

Purchasing and Procurement Policy

Fort Vancouver Regional Library District

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1. INTRODUCTION

The Purchasing and Procurement Policy for FVRL serves as the policy governing the purchase of goods and services related to the construction and maintenance of the library facilities throughout the District. This policy is intended to serve as a guide for staff and potential respondents for FVRL's process for determining bids, requests for qualifications, requests for proposals, and contracts concerning public works projects, purchases and maintenance activities. A glossary of terms is located at the end of the document.

The purpose of obtaining proposals, bids and quotes is to help ensure that public contracts are performed satisfactorily and efficiently, at the least cost to the public and the greatest value to FVRL. These guidelines are intended to document when to seek bids and when to issue a formal request for qualifications or proposals, and the requirements and procedures for each type of action. FVRL is not required by law to seek competitive bids for the purchase of furnishings, equipment, and software not associated with a public work but may choose to do so as a matter of good public policy.

Any contradictions or issues that do not appear to be covered in written policies shall be decided upon by the FVRL Executive Director. FVRL will maintain and annually produce for the Board of Trustees a list of all contracts awarded following the Records Retention Policy.

A. Determining Cost of Project

Determining the estimated cost of a project or purchase is a crucial first step, since the determination will dictate whether bids are sought or a request for proposals or qualifications must be issued prior to awarding a contract. Making an exact cost estimate is desirable but seldom possible. The person making the estimate should determine the fair and reasonable value of the work to be performed (or the purchase to be made), given the particular conditions that will be faced and the requirements of the proposed project or purchase.

B. MRSC Small Works Roster

By Resolution 2017-2 of the Fort Vancouver Regional Library District Board of Trustees, the District will consider all firms registered with the Municipal Research and Services Center (MRSC) Small Works Roster (SWR) for soliciting bids for public works projects in excess of \$35,000. Interested bidders must register with MRSC at mrscrosters.org to bid or provide quotes for FVRL projects pursuant to 39.04.155 RCW.

- Consider the actual cost of performance, considering the current cost of labor, equipment, and materials. This approach requires the estimator have a good working knowledge of construction methods, equipment, and market conditions.
- Arrive at an estimate by using historical data. The estimator reviews recently-awarded contracts, making adjustments for the proposed project and current market conditions.
- Combine historical bid data with actual cost data.
- The cost estimate should reflect the amount that FVRL considers fair and reasonable and that it is willing to pay for the work or purchase contemplated. Several approaches can be used to make an estimate.
- In determining the estimated cost of a public works project, all amounts paid for materials, supplies, equipment, and labor on the construction of that project **must** be included.

C. Determining Type of Project

Local government purchases and projects generally fall into one of five categories:

- **Public works:** All work, construction, alteration, repairs, or improvements to physical property, other than ordinary maintenance, that are paid for by a municipality.

- **Repair and maintenance:** Work that is performed on any public building or property on a regularly scheduled basis to service, check, or replace items that are not broken; or work that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary.
- **Purchasing:** Purchases of goods, equipment, supplies, or materials that are not connected with a public works project.
- **Professional architecture and engineering services:** Professional services provided by a consultant that fall under architecture, engineering, land surveying, or landscape architecture.
- **Personal services:** Technical expertise provided by a consultant to accomplish a specific study, project, task, or other work statement, not including professional architecture and engineering services.
- **Purchased services:** Services provided by vendors for the routine, necessary, and continuing functions of a local agency, mostly related to physical work.

2. PUBLIC WORKS (CONSTRUCTION) PROJECTS

All work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is, by law, a lien or charge on any property therein. All public works, including maintenance when performed by contract, shall comply with chapter 39.12 RCW. Projects under \$150,000 are eligible for a bid process, projects over \$150,000 must follow and Invitation to Bid (ITB) process as described below.

See Revised Code of Washington (RCW) 39.04.010 for a full definition of public work.

An **Invitation to Bid (ITB)** is used for goods or services where price is the sole determining factor. The award is made to the vendor submitting the lowest bid that is responsive to the solicitation and is made by a responsible bidder.

