General scope and nature of the project or work ▪ Contact information including address 	<input type="checkbox"/>
STEP 5:	Determine Evaluation Criteria and obtain Department Head approval of criteria.	<input type="checkbox"/>
STEP 6:	Evaluate proposals submitted by firms. <ul style="list-style-type: none"> ▪ 	<input type="checkbox"/>
STEP 7:	Shortlist firms based on evaluation criteria for interviews and conduct interviews <ul style="list-style-type: none"> ▪ Discussions shall be held with one or more firms. ▪ Interviews/Discussions should cover: anticipated concepts and alternative methods of approach for furnishing the required services. ▪ Check References 	<input type="checkbox"/>
STEP 8:	Make selection recommendation <ul style="list-style-type: none"> ▪ The selected firm should be the firm that is deemed to be the “most highly qualified to provide the services required for the proposed project.” 	<input type="checkbox"/>
STEP 9:	Obtain Board authorization to move to contract negotiation with selected firm.	
STEP 10:	Negotiate Contract for services. NOTE: Any changes to the District’s standard contract must be approved by the Department Head and/or District’s Legal Counsel.	<input type="checkbox"/>
STEP 11:	Make final preparations on two (2) original contract documents for execution.	<input type="checkbox"/>
STEP 12:	Enter into contract. All contracts must be approved by the Board of Commissioners. Both parties (contractor & District) sign both original contract documents. One executed copy is returned to the contractor, One executed copy is kept in the contract files in the vault.	<input type="checkbox"/>

STEP 13: Initiate Project.	<input type="checkbox"/>
STEP 14: Follow District procedures and contract requirements for payment.	<input type="checkbox"/>

9.3 Regulatory Requirements - Procurement for Professional Services

These guidelines shall be used for the procurement of professional services. Procurement of these services shall be by contract. It is required that the District publicly announce requirements for these types of services and negotiate contracts on the basis of demonstrated competence and qualification for the type of professional service required and at fair and reasonable prices.

A. LIMITS

N/A

B. EXCEPTIONS

This process does not need to be followed when the District determines that an emergency requires the immediate execution of the work involved.

C. STATUTORY REQUIREMENTS

a. REQUIREMENT REFERENCE CHART

	<\$150,000¹⁸ Section 9.1, 9.3D	>=\$150,000¹⁹ Section 9.2, 9.3E
Bid Format	Contract Negotiation	Request for Qualifications
Public Notice	Required (Annually)	Required
Bid Opening Format	N/A	N/A
Bid Recording	N/A	N/A
Late Bids	N/A	N/A
Award Procedure	Most highly qualified to provide services	Most highly qualified to provide services
Written Contract	Required	Required
Small Works Process	N/A	N/A
Bid Bond	N/A	N/A
Performance Bond	N/A	N/A
5% Retainage	N/A	N/A
Maintenance Guaranty	N/A	N/A
Prevailing Wage Affidavit	N/A	N/A
Intent to Pay Prevailing Wage	N/A	N/A

D. PROFESSIONAL SERVICES ROSTER PROCESS

a. PROFESSIONAL SERVICES PROVIDER SELECTION

Select a Professional Services provider(s) from the current roster that meets the need for the desired area of expertise. Consider location and acceptable level of experience when making selection. Staff may choose to consider multiple

¹⁸ Amount adopted by District Resolution 2553-2010 and authorized by Title 57.08.005(14)

¹⁹ Amount adopted by District Resolution 2553-2010 and authorized by Title 57.08.005(14)

providers from the roster, and follow Section 9.3 E. c. & d. for selection of services provider.

b. CONTRACT NEGOTIATION

The District shall negotiate a contract with the most qualified firm at a price which the District determines to be fair and reasonable. In making its determination, the District shall take into account the estimated value of the services to be rendered as well as the scope, complexity, and professional nature thereof.

