

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 0040-11-09 LGL 2011-0034
TITLE: SMALL WORKS ROSTER EFFECTIVE DATE: November 4, 2011 REVISION EFFECTIVE DATE: N/A	

1.0 GENERAL

1.1 RCW 39.04.155 permits municipalities to contract for and award public works by a small works roster process. The purpose of a small works roster is to expedite the solicitation and award of bids on small public works projects by reducing the requirements for formal sealed bidding, advertising and bid award.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy and procedure shall apply to all City divisions and departments.

3.0 REFERENCES

RCW 35.22.620
RCW 39.04.155

4.0 DEFINITIONS

4.1 "Equitably distribute" means that the City may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services. At the time bids are solicited, the department representative shall not inform a

contractor of the terms or amount of any other contractor's bid for the same project;

5.0 POLICY

- 5.1 The City need not comply with formal sealed bidding procedures for the construction, building, renovation, remodeling, alteration, repair, or improvement of real property where the estimated cost does not exceed three hundred thousand dollars (\$300,000.00) or the current statutory limit in RCW 39.04.155, which includes the costs of labor, material, equipment and sales and/or use taxes as applicable. Instead, the City may use the small works roster procedures for public works projects as set forth herein. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process.

6.0 PROCEDURE

6.1 Number of Rosters.

6.1.1 The Purchasing Section of the Accounting Department may create a single general small works roster, or may create a small works roster for different specialties or categories of anticipated work.

6.1.2 The small works rosters may make distinctions between contractors based upon different geographic areas served by the contractor.

6.2 Contractors on Small Works Roster(s).

6.2.1 The small works roster(s) shall consist of all responsible contractors who have requested to be on the roster(s), and where required by law are properly licensed or registered to perform such work in this state.

6.2.2 Contractors desiring to be placed on a roster or rosters must keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with the Purchasing Section as a condition of being placed on a roster or rosters.

6.3 Publication.

6.3.1 At least once a year, the Purchasing Section shall publish in the *Official Gazette* and a newspaper of general circulation within the City a notice of the existence of the roster or rosters and solicit the names of contractors for the roster or rosters.

6.3.2 Responsible contractors shall be added to an appropriate roster or rosters at any time that they submit a written request and necessary records.

6.3.3 The City may require master contracts to be signed that become effective when a specific award is made using a small works roster. An interlocal contract or agreement between City and other local governments establishing a small works roster or rosters to be used by the parties to the agreement or contract must clearly identify the lead entity that is responsible for implementing the small works roster provisions.

6.4 Electronic Rosters.

6.4.1 In addition to paper and / or electronic rosters kept on file in the Purchasing Section of the Accounting Department, the City may also use that state wide electronic database developed and maintained by the Municipal Research and Services Center of Washington.

6.5 Telephone or Written Quotations.

6.5.1 The City shall obtain telephone, written or electronic quotations for public works contracts from contractors on the appropriate small works roster to assure that a competitive price is established and to award contracts to the lowest responsible bidder, as defined in RCW 39.04.010 and RCW 39.04.350. At the time bids are solicited, the City shall not inform a contractor of the terms or amount of any other contractor's bid for the same project.

6.5.2 A contract awarded from a small works roster need not be advertised. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation. This paragraph does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes.

6.5.3 Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may

be invited from at least five (5) contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. If a roster work category contains less than five (5) contractors, then the total of all contractors registered on the appropriate small works roster must be invited to submit quotations. The contractors must have indicated that they possess the capability of performing the kind of work being contracted for.

6.5.4 If the estimated cost of the work is from one hundred fifty thousand dollars (\$150,000) to three hundred thousand dollars (\$300,000), the Purchasing Section of the Accounting Department may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must also notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. The Purchasing Section has the sole option of determining whether this notice to the remaining contractors is made by:

- a. publishing notice in a legal newspaper in general circulation in the area where the work is to be done;
- b. mailing a notice to these contractors; or
- c. sending a notice to these contractors by facsimile or other electronic means.

6.5.5 A written record shall be made by the requesting department's representative of each contractor's bid on the project and of any conditions imposed on the bid immediately after an award is made. The bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

6.6 Limited Public Works Process.

6.6.1 If a work, construction, alteration, repair, or improvement project is estimated to cost less than thirty-five thousand dollars (\$35,000), the City may award such a contract using the limited public works process provided under RCW 39.04.155(3).

