



Legislation Text

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Clerk 10/25/2017

AN ORDINANCE relating to exceptions to formal sealed bids and proposals when awarding a contract, lease or purchase of tangible personal property, technical services and services; and amending Ordinance 12138, Section 8, as amended, and K.C.C 2.93.050.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. In 2016, the state of Washington amended RCW 39.04.190 to increase the dollar thresholds under which local governments may dispense with the requirements of advertisement and formal sealed bidding when making certain stated purchases.

B. It is in the county's interest to formally adopt the increased dollar thresholds authorized by state law and codify the informal process used to award contracts, leases or purchases, as described in K.C.C. 2.93.050.

SECTION 2. Ordinance 12138, Section 8, as amended, and K.C.C. 2.93.050 are hereby amended to read as follows:

~~((In accordance with Titles 36 and 39 RCW and this chapter, the executive is granted authority to award any contract, lease or purchase of tangible personal property and technical or other services, at the informal purchase threshold, without advertisement and without formal, sealed bids or proposals. The executive shall be responsible for securing quotations or proposals from prospective contractors where required to assure establishment of a competitive price. This section does not apply to architectural, engineering, professional, or public works contracts.))~~ A. In accordance with RCW 36.32.235, 36.32.245,

39.04.190 and 39.04.200 and this chapter, in lieu of advertisement and requiring a formal, sealed bid or proposal, the executive may award any contract, lease or purchase of tangible personal property, technical services or services, except professional services and public works, valued between ten thousand dollars and fifty thousand dollars in accordance with subsections B. through D. of this section.

B. In accordance with state law, the executive shall publish in a newspaper of general circulation within the county a notice of the existence of bidder and proposer lists and solicit the names of bidders and proposers for the categories of tangible personal property, technical services, services or technical services contained on the lists. When awarding a contract, lease or purchase of tangible personal property or services to the lowest responsible and responsive bidder, the executive shall obtain telephone or written quotations, or both, in either hard copy or electronic form, from at least three different bidders on the lists whenever possible to assure establishment of a competitive price. When awarding a contract, lease or purchase of technical services or services to a proposer where price is not the only factor, the executive shall obtain telephone or written proposals, or both, in either hard copy or electronic form, from three similarly qualified proposers on the lists whenever possible to ensure a competitive process, and strive to select the most qualified proposer, having given due regard to experience and expertise and other relevant factors. However, if there is no category for the type of tangible person property, technical service or service that the county seeks or the category has fewer than three names of bidders or proposers on the list, the executive may solicit at least three quotations or proposals, as applicable and when possible, from business entities or persons purported to be able to provide the tangible personal property, technical service or service sought.

C. Immediately after an award is made under subsection B. of this section, the quotations or proposals submitted shall be recorded, open to public inspection and shall be available by telephone inquiry.

D. At least every two months, the executive shall post on the county's website a list of contracts awarded under subsection B. of this section. The list shall contain the name of the vendor, the amount of the contract, a brief description of the items purchased or services provided, the date of the award and where the

quotation or proposal for these contracts are available for public inspection.

E. Each year before the advertisement soliciting names for the lists as described in subsection A. of this section, the executive shall ensure that all categories of tangible personal property, technical services or service sought under this section in the prior year are included in that year's public notice.

F. The executive may dispense with advertising, formal, sealed bids and proposals and the process for obtaining quotations in subsection B. of this section in the award of any contract, lease or purchase of tangible personal property, technical services or services, except professional services or public works, valued at less than ten thousand dollars. Instead, the executive shall establish a procedure for awarding a contract, lease or purchase that strives to secure the lowest price or ensure selection of a qualified proposer, as applicable.