If the District is unable to negotiate a satisfactory contract with the firm selected at a price the District determines to be fair and reasonable, negotiations with that firm shall be formally terminated and the District shall select another firm in accordance with Section i. above

c. DECISION TO RE-ADVERTISE OR CANCEL

The Board of Commissioners may reject all proposals for good cause and request new proposals.

d. CONTRACT AWARD NOTICE

A contract awarded using this process does not need to be advertised.

e. DISCLOSING INFORMATION

N/A

E. REQUEST FOR QUALIFICATIONS PROCESS

a. REQUESTS FOR QUALIFICATIONS

Notice for Requests for Qualifications shall contain, at a minimum, the following:

1. The scope and nature of project or work
2. Contact information for District representative including address

b. PUBLIC NOTICE

Notice of the request for the qualifications must be published in advance. The announcement must include, at a minimum: Estimate of the scope and nature of project or work; and Contact information for District representative including address. There are two options available for compliance with this section:

1. Publish an announcement on each occasion when professional services are needed;
2. Publish general announcement stating projected requirements for any category or type of professional service.

c. REQUEST FOR QUALIFICATION RECEIPT

RFQs may be received via any type of documentation preferred by the District.

d. REQUEST FOR QUALIFICATION EVALUATION

The District shall provide reasonable procedures for evaluation of the RFQs received. RFQs evaluated should include those that have been submitted as a result of a specific announcement as well as those submitted under a general announcement when applicable. The evaluation process shall include discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services. Selection shall be made based up on the established criteria and shall be awarded to the firm deemed to be the most highly qualified to provide the services required for the proposed project.

Minority and women-owned firms shall be afforded the maximum practicable opportunity to compete for and obtain public contracts for services. The level of participation by minority and women-owned forms shall be consistent with their general availability within the professional communities involved.

e. CONTRACT NEGOTIATION

The District shall negotiate a contract with the most qualified firm at a price which the District determines to be fair and reasonable. In making its determination, the District shall take into account the estimated value of the services to be rendered as well as the scope, complexity, and professional nature thereof.

If the District is unable to negotiate a satisfactory contract with the firm selected at a price the District determines to be fair and reasonable, negotiations with that firm shall be formally terminated and the District shall select another firm in accordance with above paragraph.

f. DECISION TO RE-ADVERTISE OR CANCEL

The Board of Commissioners may reject all proposals for good cause and request new proposals.

g. CONTRACT AWARD NOTICE

A contract awarded using this process does not need to be advertised.

h. DISCLOSING INFORMATION

N/A

Section 10. Contracting for Personal Services – RCW 39.29

All procurement of personal services shall be by contract. Personal services may be procured only to resolve a specific problem or issue, or to expedite a specific project that is temporary in nature. The District may procure personal services only if it documents that the service is critical to agency responsibilities or operations, or is mandated or authorized by the legislature, that the sufficient staffing or expertise is not available within the agency to perform the service, and other qualified public resources are not available to perform the service (RCW 39.29.011).

Competitive solicitation is required for all personal services contracts. Exceptions for this requirement include: Emergency contracts; Sole Source contracts; Contract amendments; Contracts of less than \$5,000; or when it has been determined that a competitive solicitation process is not appropriate or cost-effective.

Examples:

Personal Services

Accounting
Class Instruction
Locating
Environmental Planning
Legal Services
Management Consulting
Needs Assessment
Quality Assurance
Research
Scientific Studies
Statistical Analysis
Strategic Planning

***These example lists are not all inclusive.**

There are no statutory requirements regulating purchases of personal services by the District. Procurement for Personal Services shall be by contract. However, any substantial change in the scope of work or amendment(s) that exceed 50% of the value of the original contract must be rebid per RCW 39.29.025. The guidelines following are District developed guidelines and can be changed using the appropriate process for modification of procedures and guidelines.

Follow the steps in the sub-section below that meets the estimated purchase/project cost.