There are three levels of Public Works Projects with distinct thresholds for spending:

A. Public Works Projects Under \$35,000

- Limited in scope
- Obtain two (2) verbal quotations (recommended but not required)
- Use local businesses when practical
- Must accept the lowest responsive bid
- Save all bid responses and contracts electronically
- Prevailing wage intents/affidavits and proof of insurance required
- Payment/performance bonds and retainage waived
- No advertising requirement
- After award is made, quotes shall be open to public inspection and available by electronic request

B. Public Works Projects Between \$35,000 - \$150,000

- Solicit telephone, electronic or written quotes from **three or more** contractors
- Select qualified firms from the MSRC SWR based on established criteria
- Must accept the lowest responsive bid
- Exempt from advertising requirement *unless* FVRL is unable to obtain three bids
- Negotiate contract using the FVRL standard contract for Public Works
- Save all bid responses and contracts electronically
- Payment/performance bonds and retainage optional
- Prevailing wage intents/affidavits and proof of insurance is required
- After award is made, quotes shall be open to public inspection and available by electronic request

C. Public Works Projects Over \$150,000 - Invitation To Bid

- Identify scope of work
- Use FVRL standard ITB template or template supplied by architecture firm
- Consist of three to five bids solicited via a public, competitive sealed bid/proposal process
- ITB must identify significant evaluation factors, including price, and their relative importance
- ITB must provide reasonable procedures for technical evaluation of the proposals (such as evaluation by the architect, engineer, or staff committee responsible for the technical aspects of the project), identification of qualified sources, and selection for awarding the Contract
- See **advertising requirements** if **NOT** using the MRSC SWR
- Use **Sole Source** procedure if there is only one potential vendor for a project

D. Evaluation of ITBs

When an ITB process is used for goods and services, it is important to consider other factors such as quality and past performance. ITB's are evaluated partly on price and partly on other factors. In the interest of fairness, the evaluation criteria are disclosed in the ITB.

In addition to price, FVRL shall take into account the following:

- The ability, capacity and skill of the bidder to perform the contract or provide the service;
- Whether the bidder can perform the contract within the time specified by FVRL;
- The quality of the bidder's performance of previous contracts or services;
- The previous and existing compliance by the bidder with laws relating to the contract or services;
- Any conditions the bidder may have placed on their bid;
- If a satisfactory contract cannot be negotiated, FVRL will formally terminate the negotiations with that respondent and attempt to negotiate a contract with the next most qualified respondent, the process will continue until an agreement is reached or the search is terminated;
- FVRL may reject all proposals for good cause and request new proposals;
- All contracts exceeding \$300,000 must be approved by the Board of Trustees.

3. REPAIR AND MAINTENANCE PROJECTS

Ordinary Maintenance on any public building or property is work that is performed on a regularly scheduled basis (e.g., daily, weekly, monthly, seasonally, semi-annually, but not less frequently than once a year), to service, check or replace items that are not broken; or work that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary. Maintenance is defined as keeping existing facilities in good, usable, operational condition. (WAC) 296-127-010(7)(b)(iii). Maintenance work (scheduled, preventive and/or repair work) is not considered a public work and state law does not require a competitive bidding process. This work may be performed under a maintenance contract or on a case-by-case basis.

A. Repairs or Maintenance Under \$35,000

- Obtain two (2) verbal quotations (recommended but not required)
- Prefer local businesses when practical
- Must accept the lowest responsive bid
- Payment/performance bonds and retainage waived
- Prevailing wage intents/affidavits and proof of insurance is required
- No advertising required
- After award is made, quotes shall be open to public inspection and available by electronic request

B. Repairs or Maintenance Over \$35,000:

- Solicit telephone, electronic or written quotes from **three or more** vendors
- Select qualified firms from the MSRC SWR
- Exempt from advertising requirement *unless* FVRL is unable to obtain three bids
- Over \$100,000 follow the ITB process
- Must accept the lowest responsive bid
- Payment/performance bonds and retainage optional
- Prevailing wage intents/affidavits and proof of insurance is required
- Repairs carried out under a maintenance contract do not need to be taken out to bid unless the cost exceeds \$25,000. (Washington Administrative Code (WAC) 296-127-010(7)(b)(iii))
- After award is made, quotes shall be open to public inspection and available by electronic request
- Executive Director may waive requirement for three or more bids if fewer bids were received and due diligence to solicit an adequate number of bids is documented.

