

Procurement Policy Jeffcom 911 Communications

Adopted August 24, 2023, by Resolution 2023-0010

Replaces “Jeffcom Purchasing Policy” signed by Director December 1, 2006

References

RCW 52.14.110: FIRE PROTECTION DISTRICTS—COMMISSIONERS—Purchases and public works—Competitive bids required—Exceptions

RCW 39.04.280: PUBLIC WORKS—Competitive bidding requirements—Exemptions

RCW 39.04.270: PUBLIC WORKS—Electronic data processing and telecommunications systems—Municipalities—Acquisition method—Competitive negotiation—Findings, intent

RCW 39.34: INTERLOCAL COOPERATION ACT

RCW 42.23: CODE OF ETHICS FOR MUNICIPAL OFFICERS—CONTRACT INTERESTS

Contracting for Services: Guidelines for Local Governments in Washington State (June 2020, or as subsequently revised), Municipal Research Services Center (MRSC)

Introduction

The intent of procurement at Jeffcom is to spend agency funds wisely and in compliance with this policy and relevant laws, procuring necessary services and products of the necessary quality at the lowest total cost from sources able to support the 24/7 operation of the agency, while providing for limits and accountability and avoiding all conflict of interest. The purpose of this policy is to summarize Jeffcom’s procedures for procurement while complying with the relevant purchasing statutes and regulations and ensuring efficient and effective procurement.

This policy is in addition to, and supplements, all applicable state and federal requirements as to bidding and purchasing procedures.

Roles and Responsibilities

Each purchase must be recommended by a requester, who shall be responsible for specifying the goods or services to be purchased. The requester may take the role of a project manager in the case of complexity in the procurement or receipt and implementation of goods or services. Each requester or project manager is responsible for ensuring the satisfactory receipt of the purchased goods or services and any follow-up with a vendor to resolve delivery problems, discrepancies, or damaged goods and is responsible for ensuring the purchased goods or services are utilized by the agency as intended.

The requester or project manager shall act within the authorization limits of that employee’s position and shall seek approval from a higher-level employee for procurement at higher levels of authorization.

The requester or project management shall provide documentation of the procurement process and of receipt of the purchased goods or services to the Finance Manager promptly upon receipt of the purchased goods or services or earlier upon request. Such documentation shall include advance documentation of the appropriate level of authorization for the procurement activity.

The requester or project manager, the Finance Manager and the Director are all charged with the responsibility of monitoring each purchase or procurement process for compliance with this policy. The Finance Manager is further responsible for implementing the Jeffcom procedure for accounts payable, requiring approval within authorization limits prior to payment of vouchers. The Director is responsible for documenting, reporting and explaining each expenditure to the Jeffcom Administrative Board, which has final approval over all expenditures. All procurement is further subject to examination by the State Auditor's Office pursuant to Chapter 43.09 RCW.

All agency employees are encouraged to report unauthorized or questionable expenditure of agency funds following their chain of command and, if deemed necessary, to any higher authority within the agency or its Administrative Board or to the State Auditor's Office.

Any personal purchase or procurement for other unauthorized purposes or in an unauthorized manner is strictly prohibited and may be cause for disciplinary measures that may include termination and/or legal action.

Authorization Limits

The Jeffcom Administrative Board shall be the executor of contracts exceeding the complexity of standard purchase orders and approver of procurements not budgeted and procurements that require the use of the small-works roster, vendor list or consultant roster. The Jeffcom Administrative Board shall approve an annual budget that authorizes specific expenditures and types of expenditures within budgetary limits.

The Director shall have the authority to place orders and to execute purchase orders for budgeted expenses up to the ceilings for procurement processes that require quotes from at least three contractors, suppliers or consultants (regardless of whether a higher level of process was utilized). Procurement that was not described in an approved budget or that is in excess of these thresholds shall require a higher level of authorization.

The chief technology officer, of whatever title, shall have the authority to place orders for budgeted expenses up to the ceilings for procurement processes that require no formal process (regardless of whether a higher level of process was utilized). Procurement that requires a signed purchase order, that was not described in an approved budget or that is in excess of these thresholds shall require a higher level of authorization.

