

RESOLUTION 2025-JJ

**A RESOLUTION OF THE TOWN OF EATONVILLE, WASHINGTON,
ADOPTING PURCHASING POLICIES AND REPEALING
RESOLUTION 2005-Y**

WHEREAS, Resolution 2005-Y established procedures relating to purchasing and public works contracting; established a vendor list process for purchasing of supplies, materials and equipment and a small works roster process to award public works contracts; and

WHEREAS, Resolution 2005-Y is not compliant with several policies required for certain grant funding; and

WHEREAS, in order to meet requirements to be eligible for funding and to update spending limits, the Town finds it in its best interest to establish policies to ensure compliance as well as the financial stability of the Town; and

WHEREAS, the Finance Committee recommends approval of the attached policy; now, therefore,

**THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, WASHINGTON, HEREBY
RESOLVES AS FOLLOWS:**

Section 1: Resolution 2005-Y is repealed in its entirety.

Section 2: The Town of Eatonville Purchasing Policies are approved in the form attached hereto as Exhibit A.

PASSED by the Town Council of Town of Eatonville and attested by the Town Clerk in authentication of such passage this 11th day of August 2025.

David Baublits, Mayor

ATTEST:

Miranda Doll, Town Clerk

Town of Eatonville Purchasing Policies

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1.0 INTRODUCTION

1.1 Purpose

This policy is intended to direct the purchase of public work, goods and services at a reasonable cost, using an open, fair, documented, and competitive process whenever reasonable and possible.

1.2 Conflicts of Interest

No Town staff or elected official may undertake consulting, professional practice or other assignments which would result in a conflict of interest. Any employee of the Town who recommends or approves a purchase and who has a financial interest in the vendor involved with a purchase shall disclose his or her interest in the vendor prior to recommending or approving the purchase.

1.3 Unauthorized Purchases

Purchases for personal use are not allowed. The person ordering the unauthorized and unjustified purchase is personally liable for the costs of the purchase or contract and may be subject to disciplinary action, up to and including termination. If the purchase was made without proper authorization but is in fact a justified purchase, the Town Administrator or Mayor has the option to approve the purchase after the fact.

1.4 Personal Gifts to be Declined

Personal gifts or gratuities that might influence or give the appearance of influencing the award of a contract or the requisition or purchase of material(s) must be declined.

2.0 DEFINITIONS

2.1 Architectural and Engineering Services

Professional services rendered by any person, other than a Town employee, to perform activities within the scope of the professional practice of architecture (RCW 18.08), professional practice of engineering and land surveying (RCW 18.43), and/or professional practice of landscape architecture (RCW 18.96).

2.2 Formal Competitive Bid

The process of advertising and receiving sealed written bids from perspective vendors or contractors. The selection of the vendor or contractor is primarily based on the lowest cost from a responsible bidder.

2.3 Informal Competitive Quotes

Price quotes from vendors or contractors that are obtained using a variety of mediums such as phone, fax, e-mail, or writing. Results must be documented. The selection of the vendor or contractor is primarily based on the lowest cost from a responsible bidder.

2.4 Interlocal Agreements

Are the exercise of governmental powers in a joint or cooperative undertaking with another public agency.

2.5 Internal Guidance Document

A Purchasing Matrix is included in Appendix A.

2.6 MRSC Small Works and Consultant Roster

A shared statewide small public works roster to award public works contracts, a consulting services roster for architectural and engineering and other professional services, and a vendor roster for goods and services, all managed by the Municipal Research and Services Center of Washington and used by Washington State local public agencies. These rosters are maintained and operated in full compliance with state laws and purchasing requirements.

2.7 Nonprofessional Services

Services that are purchased by the Town for which the contractor receives specific instructions and guidance from the Town and does not meet the definition of professional services, architectural and engineering services, or public works projects. Examples include machine repair, debt collection services, temporary service agencies, credit card services, equipment service agreements, auctioning services, delivery services, inspections, advertising, etc.

2.8 Ordinary Maintenance

Defined as less complex and routine work that is not contracted but is either regularly performed at least once per year or work that is not regularly performed but is necessary to prevent eventual repairs.