C. Routine Scheduled Maintenance and Multi-year Contracts

Routine maintenance (including preventive work) is generally performed by vendors under multi-year contracts. FVRL will bid out each contract at no less than every three (3) years, but may do so more often, to identify potential vendors for all needed categories of maintenance services. When bidding, vendors/contractors will be asked to submit proposals including service definition, hourly rates, estimated annual cost increases, resource availability and personnel qualifications.

Upon review, FVRL may invite the top vendors to make a presentation to describe their qualifications and proposal details. The review committee, composed of representatives from Finance, Purchasing, IT, and Facilities and other FVRL staff, will make a final decision based upon all data received.

D. 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 (see 6C - Emergency Purchases).

4. PURCHASE OF SUPPLIES, FURNISHINGS AND EQUIPMENT

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. Annual purchases are defined by the amount spent on the purchased item(s), either as a single order or as a series of orders for the same or similar item(s) over the course of a fiscal year. FVRL intends to utilize federal, state and or county procurement contracts whenever possible to obtain the best price.

FVRL is authorized to purchase from or through the Federal, State or local governments per RCW 39.32.070-090. The statute authorizes the purchase of equipment, supplies, furnishings, and other property, without advertising, giving notice, or inviting proposals. **Items purchased through state, county, local or government contracts do not require bids. This includes purchases made through OfficeMax and Staples. Contact Purchasing for a full list of vendors.**

Supplies are consumable items used in the daily operation of FVRL and include paper, office supplies, toner, custodial supplies, library cards, postcards, letterhead envelopes and paper, items used in maintenance activities and computer software. Please see Purchasing for further clarification as to what would be considered a supply purchase. FVRL is not required by law to seek competitive bids for the purchase of supplies but chooses to do so as good public policy.

The following dollar thresholds exclude all costs associated with an order (tax, shipping, installation, etc.). The thresholds apply to one-time requests and to a series of orders (per library or department) for with cumulative costs for the budget year falling within the threshold. For example, FVRL may not split the purchase of library cards into two or more purchases throughout the year to avoid having to obtain the three quotations necessary toward determining the best price.

A. Annual Purchases Under \$35,000:

- Obtain two (2) verbal quotations (recommended but not required)
- Use local businesses when practical
- Must accept the lowest responsive bid
- Save all bid responses electronically
- No advertising requirement
- After award is made, quotes shall be open to public inspection and available by electronic request
- Use **Sole Source** procedure if there is only one potential vendor for a project

B. Annual Purchases Over \$35,000:

- Use the Small Works Roster to obtain vendor list
- Solicit electronic quotations from **three (3) or more** vendors
- Must accept the lowest responsible bidder
- Save all bid responses electronically
- No advertising requirement
- After award is made, quotes shall be open to public inspection and available by electronic request
- Use **Sole Source** procedure if there is only one potential vendor for a project

C. Purchase of Library Collections

In order for FVRL to meet the needs of our customers, multiple vendors are approved for the purchase of library materials. Multiple vendors are needed because of:

- The large variety of format for materials
- Purchases in multiple languages
- Special areas of focus and expertise
- Independent publishers or distributors
- Self-publishers

Vendors that supply materials to FVRL are selected for the collections vendor pool via a RFP process performed every three to five years. The goal of the RFP process is to establish Optional Use contracts with vendors for a wide range of vendor services for book and non-book materials for adult, young adult and juvenile audiences. These services may include selection lists and other selection tools, standing order or automatic order plans, electronic transmission of orders and selection lists, web-based bibliographic resources, MARC catalog records and shelf ready items, eBook products and services, streamed media products and services, opening day collection projects for new libraries, drop-shipments to community libraries and physical processing of book, audio, video and DVD materials. The intent is to establish a pool of vendors offering competitive pricing on book and non-book materials and services to FVRL.

