Policy: 6225

Purchasing Policy: Public Works

The purpose of these Public Works Policies for Educational Service District 112 is to ensure ESD 112's public works bidding and contracting are in compliance with state law and applicable regulations, consistent with best practices, and ensure prudent internal controls.

Public Works Project Delivery Methods

ESD 112's public works projects may be obtained through any of the following project delivery methods. The Superintendent shall establish procedures to implement and provide guidance to ESD 112 staff on the use of these methods.

- A. <u>Advertised Public Works Projects</u>: ESD 112 shall publicly and competitively advertise all public works projects estimated to cost more than \$300,000. Chapter 39.04 RCW
- B. <u>Small Works Roster</u>: ESD 112 may utilize the Small Works Roster for public works projects up to \$300,000. ESD 112 may enter into a cooperative agreement with another public agency or agencies to share a common Small Works Roster. ESD 112 shall comply with the requirements to assemble and make available a list of Small Works Roster projects. RCW 39.04.155
- C. <u>Limited Public Works</u>: ESD 112 may utilize the Limited Public Works process for Small Works Roster projects less than \$35,000. ESD 112 shall comply with the requirements to assemble and make available a list of the Limited Public Works projects. RCW 39.04.155
- D. <u>Emergency Public Works</u>: The ESD 112 Superintendent or designees may declare an emergency and waive competitive bidding requirements when an emergency situation does not allow adequate time to competitively bid a project. RCW 39.04.280
- E. <u>Competitive Negotiations</u>: When procuring telecommunications and electronic data processing, software, and services, ESD 112 may utilize a request for proposals process in lieu of an invitation to bid. RCW 39.04.270

Project Planning

ESD 112 shall develop a cost estimate for its public works projects before soliciting bids. RCW 39.04.020

ESD 112 shall not split or break apart any public works project if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the Small Works Roster process or Limited Public Works process. RCW 39.04.155 (4)

A project may be split into phases if it is done because of budgetary constraints and there is not enough funding in the current years' budget to complete all of the contemplated work and other work must be delayed to a future year when additional budgeting authority is available.

ESD 112 may act as its own General Contractor on a Small Works Roster project or any advertised public works project, as long as the total cost of the project is less than \$300,000.

Bid and Contract Management

ESD 112 shall establish standardized bid and contract documents and forms. Bid and contract documents shall be clear and consistent for all bidders with specific requirements applicable for the project delivery method being utilized and shall contain all required elements. As part of evaluating a bid prior to award, ESD 112 shall review and document bid responsiveness and compliance on required elements and ensure approval of the recommendation to award by the Superintendent or designees.

Any public works project with federal funding shall comply with the requirements of the federal grant.

ESD 112 shall establish procedures to ensure the invoices are reviewed for contract compliance. Change orders shall be reviewed and approved by an Administrative designee. ESD 112 shall ensure that retainage is released in a timely manner, consistent with state law and that all applicable releases have been received from state agencies prior to such release.

Legal References: RCW 39.04

Cross References: 6210 Purchasing Policy: Authorization and Control

6211 Purchasing Policy: Procurement

Resolution R.17.11 to Adopt Small Works Roster 8-29-17

Adoption Date: 9-25-17