

**ORDINANCE NO. 018/2009**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING MONROE MUNICIPAL CODE CHAPTER 3.26 REGARDING PUBLIC WORKS OR IMPROVEMENTS; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Monroe City Council has authorized the Mayor to approve certain contracts without obtaining prior Council approval; and

WHEREAS, the state legislature has raised the dollar limit on public works contracts that may be awarded using day labor or the small works roster provisions pursuant to RCW 39.04.155;

WHEREAS, the City Council desires to make its contract approval provisions consistent with state law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE DO ORDAIN AS FOLLOWS:

**Section 1. Public Work or Improvement.** Monroe Municipal Code Chapter 3.26 is hereby amended to read as follows:

**Chapter 3.26**

**PUBLIC WORK OR IMPROVEMENT**

**Sections:**

- 3.26.010 Plans and specifications.
- 3.26.020 Small works roster.
- 3.26.030 Public work or improvement up to \$65,000.
- 3.26.040 Public work or improvement between \$65,000 and \$300,000.
- 3.26.050 Public work or improvement over \$300,000.
- 3.26.060 Compliance with notice of invitation and regulations.
- 3.26.070 Bid receipt.
- 3.26.080 Acceptance procedure.

**3.26.010 Plans and specifications.** Preparation of plans, specifications, or both and an estimate of the cost of a public work or improvement shall be authorized by the city administrator for public works or improvements up to \$100,000 and by the city council for public works or improvements over \$100,000.

**3.26.020 Small works roster.** In addition and as an alternate to the provisions of RCW 35.23.352 regarding public bidding, a small works roster may

be established and maintained by the city engineer or pursuant to an Interlocal agreement in accordance with RCW Chapter 39.34, which roster comprises all contractors who have requested to be on the roster and who are, where required by law, properly licensed or registered in this state.

3.26.030 Public work or improvement up to \$65,000. The city administrator may authorize the construction of any budgeted public work or improvement by contract, day labor, by use of the small works roster, or by formal sealed bid whenever the estimated cost of such work or improvement, including the cost of materials, supplies, and equipment will not exceed \$40,000 for a single trade project or \$65,000 for a multiple trade project.

3.26.040 Public work or improvement between \$65,000 and \$300,000. The city administrator may authorize the construction of any budgeted public work or improvement by use of the small works roster, or by formal sealed bid whenever the estimated cost of such work or improvement, including the cost of materials, supplies, and equipment will not exceed \$300,000.

3.26.050 Public work or improvement over \$300,000. The city council may authorize the construction of any budgeted public work or improvement by formal sealed bid whenever the estimated cost of such work or improvement, including the cost of materials, supplies, and equipment will exceed \$300,000.

3.26.060 Compliance with notice of invitation and regulations. All bids offered by persons, associations or corporations to construct a public work or improvement shall comply strictly with the terms of the notice of invitation for bids and with the specifications or general conditions issued or published by the city in connection therewith, together with all state laws relating to public works contracts, the terms of which shall be deemed included in such specifications or general conditions whether or not they are expressly set out therein.

3.26.070 Bid receipt. Bids shall be received by the person designated in the notice of invitation to bid at all times during regular business hours and shall be opened at the time specified in said notice.

3.26.080 Acceptance procedure. Contracts for a public work or improvement up to \$200,000 may be awarded by the mayor to the lowest responsible bidder. For contracts for a public work or improvement over \$200,000 the city engineer shall present the bid results to the city council in open meeting. The council, at any time within the period set by the notice of invitation to bid, the general conditions, or other specifications issued in connection with the bid, may by motion let the contract to the lowest responsible bidder or reject any or all bids and make further calls for bids in the same manner as the original call.

**Section 2. Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such

invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 3. Effective Date.** This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.


PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 1st day of September 2009.

1<sup>st</sup> Reading: 9/15/09  
Published: 9/22/09  
Effective: 9/27/09

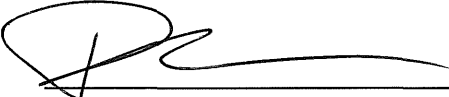
CITY OF MONROE, WASHINGTON:

  
\_\_\_\_\_  
Donnetta Walser, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Phil Olbrechts, City Attorney