Once the vendor pool is established, the following prioritized criteria are used for individual purchase decisions:

- Discounts
- Terms of sale and shipping/delivery methods
- Selection tools and bibliographic services offered
- Other value-added services such as pre-processing, cataloging and complimentary review books
- Vendor customer service, including timely response and resolution of questions/problems
- Stock on hand and availability information provided by vendor
- Usability of online interfaces
- Desired turnaround time
- Efficient interface with current FVRL Integrated Library System (ILS)
- Different format specialization or other special requirements, such as language
- Sole source, which generally includes publishers or distributors that do not resell or use wholesalers for their product

Subscription services for print standing orders, periodicals and online databases are not included in the multiple vendor selection process. These services are handled by the standard competitive bid procedures for purchasing.

5. SOLICITING FOR ARCHITECTURE AND ENGINEERING SERVICES

Architectural and Engineering (A&E) Services are services rendered by any person or company, other than an employee of FVRL, contracting to perform activities within the scope of the general definition of professional practice. 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) are used exclusively for projects requiring an architect or an engineer's services. Proposers are asked to submit qualifications, if not already on file, and a proposed scope of services in response to the agency's specific needs. At a minimum, every RFQ should include a statement of need (scope), estimated project budget, estimated schedule, evaluation criteria, proposal elements, submittal deadline, and FVRL's standard terms and conditions.

Unlike other types of contracts which are awarded to the lowest responsible bidder, A&E contracts are awarded primarily based on qualifications, rather than cost. FVRL assesses the expertise of the competing firms, selects the most highly qualified firm, and negotiates the final project scope and associated fee.

RFQs MUST include:

- The general scope and nature of the project or work for which services are required.
- Evaluation criteria on which qualifications and performance will be judged.
- Clearly stated deadlines and requirements for submissions.

A. Architectural & Engineering Projects under \$35,000:

- Solicit qualifications from **one to three** firms (recommended but not required)
- Use local businesses when practical
- Save all bid responses electronically
- No advertising requirement
- After award is made, quotes shall be open to public inspection and available by electronic request
- Use **Sole Source** procedure if there is only one potential vendor for a project

B. Architectural & Engineering Projects over \$35,000:

- Follow the Request for Qualifications (RFQ) process below
- RFQs must be solicited via a public, competitive proposal process
- See **advertising requirements** if NOT using the MRSC CSR
- Save all bid responses, evaluations and contracts electronically
- After award is made, quotes shall be open to public inspection and available by electronic request
- Use **Sole Source** procedure if there is only one potential vendor for a project

C. RFQ Evaluation Process

An *evaluation committee* should be convened of three to five FVRL employees, one or two of whom are technically familiar with the project. The other members of the committee should be generally familiar with the project requirements. The FVRL Division Director overseeing the project will determine how the committee is chosen. To assist the evaluation committee, and to insure a proper evaluation of the submittals, evaluation criteria should be developed before receipt of submittals. Often, the evaluation criteria are made a part of the advertisement for services, so the respondents may direct their responses to the weighted criteria.

Evaluation criteria might be as follows:

- Previous experience in the service required (0-25)
- Expertise of key personnel (0-25)
- Suggested project approach (understanding of project) (0-20)
- Response of references (0-10)
- Ability to meet time schedule (0-10)
- Previous experience on library projects (0-10)
- MAXIMUM POINTS 100

The evaluation criteria should be specifically developed for each project based upon size, complexity, time frame, etc. to make it easier for the consultants to submit the desired information; makes it easier for the evaluation committee to perform its task; and reduces the possible problems of challenges to the selection process through careful evaluation and documentation of the procedure. It is to the advantage of both FVRL and the consultants to advise them of the weighted selection criteria to be used.

Awarding A&E Contracts

After the most qualified firm has been chosen, FVRL may negotiate a contract for the services at a price that FVRL determines to be fair and reasonable, considering the estimated value of the services to be rendered, as well as the scope and complexity of the project. If a satisfactory contract cannot be negotiated, FVRL formally terminates the negotiations with that firm and attempts to negotiate a contract with the next most qualified firm. The process continues until an agreement is reached or the search is terminated. All A&E contracts over \$300,000 are submitted to the FVRL Board of Trustees for approval.