Section 10.1	Estimated Cost: \$1 - \$4,999
Section 10.2	Estimated Cost : \$5,000 - \$19,999
Section 10.3	Estimated Cost: \$20,000 or more

10.1 Procedure check sheet for Procurement for Personal Services: \$1 - \$4,999

		Completed
STEP 1:	Determine general scope and nature of the project or work for which services are needed.	<input type="checkbox"/>
STEP 2:	Telephone bids are optional. If used, contact at least 3 firms and document: <ul style="list-style-type: none"> ▪ Requested price ▪ Schedule ▪ Qualifications 	<input type="checkbox"/>
STEP 3:	Select Firm	<input type="checkbox"/>
STEP 4:	Negotiate Contract for services.	<input type="checkbox"/>
STEP 5:	Make final preparations on two (2) original contract documents for execution.	<input type="checkbox"/>
STEP 6:	Obtain Board Authorization to award contract	<input type="checkbox"/>
STEP 7:	Send "Notice of Award" to selected firm. Notice of Award shall include: <ul style="list-style-type: none"> ▪ Two (2) complete contract documents for signature. These documents must be returned to AWWD. 	<input type="checkbox"/>
STEP 8:	Enter into contact. All contracts must be approved by the Board of Commissioners. Both parties (contractor & District) sign both original contract documents. One executed copy is returned to the contractor, One executed copy is kept in the contract files in the vault.	<input type="checkbox"/>
STEP 9:	Initiate Project.	<input type="checkbox"/>
STEP 10:	Follow District procedures and contract requirements for payment.	<input type="checkbox"/>

10.2 Procedure check sheet for Procurement for Personal Services: \$5,000 - \$19,999

		Completed
STEP 1:	Determine general scope and nature of the project or work for which services are needed. Prepare Request for Qualifications document including: <ul style="list-style-type: none"> ▪ Description of services required ▪ Project schedule ▪ Request for consultant’s qualifications ▪ Request for costs or fees ▪ Due date for responses ▪ Acceptable method for return of proposal request documents (i.e. fax, email, regular mail) 	<input type="checkbox"/>
STEP 2:	Send Request for Qualifications document to a minimum of three (3) firms or individuals. <ul style="list-style-type: none"> ▪ This may be done via fax, email, or regular mail. 	<input type="checkbox"/>
STEP 3:	Obtain responses to Request for Qualifications. <ul style="list-style-type: none"> ▪ Responses may be received via fax, email, or regular mail. 	<input type="checkbox"/>
STEP 4:	Evaluate responses and select Firm <ul style="list-style-type: none"> ▪ Project file must document the following: Names of firms solicited; copy of solicitation document; copy of bids received; basis for award decision; and copy of the contract. 	<input type="checkbox"/>
STEP 5:	Negotiate Contract for services.	<input type="checkbox"/>
STEP 6:	Make final preparations on two (2) original contract documents for execution.	<input type="checkbox"/>
STEP 7:	Obtain Board Authorization to award contract	<input type="checkbox"/>
STEP 8:	Send “Notice of Award” to selected firm. Notice of Award shall include: <ul style="list-style-type: none"> ▪ Two (2) complete contract documents for signature. These documents must be returned to AWWD. 	<input type="checkbox"/>
STEP 9:	Enter into contact. All contracts must be approved by the Board of Commissioners. Both parties (contractor & District) sign both original contract documents. One executed copy is returned to the contractor, One executed copy is kept in the contract files in the vault.	<input type="checkbox"/>
STEP 10:	Initiate Project.	<input type="checkbox"/>
STEP 11:	Follow District procedures and contract requirements for payment.	<input type="checkbox"/>

