



## **Purchasing and Procurement Policy**

### **PURPOSE**

The Fort Vancouver Regional Library District's (FVRL) Purchasing and Procurement Policy serves as a directive for staff when obtaining proposals, bids, and quotes for public works projects, purchases of goods, and procurement of professional services. The intent of the policy is to ensure that FVRL is in compliance with applicable procurement laws and, ensuring responsible stewardship of public funds.

### **POLICY STATEMENT**

FVRL will use a competitive process to solicit and evaluate proposals, quotes, and bids based on relevant procurement laws. Procurement procedures and guidelines will be established and maintained by the Executive Director or their designee to assure a competitive, open, fair, and compliant process.

### **PUBLIC WORK PROJECTS**

Public work is defined ([39.04.010 RCW](#)) as all work, construction, alteration, repairs, or improvements, other than ordinary maintenance, on any public building or property.

### **PREVAILING WAGES**

All public work projects require payment of prevailing wages under [39.12 RCW](#). Contractors must be told in advance that prevailing wages must be paid to all employees who work on the contract. It is the contractor's responsibility to file a Statement of Intent to Pay Prevailing Wages and applicable affidavits with the Industrial Statistician of the Department of Labor and Industrial Services. It is FVRL's responsibility to ensure compliance, as applicable, before payments are made to contractors.

### **SMALL WORKS ROSTER**

By Resolution 2025- 08, public works projects of more than \$150,000 and less than \$350,000 may use a Small Works Roster (SWR) process to solicit bids.



### **FORMAL BIDDING ADVERTISING REQUIREMENT**

For public works projects that do not use the SWR or cost more than \$350,000, FVRL will publish a notice at least once in a local newspaper and no less than thirteen (13) days prior to the closing of the bid period. If the advertising is for a public works project, it will include notification that the work is subject to prevailing wages laws.

[\[39.04.010/39.12.010-020 RCW\]](#)

### **ALTERNATIVE PURCHASING METHODS**

Where the application of competitive procedures would lead to undesirable, uneconomical or impractical results, FVRL may also use alternative procurement methods for public works projects, such as use of design-build or general contractor/construction manager procedures, sole source or turnkey acquisition, or other alternative procurement methods permitted under Washington state law.

### **CHANGE ORDERS**

A change order is an alteration to a project during construction that is not consistent with the proposal specifications upon which the contract was awarded. Change orders are contractual requirements used to manage new or unforeseen circumstances to a project. In the course of a project, bona fide emergencies may arise and incidental alterations may well be required. As a general rule, a change order should not be used to remedy defective work or for the loss of a contractor from failure to perform or bankruptcy. A competitive process should be used in such cases.

### **DAY LABOR**

FVRL reserves the right to use library staff as day labor on projects with an estimated cost up to \$50,000 (single craft) or \$100,000 (multiple craft). [\[35.23.352 RCW\]](#)

### **EMERGENCIES**

Emergency contracts for public works and purchasing is used only to avoid immediate hazard to life, to preserve FVRL's property, or to prevent significant service disruptions per [39.04.280\(3\) RCW](#). In such a situation, the Executive Director or their designee may declare that an emergency situation exists, waive competitive proposal requirements, and award all necessary contracts on behalf of FVRL to address the emergency. If a



contract is awarded without competitive requirements due to an emergency, written proof of the existence of an emergency must be provided to the Board of Trustees and entered into the recorded minutes at the next Board of Trustees meeting following the contract's award.

### **ON-CALL SERVICES**

FVRL uses on-call vendors/contractors to complete non-routine maintenance and small repair projects. Frequently the work includes troubleshooting to determine the proper course of action to resolve a building or equipment failure. Vendors and contractors may be selected from the appropriate SWR and local vendors can be used as needed for emergency situations.

### **MAINTENANCE**

Ordinary maintenance is defined ([296-127-010 WAC](#)) as maintenance work performed by the regular employees of the political subdivision of the state. Maintenance is defined as keeping existing facilities in good usable, operational condition. Ordinary maintenance is defined as maintenance work performed by the regular employees of the political subdivision.

Ordinary maintenance is not considered a public work and state law does not require a competitive bidding process. Maintenance performed by contract and meeting the definition of public work will comply with procurement requirements applicable based on contract amount.

### **PERFORMANCE BONDS, RETAINAGE AND CLOSE OUT**

FVRL will require performance bonds and/or withhold retainage on public works projects as follows:

- Performance bonds will be required on all projects at or above \$150,000.
- Retainage in the amount of 5% will be held on all non-maintenance public works contracts.
- If FVRL requires a bid bond, it will be stated in the bid documents.
- FVRL will consider a retainage bond in lieu of withholding of retainage as applicable.



## **PHASING**

FVRL may not break a public works project into separate phases to avoid compliance with procurement laws, which prohibit the division of a project into units of work or classes of work to keep costs below the bidding threshold, even though those phases are performed at different intervals of time.