2.9 Prevailing Wage

RCW Chapter 39.12 requires government contractors to pay prevailing wages on public work and public building service maintenance contracts. The prevailing wage is the hourly wage, including usual benefits and overtime, paid in the largest City in each county, to the majority of workers in a particular trade or occupation, as published by the Washington State Department of Labor and Industries semi-annually in February and August.

2.10 Professional Services

Services provided by consultants that provide highly specialized, generally one-time expertise to solve a problem or render professional opinions, judgements or recommendations. The labor and skill involved to perform these types of services are predominately mental or intellectual, rather than physical or manual. Examples may include graphic design, advertising, analysis, financial expertise, accounting, artists, attorneys, bond brokers, computer consultants, planners, real estate services, etc. This term does not include architecture and engineering services as defined in Paragraph 2.1.

2.11 Public Work

As defined by RCW 39.04.010, “public work” means a complete project, and includes all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the Town or which is by law a lien or charge on any Town property. Public work projects include the related materials, supplies, and equipment to complete the project. For purposes of this policy, the term “public work” may include contracts for maintenance of Town facilities or real property that are subject to chapter RCW 39.12.

2.12 Purchased Service

Purchased services are those provided by vendors for routine, necessary and continuing functions of a local agency, mostly relating to physical activities that follow established, contribute to the day-to-day business operations, completion of an assigned and/or specific tasks and decision-making is routine or perfunctory in nature.

2.13 Emergency Purchase

For purposes of this section "emergency" means unforeseen circumstances beyond the control of the Town that either: (a) Present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

2.14 Lowest Responsible Bidder

RCW 39.04.350 establishes public works bidder responsibility criteria as follows:

- 1) be a registered contractor at the time of bid submittal (RCW 18.27.020)
- 2) have a current Unified Business Identifier number
- 3) have industrial insurance coverage
- 4) have an employment security department number
- 5) have a state excise tax registration number
- 6) have never been disqualified from bidding under RCW 39.06.010 or 39.12.05(3)
- 7) have not had any apprenticeship violations, if applicable, and
- 8) certify through a sworn statement that they are not a willful violator of labor laws in reference to RCW 49.48.082.
- 9) have an Eatonville Business License (or ability to obtain one prior to contract award)

2.15 Supplemental Bidder Responsibility Criteria

In accordance with RCW 39.04.350 the Town may use additional supplemental bidder responsibility criteria as follows:

- 1) the ability, capacity, and skill of the bidder to perform the contract or provide the service required
- 2) the character, integrity, reputation, judgement, experience, and efficiency of the bidder
- 3) whether the bidder can perform the contract within the time specified
- 4) the quality of performance of previous contracts or services
- 5) the previous and existing compliance by the bidder with laws relating to the contract or services
- 6) such other information as may be secured having a bearing on the decision to award the contract

3.0 RESPONSIBILITY

3.1 Town Administration (Mayor and/or Administrator)

- Develops purchasing policy and procedures
- Establishes respective thresholds, outlined in internal guidance document
- Monitors compliance with this policy
- Monitors compliance with budget authority
- Approves exceptions to policy
- May require additional justification or clarification for requests or specifications

- Contracts with Municipal Research and Services Center to adopt for Town use statewide databases developed by MRSC for small works roster, consultant roster and vendor lists
- Approves respective thresholds as outlined in internal guidance document
- Must sign for authorization of payment for invoices greater than allowed through thresholds as outlined in the Purchasing Matrix and Purchasing Procedures, available for all Town staff to reference
- Ensuring that Prevailing Wages are paid

3.2 All Supervisors and Department Heads

- Ensure compliance with policy by staff
- Approve specifications and the selection of products and vendors
- Inspect and accept or reject deliveries of supplies, materials or equipment as per the purchasing procedures.
- Approve invoices for payment in the amount as outlined in the internal guidance document
- Follow this policy and related procedures
- Retain documentation
- Never split purchases of same or like items to stay below bid or quote limit

