MRSC ROSTERS SAMPLE RESOLUTION

Resolution No. \_\_\_\_

*(This sample resolution is for the use of the statewide small works roster only. MRSC Rosters also has a sample resolution on its website for using all three rosters: the small works roster, vendor roster, and consultant roster.)*

A RESOLUTION OF [AGENCY], WASHINGTON ESTABLISHING A SMALL WORKS ROSTER AND AUTHORITY TO USE THE SMALL WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS.

WHEREAS RCW 39.04.151-154 and other laws regarding contracting for public works by authorized local governments, allow certain contracts to be awarded using a small works roster process; and

WHEREAS to be able to implement a small works roster and process, the AGENCY is required to adopt a resolution, establish reporting procedures that are publicly available, and commit to providing the most practicable opportunities for small businesses when using Direct Contracting; and

WHEREAS to be able to use Direct Contracting on occasion, the AGENCY is required to develop a [Small] Business Utilization Plan.

NOW, THEREFORE, AGENCY, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

**Section 1:** Resolution No. \_\_\_\_\_\_\_\_\_\_ is hereby repealed and replaced with this Resolution.

**Section 2:** **MRSC Rosters.** AGENCY hereby elects to use the statewide small works roster established under RCW 39.04.151(2) and administered by the Municipal Research Services Center of Washington (MRSC).

**Section 3:** **Small Works Roster.** AGENCY adopts the following to use in managing procurement and awards of public works contracts using the statewide small works roster.

1. Small Works, as defined by RCW 39.04.152 are public works projects estimated to cost $350,000 or less, excluding sales tax, for the construction, renovation, remodeling, repair, or improvement of real property.
2. A Small Works Roster is a pre-established list of properly licensed contractors, registered to do business with [AGENCY] under selected project types and (work) categories.
3. The Small Works Roster process is an alternative to publicly advertising public work projects.
4. Every small works contract is subject to the same public works bidding, award, and compliance requirements of chapter 39.04 RCW unless specifically included in RCW 39.04.151-154, this resolution or the incorporated policies or procedures.
5. Small Works procurements will be facilitated by the [AGENCY’s] procurement processes using [portal, electronic bidding, etc.] except as may be used in small works roster direct contracting process. (RCW 39.04.152(4))
6. Only those contractors registered with MRSC Rosters will be invited to bid on small works roster projects.
7. **Invitations for bid** or direct contracting negotiations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation.
8. Small Works contracts will be awarded to a responsible contractor (RCW 39.04.350) submitting the lowest responsive bid, unless using direct contracting where a contract will be awarded to a responsible contractor submitting a competitive bid or negotiated bid.
9. Small Works bidding and award information will be entered into the statewide small works roster platform immediately upon conclusion of each small works roster award.
10. Small Works bidding and award data will be part of the AGENCY’s procurement files and records and all documents will be available for review with the AGENCY’s [clerk].
11. **Annual Notification and Invitation.** At least once a year, MRSC shall, on behalf of the AGENCY publish in a newspaper of general circulation within the municipality’s jurisdiction a notice of the existence of the small works roster and invite contractors to register on the statewide small works roster. Additionally, as required by RCW 39.04.151(1)(c), MRSC will notify the Office of Minority and Women’s Business Enterprise (OMWBE) directory of certified firms and invite small businesses to apply to the roster.

L. MRSC shall add responsible contractors to the small works roster at any time that a contractor completes the online application provided by MRSC and meets minimum State requirements for roster listing.

**Section 4: Direct Contracting**

The AGENCY intends to use the direct contracting option (RCW 39.04.152(4)) whenever practicable for Small Works projects estimated to cost $150,000 or less, excluding sales tax. The AGENCY has developed additional policies and procedures to ensure the AGENCY uses Direct Contracting with the spirit and intent of the statute; and are incorporated herein as follows:

1. Direct Contracting Procedures
2. Business Utilization Plan

**Section 5: Delegated Authority**

The AGENCY has delegated authority to oversee and manage the use and outcomes of the small works roster to [TITLE]. As the delegated authority, the Small Works Roster Program Manager will be responsible for ensuring all necessary policies, procedures, templates, contracts or similar are developed and used in accordance with the applicable statutes and guidance provided by MRSC.

Further, the Small Works Roster Program Manager will be responsible for establishing and implementing the AGENCY’s Business Utilization Plan and reporting annually on the utilization and improvements needed to the policy or contracting processes to meet or exceed the established goals for small business utilization through the Direct Contracting opportunities.

The Small Works Roster Program Manager will also be responsible for data collection, reporting, and similar on all activities, uses, and awards for small works and will ensure all information is provided to MRSC, the state, or the public as required or requested.

**Section 6: Definitions Used**

[INSERT]

PASSED this \_\_\_ day of \_\_\_\_\_\_\_\_, 20\_\_ and signed in authentication of its passage this \_\_\_ day of \_\_\_\_\_\_\_\_\_, 20\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
[executive officer]

*Note: Add other signatures as required by AGENCY governance.*

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
CLERK

APPROVED AS TO FORM:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
ATTORNEY | LEGAL COUNSEL