Immediately after the award and completion of a contract, all RFQs that FVRL has secured must be recorded on the Proposal List, to be kept by the Finance Division, and made open to public inspection when requested. The process outlined above for the procuring of A&E services may be dispensed with upon finding by FVRL that an emergency requires immediate execution of the work involved per Chapter 39.80.060 RCW. Qualified vendors may be used for the same or similar work for a period of up to five years once they have been qualified through this process.

6. PROCUREMENT OF PROFESSIONAL SERVICES (REQUESTS FOR PROPOSALS)

Professional Services are non-public works activities requiring labor, equipment, supplies and items for which an agency contracts on a periodic and/or routine basis. Services can include customized software and ongoing support services (as opposed to purchase of an “off-the-shelf” program with minimal support); custodial and grounds maintenance contracts; utility billing and data services; yearly contracts for window cleaning; maintenance contracts for office equipment, including computers; and most professional services such as consultants, with the exception of architectural and engineering services.

Professional services procurement must follow the **Requests for Proposals (RFP)** process. RFPs ask proposers to submit a proposed scope of services in response to the agency’s specific needs. At a minimum, every RFP should include a statement of need (scope), estimated project budget, estimated schedule, evaluation criteria, proposal elements, submittal deadline, and FVRL’s standard terms and conditions.

RFPs MUST include:

- The general scope and nature of the project or work for which services are required.
- Evaluation criteria on which qualifications and performance will be judged.
- Clearly stated deadlines and requirements for submissions.

A. Professional services under \$35,000:

- Identify scope of work
- Obtain a minimum of two (2) responses through the MSRC CSR
- Use local businesses when practical
- Must accept the lowest responsible bid
- No advertising requirement
- After award is made, quotes shall be open to public inspection and available by electronic request

B. Professional services over \$35,000:

- Identify scope of work
- Solicit telephone, electronic or written quotes from **three to five** qualified firms
- Use the MSRC CSR when possible
- Exempt from advertising requirement *if the MRSC CSR is used*
- Must accept the lowest responsive bid
- Payment/performance bonds and retainage optional
- After award is made, quotes shall be open to public inspection and available by electronic request
- Use **Sole Source** procedure if there is only one potential vendor for a project (ie software)

C. RFP Evaluation Process

An *evaluation committee* should be convened of three to five FVRL employees, one or two of whom are technically familiar with the project. The other members of the committee should be generally familiar with the project requirements. The FVRL Division Director overseeing the project will determine how the committee is chosen. To assist the evaluation committee, and to insure a proper evaluation of the submittals, evaluation criteria should be developed before receipt of submittals. Often, the evaluation criteria are made a part of the advertisement for services, so the respondents may direct their responses to the weighted criteria.

Evaluation criteria might be as follows:

- Previous experience in the service required (0-25)
- Expertise of key personnel (0-25)

- Suggested project approach (understanding of project) (0-20)
- Response of references (0-10)
- Ability to meet time schedule (0-10)
- Previous experience on library projects (0-10)
- **MAXIMUM POINTS 100**

The evaluation criteria should be specifically developed for each project based upon size, complexity, time frame, etc. to make it easier for the consultants to submit the desired information; makes it easier for the evaluation committee to perform its task; and reduces the possible problems of challenges to the selection process through careful evaluation and documentation of the procedure. It is to the advantage of both FVRL and the consultants to advise them of the weighted selection criteria to be used.

Awarding Professional Services Contracts

After the most qualified firm has been chosen, FVRL may negotiate a contract for the services at a price that FVRL determines to be fair and reasonable, considering the estimated value of the services to be rendered, as well as the scope and complexity of the project. If a satisfactory contract cannot be negotiated, FVRL formally terminates the negotiations with that firm and attempts to negotiate a contract with the next most qualified firm. The process continues until an agreement is reached or the search is terminated. All professional services contracts over \$300,000 are submitted to the FVRL Board of Trustees for approval.