10.3 Procedure check sheet for Procurement for Personal Services: \$20,000 or more

	Completed
STEP 1: Formal Competition is required: Determine general scope and nature of the project or work for which services are needed.	<input type="checkbox"/>
STEP 2: Prepare formal solicitation document. This may be in the form of Request for Proposals (RFP) or Request for Qualifications/Quotations (RFQ). The following items should be included: <ul style="list-style-type: none"> ▪ Description of services required ▪ Project schedule ▪ Request for consultant's qualifications ▪ Request for costs or fees ▪ Due date for responses ▪ Evaluation process ▪ Acceptable method for return of proposal request documents (i.e. fax, email, regular mail) 	<input type="checkbox"/>
STEP 3: Obtain Board authorization to advertise for bids	<input type="checkbox"/>
STEP 4: Publish advertisement notice in newspaper(s). <ul style="list-style-type: none"> ▪ Daily Journal of Commerce ▪ Everett Herald Post opportunity on District Web Site.	<input type="checkbox"/>
STEP 5: Issue RFP or RFQ to a minimum of six (6) firms/businesses. If fewer than six (6) firms are contacted, the file must document why. Alternative: Send notices that opportunity is posted on District website.	<input type="checkbox"/>
STEP 6: RFP/RFQ process <ul style="list-style-type: none"> ▪ Conduct pre-proposal conference if desired ▪ Provide answers to bidder's questions ▪ Notify of any addendums ▪ Date and time stamp proposals received 	<input type="checkbox"/>
STEP 7: Evaluation Process <p>7.1: Develop evaluation criteria for evaluation of the proposals received.</p> <p>7.2: Put together Evaluation Team: Use a minimum of three (3) evaluators.</p> <p>7.3: Distribute RFP or RFQ and Evaluation Criteria to Team Members.</p> <p>7.4: Compile Evaluation Results</p> <p>7.5: Interview respondents if desired</p> <p>7.6: Make award recommendation to Board</p>	<input type="checkbox"/>
STEP 8: Select Firm: Notify successful and unsuccessful firms.	<input type="checkbox"/>
STEP 9: Negotiate Contract for services.	
STEP 10: Make final preparations on two (2) original contract documents for execution.	<input type="checkbox"/>
STEP 11: Obtain Board Authorization to award contract	<input type="checkbox"/>

STEP 12:	Send "Notice of Award" to selected firm. Notice of Award shall including: <ul style="list-style-type: none"> ▪ Two (2) complete contract documents for signature. These documents must be returned to AWWD. 	<input type="checkbox"/>
STEP 13:	Enter into contact. All contracts must be approved by the Board of Commissioners. Both parties (contractor & District) sign both original contract documents. One executed copy is returned to the contractor, One executed copy is kept in the contract files in the vault.	<input type="checkbox"/>
STEP 14:	Initiate Project.	<input type="checkbox"/>
STEP 15:	Follow District procedures and contract requirements for payment.	<input type="checkbox"/>

10.4 Regulatory Requirements – Procurement for Personal Services

These guidelines shall be used for the procurement of personal services. Procurement of these services shall be by contract. It is required that the District publicly announce requirements for these types of services and negotiate contracts on the basis of demonstrated competence and qualification for the type of personal service required and at fair and reasonable prices.

A. LIMITS

N/A

B. EXCEPTIONS

This process does not need to be followed when the District determines that an emergency requires the immediate execution of the work involved.

C. STATUTORY REQUIREMENTS

a. REQUIREMENT REFERENCE CHART

	\$1-\$4,999 Section 10.1	\$5,000-\$19,999 Section 10.2	\$20,000 or More Section 10.3
Bid Format	Not Required	Written Quotes	RFP/RFQ Process
Public Notice	N/A		
Bid Opening Format	N/A		
Bid Recording	N/A		
Late Bids	N/A		
Award Procedure	N/A		
Written Contract	Required		
Small Works Process	Allowed		
Bid Bond	N/A		
Performance Bond	N/A		
5% Retainage	N/A		
Maintenance Guaranty	N/A		
Prevailing Wage Affidavit	N/A		
Intent to Pay Prevailing Wage	N/A		

D. REQUEST FOR QUALIFICATIONS PROCESS

a. REQUESTS FOR QUALIFICATIONS

Requests for qualifications shall contain, at a minimum, the following:

1. Description of services required
2. Contact information for District representative including address
3. Project schedule
4. Request for consultant's qualifications
5. Request for costs or fees
6. Due date for responses

7. Evaluation process
8. Acceptable method for return of proposal request documents (i.e. fax, email, regular mail)

b. PUBLIC NOTICE

Notice of the request for the qualifications must be published in advance when the project scope is estimated to exceed \$20,000. The announcement must include, at a minimum: Description of services required and Contact information for District representative including address.

c. REQUEST FOR QUALIFICATION RECEIPT

RFP/RFQ submittal requirement varies based on the estimated value of the project scope.

