

Key Peninsula Metropolitan Park District  
Dba Key Pen Parks



Resolution No R 2019-12

**A RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE KEY  
PENINSULA METROPOLITAN PARK DISTRICT TO ADOPT UPDATED  
PURCHASING POLICY**

WHEREAS, the Board of Park Commissioners of the Key Peninsula Metropolitan Park District ("Key Pen Parks") desires to adopt an updated purchasing policy; and

WHEREAS, the Board of Park Commissioners have met and made changes deemed necessary and proper to the purchasing policy;

NOW, THEREFORE, THE BOARD OF PARK COMMISSIONERS OF KEY PEN PARKS HEREBY RESOLVES AS FOLLOWS:

Section 1. Resolution Number R2014-09 is hereby repealed.

Section 2. The purchasing policy and procedures attached hereto as Exhibit 1 are hereby adopted.

Passed and adopted by the Board of Park Commissioners for Key Pen Parks at a regular meeting held at Volunteer Park this 12<sup>th</sup> day of November 2019.

Attest:

Mark Michel, President

Kip Clinton, Clerk

Shawn Jensen, Member-at-Large

Key Peninsula Metropolitan Park District  
Board of Park Commissioners  
Pierce County, Washington

Ed Robison, Vice President

John Kelly, Member-at-Large

## **I. Policy**

Key Peninsula Metropolitan Park District (hereinafter "Key Pen Parks") will acquire equipment, materials, and services in a manner that results in the most efficient delivery of services considering cost and value received.

To avoid conflict of interest, procurement will be impartial. Procurement of goods and services will provide Key Pen Parks with the best quality for the best value. Purchases will be made within budget limits and to meet goals and objectives approved in the Key Pen Parks budget. Potential purchases that are not within budget limits will be pre-approved through a budget amendment process. All Key Pen Parks purchases will ultimately be approved by Key Pen Parks' Board through the voucher approval process.

## **II. Purpose**

This policy establishes Key Pen Parks' responsibilities and policies, procedures, and practices to follow in the purchase of equipment, materials, and services. All employees must follow these established policies and procedures.

Adherence to these policies and procedures will ensure that public purchases and contracts are open, fair, and at the least cost to the public. Purchase Policies and Procedures are divided into five major areas: (1) Procurement of Goods and Services, (2) Procurement of Architecture, Engineering, Land Surveying, and Landscape Architecture Services, (3) Procurement of Public Works & Goods and Services Over \$50,000, (4) Reimbursement of Expenses, and (5) Other Issues.

## **III. Authority**

Key Pen Parks' Executive Director (hereinafter "Director"), or its designee, acting within their department budget, is authorized to provide for supplies and services purchases.

## **IV. Procurement of Goods and Services**

### ***A. Applicability***

This section shall apply to procurement of all goods and services, EXCEPT this Section shall NOT apply to procurement of: (1) Architecture, Engineering, Land Surveying, and Landscape Architecture Services and (2) Public Works.

### ***B. Purchasing Parameters***

1. Purchases estimated to be \$15,000 or less may be made by the Director or designee.
2. Purchases estimated to be more than \$15,000, but less than \$40,000 require at least three (3) telephone quotes, unless the item(s) are from a sole source vendor (see Section IV. B.6. and Section VI.E below). Purchases in this price range require the

Director's (or designee's) written pre-approval.

3. Purchases estimated to be at least \$40,000, but less than \$50,000, require written quotations from vendors, unless the item(s) are from a sole source vendor (see Section IV. B.6. and Section VI.E below). After written quotations are received, the proposed purchases in this range must be placed on the Board's agenda for approval. The Board must then approve purchase orders prior to the purchase transaction. At the time of solicitation, Key Pen Parks will not inform a vendor of other vendors' quotes. All purchases within this range shall be made by contract
4. Purchases estimated to be \$50,000 or more must be bid competitively per RCW 35.60.135(1). See Section VI below for competitive bid procedures.
5. ALL Purchases in excess of \$5,000 from a sole source vendor require prior approval of the Board.
6. A "sole source vendor" is characterized as the one and only source for the product or service.

