

RESOLUTION NO. 713

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
BIRCH BAY WATER & SEWER DISTRICT, WHATCOM COUNTY, WASHINGTON,  
ON THE SUBJECTS OF ESTABLISHING A CONSULTING SERVICES ROSTER FOR  
ARCHITECTURAL, ENGINEERING AND OTHER PROFESSIONAL SERVICES.

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

WHEREAS, the intent of this resolution is to adopt procedures for a consulting services roster process as provided by state law; and

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

**Section 1.** The following shall be adopted as a new District Code Chapter 2.21 "Consulting Services Roster":

**2.21.010 Consulting Services.** Consulting services are professional services that have a primarily intellectual output or product including architectural and engineering services as defined in RCW 39.80.020.

**2.21.020 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 the consulting services roster developed and maintained by MRSC. The District may utilize said state-wide electronic databases for selection of consulting professionals in conformance with this chapter.

**2.21.030 Publication.** 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 consulting services roster or rosters and solicit statements of qualifications from firms providing consulting 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 consulting services. Firms or persons providing consulting 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 consulting services roster.

**2.21.040 Professional Architectural and Engineering Services.** The MRSC Rosters will distinguish between professional architectural and engineering services as defined in

RCW 39.80.020 and other consulting services and will announce generally to the public the District's projected requirements for any category or type of professional or other consulting services. The District reserves the right to publish an announcement on each occasion when professional services or other consulting services are required by the agency and to use paper and/or other electronic rosters that may be kept on file by appropriate District departments.

**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.

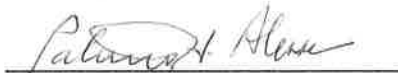
PASSED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 17<sup>th</sup> day of November, 2011.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 713 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on November 17<sup>th</sup>, 2011.

  
SECRETARY