

**ORDINANCE NO. 73-A
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE AMENDING ORDINANCE NO. 73 PASSED BY THE CITY
COUNCIL ON NOVEMBER 27, 2001 ENTITLED "AN ORDINANCE OF THE CITY OF
LIBERTY LAKE, WASHINGTON, ESTABLISHING A SMALL WORKS AND ROSTER
TO AWARD PUBLIC WORKS CONTRACTS"**

WHEREAS, subsequent to the adoption of the Ordinance No. 73 passed by the City Council on November 27, 2001 it is necessary to modify in ordinance to establish a Vendor Roster for the purchase of materials, supplies or equipment.

WHEREAS, state law provides a uniform procedure to award contracts for the construction, building, renovation, remodeling, alteration, repair or improvement of real property that is owned, controlled or used by the City of Liberty Lake;

WHEREAS, the procedures set forth in this ordinance authorize the City to award contracts based upon a small works roster and vendor roster maintained in the office of the City Clerk;

WHEREAS, use of a small works roster and vendor will expedite and reduce the time and expense associated with the formal competitive bidding process for a public work and for services or products procured by the city.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

Section 1. Small Works Roster. There is hereby established for the City of Liberty Lake in the office of the City Clerk a small works roster comprised of contractors who (1) have requested to be on the roster and (2) are properly licensed or registered to perform contracting work in the State of Washington. The small works roster may be used in lieu of formal sealed competitive bid procedures to award contracts for public work where the estimated cost of the work is \$200,000.00 or less. Contractors are responsible to keep current with the office of the City Clerk required information and copies of applicable licenses, registrations, bonds, insurance or other appropriate matters as a condition of being considered for the work. The small works roster is created and maintained pursuant to the laws of the State of Washington as now enacted or hereafter amended

Section 2. Vendor Roster. There is hereby established for the City of Liberty Lake in the Office of the City Clerk a vendor roster comprised of companies who (1) have requested to be on the roster and (2) are properly licensed to do business in the State of Washington and if necessary the City of Liberty Lake. The City of Liberty Lake uses a Vendor Roster to purchase materials, supplies, or equipment not connected to a public works project. Contract(s) are awarded to the vendor submitting the lowest possible bid.

Section 3. Creation of Separate Rosters. The City may elect to establish small works rosters for different specialties or categories of anticipated work with such rosters making distinctions between contractors based upon such specialties or work.

Section 4. Maintenance of Rosters. The small works roster and vendor roster shall

be maintained as follows.

A. At least once per year, the City of Liberty Lake shall publish in a newspaper of general circulation a notice of the existence of the small works roster(s) and vendor roster soliciting the names of contractors and services providers for each roster. The City shall place on the small works roster and vendor roster the names of qualified contractors and service providers who respond to the published notice with a request to be included on the roster(s). Thereafter, the City shall add to the roster(s) the names of contractors and vendors who submit a written request and appropriate records.

B. In order to be included on the roster, the contractor or vendor shall supply information on a contractor or vendor qualification form developed by the City. The qualification form shall include at a minimum the name, address and phone number of the contractor, the contractor's Washington registration number, the contractor's insurance company, the contractor's bonding company, and the contractor's area or areas of work.

Section 4. Small Works of Roster.

A. The City of Liberty Lake may utilize the small works roster when seeking to construct any public work or improvement with an estimated cost including material, supplies, and equipment of \$200,000.00 or less.

B. To award a public work from the roster, the City shall either invite bids or proposals from at least five (5) qualified contractors on the small works roster or from all contractors on the small works roster. If the cost of the public work is estimated to be less than \$35,000.00, the City may elect to solicit three (3) written quotations from the roster. In the event the City elects to receive quotations from less than all contractors on the roster, the City shall attempt to equitably distribute the opportunity to bid on the public work in such a manner so as to avoid favoritism to any individual contractor.

C. The invitation to submit bids shall include a description by the City of the scope and nature of the work to be performed, the materials and equipment to be furnished and the time and date when the bids must be received.

D. When awarding a contract for work from the small works roster, the City shall award the contract to the lowest responsible bidder, provided the City of Liberty Lake reserves the right under applicable law to reject any or all bids and to waive procedural irregularities in the bid or bidding process.

In addition to price, the City shall take into account the following when determining the "lowest responsible bidder".

1. The ability, capacity and skill to perform the contract.
2. Whether the contractor can perform the required work within the time specified by the City.
3. Quality of the contractor's performance under previous contracts

with the City or other governmental entity.

4. The previous and existing compliance by the contractor with laws relating to contracts for public works or services with the City.

E. Once a contractor has been afforded an opportunity to submit a bid, that contractor shall not be offered another opportunity until all other appropriate contractors on the small works roster have been afforded an opportunity to submit a bid. Any tendered bid may be revised or withdrawn prior to the time and date the City has established for receipt.

F. The City may receive bids telephonically, in writing or electronically. The time and date of receipt shall be recorded to ensure all bids are presented in a timely fashion for review and consideration. After expiration of the time and date for submission of all bids or quotations, the Mayor or his designee shall review the same and either offer a contract to perform the public work or submit the same to the City Council for approval.

G. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and made available by telephone inquiry. The City shall maintain a list containing the names of contractors, registration numbers, contract amount, description of the work and the date of award for the previous twenty-four (24) months where only three (3) written quotations have been solicited prior to award of the contract.

H. A contract awarded from a small works roster under this ordinance need not be advertised in a legal newspaper of general circulation.

Section 5. Use of Vendor Roster

A. The City of Liberty Lake may utilize the vendor roster when seeking to purchase material, supplies or equipment not connected to a public works project.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

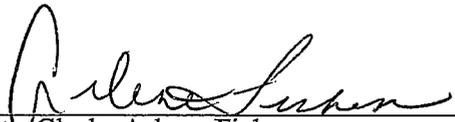
Section 7. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 15th day of July, 2003

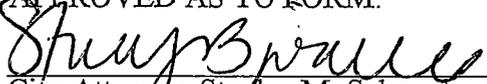


Mayor, Steve Peterson

ATTEST:


City Clerk, Arlene Fisher

APPROVED AS TO FORM:


City Attorney, Stanley M. Schwartz

Date of Publication: 1/9/03
Effective Date: