

50
2-21-95

ORDINANCE NO. 562, 1995

An Ordinance amending Sections 3.12.070 and 3.12.080 of Clallam County Code Chapter 3.12, Purchasing, Contracts and Bonds regarding the limits for informal and formal bids. New wording is shown underlined. Deleted material shall be double parenthesized and scored through.

C.C.C. 3.12.070. Purchases and Contracts Under \$25((10)),000.00.

(1) All purchases of supplies and contractual services of less than the estimated value of Twenty-five ((Ten)) Thousand Dollars (\$25((10)),000), but more than Five ((One)) Thousand Dollars (\$5((1)),000.00) ~~((with the exception of computer equipment and peripherals which shall be less than the estimated value of Ten Thousand Dollars (\$10,000), but more than Six Thousand Dollars (\$6,000)))~~ may be made without newspaper advertisement and without observing the formal purchasing and contracting provisions of 3.12.080. All such purchases shall be based on at least three (3) written competitive bids, and shall be awarded to the lowest responsible bidder or rejected in accordance with 3.12.080 (3); provided, however, that if it can be proven by the department head that due to the uniqueness of the supplies, materials or equipment being purchased, there is a limited number of suppliers available, the County Commissioners may waive the minimum requirement of three (3) written estimates.

(2) For purchases under 3.12.070 (1), written bids may be solicited by mail or by telephone to prospective vendors. Written or FAX bids will be attached to the voucher submitted to the Auditor's office for payment of these purchases.

(3) Each Department Head or his designee shall keep a record of all purchases under 3.12.070 (1) and the bids submitted in competition thereon, which bids shall be open to public inspection and shall be available by telephone inquiry.

C.C.C. 3.12.080. Formal Purchasing and Contract Procedures.

(1) For all purchases of supplies and contractual services of the estimated value of Twenty-Five ((Ten)) Thousand Dollars (\$25((10)),000.00) or more, sealed bids shall be solicited by public notice inserted at least once in each week for two (2) consecutive weeks in a newspaper of County-wide circulation, and at least five (5) calendar days prior to bid opening. The newspaper notice required herein shall include a general description of the supplies or contractual services to be purchased, shall state where bid blanks and specifications may be secured, and shall state the time and place for opening bids.

(2) For purchases under 3.12.080 (1), it shall be the duty of each Department head to implement those provisions by:

- (a) Reviewing final specifications and quantity requirements, preparing bid forms, and initiating the requested bid procedures;
- (b) Setting the date and hour of bid acceptance, preparing advertisements and calls for bids for consideration by the County Commissioners;
- (c) Filing copy of bid specifications with the Clerk of the County Commissioners, and providing copies of bid documents for vendors;
- (d) Seeing that the Clerk of the County Commissioners receives and holds bids for the County Commissioners until time of opening. Bids shall be submitted sealed to the Clerk of the County Commissioners and shall be identified as bids on the envelopes. Bids shall be opened and read in public at a meeting of the County Commissioners at the time and place stated in the public notices;
- (e) Tabulating, evaluating and submitting recommendations of award, and preparing and transmitting notification of award to successful bidders upon approval of the County Commissioners;
- (f) Maintaining records on bid performance on advising the Prosecuting Attorney's Office in the event of breach or suspected breach of contract.

- (3) Contracts may be awarded to the lowest responsible bidder or any or all bids may be rejected and further calls for bids may be made in the same manner as the original call. On determining "lowest responsible bidder", in addition to price, the following shall be considered;
- (a) The ability, capacity and skill of the bidder to perform the contract or provide the service required;
 - (b) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - (c) The bidder's capacity to demonstrate his ability to perform the contract or provide the service in a manner which is conducive to the prudent use of energy and natural resources;
 - (d) The quality of performance of previous contracts or services;
 - (e) The previous and existing compliance by the bidder with laws and ordinances relating to the contract of service; and,
 - (f) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service. A contractor in default on the payment of taxes or other monies due the County shall not have its bid accepted;
 - (g) The quality, availability and adaptability of the supplies or contractual services to the particular use required;
 - (h) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract; and,
 - (i) The number and scope of conditions attached to the bid.

(4) When bids are not rejected and a contract is not awarded to the lowest bidder, a full and complete statement of the reasons therefor shall be prepared by the Department head and filed with any other papers relating to the transaction.


(5) If two (2) or more lowest responsible bids are for essentially the same unit price or total amount, and are equivalent in quality, the County shall reserve the right to award the contract first to that bidder from the County, and second to that bidder from the State of Washington. If these conditions do not dispose of the situation, the contract shall be awarded to one (1) of the tie bidders by drawing lots in public.

(6) All contracts shall be approved as to form by the Prosecuting Attorney.

PASSED AND ADOPTED THIS 21 DAY OF February, 1995.


BOARD OF CLALLAM COUNTY COMMISSIONERS


Dorothy Duncan, Chair


Dave Cameron

ATTEST:


Karen Flores
Clerk of the Board


Phillip Kitchel

cc: Sheriff
Central Services
Roads

All Departments
minutes