

CITY OF BAINBRIDGE ISLAND
Public Works Department
LOCAL IMPROVEMENT DISTRICT (LID) CHECKLIST

This outline/checklist sets forth the steps in processing an LID and constructing its improvement. The second column, entitled, "RESP." describes the party or department which is responsible for carrying out the item listed in the third column. After an item has been completed or carried out, a clerk of Public Works Administration shall place the clerk's initials in the fourth column, together with the date of the initialing in the fifth column. Documents having an asterisk (*) shall be sent to bond counsel with an appropriate cover letter after they have been prepared or obtained. Where the document is the result of an action of the City Council, minutes of the meeting reflecting the action shall be sent to bond counsel with the document. Minutes of the formation and final assessment roll hearings also shall be sent to bond counsel.

#	Responsibility	Item	Initial	Date
		PETITION METHOD LID:		
1.	Public Works	Upon request, prepare LID petition (Form No. 1).* RCW 35.43.120		
		<p><i>Need to determine (as close as possible) boundaries and/or participation area prior to petitioner acquiring signatures:</i></p> <ul style="list-style-type: none"> • Request sketch of participation area from applicant. • Identify which lots are developed/undeveloped. • Identify which lots are buildable ? • Do all lots have access ? • Do all lots benefit ? 		
2.	City Attorney	Before circulation by petition proponents, review and approve petition.		
3.	Public Works	Received petition _____(date) ____; Receipt # _____		
4.	Finance	Assign LID Number & set up codes for preliminary expenditures.		
5.	Public Works	Upon filing, prepare Certificate of Sufficiency* of petition.* RCW 35.43.130		
6.	Public Works	Prepare resolution setting date and time of hearing (Form No. 2). RCW 35.43.125		
7.	City Attorney	Review and approve resolution setting date and time of hearing.		

#	Responsibility	Item	Initial	Date
8.	City Council	Adopt resolution setting date and time of hearing.*		
		RESOLUTION METHOD LID:		
9.	Public Works	Prepare resolution of intention to form LID (Form No. 9). RCW 35.43.130-150		
10.	City Attorney	Review and approve resolution of intention to form LID.		
11.	City Council	Adopt resolution of intention to form LID.*		
		PETITION OR RESOLUTION METHOD LID:		
12.	Public Works/ Consulting Engineer	Prepare cost estimate, preliminary assessment roll and assemble other statutorily required information and certify it to the City Council. RCW 35.43.130. (NOTE: Cost estimate must include construction, financing, bond attorney, city attorney, and LID administration costs).		
13.	PWC	Review and approve cost estimate, etc.		
14.	Public Works/ Consulting Engineer	Determine whether LID contains "farm and agriculture land" as defined in RCW 84.34.310. Obtain a certificate from County Assessor that either the LID does not contain or does contain such land.*		
15.	Public Works	Determine whether LID formation is categorically exempt from procedures of State Environmental Policy Act (SEPA), Ch. 43.21 RCW and Ch. 197-11 WAC. If not categorically exempt, arrange for Department of Planning and Community Development to review and issue environmental checklist and for Director of Planning and Community Development to issue threshold determination (Determination of Non-Significance (DNS) or Environmental Impact Statement (EIS)).* SEPA proceedings, including any appeals from threshold determination, must be finished before adopting ordinance creating LID and ordering improvements.		
16.	City Clerk	Publish resolution of intention or resolution setting date and time of hearing in at least two consecutive issues of the City's official newspaper, the first publication being at least fifteen (15) days prior to the hearing. RCW 35.43.140		
17.	City Clerk	Prepare notice of proposed improvement and hearing thereon (mailing) (Forms No. 3 or 10), notice of proposed improvement and hearing thereon (publication) (Forms No. 4 or 11), notice of proposed		