## **CONTRACT AWARD**

FVRL awards contracts to the lowest bidders deemed both responsive and responsible:

- Responsive – responded to all bid items and included all required elements
- Responsible – one who meets a set of “responsibility criteria” as defined in state law ([39.04.350 RCW](#)). The criteria typically include being properly licensed, registered, and insured.

FVRL will verify that the vendor is eligible to do work in the state of Washington prior to awarding a contract.

## **ARCHITECTS AND ENGINEERS**

Chapter [39.80 RCW](#) requires that any service that would be provided by a professional, such as a registered architect, engineer, land surveyor or landscape architect must be procured through qualifications-based selection. Requests for qualifications (RFQ) ask proposers to submit qualifications, if not already on file, for a proposed scope of services in response to FVRL’s specific needs. Qualified consultants may be used by FVRL for additional projects within three (3) years of qualification.

## **PURCHASES OF SUPPLIES, EQUIPMENT AND SERVICES**

FVRL shall purchase and acquire supplies, equipment, and services pursuant to [39.34 RCW](#). Purchased goods and services that meet FVRL’s requirements should be sought for competitive prices and exclude sales tax, shipping, and handling fees from total cost when considering bid limits. Competitive pricing is not required for the acquisition of library materials and resources (books, magazines, media, electronic databases, etc.).



## **PROFESSIONAL SERVICES**

This includes professional and/or technical expertise provided by a consultant to accomplish a specific study, project, task, or other scope of work, not including professional architecture and engineering services. These services will be competitively solicited through a formal Request for Proposal for projects/services needed by FVRL that are expected to exceed \$75,000. For projects and services over \$10,000 and under \$75,000, FVRL will obtain a minimum of three quotes. In addition, FVRL will ensure professional services using federal funds will meet applicable competitive procurement requirements.

## **GENERAL PROVISIONS**

### **CONFLICT OF INTEREST**

No FVRL Trustee or employee may benefit, directly or indirectly, in whole or in part, from any FVRL contract for goods or services nor accept any compensation, gratuity or gift in connection with such contracts. [\[42.23.030 RCW\]](#)

### **GOVERNMENT CONTRACTS & PIGGYBACKING**

FVRL is authorized:

- To purchase equipment, supplies, furnishings, and other property through federal government contracts to obtain the best possible price which are exempt from bidding requirements. [\[39.32.070-090 RCW\]](#)
- To use contracts offered through Washington State DES, once establishing a Master Use Agreement [\[39.26.050\]](#) and [\[39.26.060 RCW\]](#).
- To rely on the contract award of another government contract, Piggybacking. FVRL will follow piggybacking compliance requirements [\[39.34 RCW\]](#).

These options allow pricing to be extended to FVRL from other governments and may provide other efficiencies. FVRL will ensure compliance with all applicable requirements when utilizing contracts awarded by others.



### **SALES TAX**

Sales tax applies to nearly every sale of tangible personal property and some services. For solicitation purposes, the tax must be included when determining the cost of a public work, or when calculating the cost of materials, supplies, and equipment purchased separately from a public work.

### **SMALL, MINORITY, WOMEN AND VETERAN-OWNED FIRMS**

FVRL encourages small, minority, women and veteran-owned firms to bid on our public works projects, services and purchases. However, FVRL does not discriminate against or give preferential treatment to any business.

### **SOLE SOURCE PROVIDERS**

Sole source exceptions to procurement are used when, due to unique characteristics of the requested product/service there is only one product or service capable of fulfilling FVRL's requirement and only one vendor that provides that product or service. Validation of a vendor as a sole source provider and pre-approval by the Executive Director is required prior to any sole source purchase or acceptance of bid.

### **TRANSPARENCY AND REPORTING**

FVRL will maintain and annually produce for the Board of Trustees a list of all public works contracts awarded.

### **WARRANTIES**

FVRL requires warranties on all public works projects and repairs for a minimum of one year. Longer warranties may be negotiated for specific projects.

### **ADMINISTRATION**

The Executive Director or designee is responsible for the administration of this policy, for establishing administrative procedures for its implementation, and for making the policy available for the public via the library's website.



## **SEVERABILITY**

The Board of Trustees hereby declares its intention that the provisions of this policy are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, chapter, title or other portion of this policy, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of the policy, or the validity of its application to other persons or circumstances.

## **CONTINUANCE**

The Board of Trustees hereby declares its intention that the provisions of this policy shall be construed and applied as a *continuation* of the provisions of the policy, as amended, insofar as applicable, and the repeal of any part of this policy shall not be construed as affecting such *continuous* application.

**Relevant policies:** [Fiscal Management Policy](#), [Asset Management Policy](#)

**Approved and adopted by the Board of Trustees:** Original Policy 5/15/2017; Revised 3/19/2018, 5/18/2020, 8/19/2024, 8/18/2025