Any other employee, of whatever title, shall have the authority to place orders for budgeted expenses of up to \$500 provided the orders are routine and in fulfillment of the employee's responsibilities as assigned by the Director or designee. Procurement that requires a signed purchase order, that was not described in an approved budget or that is in excess of this threshold shall require a higher level of authorization.

In the case of failure to reach any employee with a higher level of authorization or the Chair of the Administrative Board during an acute, de facto emergency threatening the reliability and performance of the E-911 telephone system or the dispatch radio system, the employee who can be reached who is determined to have the highest level of authorization described herein is authorized to take any action necessary to procure required goods or services provided the action is taken in good faith; is limited to the minimum variance from this policy needed to address the acute and emergent issue; is documented as thoroughly as possible given the circumstances; and is conveyed to employees with the appropriate level of authorization or the Chair of the Administrative Board as soon as practicable.

Procurement Thresholds and Procedures

The type of each procurement and its total dollar amount determine which procedure must be followed, at minimum, as detailed in the following chart:

Procurement Thresholds and Procedures		
Category	Amount	Procedures Allowed
Public Works (work, construction, alteration, repair or improvement other than ordinary maintenance – see references and seek legal counsel if needed)	>\$350,000	Formal, advertised, competitive bid
	\$30,001 to \$350,000	Small works roster, or Any higher level of process if appropriate
	\$5000 to \$30,000 Upper limit changes to \$75,500 on June 30, 2024	Quotations from at least three contractors, or Any higher level of process if appropriate
	\$0 to \$5,000	No formal process, or Any higher level of process if appropriate
Purchase of goods, equipment, supplies, or materials not connected with a public works project	>\$75,000	Formal, advertised, competitive bid
	\$40,001 to \$75,000 Upper limit changes to \$150,000 on June 30, 2024	Vendor list, or Any higher level of process if appropriate
	\$5000 to \$40,000 Upper limit changes to \$75,500 on June 30, 2024	Quotations from at least three suppliers, or Any higher level of process if appropriate
	\$0 to \$5,000	No formal process, or Any higher level of process if appropriate
Consulting and other purchased services not connected with a public works project	>\$99,999	Formal, advertised, competitive bid, or Formal, advertised request for proposals, or Formal, advertised request for qualifications
	\$50,001 to \$99,999	Consultant roster, or Any higher level of process if appropriate
	\$10,000 to \$50,000	Quotations from at least three consultants, or Any higher level of process if appropriate
	\$0 to \$9999	No formal process, or Any higher level of process if appropriate

Procurement Thresholds and Procedures		
Category	Amount	Procedures Allowed
Architecture, engineering, landscape architecture, or surveying services	All A&E projects, regardless of cost	Qualifications-based selection process

Thresholds are fixed by this policy at current and known changes to RCW limits as of the adoption of this policy and can be modified to match future changes in RCW only by adoption of a revised version of this policy. The intent is not to fail to keep pace with later RCW changes but to provide clear direction via this written policy.

No contract or purchase shall be subdivided or broken into phases to avoid the requirements of this section. Purchases of similar nature that are temporally similar shall be combined into a larger procurement process whenever practical.

Competitive bidding requirements are waived without specific action of the Jeffcom Administrative Board for electronic data processing and telecommunication systems, which may be procured instead through a competitive and advertised request for proposals. Competitive bidding requirements are waived without specific action of the Jeffcom Administrative Board for interlocal-agency contracts, license agreements and employment agreements. Competitive bidding requirements may be waived by a resolution of the Jeffcom Administrative Board for purchases that are clearly and legitimately limited to a single source of supply; purchases involving special facilities or market conditions; purchases and public works in the event of an emergency as declared by the Board; and purchases of insurance or bonds.

Rosters, Vendor Lists and Other Procurement Methods

Jeffcom may contract with the Municipal Research and Services Center of Washington (MRSC) to have its official rosters advertised and hosted in the online database for public works contracts, consulting services or vendor services. Procurement from a roster or vendor list will not be advertised. Invitations for quotation shall be sent to all appropriate contractors on the appropriate roster or list and shall include an estimate of the scope and nature of the work to be performed and materials, supplies and equipment to be furnished. Detailed plans and specifications need not be included in the invitation to quote. A written record shall be made by the Jeffcom representative of each contractor's quote and of any conditions imposed on the quote. Immediately after an award is made, the quotations obtained shall be recorded, open to public inspection and available by telephone inquiry.

