

RESOLUTION NO. 712

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
BIRCH BAY WATER & SEWER DISTRICT, WHATCOM COUNTY, WASHINGTON,
ON THE SUBJECTS OF ESTABLISHING A SMALL PUBLIC WORKS
ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS

WHEREAS, State laws regarding contracting for public works for Districts, allow certain contracts to be awarded by a small works roster process; and

WHEREAS, in order to be able to implement small works roster process, the Birch Bay Water & Sewer District ("District") is required by law to adopt a resolution establishing specific procedures; and

WHEREAS, Resolution No. 706 adopted by the District on June 9, 2011, established procedures for use of a small works roster and alternative small works process pursuant to state law, and codified Chapter 2.20 (Small Works Roster) of the Code; and

WHEREAS, the District intends to contract with Municipal Research and Services Center of Washington to maintain a small works roster in conformance with state law;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF BIRCH BAY WATER & SEWER DISTRICT, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. District Code Chapters 2.20.020 and 2.20.030 and that portion of Section 1 of Resolution No. 706 at 2.20.020 and 2.20.030 is repealed and replaced as follows:

2.20.020 MRSC and Roster Options. While under contract with the Municipal Research and Services Center of Washington (MRSC), MRSC will adopt for District use those state-wide electronic databases for small public works roster developed and maintained by MRSC. The District may utilize said state-wide electronic databases for selection of contractors in conformance with this chapter.

2.20.030 Publication for Contractors on Small Works Roster(s). At least once a year, on behalf of the District, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the small works roster or rosters and solicit statements of qualifications from firms providing contractor services. Such advertisements will include information on how to find the address and telephone number of a representative of the District who can provide further details as to the District's projected needs for public works contractors from the small works roster. Firms or persons providing public work contracting services shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and

necessary records. The District may require master contracts to be signed that become effective when a specific award is made using a small works roster.

Section 2. BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 3. If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid, or unconstitutional, then the original Resolution shall be in full force and effect.

Section 4. This Resolution shall be effective immediately.


PASSED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 17th day of November, 2011.


COMMISSIONER


COMMISSIONER


COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 712 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on 17th November, 2011.


SECRETARY