6.6.2 For a limited public works project, the City will solicit electronic or written quotations from a minimum of three (3) contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder as defined under RCW 39.04.010 and RCW 39.04.350.

- 6.6.3 After an award is made, the quotations shall be open to public inspection and available by electronic request.
 - 6.6.4 For limited public works projects, the City may waive the payment and performance bond requirements of chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, materialpersons, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project. However, the City shall have the right of recovery against the contractor for any payments made on the contractor's behalf.
 - 6.6.5 The City shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four (24) months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded.
- 6.7 Determining Lowest Responsible Bidder.
- 6.7.1 The City shall award the contract for the public works project to the lowest responsible bidder, provided that, whenever there is a reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the City may call for new bids.
 - 6.7.2 A responsible bidder will be a contractor who meets the mandatory requirements of RCW 39.04.350(1) and any supplemental bidder responsibility criteria established for the project under RCW 39.04.350(2).
- 6.8 Award.
- 6.8.1 All quotations / bids shall be collected at the same time, for consideration, determination of the lowest responsible bidder, and award of the contract.
 - 6.8.2 Award and execution of small works roster and limited public works contracts will be in accordance with City Policy ADMIN 0500-10-01 "Minor Contract Authorization."
 - 6.8.3 Projects with an estimated cost greater than the then current minor contract threshold.

- a. The department head or his / her designee shall present all bids and recommendation for award of the contract to the lowest responsible bidder to the city council.
- b. Award of contracts shall be by the city council.
- c. The City Administer shall execute these contracts.

6.9 Insurance

6.9.1 The Risk Manager has drafted standard language for insurance, indemnification requirements and other related risk-management issues. The department solicitation shall consider the pertinence of this language on a case-by-case basis. If standard language for a given project is potentially inappropriate, then the department shall obtain the Risk Manager's approval before making changes to the standard language.

6.9.2 The successful bidder shall be required to pay for, provide and maintain insurance with coverage that satisfies the requirements of the Risk Manager and that meets all terms and conditions of the contract bid and / or award.

7.0 RESPONSIBILITIES

The Accounting Department, in cooperation with the City Attorney's Office, shall administer this policy.

8.0 APPENDICES

Small Works Roster Process Chart
Small Works Roster Application

APPROVED BY:

Sam Delea
Director - Accounting

10-20-11
Date

H. P. Kelly
City Attorney

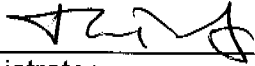
10-17-11
Date



Assistant City Attorney

10-17-11

Date



City Administrator

10-20-11

Date

2011 SMALL WORKS ROSTER PROCESS CHART

The Small Works Roster Process Chart is a supplement to the Small Works Roster process as described in Policy ADMIN 0040-11-08. This chart gives an overview of the Small Works Roster Invitation For Bids process, broken down by estimates project costs, with separate sections of the chart dedicated to the Solicitation Process, Bid Awards and Contract Administration. In case of discrepancy, the written Small Works Roster process described in the policy shall govern.

SMALL WORKS ROSTER PROCESS	ESTIMATED PROJECT COST						
	≤ \$10,000	≤ \$44,200	> \$44,200	≤ \$35,000 (Limited Public Works)	≤ \$45,000 (Single Craft / Trade) or ≤ \$90,000 (Multiple Craft / Trade)	> \$45,000 (Single Craft / Trade) or > \$90,000 (Multiple Craft / Trade)	> \$150,000 through \$300,000
SOLICITATION OF COMPETITIVE PROPOSALS / BIDS							
Can the City contract for the work using the Small Works Roster?				Yes	Yes	Yes	Yes
Does the solicitation require that a written invitation to Bid be prepared and issued?				No	Written quotes over \$25,000 (single craft / trade) & \$40,000 (multiple craft / trade) No	Yes	Yes
Are telephone responses acceptable?				Yes (up to \$25,000 for single craft / trade)	Yes, up to \$25,000 (single craft / trade) & \$40,000 (multiple craft / trade)	No	No
Are email responses acceptable?				Yes	Yes, up to \$25,000 (single craft / trade) & \$40,000 (multiple craft / trade)	No	No
Must the bidder's response be sealed?				No	No	Yes	Yes
Must the bidder's responses be opened publicly?				No	No	No	No
As long as the requirements of RCW 39.04.155 are complied with, is a specific advertisement requirement for the project?				No	No	No	No
Is a bid bond required?				No	No	No	No
AWARD OF CONTRACT							
Award and execution of contract by department head?	Yes	No	No				
Award and execution of contract by division head?	Yes	Yes	No				
Award of contract by city council and execution of contract by city administrator?	No	No	Yes				
Bid solicitation by department, with assistance of purchasing?				Yes	Yes	No	No
Bid solicitation by purchasing?				No	No	Yes	Yes

CONTRACT ADMINISTRATION

The department having the need for the work.