Jeffcom is a participant in the State Purchasing Cooperative established and administered by the State of Washington, Department of General Administration, that establishes a purchasing cooperative that allows Jeffcom through the interlocal cooperation act (Chapter 39.34 RCW) to purchase materials, equipment and supplies utilizing contracts established by the cooperative without further reliance upon statutory bidding and procurement requirements. Similarly, Jeffcom may participate in interlocal purchasing agreements with other local agencies providing unilateral or bilateral access to contracts established by those agencies without further reliance upon statutory bidding and procurement requirements

The State of Washington, Department of Information Services, is authorized under RCW 43.105 and RCW 39.34 to provide information services to state and local governments. Purchases of software and information services through the Department of Information Services is permitted without further reliance upon statutory bidding and procurement requirements.

Jeffcom may contract with other purchasing cooperatives, including but not limited to the King County Directors' Association, the Houston Galveston Area Council's HGACBuy, the Central Minnesota Service Cooperative's SourceWell and OMNIA Partners, and may utilize contracts procured by a purchasing cooperative in lieu of an otherwise required procurement process where advantageous to Jeffcom regarding pricing concessions or procurement process.

Sole-source Procurement

Competitive bidding requirements may be waived for sole-source procurement only by a resolution of the Jeffcom Administrative Board affirming that the goods or services to be procured are limited to a single source of supply. The requester or project manager must describe one or more of the following factors in writing to the Board in recommending the sole-source procurement:

- a. Compatibility with existing Jeffcom standard or to existing equipment, inventory, systems, data, programs, or service;
- b. Licensed or patented product with only one authorized dealer;
- c. Authorized Service Provider, Repair, and/or Warranty Services for existing Jeffcom systems;
- d. Unique Design;
- e. Used Item;
- f. Delivery Date;
- g. Project or Research Continuity;
- h. Requirement by Funding Source; or
- i. Legal Monopoly.

Conflicts of Interest

All persons involved in procurement are required to follow the rules regarding conflicts of interest as set forth in the Washington State Code of Ethics for Municipal Officers, as now or hereafter amended, and, in addition thereto, are expressly prohibited from accepting, directly or indirectly, from any person, company, firm, or corporation to which any procurement or contract is or might be awarded, any rebate, gift, money or anything of value whatsoever, except where given for the use and benefit of Jeffcom and approved in advance of acceptance by the Director or, in case of the Director being the conduit, by the Chair of the Administrative Board.

Involvement in procurement is to be interpreted broadly and includes each Jeffcom staff and board member involved in the evaluation, consideration, recommendation and acceptance of any good or service to be procured; the requester or project manager; the Director and anyone else providing authorization for a purchase; the Finance Manager or other staff processing payment for any procurement; and members of the Administrative Board approving the procurement or payment for any procurement.

Jefferson County 911 Administrative Board

RESOLUTION 2023-0010

ADOPTING AN UPDATED PROCUREMENT POLICY

WHEREAS, Jefferson County 911 DBA Jeffcom 911 Communications (hereinafter “Jeffcom”) is an independent agency formed by an interlocal agreement among Jefferson County and other agencies and delegated by the parties to the interlocal agreement municipal powers related to the operations of a 911 communications facility; and

WHEREAS, the Purchasing Policy current in effect for Jeffcom is believed to be a twelve-point document signed by the Jeffcom Director in 2006 but unknown to have been adopted by the Board; and

WHEREAS, as an interlocal agency Jeffcom is bound by the most restrictive of the procurement laws found in the Revised Code of Washington applicable to any one of its formative agencies and is, as such, bound by RCW 52.14.110 regarding bid limits for fire protection districts; and

WHEREAS, the Board, the Director and staff require clear guidance regarding procedures and authorization limits for routine and exceptional procurement;

NOW, THEREFORE, BE IT RESOLVED BY THE ADMINISTRATIVE BOARD OF JEFFERSON COUNTY 911 THAT Jeffcom does hereby adopt the attached Procurement Policy.

PASSED AND APPROVED THIS 24th DAY OF August, 2023.

By: Andy Pernsteiner
Chair of the Board

[Signature]
Member

Thomas A Olson
Member

Art Frank
Member

Tim McKern
Member

Attest: [Signature]
Clerk of the Jeffcom Administrative Board