

# ORIGINAL

## ORDINANCE NO. 335

### AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING REVISED PURCHASING PROCEDURES FOR THE PROCUREMENT OF GOODS AND SERVICES AND AMENDING CHAPTER 2.60 OF THE SHORELINE MUNICIPAL CODE

WHEREAS, the City Council adopted an ordinance regulating the procurement of goods and services in conformance with state law and recommended business practices; and

WHEREAS, there is a desire to amend the adopted ordinance to facilitate more effective procurement procedures; and

WHEREAS, the revised procedures require revisions to the Shoreline Municipal Code;

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. Amendment.** SMC 2.60.030 *Definitions*, is hereby amended to include a new subsection "M", to read as follows:

#### 2.60.030 DEFINITIONS

M. "Interlocal Agreements" are the exercise of governmental powers in a joint or cooperative undertaking with another public agency. Purchase of supplies, equipment or services from another public agency which is not an exercise of the City's governmental powers is not an interlocal agreement and shall be approved under SMC 2.60.050 or 2.60.070.

**Section 2. Amendment.** SMC 2.60.040, *General Provisions*, subsection D.1, is hereby amended to read as follows:

#### D. Amendments and Change Orders.

1. Amendments or change orders to contracts, including interlocal agreements, which result in the final contract amount ~~in excess of~~ purchase limits identified in this chapter may be administratively approved if the changes are:

**Section 3. Amendment.** SMC 2.60.050, *Purchase of materials, supplies or equipment*, subsection D.4, is hereby amended to read as follows:

#### D. Formal Competitive Bid.

4. Bid Opening. Bids shall be opened publicly and recorded at the time and place designated in the invitation for bids. ~~The record and each bid shall be open to public inspection.~~

**Section 4. Amendment.** SMC 2.60.060, *Public Works Projects*, section B, is hereby amended to read as follows:

B. Purchasing Limitations. The city manager may authorize the purchase and execution of public works projects equal to or less than the dollar threshold for small works projects as provided under RCW 39.04.155 as amended. ~~in the amount of \$200,000 or less.~~

**Section 5. Amendment.** SMC 2.60.060, *Public Works Projects*, subsection C.1, C.2, C.3 and C.4, is hereby amended to read as follows:

C. Competitive Bids.

1. Projects for single craft or multiple crafts with a reasonably anticipated price equal to or less than the dollar thresholds as provided under RCW 35.22.620 as amended ~~Project with a reasonably anticipate price equal to or less than \$20,000 for a single craft or \$35,000 for multiple crafts,~~ do not require the use of competitive quotes or bids. Departments are allowed to make these purchases administratively in accordance with the procedures adopted and approved by the finance director and the city manager. All purchases require a purchase order and executed contract.
2. Projects for a single craft or multiple crafts with a reasonably anticipated price higher than the dollar thresholds as provided under RCW 35.22.620 as amended, ~~Projects with a reasonably anticipated price of \$20,000 for a single craft or \$35,000 for multiple crafts,~~ up to \$100,000 shall either use the small works roster or formal competitive bid procurement process detailed in SMC 2.60.050(D).
3. Projects with a cost in excess of \$100,000 up to the maximum dollar threshold as provided in RCW 39.04.155, as amended, ~~\$200,000~~ shall either use the small works roster or formal competitive bid process. All purchases require a purchase order and executed contract.
4. Projects with a cost in excess of the maximum dollar threshold as provided in RCW 39.04.155, as amended ~~\$200,000~~ require a formal competitive bid process. The city council shall authorize these purchases and provide authority for the city manager to execute the related contract. All purchases require a purchase order and executed contract.

**Section 6. Amendment.** SMC 2.60.060, *Public Works Projects*, section D, is hereby amended to read as follows:

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D. Small Works Roster. There is established for the city of Shoreline a small works roster contract award process for accomplishment of public works projects with an estimated value threshold as provided under RCW 39.04.155, as amended. ~~an estimated value of \$200,000 or less.~~ The City may create a single small works roster, or may create small works rosters for different categories of anticipated work.

**Section 7. Amendment.** SMC 2.60.060, *Public Works Projects*, subsection D.4.b, is hereby amended to read as follows:

b. 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 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 the estimated cost of the work is \$100,000 but less than or equal to the dollar threshold for small works projects as provided under RCW 39.04.155, as amended ~~from \$100,000 to \$200,000~~, the city 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 city has the sole option of determining whether this notice to the remaining contractors is made by:

**Section 8. Amendment.** SMC 2.60.060, *Public Works Projects*, subsection D.6, is hereby amended to read as follows:

~~6. Award. The purchasing officer shall recommend the award of contract, to the appropriate city representative with authorization to execute the contract as specified in SMC 2.60.060(B), to such contractor as the purchasing officer determines to have submitted the lowest responsible quotation. When the award for a contract is not given to the contractor submitting the lowest quotation, a statement of the reasons for rejecting all bids or rejecting the low bid shall be prepared and filed with the other contract documents relating to the contract, and shall be open to public inspection during regular office hours. A rejected low bidder may appeal under procedures of SMC 2.60.060(B)(3).~~

*[Remaining section is renumbered 7 6]*

**Section 9. Amendment.** SMC 2.60.060, *Public Works Projects*, is hereby amended to add a new section "E" to read as follows:

2.60.060 Public works projects

E. Limited Public Works Process. The city may use the Limited Public Works Process to award public works projects as provided under RCW 39.04.155, as amended.

*[Remaining sections are renumbered E F and F G]*

10-10-03

**Section 10. Amendment.** SMC 2.60.080, *Interlocal joint purchasing agreements*, subsection A, is hereby amended to read as follows:

A. Cooperative Purchasing. The city may enter into interlocal governmental cooperative purchasing arrangements with other public agencies similarly authorized under RCW ~~39.39.030~~ 39.34.030 when the best interests of the city of Shoreline would be served thereby. Any cooperative purchasing agreement shall set forth fully the purposes, powers, rights, objectives and responsibilities of the contracting parties and shall be governed by the requirements of state law in regard to competitive bidding, when applicable. The competitive bid process of the original jurisdiction shall substitute for Shoreline's. All interlocal joint purchasing agreements shall be presented to the city council for prior approval. [Ord. 272 § 1, 2001]

**Section 11. Severability.** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

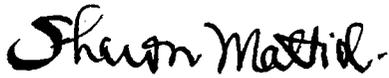
**Section 12. Effective Date.** A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after publication.

**PASSED BY THE CITY COUNCIL ON August 25, 2003.**



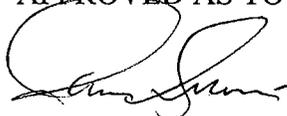
\_\_\_\_\_  
Mayor Scott Jepsen

ATTEST:



\_\_\_\_\_  
Sharon Mattioli  
City Clerk

APPROVED AS TO FORM:



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Ian Sievers  
City Attorney

Date of Publication: August 28, 2003

Effective Date: September 2, 2003