Duties and responsibilities of contract administration are to be performed by								
Is a performance / payment bond required?			No	Yes (Unless 50% retainage up to \$35,000)		Yes		Yes
Is a certificate of insurance required?			Yes	Yes		Yes		Yes
Is 5% retainage required?			No	Yes (May be 50% if no bond up to \$35,000)		Yes		Yes
Is a formal acceptance of completed work required?			Yes	Yes		Yes		Yes
Are releases from the State required before release of retainage?			No	No, if less than \$35,000. Yes, if greater than \$35,000		Yes		Yes



City of Spokane Small Works Roster Application

Application Information

Print or Type

Name of Firm _____

Street Address _____

Mailing Address _____

City/State/Zip _____

Telephone _____ Fax _____

Contact Name and Title _____

E-mail Address _____

Contractor License No. _____

Bonded With _____

Insured By _____

WA State UBI No _____

WA State Tax ID No _____

WA State Emp. Sec. No. _____

City Business License No. _____

References:

Provide the names and addresses of at least three (3) clients for whom the firm has performed contract work during the past year.

#1 Client _____	City/State _____
Project Name _____	Type of Work _____
_____	Contact Person _____
Project Amount _____	Phone _____
.....	
#2 Client _____	City/State _____
Project Name _____	Type of Work _____
_____	Contact Person _____
Project Amount _____	Phone _____
.....	
#3 Client _____	City/State _____
Project Name _____	Type of Work _____
_____	Contact Person _____
Project Amount _____	Phone _____

APPLICABLE AREAS OF WORK

Check boxes to indicate applicable areas of work.

- Asbestos Abatement
- Asphalt Paving / Patching / Sealing (Parking Lots)
- Asphalt Paving / Patching / Sealing (Roads)
- Boiler Maintenance and Repair
- Bridge Construction / Reconstruction / Rehabilitation
- Building Repairs / Remodel
- Carpentry
- Cement Treated Base Roadways
- Concrete Curb, Gutter and Sidewalk
- Concrete Cutting
- Concrete / Masonry (including masonry fences)
- Concrete, Pre-cast Supply and Erection
- Crack Sealing
- Demolition
- Drilling, Core and Rotary (including water wells)
- Dust Control and Abatement
- Electrical (Construction and Traffic)
- Erosion Control
- Excavation, Fill Material and Grading
- Fencing (non-masonry)
- Fire Protection Systems
- General Contracting (Construct, Renovate, Remodel)
- Glass / Window Installation
- Grading
- Guardrail Replacement and Repair
- Hydro-seeding
- Irrigation and Sprinkler Systems

- Landscaping (General)
- Landscaping (Streamside Enhancement)
- Logging
- Masonry
- Mechanical (HVAC)
- Painting
- Pavement Striping, Legends and Marking
- Pavement Sweeping
- Pool Services, Including Pool Draining
- Plumbing
- Railroad Track Construction & Repair Services
- Retaining Walls
- Roadway Construction
- Roof, Re-Roof and Roof Maintenance
- Security System Equipment and Installation
- Septic System Services Including Pumping
- Sign Installation, Non-Electrical (traffic)
- Slurry Sealing
- Street Illumination
- Stump Grinding and Removal
- Tank Installation, Replace, Renovate
- Traffic Control
- Tree Trimming and Brush Removal
- Utilities Construction
- Welding and Metal Fabrication
- Other _____
- Other _____

STATEMENT OF CERTIFICATION

By my signature below, I acknowledge that I have read and understand the requirements described in this application and to the best of my knowledge the information provided is a true representation of the named firm's ability to perform any contracts which may result by submittal of this application.

Signature

Date

Printed Name

Title

RETURN TO

Purchasing
City of Spokane
Fourth Floor, City Hall
808 West Spokane Falls Boulevard
Spokane, Washington 99201