

# Agenda Summary Report (ASR)

## Franklin County Board of Commissioners

<b>DATE SUBMITTED:</b> 01/28/2020	<b>PREPARED BY:</b> Rick A. Rochleau
<b>Meeting Date Requested:</b> 02/04/2020	<b>PRESENTED BY:</b> Rick A. Rochleau
<b>ITEM:</b> (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Brought Before the Board <span style="margin-left: 300px;">Time needed: 5 minutes</span>	
<b>SUBJECT:</b> Approve the request to waive competitive bidding requirements for the Sheriff's Office to purchase two used vehicles.	
<b>FISCAL IMPACT:</b> The funds used to make the purchase are already included in the 2020 budget for the Sheriff's Office to purchase vehicles.	
<b>BACKGROUND:</b> The Commissioners approve the 2020 Franklin County Budget on December 17, 2019. In that budget was \$250,000 for the Sheriff's Office to purchase vehicles. Most of the money will be used to purchase new patrol vehicles on Washington State Contract, but the Sheriff's Office wishes to purchase two used vehicles to stretch the budget. RCW 39.04.28 allows the governing body of a municipality to authorize exemptions from competitive bidding requirements for "purchases involving special facilities or market conditions." The used car market is very fluid and diverse and used vehicles offered at a good price do not always last long enough to follow the competitive bidding process.	
<b>RECOMMENDATION:</b> The Sheriff's Office would recommend the Commissioners sign the accompanying resolution to waive the Competitive bidding requirements so the Sheriff's Office may purchase two used vehicles without following as competitive bidding process.	
<b>COORDINATION:</b> This Resolution was offered after consultation with the County Administrator.	
<b>ATTACHMENTS:</b> (Documents you are submitting to the Board) Resolution RCW 39.04.280	
<b>HANDLING / ROUTING:</b> (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) Franklin County – 1 original of each, Sheriff's Office – 1 copy of each	

*I certify the above information is accurate and complete.*

                    *Rick A. Rochleau*                    , commander Name, Title

**FRANKLIN COUNTY RESOLUTION NO. \_\_\_\_\_**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

***APPROVAL TO WAIVE COMPETITIVE BIDDING REQUIREMENTS FOR THE  
SHERIFF'S OFFICE FOR THE PURCHASE OF TWO USED VEHICLES***

**WHEREAS**, the Board of Franklin County Commissioners approved The 2020 Franklin County Budget on December 17, 2019 and

**WHEREAS**, the Sheriff's Office was budgeted \$250,000 for the purchase of vehicles and

**WHEREAS**, the Sheriff's Office wishes to purchase two used vehicles to stretch funds available and

**WHEREAS**, RCW 39.04.280 allows the governing body of a municipality to waive competitive bidding for several reason, including "purchases involving special facilities or market conditions" and

**WHEREAS**, used vehicles present a fluid and unique market in which purchases must be made quickly to get the best deals when they are available;

**NOW, THEREFORE, BE IT RESOLVED** the Franklin County Board of Commissioners hereby authorizes the Sheriff to purchase two used vehicles without using the competitive bidding process with funds already approved in the 2020 Franklin County Budget.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chair Pro Tem

***Attest:***

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

**RCW 39.04.280****Competitive bidding requirements—Exemptions.**

This section provides uniform exemptions to competitive bidding requirements utilized by municipalities when awarding contracts for public works and contracts for purchases. The statutes governing a specific type of municipality may also include other exemptions from competitive bidding requirements. The purpose of this section is to supplement and not to limit the current powers of any municipality to provide exemptions from competitive bidding requirements.

(1) Competitive bidding requirements may be waived by the governing body of the municipality for:

- (a) Purchases that are clearly and legitimately limited to a single source of supply;
- (b) Purchases involving special facilities or market conditions;
- (c) Purchases in the event of an emergency;
- (d) Purchases of insurance or bonds; and
- (e) Public works in the event of an emergency.

(2)(a) The waiver of competitive bidding requirements under subsection (1) of this section may be by resolution or by the terms of written policies adopted by the municipality, at the option of the governing body of the municipality. If the governing body elects to waive competitive bidding requirements by the terms of written policies adopted by the municipality, immediately after the award of any contract, the contract and the factual basis for the exception must be recorded and open to public inspection.

If a resolution is adopted by a governing body to waive competitive bidding requirements under (b) of this subsection, the resolution must recite the factual basis for the exception. This subsection (2)(a) does not apply in the event of an emergency.

(b) If an emergency exists, the person or persons designated by the governing body of the municipality to act in the event of an emergency may declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency situation. 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 governing body or its designee and duly entered of record no later than two weeks following the award of the contract.

(3) For purposes of this section "emergency" means unforeseen circumstances beyond the control of the municipality 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.

[ 1998 c 278 § 1.]