#	Responsibility	Item	Initial	Date
		improvement and hearing thereon for property <u>outside</u> of LID, if water or sewer (Forms No. 5 or 12), and HUD notice of connection, if water/sewer (Forms No. 6 or 13).		
18.	City Attorney	Review notices prepared by City Clerk.		
19.	City Clerk	Mail notices for mailing by first class mail at least 15 days before the date of the hearing to the owners as shown on the rolls of the <u>County Assessor</u> . RCW 35.43.150. If State-owned property will be assessed, mail notice to state by registered or certified mail at least 30 days prior to the hearing. RCW 79.44.040		
20.	City Clerk	After mailing notices, prepare affidavit of mailing with form of notice attached.*		
21.	City Clerk	Obtain affidavit of publication of resolution of intention or resolution fixing date and time of hearing.*		
22.	City Council	Conduct public hearing on formation of LID.		
23.	Public Works	Prepare ordinance creating LID (Forms 7 and 14).		
24.	City Attorney	Review and approve ordinance creating LID.		
25.	City Clerk	Prepare notice of date and place for commencing SEPA judicial appeal (Forms 8 or 15).		
26.	City Attorney	Review notice prepared by City Clerk.		
27.	City Council	Pass ordinance creating LID and ordering the improvement.* RCW 35.43.070.		
28.	City Clerk	Publish ordinance creating LID and notice of date and place for commencing SEPA judicial appeal in City's official newspaper.		
29.	City Clerk	Mail notice of date and place for commencing SEPA judicial appeal to the owners as shown on the rolls of the County Assessor.		
30.	City Clerk	Obtain affidavit of publication of ordinance creating LID and notice of date and place for commencing SEPA judicial appeal.*		
31.	Public Works	Within 15 days of creation of LID, file ordinance creating LID, boundary diagram of LID and preliminary assessment roll with Director of Finance and Administrative Services.		
32.	Finance	Within 15 days after creation of LID, Director of Finance and Administrative Services posts the proposed the		

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		assessment roll upon City's index of local improvement assessments. RCW 35.50.005.		
33.	Public Works	If LID contains "farm and agriculture land" as defined in RCW 84.34.310, file notice of formation of LID with County Assessor and County Board of Commissioners. RCW 84.34.320. (Assessor will mail notice of LID to owners of "farm and agriculture lands.")		
34.	Public Works	If there is farm and agriculture land as defined in RCW 84.34.310, obtain certificate or other evidence of mailing of such notice by County Assessor.*		
35.	City Clerk	Collect protests against formation of LID initiated by resolution.		
36.	Public Works	If LID initiated by resolution method, prepare certificate of maximum percentage of protests during 30 day protest period following passage of LID formation ordinance.* RCW 35.43.180		
37.		NOTE: Any lawsuit challenging formation of the LID must be filed within 30 days after the passage of formation ordinance if the LID was initiated by the petition method or after expiration of the 30 day protest period if the LID was initiated by the resolution method. RCW 35.43.100.		
38.	Finance	If deemed appropriate, arrange for interim financing by warrants or other short term obligations pursuant to further ordinance.*		
		ENGINEERING		
39.	Finance	Assign BARS code # and/or project # and set up files.		
40.	PW	Assign Project Engineer		
41.	City Council	Approve consultant engineer for design contract.		
42.	PW	Permitting - Contact DPCD for permit requirements and/or conducting TSR		
43.	Public Works - Consult. Engr.	Design Engineer prepares plans and specifications. A copy of the spec is forwarded to the Engineering dept. via disk.		
44.	Public Works	Acquire and ROW/easements if necessary and record with Kitsap County.		
45.	Public Works	Advertise for construction bids. Publish once in the official newspaper at least 13 days before the bid opening date. RCW 35.23.352 & RCW 39.28.020(5) &		

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		1993 Senate Bill #5048.		
46.	Public Works	Reserve conference room for bid opening.		
47.	City Clerk	File affidavit of publication.		
48.	Public Works	Mail any addendums issued via certified mail.		
49.	Public Works	Hold Pre-Bid meeting (10 days prior to bid opening date).		
50.	City Clerk	Conduct Bid Opening.		
51.	Public Works	Review bids - prepare bid tabulation and check for proper application of math and applicable sales tax; verify 5% bid bond and authenticity of contract documents; check references.		
52.	Public Works	Prepare council agenda item for Award of Construction Contract, include engineer's recommendation and bid tabulation.		
53.	Public Works	<p>Send Notice of Award and letter requesting contract documents to awarded Contractor. The following contract documents are due within 10 days of Notice of Award:</p> <ul style="list-style-type: none"> • Notice of Award • Agreement • Payment and Performance Bond • Maintenance Bond • Insurance Certificate • Endorsement naming City as additional insured • Declaration of option for management of statutory retained % • Indemnity Agreement • Guarantee Form • Copy of City of Bainbridge Island business license • Statement of Intent to Pay Prevailing Wages • Progress Schedule • List of Subcontractors • Minimum Wage Affidavit • Form W-9 		
54.	Contractor	Contractor files with the State Department of Labor & Industries Statement of Intent to Pay Prevailing Wages.		
55.	Finance	Set up 5% retainage and/or Escrow account upon receipt of Declaration of option for management of statutory retained percentage.		
56.	Public Works	Send L&I a copy of the NOA with cover letter stating		

