

1 **Jefferson Transit Authority**

2  
3 **Resolution No. 15-08**

4 **A RESOLUTION** of the Jefferson Transit Authority (JTA) Board  
5 Authorizing JTA to use a Small Works Roster Process to Award Public Works  
6 Contracts and a Consulting Service Roster for Architectural, Engineering  
7 and other Professional Services.  
8

9 **WHEREAS**, RCW 39.04.155 and other laws regarding contracting for public works by  
10 municipalities, allow certain contracts to be awarded by a small works roster process; and  
11

12 **WHEREAS**, in order to be able to implement small works roster processes, JTA is  
13 required by law to adopt a resolution establishing specific procedures; and  
14

15 **WHEREAS**, RCW 39.80.030 requires that an agency publish in advance that agency's  
16 requirement for professional services and that one of the ways to accomplish that  
17 notification is to announce generally to the public its projected requirements for any  
18 category or type of professional services and request qualification statements to be kept  
19 on file with the agency; and  
20

21 **NOW, THEREFORE, BE IT RESOLVED**, the JTA Board hereby resolves as follows:  
22

23 **Section 1. MRSC Rosters.** JTA has contracted with the Municipal Research and  
24 Services Center of Washington (MRSC) to have their official rosters hosted in the online  
25 database for JTA use for small public works contracts and consulting services developed  
26 and maintained by MRSC. The JTA Authority Board approves of JTA General Manager  
27 signing said contract.  
28

29 **Section 2. Small Public Works Roster**

30 The following small works roster procedures are established for use by JTA pursuant to  
31 RCW 39.04.155:  
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- 33 1. **Cost.** JTA need not comply with formal sealed bidding procedures for the  
34 construction, building, renovation, remodeling, alteration, repair, or improvement  
35 of real property where the estimated cost does not exceed Three Hundred  
36 Thousand Dollars (\$300,000.00), which includes the costs of labor, material,  
37 equipment and sales and/or use taxes as applicable. Instead, JTA may use the  
38 Small Public Works Roster procedures for public works projects as set forth herein.  
39 The breaking of any project into units or accomplishing any projects by phases is  
40 prohibited if it is done for the purpose of avoiding the maximum dollar amount of a  
41 contract that may be let using the small works roster process.  
42
- 43 2. **Publication.** At least once a year, on behalf JTA, MRSC shall publish in a  
44 newspaper of general circulation within the jurisdiction a notice of the existence of  
45 the roster or rosters and solicit the names of contractors for such roster or rosters.  
46 Responsible contractors shall be added to appropriate MRSC Roster(s) at any time

47 that they complete the online application and meet minimum State requirements  
48 for roster listing.  
49

50 **3. Telephone, Written, or Electronic Quotations.** JTA shall obtain telephone,  
51 written or electronic quotations for public works contracts from contractors on the  
52 appropriate small works roster to assure that a competitive price is established and  
53 to award contracts to a contractor who meets the mandatory bidder responsibility  
54 criteria in RCW 39.04.350(1) and may establish supplementary bidder criteria  
55 under RCW 39.04.350 (2)  
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57 a. A contract awarded from a small works roster will not be advertised.  
58 Invitations for quotations shall include an estimate of the scope and nature  
59 of the work to be performed as well as materials and equipment to be  
60 furnished. However, detailed plans and specifications need not be included  
61 in the invitation.  
62

63 b. Quotations may be invited from all appropriate contractors on the  
64 appropriate small works roster. As an alternative, quotations may be invited  
65 from at least five contractors on the appropriate small works roster who  
66 have indicated the capability of performing the kind of work being  
67 contracted, in a manner that will equitably distribute the opportunity among  
68 the contractors on the appropriate roster. "Equitably distribute" means that  
69 JTA may not favor certain contractors on the appropriate small works roster  
70 over other contractors on the appropriate small works roster who perform  
71 similar services.  
72

73 If the estimated cost of the work is from one hundred and fifty thousand  
74 dollars (\$150,000) to three hundred thousand dollars (\$300,000), JTA may  
75 choose to solicit bids from less than all the appropriate contractors on the  
76 appropriate small works roster but must notify the remaining contractors on  
77 the appropriate small works roster that quotations on the work are being  
78 sought. JTA has the sole option of determining whether this notice is sent  
79 to the remaining contractors by:

- 80 i. publishing notice in a legal newspaper in general circulation in the  
81 area where the work is to be done;
- 82 ii. mailing a notice to these contractors; or
- 83 iii. sending a notice to these contractors by facsimile or email.  
84