3.3 Employees

Town employees purchasing on behalf of the Town

- Follow this policy and related procedures
- Retain documentation
- Never split purchases of same or like items to stay below bid or quote limit

4.0 GENERAL PROVISIONS

4.1 Council Notification

- The Town Council shall be informed of all unbudgeted non-emergency projects or equipment purchases valued greater than \$15,000 and updated as appropriate by the Town Administrator and/or Mayor. Council shall be provided a preliminary estimated cost breakdown of each project, which includes all parts, prior to Council authorizing the contract.
- Projects or equipment included in the adopted Town budget do not need additional Council notification.
- For unbudgeted emergency projects valued greater than \$15,000, the respective Council committee shall be informed as soon as possible, and the entire Council shall be informed at the next regular council meeting.

4.2 Exceptions to Formal Bidding and Quotation Process

The Town allows exceptions to this Policy, subject to applicable state law and approval of the Mayor or Council as appropriate:

- Procurement of a patent brand product to ensure compatibility
- Formal bids have been solicited and no responses received
- The State Department of Purchasing or other governmental entity has established a bid (piggybacking).

- Emergency contracts as authorized through RCW 39.04.280(2)(b) and documented as follows:
 - If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the Town Administrator and duly entered of record no later than two weeks following the award of the contract.
- A sole source of supply exists, as so long as the Department complies with RCW 39.04.280(2)(a) as follows:
 - Complete a sole source justification document immediately after the award of any sole source contract, to identify the contract and the factual basis for the exception to be recorded and open to public inspection.

4.3 Procurement under Federal Grant Awards

When procuring property and services under a Federal Award, the Town will follow 2 CFR 200.318 General Procurement Standards through 200.326 Contract provisions, or Town purchasing procedures, whichever is more restrictive as identified in the internal guidance documents.

4.4 Public Works

- Contracts less than RCW defined amounts, identified in Appendix A, Purchasing Matrix do not require multiple quotes provided it is determined that the quote received is fair and reasonable.
- Minimum of three informal quotes will be obtained when required in compliance with state law and as outlined in the internal guidance document (Purchasing Matrix) through use of MRSC small works roster authorized via Resolution of the Town Council.
- Formal bid process for work performed in compliance with RCW requirements as outlined in the Purchasing Matrix.
- The Town will require all public works contracts that meet or exceed the small works roster thresholds, as outlined in the Purchasing Matrix, to have both bid and performance bonds (can substitute retainage opposed to performance bond).
- For projects obtaining quotes or formal bids the Town will ensure compliance with all applicable State laws when:
 - Awarding the contract, as in it must be to the lowest responsible bidder
 - Requiring or waiving payment and performance bonds
 - Requiring or waiving bid bonds and retainage

4.5 Supplies, Materials and Equipment

All purchases will follow required RCW thresholds as outlined in the Purchasing Matrix and purchasing procedures and updated as appropriate.

4.6 Architectural and Engineering Services

Procurement of architects, engineers, surveyors and landscape architects will be done through a qualification-based selection process in compliance with applicable RCWs through use of the MRSC Roster utilizing thresholds outlined in the Purchasing Matrix.

4.7 Telecommunications and Data Processing Equipment and Software

The Town will use a Competitive Negotiation Process for all telecommunications and data processing equipment and software purchases which requires the following at a minimum:

- A request for proposal shall be prepared and submitted to an adequate number of qualified sources and notice for the proposal must be published in a newspaper of general circulation in the municipality at least thirteen days before the last date upon which proposals will be received.
- The municipality shall provide reasonable procedures for technical evaluation of the proposals received, identification of qualified sources and selection for awarding the contract.
- The award shall be made to the qualified bidder whose proposal is most advantageous to the municipality with price and other factors considered. The municipality may reject all proposals for good cause and request new proposals.
- All telecommunication and data processing equipment and software purchases must be approved by the Mayor and comply with the Acceptable Use Policy.