Note: Any municipality, as defined in RCW 39.04.010, may purchase any supplies, equipment, or materials at auctions conducted by the government of the United States or any agency thereof, any agency of the state of Washington, any municipality or other government agency, or any private party without being subject to public bidding requirements if the items can be obtained at a competitive price.

### ***C. Surplus Items***

Key Pen Parks may acquire surplus property from another government without the use of bids.

## **V. Procurement of Architecture, Engineering, Land Surveying, and Landscape Architecture Services**

### ***A. Applicability***

This Section shall only apply to the purchase of Architecture, Engineering, Land Surveying, or Landscape Architecture Services ("A/E Services").

### ***B. MRSC Consultant Rosters***

Key Pen Parks will be a member of the Municipal Research and Service Center (MRSC) Rosters and use the Consultant Roster managed by MRSC Rosters.

### ***C. Purchasing Parameters***

1. Procurement of A/E Services shall be in accordance with RCW 39.80 specifically, procurement shall comply with: advance notice of the requirement for professional

services (RCW 39.80.030), evaluation of firms' qualifications and performance (RCW 39.80.040), and negotiation with firms in accordance with adjudged qualifications (RCW 39.80.050).

2. A/E purchases shall be coordinated through the Director to ensure compliance with RCW 39.80.
3. The Director may purchase A/E Services up to \$30,000. All A/E contracts over \$30,000 must be approved by the Board prior to the transaction.
4. Purchase of A/E Services requires completion of a Key Pen Parks Professional Service Contract that describes services to be performed and purchase price.
5. Contracts for services cannot be broken into multiple agreements to avoid compliance with this policy or State statutes.

## **VI. Procurement of Public Works & Goods and Services of \$50,000 or more**

### **A. Applicability & General Provisions**

This Section shall apply to contracts for (1) Public Works and (2) Procurement of Goods and Services estimated to be \$50,000 or more.

Dollar-value ranges indicated below pertain to each purchase (including tax, if applicable). Purchases cannot be broken into multiple purchases to avoid compliance with State statutes and Key Pen Parks' policies.

### **B. Public Works**

*Public Works* means all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the taxpayers. See RCW 39.04.010(4). Most Public Works projects are "*multiple craft*," which means more than one type of work being executed.

*Public Works* projects are governed by prevailing wage requirements, regardless of contract amount.

### **C. Small Works Roster**

Key Pen Parks will be a member of the Municipal Research and Service Center (MRSC) Rosters and use the Small Works Roster managed by MRSC Rosters. Key Pen Parks may use MRSC's Small Works Roster for Public Works projects valued *over* \$20,000 but *below* \$350,000.

Use of the Small Works Roster allows Key Pen Parks to preclude the advertisement

requirements of the formal competitive process in certain circumstances as prescribed by state law. *All other bidding requirements are the same.*

Immediately after an award is made through the Small Works Roster process, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone or electronic request. A list of contracts awarded through this process will be posted on Key Pen Parks' web site. The list will contain the contractor's name, contract amount, brief description of the work awarded, date awarded, and where the contract is available for public inspection.

Vendors/contractors selected off the Small Works Roster are not relieved from observing applicable legal requirements such as Performance Bond, Prevailing Wage, Labor and Material Bonding, etc.

### ***C. Competitive Bid Procedures***

#### **1. Authorization to Call for Bids**

Request the Key Pen Parks Board for authorization to call for bids.

#### **2. Publication of Notice**

After Board authorization, the Director (or designee) will publish the Call for Bids in the official newspaper or a newspaper of general circulation most likely to bring responsive bids, at least once thirteen (13) days before the last date upon which bids will be received, inviting sealed proposals for such work, plans, and specifications which must at the time of publication of such notice be on file in the office of the Board of Park Commissioners subject to public inspection.