85 c. At the time bids are solicited, JTA representative shall not inform a  
86 contractor of the terms or amount of any other contractor's bid for the same  
87 project;

88 d. A written record shall be made by JTA representative of each contractor's  
89 bid on the project and of any conditions imposed on the bid. Immediately  
90 after an award is made, the bid quotations obtained shall be recorded, open  
91 to public inspection, and available by telephone inquiry.  
92

- 93 4. **Limited Public Works Process.** If a work, construction, alteration, repair, or  
94 improvement project is estimated to cost less than thirty-five thousand dollars  
95 (\$35,000), JTA may award such a contract using the limited public works process  
96 provided under RCW 39.04.155 (3). For a limited public works project, JTA will  
97 solicit electronic or written quotations from a minimum of three contractors from  
98 the appropriate small works roster and shall award the contract to the lowest  
99 responsible bidder as defined under RCW 39.04.010. After an award is made, the  
100 quotations shall be open to public inspection and available by electronic request.  
101

102 For limited public works projects, JTA may waive the payment and performance  
103 bond requirements of chapter 39.08 RCW and the retainage requirements of  
104 chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment  
105 of laborers, mechanics, subcontractors, material men, suppliers, and taxes  
106 imposed under Title 82 RCW that may be due from the contractor for the limited  
107 public works project. However, JTA shall have the right of recovery against the  
108 contractor for any payments made on the contractor's behalf.  
109

110 JTA shall maintain a list of the contractors contacted and the contracts awarded  
111 during the previous 24 months under the limited public works process, including  
112 the name of the contractor, the contractor's registration number, the amount of the  
113 contract, a brief description of the type of work performed, and the date the contract  
114 was awarded.  
115

- 116 5. **Determining Lowest Responsible Bidder.** JTA shall award the contract for the  
117 public works project to the lowest responsible bidder provided that, whenever there  
118 is a reason to believe that the lowest acceptable bid is not the best price obtainable,  
119 all bids may be rejected and JTA may call for new bids. A responsible bidder shall  
120 be a registered and/or licensed contractor who meets the mandatory bidder  
121 responsibility criteria established by RCW 39.04.350 and who meets any  
122 supplementary bidder responsibility criteria established by JTA under RCW  
123 39.04.350.  
124

- 125 6. **Award.** The General Manager or his designee shall present all telephone  
126 quotations/bids and recommendation for award of the contract to the lowest  
127 responsible bidder to the JTA Board of Directors; however, for public works  
128 projects under twenty-five thousand dollars (\$25,000), the General Manager or  
129 his/her designee shall have the authority to award public works contracts without  
130 the JTA Board's approval. For public works projects over twenty-five thousand  
131 dollars (\$25,000), the JTA Board shall award all public works contracts.

132 **Section 3. Consulting Services Roster**

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- 134 1. **Consulting Services.** Consulting services are professional services that have a
- 135 primarily intellectual output or product and include architectural and engineering
- 136 services as defined in RCW 39.80.020.
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- 138 2. **Publication.** At least once a year, on behalf of JTA, MRSC shall publish in a
- 139 newspaper of general circulation within the jurisdiction a notice of the existence of
- 140 the consulting services roster or rosters and solicit statements of qualifications
- 141 from firms providing consulting services. Such advertisements will include
- 142 information on how to find the address and telephone number of a representative
- 143 of JTA who can provide further details as to JTA's projected needs for consulting
- 144 services. Firms or persons providing consulting services may complete the online
- 145 application at any time and be listed, if they meet the minimum State requirements.
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- 147 3. **Professional Architectural and Engineering Services.** The MRSC Rosters will
- 148 distinguish between professional architectural and engineering services as defined
- 149 in RCW 39.80.020 and other consulting services and will announce generally to
- 150 the public JTA's projected requirements for any category or type of professional or
- 151 other consulting services. JTA reserves the right to publish an announcement on
- 152 each occasion when professional services or other consulting services are
- 153 required by the agency and to use paper and/or other electronic rosters that may
- 154 be kept on file by appropriate procurement personnel.
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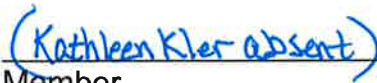
156 **CERTIFICATION**

157 The undersigned duly qualified Clerk of the Board, acting on behalf of the Jefferson  
158 County Public Transportation Benefit Area, certifies that the foregoing is a true and correct  
159 copy of a resolution adopted at a legally convened meeting of the Jefferson Transit  
160 Authority Board held on April 24, 2015.

  
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Chair

  
\_\_\_\_\_  
Vice Chair

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

Attest:  
  
\_\_\_\_\_  
Clerk of the Board