4.8 Amendments and Change Orders

- Amendments are changes to service contracts, rather than new contracts, and can be processed as such if the changes are within the general scope of the original contract.
- Change Orders are a formal document that alters some condition of the contract documents. The change may alter the contract price, schedule of payments, completion date, or the plans and specifications.
- Accumulated change orders up to 10% of the original contract award amount may be approved by the Mayor or designee, as long as there is budget capacity.
- Accumulated change orders greater than 10% of the original contract award amount must be approved by Town Council

4.9 Purchasing From Other Governments and Piggybacking

The Town may enter into interlocal cooperative purchasing agreements with other public agencies as authorized by RCW 39.34.030, and/or purchase off of State of WA contracts established by the WA State Department of Enterprise Services. This allows the Town to “piggyback” off of other entity’s competitive processes and thus eliminates the need to perform our own. Due care should be exercised to ensure the contracting entity has complied with all applicable bid laws.

Type of Purchase	Process	Other Requirements	Contract Authorization
Public Works Projects (must choose one)			
Projects costing under \$350K	Small Works Roster (the Town uses the MRSC Rosters) RCW 39.04.155	<ul style="list-style-type: none"> • Prevailing wage • Insurance • Performance Bond • Bid Bond/Deposit 	If budgeted or otherwise approved by Council, Mayor to execute contract
Projects costing \$350K or more	Must call for bids RCW 35.23.352(1)	<ul style="list-style-type: none"> • Publication of RFP, Sealed bids and public bid opening • Prevailing wage • Insurance • Performance Bond • Bid Bond/Deposit 	If budgeted or otherwise approved by Council, Mayor to execute contract
Projects with costs that exceed \$75,500 single craft or \$116,155 multiple crafts and less than \$350K	Small Works Roster RCW 39.04.155 or Must call for bids RCW 35.23.352(1)	<ul style="list-style-type: none"> • Prevailing wage • Insurance • Performance Bond • Bid Bond/Deposit • Publication of RFP, sealed bids and public bid opening if bidding 	If budgeted or otherwise approved by Council, Mayor to execute contract
Projects less than \$5,000	One quote needed, two recommended	<ul style="list-style-type: none"> • Combined L&I form for prevailing wages • No bond, no retainage 	If budgeted or otherwise approved by Council, Mayor to execute contract
Materials, Goods and Equipment (not associated with Public Works)			
Items costing less than \$40,000	No state law required process – may use small purchases process, vendor roster or call for bids	If bidding: <ul style="list-style-type: none"> • Publication of RFP • Sealed bids • Public bid opening 	If budgeted or otherwise approved by Council, Mayor to execute contract
Items costing more than \$40,000 and less than \$50,000	Must obtain 3 telephone quotes from vendor roster <u>or</u> call for bids or use State bid	If bidding: <ul style="list-style-type: none"> • Publication of RFP • Sealed bids • Public bid opening 	If budgeted or otherwise approved by Council, Mayor to execute contract
Items costing more than \$50,000	Must call for bids or use State bid RCW 35.23.352(6) or RCW 39.04.270	If bidding: <ul style="list-style-type: none"> • Publication of RFP • Sealed bids • Public bid opening 	If budgeted or otherwise approved by Council, Mayor to execute contract
Surplus acquired from another government agency	No bid process required RCW 39.33.010		If budgeted or otherwise approved by Council, Mayor to execute contract
Personal Services			
Architectural, Engineering and Surveying Services	Request for Qualifications RCW 39.80	<ul style="list-style-type: none"> • Publish RFQ • Evaluate on performance and qualifications • Negotiate Contract 	If budgeted or otherwise approved by Council, Mayor to execute contract
All Other Services	No state law required process		If budgeted or otherwise approved by Council, Mayor to execute contract

General Spending Limits			
Town Employees: Under \$1000	No special requirement	Purchases shall not exceed budgeted amounts for that department. Compliance with purchasing policy	
Department Heads: \$1000-\$3000	Purchase order signed by department head required	Purchases shall not exceed budgeted amounts for that department. Compliance with purchasing policy	
Town Administrator: \$3001-\$7500	Purchase order signed by department head and cosigned by Mayor or Town Administrator required	Compliance with purchasing policy	
Mayor: \$7501-\$30,000	Purchase order	Compliance with purchasing policy	