\$1 - \$4,999: Telephone bids OK

\$5,000 or more: Written bids required. Fax or email can be used at the discretion of staff.

d. REQUEST FOR QUALIFICATION EVALUATION

The District shall provide reasonable procedures for evaluation of the RFP/RFQs received. The evaluation team shall consist of a minimum of three (3) evaluators. Evaluate proposals strictly against criteria set forth in the RFP/RFQ and score. Tabulate scores and determine ranking of proposers. Interviews are not required, but can be used as part of the evaluation process. Determine final scoring and select apparent successful firm.

e. CONTRACT NEGOTIATION

The District shall negotiate a contract with the selected firm. Conduct debriefing conferences with unsuccessful proposers, if requested.

f. DECISION TO RE-BID OR CANCEL

The Board of Commissioners may reject all bids for good cause and request new proposals.

g. CONTRACT AWARD NOTICE

A contract awarded using this process does not need to be advertised.

h. DISCLOSING INFORMATION

N/A

Appendix A - Glossary

Where words or phrases are specifically defined by rule, the rule is noted in the definition. Where a word or phrase has another meaning than defined by rule, it is offered as a secondary definition.

Award	The acceptance of a bid or proposal; the presentation of a purchase agreement or contract to a bidder.
Amendment	For the purposes of a Contract, shall mean an agreement between the parties to change the Contract after it is fully signed by both parties. Such agreement shall be memorialized in a written document describing the agreed upon change including any terms and conditions required to support such change.
Bid	A written offer to perform a contract to purchase or supply goods or services in response to an invitation for bid. WAC 236-48-003
Bid Evaluation	The process of examining a bid after opening to determine the bidder's responsibility, responsiveness to requirements, and to ascertain other characteristics of the bid that relate to determination of the successful bidder.
Bid Opening	The formal process through which bids are opened and the contents revealed for the first time.
Bidder	A supplier who submits a bid, quotation, or proposal WAC 236-48-003
Bidder's Bond	A bid guarantee or performance guarantee as addressed in RCW 43.19.1915, WAC 236-48-035, 236-48-036, and 236-48-003
Competition	The process by which two or more vendors vie to secure the business of a purchaser by offering most favorable terms as to price, quality, delivery and/or service.
Conflict of Interest	A situation where the personal interests of a contractor, public official or employee are, or appear to be, at odds with the best interest of the District.
Contract	All types of agreements, regardless of what they may be called, for the procurements, or disposal, of supplies, services, or construction. Secondary: Contracts for goods and/or services administered by the District which would normally include quantity and fixed term.
Contractor	Individual, company, corporation, firm, or combination thereof with whom purchaser develops a contract for the procurement of goods and/or services. WAC 236-48-003
Cooperative Purchasing	The combining of requirements of two or more political entities to obtain advantages of volume purchases, reduction in administrative expenses or other public benefits.

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Design Specification	A type or method of writing a purchase description characterization by detail as to how the product is to be manufactured or work is to be performed. Appropriate for unique product or custom work.
Discount	An allowance or deduction from a normal or list price extended by a seller to a buyer to make the net price more competitive.
Disposition	Transferring, trade-in, selling, or destroying goods that are excess, surplus, or scrap.
Effective Date of Award	The date that performance of the contract shall start.
Emergency	Unforeseen circumstances beyond the control of the District which present a real, immediate, and extreme threat to the proper performance of essential functions or which may reasonably be expected to result in excessive loss or damage to property, bodily injury, or loss of life. RCW 43.19.200(2)
Emergency Purchase	A purchase made pursuant to RCW 43.19.200 in which the normal competitive purchasing procedures have been waived by a declaration of emergency issued by the General Manager or delegate.
Equal	1) An offer of goods and/or services which meet or exceeds the quality, performance and use of the specifications identified in a competitive solicitation. WAC 236-48-003 2) A phrase used to indicate the acceptability of products of similar or superior function, purpose, design and/or performance.
Equipment	Personal property of a durable nature that retains its identity throughout its useful life.
Exclusions	Omit from consideration.
Exemptions	Free from duty or obligation required by others.
Formal sealed bid	A bid that has been submitted in a sealed manner, either manually or electronically, to prevent its contents being revealed or known before the deadline for submission of all bids. Required by statute RCW 43.19.1906 to enhance competition.
Goods and/or services	Materials, supplies, services, and equipment offered for sale by a supplier(s) and required to accomplish continuing and necessary functions and not otherwise statutorily exempt from chapter RCW 43.19. WAC 236-48-003
Invitation for Bid	The solicitation document utilized to solicit bids in the formal, sealed bid procedure and all documents attached or incorporated by reference. WAC 236-48-003
OEM	Original Equipment Manufacturer