Immediately after the award and completion of a contract, all RFPs that FVRL has secured must be recorded on the Proposal List, to be kept by the Finance Division, and made open to public inspection when requested. The process outlined above for the procuring of professional services may be dispensed with upon finding by FVRL that an emergency requires immediate execution of the work involved per Chapter 39.80.060 RCW.

7. EXCEPTIONS TO COMPETITIVE PRICING AND FORMAL BID PROCESS

A. Government contracts

FVRL is authorized to purchase from or through the Federal, State or local governments per RCW 39.32.070-090. The statute authorizes the purchase of equipment, supplies, furnishings, and other property, without advertising, giving notice, or inviting proposals. In addition to compliance with FVRL's procedures, compliance with other governmental agency procedures may be required.

B. Sole Source Providers

Sole source purchasing is used when, due to unique characteristics of the requested product/service (e.g., copyright, patent), there is only one product or service capable of fulfilling FVRL's requirement and only one vendor that sells that product or service. Validation of a vendor as a sole source and pre-approval by the Executive Director is required on any sole source purchase. A Sole Source form is located in Appendix A to guide the process.

C. Emergency Purchases

Emergency purchasing is used only to avoid immediate hazard to life, to preserve FVRL's property, or to prevent significant service disruptions. The term "emergency" is defined by statute to mean unforeseen circumstances beyond the control of the municipality that either (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life, if immediate action is not taken. (RCW 39.04.280(3)).

In such a situation, the Executive Director may declare that an emergency situation exists, waive competitive proposal requirements, and award all necessary contracts on behalf of the Library to address the emergency. If a contract is awarded without competitive requirements due to an emergency, written finds of the existence of an emergency must be made by the governing body or its designee and entered into its record no later than two weeks following the contract's award.

D. Day Labor

FVRL reserves the right to use library facilities staff as day labor on projects with an estimated cost up to \$40,000 (single craft) or \$65,000 (multiple craft). (R.C.W. 35.23.352)

E. Value Engineering

FVRL reserves the right to value engineer a project with a selected vendor after the bid has been awarded, if the winning bid exceeds the cost estimates by more than 10%.

8. GENERAL REQUIREMENTS AND STANDARDS

Advertising requirements

In the event that a RFP, ITB or RFQ does not use the MRSC CSR, the RFP or RFQ requires advertising the project. Project ads must be published in a newspaper of general circulation (e.g. the Columbian) at least thirteen (13) days before the last date on which the proposals will be received.

The following needs to be included when advertising a project for proposals or bids:

- Title of project
- Nature and scope of work
- Where contract documents (plans and specifications) may be reviewed or obtained
- The place, date, and time that the proposals are due
- Statement that a proposal bond must accompany the proposal.
- Statements that FVRL retains the right to reject any and all proposals and to waive minor irregularities in the proposal process.
- Indicate that the proposals should be sealed.
- If the advertising is for a public work project, include notification that the work is subject to prevailing wages laws. (R.C.W. 39.04.010. R.C.W. 39.12.010 and 020)

Change orders

Any alteration to a project during construction that is not consistent with the proposal specifications upon which the contract was awarded is a "change order". In the course of a construction contract, bona fide emergencies may arise and incidental alterations may well be required. When this occurs, it is not in the District's or the public's best interest to stop and request proposals for this work.

As a general rule, a change order should not be used to remedy defective work. A competitive process should be used in such cases. However, if the defective work is under warranty, a change order may be used.

Conflicts of interest

No Library Trustee or employee shall be beneficially interested, directly, or indirectly, in any contract which may be made by, through or under the supervision of such Trustee or employee, in whole or in part, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract. R.C.W. 42.23.030

Insurance

Vendors and contractors are required to carry insurance at the limits outlined in their contract with FVRL. A certificate of insurance should be provided for any vendor or contractor performing work on site at any FVRL location.

Phasing

FVRL may not break a public works project into separate phases to avoid compliance with Chapter 35.22.620(3)RCW which prohibits 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. FVRL must total the cost of all phases of the public work or purchase and if the aggregate cost exceeds the applicable bid limit, FVRL must bid each phase of the project even though a given phase may cost less than the bid limit.

