

# Small Works Roster (SWR) Resolution

April 21, 2009

# Introduction

## RCW 53.08.120

- Authorizes the Port to use the SWR process identified in RCW 39.04.155 for public work contracts with estimated value < \$200,000

## RCW 39.04.155

- Requires the Port to adopt implementing rules for its small works roster program

# Overview

## **Purpose & Guidelines:**

- Establish quick process for contracts less than \$200,000**
- Limit announcement of opportunity to Firms on the Roster. 3 Tier System**
  - > \$100,000**
  - < \$100,000**
  - < \$35,000 (Limited Public Works Process)**
- May shorten time period for receipt of bids.**
- Limited Public Works (LPW) – may solicit only small businesses and waive Performance and Payment (P&) Bonds and Retainage**
- Prohibition against breaking work into smaller segments if done for the purpose of avoiding the maximum dollar thresholds.**

# Current Port Process

- **Establish Roster with > 50 Categories of Work**
- **Annually Advertise in DJC**
- **Contractors Apply To Roster at Any Time**
- **Send Announcements to All Firms on Appropriate Categories Public Bid Openings**
- **Award to Lowest Priced Responsive Bid from a Responsible Bidder**

# Recent Changes to Process

- Written Notification Sent to All Firm In Applicable Category or Categories on the Roster.
- Obtain Performance & Payment Bonds
- For Projects >\$200,000, Document Decision to Utilize SWR Contracts for Work Valued <\$200,000

# Current Legislation

## **HB 1196**

- **Signed by Governor 4/10/09 -- Effective July 26, 2009**
- **Increases the SWR limit to \$300,000. New 3 Tier System**
  - **> \$150,000**
  - **< \$150,000**
  - **< \$35,000**

## **HB 1830**

- **May add concepts of small business, mini-business and micro-business to Limited Public Works (LPW).**
  - **Solicit from 3 firms on LPW Roster**
  - **Waive Performance & Payment (P&P) Bonds and Retainage**

# Proposed Resolution

Implements Options Provided in Law

Authorizes CEO and CPO to develop procedures to implement SWR Resolution

- CPO to establish process for maintaining roster
- Preference to expand competition -- send notices to all firms and not limit to 5
- For LPW, preference is expand competition – send notices to all firms on LPW roster and not limit to 3
- Preference for written bids but allowance for telephone bids

# Next Steps

- Pass SWR Resolution
- Develop a New Roster Software Application Process
- Evaluate & Develop a LPW Program
  - Define Process
  - Establish Roster and Categories
  - Establish Criteria for Waiving P&P Bonds & Retainage for LPW