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Ordinary Maintenance	Work not performed by contract and that is performed on a regularly scheduled basis (e.g. daily, weekly, monthly, etc. but not less frequently than once per year), to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary. WAC 296-127-010(7)(b)(iii)
Personal Services	Professional or technical expertise provided by a consultant to accomplish a specific study, project, task, or other work statement.
Professional Services	Services rendered by any person, other than as an employee of the agency, contracting to perform activities within the scope of the general definition of professional practice in RCW 18.08 (Architects), 18.43 (Engineers and Land Surveyors), 18.96 (Landscape Architects)
Proposal	An offer to perform a contract to supply goods or services in response to a request for proposal. WAC 236-48-003
Public Bid Opening	The process of opening bids conducted at the time and place specified in the Invitation for Bids and/or the advertisement and in the presence of anyone who wishes to attend.
Public Work	All work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein. All public works, including maintenance when performed by contract shall comply with chapter RCW 39.12. RCW 39.04.010 This includes but is not limited to, demolition, remodeling, renovation, road construction, building construction, and utilities construction.
Purchase	Shall include purchase, lease, renting or lease-purchase of goods and services. WAC 236-48-003
Purchased Service	Labor, time or effort provided by an independent contractor not involving the delivery of a specific end product and is usually awarded through competition. Services provided by a vendor to accomplish routine, continuing, and necessary functions, such as: equipment maintenance and repair, operation of a physical plant, security, computer hardware and software maintenance, data entry, key punch services, contract programming, and analysis. RCW 39.29.006
Purchaser	The authorized user of a contract who may or actually does make purchases of materials, supplies, services, and/or equipment under the contract.

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Request for Proposal (RFP)	The form utilized to solicit written proposals from potential suppliers. Both cost and non-cost factors are evaluated in addition to conditions of responsiveness and responsibility to achieve best value. A weighted point assignment method of evaluation may be used if considered appropriate. WAC 236-48-003
Request for Quotation (RFQ)	1) The form used to solicit written quotations in accordance with RCW 43-19-1906(2). The request and the quote in response may be either written or oral as specified by the purchasing activity. Factors impacting cost and conditions of responsiveness and responsibility are normally evaluated. Non-cost factors may be evaluated and all factors may be weighted if considered appropriate. WAC 236-48-003 2) The required form generally used for seeking competition on smaller purchases or on purchases lower than the amount that requires competitive sealed bidding. See Appendix B.
Responsible Bidder	The ability, capacity, and skill to perform a contract or provide the service required, including, but not limited to the character, integrity, reputation, judgment, experience, and efficiency of the bidder. Further consideration may include, but is not limited to, whether the bidder can perform the contract within the time specified, the quality of performance of previous contracts or services, the previous and existing compliance by the bidder with laws relating to the contract or services and such other information as may be secured having a bearing on the decision to award the contract. A person who has the capability in all respects to perform in full the contract requirements and meets the elements of responsibility as defined. RCW 43-19-1911(9).
Responsive Bidder	A person whose bid conforms in all material respects to the terms and conditions, the specifications, and other requirements of the solicitation.
Segmenting	The segmenting of a requirement or project into parts to avoid dollar limitations or competition is prohibited. The parts of an acquisition are those items which would normally be acquired together to accomplish a task or project.
Single Source Purchase	A purchase of goods or services which is clearly and legitimately limited to a single source of supply. WAC 236-48-003
Sole Source	Purchases which are clearly and legitimately limited to a single source of supply and purchases involving special facilities, services, or market conditions, in which instance the purchase price may be best established by direct negotiation.
Solicitation	The process of notifying prospective bidders that the purchasing activity desires to receive competitive bids, quotes, or proposals for the furnishing of goods or services. WAC 236-48-003

