

PROPOSED BY: _____
INTRODUCTION DATE: _____

ORDINANCE NO. - -

AMENDING WHATCOM COUNTY CODE SECTION 3.08.095 (SMALL WORKS ROSTER CONTRACT AWARD PROCESS) TO UPDATE REQUIREMENTS FOR BIDS AND PROPOSALS

WHEREAS, WCC 3.08.060 currently requires all awards of contracts for professional services exceeding \$40,000.00 be based upon bids or proposals in response to specifications and invitations to bid subject to the provisions of WCC 3.08.090; and

WHEREAS, the Whatcom County acquires services from non-profit organizations and limits compensation to direct costs of providing services plus documented overhead; and

WHEREAS, the request for proposal process is time consuming and frequently does not add value to the process due to a lack of competitive nature of non- profit social services; and

WHEREAS, the Whatcom County seeks to establish procedures for acquiring services from non-profit organizations that reimburses their costs of providing services without requiring time consuming request for proposals;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that WCC 3.08.060 is hereby amended as presented in Exhibit A.

ADOPTED this ____ day of _____, 2022.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Todd Donovan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Christopher Quinn per email 05/02/2022

Civil Deputy Prosecutor

Satpal Sidhu, County Executive

() Approved () Denied

Date Signed: _____

EXHIBIT 'A'
WCC 3.08.060 PURCHASING SYSTEM

3.08.060 Bids and proposals required.

Awards of contracts for the acquisition of materials, supplies, services, tools, equipment or rental of personal property and professional services exceeding \$40,000 will be based upon bids or proposals received in response to specifications and invitations to bid, except as provided below:

A. Sole source purchases shall not be required to go through competitive bidding. A purchase may be determined to be sole source by the county executive or designee when the bidding process would be futile because only one bidder could respond to the invitation.

B. In the event of an emergency when the public interest or property of the county would suffer material injury or damage by delay, upon an order of the county executive declaring the existence of such emergency and reciting the facts constituting same, the requirements governing competitive bids with reference to any purchase or contract may be waived pursuant to RCW [36.32.270](#).

C. Public works projects involving funds not exceeding the amount allowed under RCW [39.04.155](#), or any successor statute, may be completed utilizing the small works roster contract award process pursuant to WCC [3.08.095](#).

D. Acquisition is from another public entity.

E. Contract does not require use of county funds.

F. The procurement of professional services may be completed utilizing the consultant roster award process pursuant to WCC 3.08.096.

G. Unless required by law, contract is for services from a non-profit organization and contract terms limit payment to the reimbursement of direct wages and benefits, supplies and overhead at the greater of 10% or the approved federal indirect overhead rate