Prevailing Wage

All public works projects require payment of prevailing wages under Chapter 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 with the Industrial Statistician of the Department of Labor and Industrial Services. The contractor must also provide to FVRL certified weekly payrolls covering every person who works on the project site from every contractor and subcontractor of any tier for the duration of the contract.

Please see <http://www.lni.wa.gov/TradesLicensing/PrevWage/WageRates/default.asp> for current prevailing wage rates.

Responsive Bids

A *responsive* bid or vendor is one who is deemed to be capable of supplying the goods or services requested in the solicitation. A *responsive bid* should include, but is not limited to:

- Evidence of all required licenses
- Eligibility to do business in the jurisdiction
- Experience providing goods or services similar to those being solicited
- Financial stability
- Necessary experience, staff, equipment and/or facilities to satisfy the requirements
- If no responsive bids are received for a public works projects, FVRL reserves the right to reject all bids.

Cancellation

An invitation for bids may be cancelled. Additionally, FVRL (at its sole discretion) may choose to reject any or all bids, in whole or in part.

Sales tax

Normally sales tax applies to every sale of tangible personal property (and some services). Thus, 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. Sales tax is NOT included when determining bid limits.

Small and Minority Firms and Women's Business Enterprises

It is the goal of FVRL to encourage Small and Minority Firms and Women's Business Enterprises to be actively involved in the bidding process; however, FVRL shall neither discriminate against, nor give preferential treatment to such businesses.

Warranties

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

9. GLOSSARY

Bid Limits - Dollar amounts below which competitive bids or the small works roster process are not required for the purchase of equipment, supplies or materials or for public works projects.

Competitive Bids - A process through which there is competition following advertisement in designated newspapers and/or other media for equipment, supply, material and public works contracts, open to all suppliers, vendors, and contractors, and in which price is the primary basis for consideration and contract award.

Proposal Limit – That dollar amount established which the formal request for proposal procedure will be used.

Quotes - A process through which verbal, written or electronic quotations are solicited from suppliers and vendors for equipment, supply and material contracts with total estimated costs below the bid limits following notification as established by local agency policies, if any, and in which price is the primary basis for consideration and contract award.

Specifications – The explicit requirements furnished with a competitive solicitation upon which a purchase order or contract is to be based. Specifications set forth the characteristics of the goods and/or services to be purchased so as to enable the supplier to determine and understand requirements of the purchaser. Specifications may be in the form of a description of the physical or performance characteristics, a reference brand or both. It may include a description of any requirement for inspecting, testing, or preparing a material, equipment, supplies, or service for delivery.

Policy history:

- Board Approved - Original Policy 5/15/2017
- Revised – 3/19/2018

Appendix A - Procurement Forms

**FORT VANCOUVER REGIONAL LIBRARY DISTRICT
SOLE SOURCE JUSTIFICATION FORM**

Name: _____ Title: _____

Phone: _____ Project: _____

Requested Vendor: _____ Cost Estimate: _____

Vendor's Address: _____ Vendor E-Mail: _____

Vendor Contact Name: _____ Vendor Phone: _____

Describe the product, service or system. Attach all pertinent information.

Listed are eligible reasons for sole source. Check all boxes below that apply to your sole source situation and attach any useful documents to justify the sole source.

- Compatibility to existing FVRL standards or to existing equipment, inventory, systems, data, programs or service. Describe. List efforts to find other sources.
- Licensed or patented product with only one dealer. Describe. Attach documentation if available, to confirm your source is the only dealer or supplier for this region.
- Authorized Service Provider, Repair and/or Warranty Services. Describe.
- Requires unique features that are essential, aesthetic requirements, or not practical to match to existing design or equipment. Describe.
- Surplus item bought through an auction, used or at a bargain price. Describe.
- Only one supplier can meet required delivery date. Describe and list efforts to find other suppliers to meet the delivery date.
- Product, systems, services or data must comply with an ongoing project, research, data, testing or analysis. Results would be interrupted or compromised without continuity. Describe
- Lender, grantor or other provider of funds requires the specific product, service or system.
- Only one supplier, such as electricity, water, or sewage.
- Other. Please describe: _____

Signature of Requestor: _____ Date: _____