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Specifications	The explicit requirements furnished with a competitive solicitation upon which a purchase contract is based. Specifications set forth the characteristics of the goods and/or services to be purchased or sold so as to enable the bidder or supplier to determine and understand requirements of the purchaser. Specifications may be in the form of a description of the physical or performance characteristics, a reference brand, or both. It may include a description of any requirement for inspection, testing, or preparing a material, equipment, supplies, or service for delivery. WAC 236-48-003
Subcontract	A person or business that is, or will be, providing or performing an essential aspect of a contract under the direction and responsibility of the Contractor and with the agreement of the District.
Supplier	A vendor of purchased goods and services. WAC 236-48-003
Used Equipment	Goods offered for sale which do not have a full factory warranty and which are not being rented, leased, or otherwise in the actual possession of the District when considering the purchase at the time of the purchase transaction. WAC 236-48-003
Vehicle	A device, as a motor vehicle, boat, airplane, or a piece of mechanized equipment, the transporting passengers, goods, or apparatus.
Vendor	A provider of materials, supplies, services, and/or equipment.

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Appendix B – Verbal & Written Bid Form

ALDERWOOD WATER & WASTEWATER DISTRICT
 TELEPHONE BIDS (\$500-\$4,999)
 WRITTEN BIDS – Purchases (\$5,000-\$39,999)¹
 Work (\$5,000-\$19,000)

ITEM REQUESTED: _____

REPLACEMENT OR NEW (R-N)? _____

BRAND: _____ MODEL NO: _____

OTHER IDENTIFYING INFORMATION: _____

PURPOSE OF ITEM (LOCATION USED): _____

SUPPLIER: _____ CONTACT PERSON: _____

ADDRESS: _____ PHONE #: _____

BID PRICE: \$ _____ S&H: \$ _____ TOTAL: \$ _____

TERMS: _____ AVAILABILITY: _____

ADDITIONAL INFORMATION(FOB, warranty, etc): _____

SUPPLIER: _____ CONTACT PERSON: _____

ADDRESS: _____ PHONE #: _____

BID PRICE: \$ _____ S&H: \$ _____ TOTAL: \$ _____

TERMS: _____ AVAILABILITY: _____

ADDITIONAL INFORMATION(FOB, warranty, etc): _____

SUPPLIER: _____ CONTACT PERSON: _____

ADDRESS: _____ PHONE #: _____

BID PRICE: \$ _____ S&H: \$ _____ TOTAL: \$ _____

TERMS: _____ AVAILABILITY: _____

ADDITIONAL INFORMATION(FOB, warranty, etc): _____

EMPLOYEE: _____ DATE: _____

FOREMAN: _____ DATE: _____

APPROVED BY: _____ DATE: _____

APPROVED VENDOR: _____ SUB TOTAL \$ _____

GL ACCT #: _____ Sales Tax \$ _____

GL ACCT #: _____ TOTAL \$ _____

Submit to Superintendent. After approval, original will be returned to you for ordering. After ordering, return completed request to superintendent so each request form can be attached to the invoice.

*Bid selection is based on total price: including tax and shipping and handling (S&H).

¹ For Written Bids, attach written quotes to this form.

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Appendix C – Rosters

This Section Requires Revision because of recent changes to use of MRSC Rosters.

Small Works Roster & Roster Procedures

PROCEDURES

Contracts for materials and work may be let in accordance with Title 39.04.155 and as may hereinafter be amended.

The Small Works Roster shall consist of:

- A. A general roster of all responsible contractors who have requested to be placed on a roster; or
- B. Individual rosters of contractors who have requested to be placed on a roster for specialty or categories of anticipated work.
- C. Any contractor requesting to be placed on a roster must provide and keep current any applicable licenses, certifications, registrations, bonding or proof of insurance.

Updating the Roster:

Once each year, the District shall publish notice of the existence of the roster in a newspaper of general circulation within the District, which shall solicit the names of contractors for the list and roster; provided that, responsible contractors who submit the information required under 2C shall be added to the appropriate roster at any time upon request.