#### **3. Notice Contents**

The Bid Notice shall state generally the work to be done and shall call for proposals for doing the same to be sealed and filed with the Board on or before the day and hour named therein. The Notice should contain definite specifications and procedures for bidders to use to estimate their bids. At a minimum, a bid notice for public work shall include:

- i. Project title,
- ii. Nature and scope of work,
- iii. Where contract documents (plans and specifications) can be reviewed or obtained,
- iv. Cost to obtain a set of contract documents,
- v. Place, date, and time that bids are due,
- vi. Statement that a bid bond must accompany the bid, and
- vii. Statement that Key Pen Parks retains the right to reject any and all bids and to waive minor irregularities in the bidding process.
- viii. Provide evaluation criteria; minimum qualifications; date, time, and location of pre-bid conference (if applicable); name, address, and telephone number of the project contact; and number of required copies will help bidders prepare responsive submittals.

4. Bid Opening  
Bids are submitted to the Key Pen Parks' Office, where they are time and date stamped and processed.
5. Report on Bids  
The Director will report to the Board or Board subcommittee on all bids received.
6. Board Approval  
Key Pen Parks' Board will make the final bid award.
7. The following shall also apply to all bid solicitations:
  - i. To ensure consistency and fair process, Key Pen Parks will use standard forms, documents, contracts, and terms and conditions, when practical. Key Pen Parks may use an evaluation selection committee to promote an open, proper selection. In such event, the Board will appoint committee members.
  - ii. Minimum qualifications are stated to ensure respondents are reasonably qualified. When practical, Key Pen Parks will conduct a pre-bid conference to allow a thorough discussion of the Key Pen Parks' intent, scope, specifications, and terms. Interested companies should be encouraged to attend.

#### ***D. Purchases Under Interlocal Agreements ("Piggybacking")***

Bidding is not required when purchases of materials, supplies, or equipment are made under State standard contracts or similar contracts executed by and through other local governments which have complied with their own bidding requirements. Key Pen Parks must have an inter-local agreement with the District, state, or other government prior to the bid. All other procurement approval requirements must be maintained.

The Director shall ensure that purchases made, under this section, meet the requirements of RCW 39.34.

#### ***E. Sole Source Procurement***

If, after conducting a good faith review of available resources, the Director determines that there is only one source of the required materials, supplies, or equipment, a purchase contract may be awarded without complying with established bid requirements. The Director will submit a written request for sole source procurement to the Board for approval, and conduct price, terms, and delivery negotiations, as appropriate. The vendor must certify that Key Pen Parks is getting the lowest offered price.

#### ***F. Special Market Conditions***

The Director (or designee) may consider waiving established bidding requirements if an opportunity arises to purchase favorably-priced equipment at an auction or supplies or used

goods that will be sold before Key Pen Parks can conduct the bid process.

### ***G. Emergencies***

In case of an emergency that threatens Key Pen Parks property or the safety of citizens and/or staff, the Director (or designee) can waive bid requirements to purchase goods, materials, or services to stabilize the emergency condition. Purchase order(s) must be properly documented as an emergency as soon as possible following the event.

Within two weeks of confirming the emergency existed, Key Pen Parks' Board will adopt a resolution certifying the emergency situation existed. A Special Meeting may be called by the authorized Board Officers to timely satisfy this requirement.

## **VII. Other Issues**

### ***A. Conflicts of Interest***

Key Pen Parks will not accept donations of materials or services in return for a commitment to continue or initiate a purchasing agreement. No employee will participate in procurement when they are aware of a conflict of interest, or accept gifts or gratuities from existing or potential vendors in return for a commitment to continue or initiate a purchasing relationship.

### ***B. Recyclables***

Reasonable effort will be made to use products made from recycled materials if such products are available, of acceptable quality, and generally priced the same as similar, non-recycled products.

### ***C. Petty Cash***

Petty cash funds cover minor disbursements. Employees may be reimbursed from petty cash funds for authorized purchases that total less than the established, petty-cash limit