#	Responsibility	Item	Initial	Date
		name of project, project amount, contractor's name/address, license #, project start and estimated completion dates.		
57.	Public Works	Check the performance bond insurance carrier with the Washington State Insurance Commissioner - (360-753-7303) or (1-800-562-6900).		
58.	City Clerk	File original construction contract, performance bond, insurance certificate and other contract documents in vault.		
59.	City Clerk	Return unsuccessful bidders bid bond deposits.		
		CONSTRUCTION		
60.	Public Works	Hold pre-construction meeting.		
61.	Public Works	Issue Notice to Proceed after acceptance of contract documents.		
62.	Public Works	Record project start date - (within 10 days of NTP.)		
63.	Public Works	Acquire all permits needed, i.e., ROW, State Agencies, etc.		
64.	Public Works	Post public notices required.		
65.	PW Inspector	Video tape proposed construction areas - File with project files.		
66.	Contractor	- - Construct Project - -		
67.	Public Works	Process contractor's pay estimates routed through consulting engineer.		
68.	Public Works	Process change orders as necessary. Change orders up to 10% of the original contract may be approved by the Mayor. C.O's in excess of 10% must be approved through Council. BIMC 3.72.030.		
		CLOSING OUT A JOB:		
69.	Contractor	Contractor notifies City in writing via cover letter and punch list that project is 100% complete.		
70.	Public Works	City Engineer reviews project and makes a checklist of uncompleted items and notifies contractor in writing.		
71.	Public Works	City Engineer and Contractor review checklist and contractor completes items. City Engineer establishes a "substantial and/or final completion date."		
72.	Contractor	Contractor submits all paperwork - As-built plans, certifications, warranties, and releases of any		

#	Responsibility	Item	Initial	Date
		outstanding liens from subcontractors.		
73.	Public Works	Actual date of physical completion: _____		
74.	Contractor	Contractor submits final pay estimate.		
75.	Public Works	City Engineer certifies that project is complete and recommends final acceptance via memo to Director of Public Works.		
76.	Contractor	Contractor files with State Department of Labor and Industries Affidavit of Wages Paid with copy to City.		
77.	Public Works	If applicable, City requests maintenance bond, as-built drawings, O&M manuals, etc. from Contractor prior to acceptance of project.		
78.	Public Works	Director of Public Works prepares a Final Acceptance of Project council agenda item.		
79.	City Council	City Council accepts project and authorizes final payment except for retainage.		
80.	City Council - Acceptance Date	Start official 45-day period for unpaid subcontractors or suppliers to file liens. RCW 60.28.011(2). Also, send Final Acceptance to all subcontractors who previously filed claims/liens.		
81.	City Clerk	Publish final acceptance in official newspaper.		
82.	Finance	City Finance officer immediately after Final Acceptance submits "Notice of Completion of Public Works Contract" (Form REV 31-0020) to State Dept. of Revenue and attaches Statement of Intent to Pay Prevailing Wages and Affidavit of Wages Paid received from Contractor.		
83.	Finance	Send Notice of Completion (Form REV 31-0020) to the following agencies to receive statements of authorization to release retainage - RCW 60.28.050-060. <ul style="list-style-type: none"> • Department of Revenue • Department of Labor & Industries • Employment Security 		
84.	Public Works	City Engineer verifies with Finance that the States releases were received and issues memo "o.k. to release retainage."		
85.	Finance	Issue P.O. payable to Contractor for retainage if not in Escrow - For Escrow accounts, Finance sends letter to bank requesting release of funds to the Contractor.		
86.	Finance	Release retainage. Note: Even though RCW 60.28		