Use of the Roster:

- A. The District's General Manager, or designee, shall secure quotations in accordance with Section 2 of the District Purchasing Manual from contractors on the roster for the appropriate category of work, assure a competitive price and to award contracts to the lowest responsible bidder as defined in RCW 39.04.010. The District's invitation for quotations shall include an estimate of the scope and nature of the work and materials and equipment required.
- B. Immediately after an award of a contract is made, the District's General Manager, or designee, shall record the quotations obtained for the contract, and shall make the bid quotations open to public inspection and available to the public by telephone inquiry.

Listing of Contracts Awarded:

The District must make available a list of the contracts awarded under the above process at least once per year. The list shall identify the contractor awarded the contract; the amount of the contract; performed brief description of the work performed under the contract; the date the contract was awarded; and where the bid quotations for these contracts are available for public inspection.

Vendor Roster & Roster Procedures

PROCEDURES

Contracts for materials may be let in accordance with Title 39.04.190 and as may hereinafter amended.

Vendor List

The District shall establish a vendor list which shall consist of all responsible vendors who have requested to be placed on a list.

Updating the List:

Twice each year, the District's General Manager, or designee, shall publish notice of the existence of the vendor list in a newspaper of general circulation within the District, which shall solicit the names of vendors for the list.

Use of the List:

- A. The District's General Manager, or designee, shall secure quotations in accordance with the procedures in Section 3 of the District Purchasing Manual from the vendors on the list for the appropriate category of materials, to assure a competitive price and to award contracts to the lowest responsible bidder as defined by RCW 39.04.010. The District's invitation for quotations shall include an estimate of the scope and nature of the materials and equipment required. Whenever possible, at least three vendors, as appropriate, shall be invited to submit quotations.
- B. Immediately after an award of a contract is made, the District's General Manager, or designee, shall record the quotations obtained for the contract, and shall make the bid quotations open to public inspection and available to the public by telephone inquiry.

Listing of Contracts Awarded:

Once every two months a list of the contracts awarded under this Resolution shall be posted at the District's office. The list shall identify the vendor awarded the contract, the amount of the contract, the materials or items purchased, the date the contract was awarded and where the bid quotations for these contracts are available for public inspection.

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Consultant Roster & Roster Procedures

Architectural and Engineering Services selection shall be conducted in accordance with the laws and regulations of the State of Washington (RCW 39.80). Advanced publication of consultant contracts is required by RCW 39.80.030. This RCW provides two options that may be used to comply with the “Advance publication” requirement for procurement of professional services: (1) Publishing an announcement on each occasion when professional services provided by a consultant are required by the agency; (2) announcing generally to the public its projected requirements for any category or type of professional services (Contract from established Consultant Roster). The District utilizes both methods under specific circumstances based on the estimated fee for the proposed project.

SPECIFIC PROJECTS WITH ESTIMATED FEES Greater Than \$50,000

Consultant selection for specific projects, where the estimated fees are anticipated to exceed \$50,000, shall be conducted through advertising in the local newspaper of record, Requests for Proposals, interviews, and contract negotiation.

SPECIFIC PROJECTS WITH ESTIMATED FEES Less Than \$50,000

If the estimated fees do not exceed \$50,000, the selection may be made from an established roster of consultants which has been prepared from solicitation of consultants who have provided their area of expertise. A consultant may be selected from the list for the desired area of expertise, and a contract may be negotiated. When using the roster method, the District shall endeavor to rotate through the list of consultants within given expertise, as may be practical when considering location and acceptable level of experience.

Other consultants, such as legal, financial, and environmental shall be solicited through the Request for Qualifications, interview, and contract negotiation procedures. Each contract shall be reviewed and evaluated at least every three (3) years, and may be reviewed and evaluated more frequently at the discretion of the Board of Commissioners. The Board of Commissioners may elect to proceed with Requests for Proposals, or may elect to extend or re-negotiate the existing contract for services.

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Appendix D – Emergency Templates

Declaration of Emergency

Emergency Work Contract

Emergency Work Staff Memorandum

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Appendix E – Prevailing Wage Information and Forms

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Appendix F – District Resolutions

2527-2009 – To Be Inserted Following Adoption