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		requires that within 60 days after completion of all work on a public contract a municipality must release and pay in full the money held in the retainage trust fund, the 60-days rule may not apply if the city is aware of outstanding claims.		
87.	Finance	Release performance bond in accordance with specs.		
		FINAL ASSESSMENT ROLL		
88.	Public Works	Prepare resolution setting date, time and place of final assessment roll hearing (Form No. 16). RCW 35.44.070.		
89.	City Council	Adopt resolution setting date, time and place of final assessment roll hearing.*		
90.	City Clerk	Prepare notice of public hearing on final assessment roll for mailing (Form No. 17) and publication (Form No. 18).		
91.	City Attorney	Review and approve notices of final assessment roll for mailing and publication.		
92.	City Clerk	Mail notice of hearing to all owners of property listed on the assessment roll as those names appear on the records of the <u>County Treasurer</u> at least 15 days prior to the hearing. RCW 35.44.090.		
93.	City Clerk	Publish notice of the public hearing on final assessment roll once a week for two consecutive weeks, the last publication at least 15 days prior to the hearing date. RCW 35.44.090.		
94.	City Clerk	Prepare affidavit or certificate of mailing of notice, with copy of notice attached.*		
95.	City Clerk	Obtain affidavit of publication.*		
96.	City Clerk	Prepare ordinance confirming final assessment roll (unmodified assessment roll version) (Form No. 19).		
97.	City Attorney	Review and approve ordinance confirming final assessment roll.		
98.	Public Works, Finance, Consulting Engineer and City Attorney	Prepare presentations for final assessment roll hearing.		
99.	City Attorney	Prepare script of final assessment roll hearing for chairperson of hearing.		
100.	City Council	Conduct final assessment roll hearing, consider objections and override them or modify assessments.		

#	Responsibility	Item	Initial	Date
		RCW 35.44.100 (NOTE: If any assessments are increased, a new hearing must be set and notice given by publication and mailing to those properties with increased assessments in the same manner as for the original assessment roll hearing). RCW 35.44.120.		
101.	City Council	Pass ordinance confirming and levying assessments as finally approved.* RCW 35.44.100.		
102.	City Clerk	Publish ordinance confirming assessments.		
103.	City Clerk	Obtain affidavit of publication of ordinance confirming assessments.*		
104.	Public Works	In LID containing any "farm and agriculture land", file notice with County Assessor, County Board of Commissioners and Director of Finance and Administrative Services of adoption and confirmation of final assessment roll. RCW 84.34.320. Obtain a certificate or receipt of the filing of such notice and obtain certified copies of any waivers of assessment exemption given pursuant to RCW 84.34.320.*		
105.		NOTE: The appeal period expires ten (10) days after the ordinance confirming assessment roll becomes effective. RCW 35.44.190-210.		
106.	City Clerk	After 10 day appeal period has expired, and no appeals have been filed, prepare a certificate or affidavit regarding no appeals.*		
		COLLECTION OF ASSESSMENTS AND ISSUANCE OF BONDS		
107.	Finance	Prepare Treasurer's Notice of Collection of Assessments (Form No. 21).		
108.	Finance	Director of Finance and Administrative Services publishes Treasurer's Notice in the City's official newspaper once a week for two consecutive weeks, and within 15 days after the first such publication, mails to all property owners the Treasurer's Notice. RCW 35.49.010.		
109.	Finance	Obtain affidavit of publication and prepare affidavit or certificate of mailing with notice attached.*		
110.	Finance	After pre-payment period expires 30 days after first publication of Treasurer's notice, prepare certification of amount of pre-payment and balance of unpaid assessments. RCW 35.49.010; 35.49.050.*		
111.	Finance	Work with financial consultant (underwriter) and bond		

#	Responsibility	Item	Initial	Date
		counsel to prepare bond sale ordinance and other documents regarding the bond sale through public or private sale.*		
112.	City Clerk	If there is a public sale, publish notice of sale.		
113.	City Council	Accept proposal if through private sale or accept best bid if through public sale.		
114.	City Clerk	Obtain affidavit of publication of notice of sale.*		
115.	City Council	Pass bond ordinance authorizing sale.*		
116.	City Clerk	Publish notice of passage of bond ordinance authorizing sale.		
117.	City Clerk	Obtain affidavit of publication of bond ordinance authorizing sale.*		
118.	Finance	Calculate final project costs, including construction costs, financing costs, bond attorney costs, city attorney costs, LID administration costs and any statutorily authorized costs. RCW 35.44.020.		
119.	Public Works/ Consulting Engineer	Prepare final assessment roll and file it with City Clerk. RCW 35.44.050-.070. Addresses for property owners shall be those listed on the records of the <u>County Treasurer</u> . RCW 35.44.090.		
120.	Finance, Public Works, City Admin., Consulting Engineer, and City Attorney	Discuss and determine the final assessment roll proceedings and permanent financing.		
121.		NOTE: Bonds are delivered no earlier that 20 days after conclusion of pre-payment period, either in exchange for remaining outstanding warrants or for cash sufficient to redeem such warrants or financing.		