

Memo



To: Board of Commissioners
From: Carrie Monforte
Date: 3/10/2023
Re: Comprehensive Plan Programs

South Whidbey Aquatic Center

We are working through the process to receive Department of Commerce reimbursement of expenditures related to the schematic design for the SWAC. We've had to back up and submit a Change of Scope form in order to correct the issue of the grant requiring. It is unknown how long it will take to be approved, or certain whether it will be approved or not (but highly likely).

While we wait for approval of the change of scope, we are working on checking other items on the list off. Thank you to Jennifer for securing the necessary deed of trust, and Matt for work on the many documents needed to proceed.

The lead staff at the Park District believe that the SWAC project should be put on hold until we have a contract in place with the Department of Commerce securing reimbursement of expenses related to the Schematic Design phase of the project, and a Director and/or Project Manager in place to manage the project well and ensure compliance and accuracy in all areas of the project.

A point of clarification I'd like to discuss is the nature of the Joint Pool Committee. My understanding is that that Committee was formed as an *advisory* committee, which would bring back recommendations to our board to officially approve or not. That group has put an extraordinary amount of quality work and time into keeping this project moving forward.

I do want to ensure, especially in the absence of an Executive Director guiding them, that we keep our boundaries in place and ensure that final decisions and expenditures are brought to the board for approval before proceeding, and that we keep our overall policies in mind throughout the process. It would be good to define those boundaries for the Joint Committee and the design team, ARC Architects.

Topographical Survey, Geotechnical Survey, ARC Addendum

Among other items that are outside the fee structure included in the ARC design contract, a topographical survey and a geotechnical survey must be done in order for the design process to proceed. The topographical survey in particular is the first bottleneck to the rest of

the process. It sounds like these are typically done prior to bringing in the design team. For the other items coming up, see the document "Non-Construction Costs".

We received one proposal for each survey included in your packet:

- Topographical survey – Harmsen - Originally \$63,065, brought down to \$39,315 by foregoing the tree items. ARC met with the County and determined that portion would likely be unnecessary.
- Geotechnical survey – Palmer - \$10,900

A while back, when these non-ARC contract expenses arose, I asked whether some of these might be included in the contract. While it is not typically done, ARC indicated that they would be willing to amend the contract to include these surveyors as part of their team in order to move forward, as well as utilizing ARC's expertise for those items. Adding them to the team, however, brings a 10% markup to those expenses. ARC has provided an amendment, in the event that the board chooses to go this route, included in your packet.

Typically purchases at this level require 3 quotes for items under \$20K, and bid for items over \$20K. See yellow highlighted policy at the bottom of this memo. Putting the large expenditure out to bid seems in keeping with our general practices and saves taxpayer dollars. There is however, a cost to delays, estimated 4-6% per year for construction.

Campground

Krista will provide an update on the Campground zoning status with the County. The County is hoping to get a staff decision to us by Monday.

Amphitheater

Jan-Marc Jouas of the Rotary Club reached out regarding the status of the amphitheater project, the grant application status to fund the project, and the funds they had earmarked for it. He indicated that in 2016 the Rotary Club of South Whidbey Island raised \$15,000 to support the amphitheater project. These funds were included as part of the sponsor match in the recent LWCF and WWRP grant applications. The project did not rank high on the grant list, but I did convey that the results were not yet finalized at the state level.

Jan-Marc plans to be at the board meeting and would like to discuss that, after six years of holding on to the \$15,000, many club members now want to direct those funds to other projects in our community. Jan-Marc would like to report back to their members about any decisions regarding the future of the amphitheater.

Jennifer reached out to Jan-Marc and let them know the possibility that projects which scored higher in the rankings may be disqualified because they are not ready when funds are allocated. Jennifer asked that the club to continue holding the \$15,000 for the amphitheater project at least until the state legislature settles the budget in the next few weeks.

No decision has been made to withdraw the \$15,000 commitment to the amphitheater project at this time.

Maxwelton Trails Park Signage

The County has indicated that the permit request has reached passed its initial review stage and has been passed on to other departments for future permit approval. It sounds like the sign will be permitted at the road/entrance to the trail. The remaining process of approval may take up to 16 weeks, but probably won't take that long.

SWPRD Policies re. Purchasing

5.08 PURCHASING

All employees must follow established policies and procedures for procurement of equipment, materials, and services. Adherence to policies and procedures will ensure that public purchases and contracts are open, fair, and at the best value to the public.

IMPORTANT NOTE: Purchases may not be broken into multiple projects or purchases to avoid compliance with state statutes and District policies.

IMPORTANT NOTE: The Vendor List is a list of businesses that the District has previously set up a purchasing account with and/or does business with on a regular basis for small purchases or intermittent small services.

5.08.1 Procurement of Goods and Services

In the course of operation the District will need to acquire goods and services to accomplish the district mission. For the purpose of ensuring the appropriate purchasing standards are met, purchases will be divided into different categories; Procurement of Goods, Public Works Projects, and Contracting for Services. All District purchases are subject to authorization & quote/bid requirements as follows:

5.08.1.1 Procurement of Goods

Procurement of Goods involves any purchase of a specific tangible item not solely related to a public works project. All materials and supplies necessary for the general operation of the district fall into this category. Any purchase of goods estimated to be in excess of \$40,000 shall be made by contract. All District purchases of goods are subject to authorization & quote/bid requirements as follows:

<\$250 : 3 Verbal quotes or Vendor List, Staff approval

\$250-\$1,000 : 3 Verbal quotes, Staff approval

\$1,001-\$5,000 : 3 Verbal Quotes, Director approval

\$5,001 - \$50,000 : 3 Written Quotes, Director recommendation to Board/Board Awards

>\$50,000 - Competitive Sealed Bid or State/Cooperative purchase required, Director recommendation to Board/Board Awards

5.08.1.2 Public Works Projects

Public works projects (“...all work, construction, alteration, repair or improvement that is executed at the cost of the state or any other local public agency...”) including maintenance when performed by contract, are governed by chapter 39.12 RCW Prevailing Wages on Public Works requirements, regardless of contract amount. It is the responsibility of the contracting employee to notify the vendor of prevailing wage requirements and obtain compliance documentation prior to awarding any public works contract. Public works contracts will only be awarded to contractors who document compliance with the Washington State Prevailing Wage Law. The department head or designee managing the project is responsible for collecting compliance documents. Failure to follow prevailing wage laws will result in delayed or denied payment to the vendor. The District CANNOT pay for public works projects that are in violation of prevailing wage laws.

All services, materials and supplies necessary for the completion of a Public Works project will fall into this category. All District purchases for Public Works Projects are subject to authorization & quote/bid requirements as follows:

<5,000 : 3 Verbal Quotes, Director approval

\$5,001 - \$20,000 : 3 Written Quotes, Director recommendation to Board/Board Awards

>\$20,000 : Competitive Sealed Bid or Small Works Roster Required, Director Recommendation to Board/Board Awards

5.08.1.3 Contracting for Services

5.08.1.3a Architectural and Engineering Services With regard to contracting for Architectural and Engineering Services, the District will comply with the requirements of RCW 39.80-“Contracts for Architectural and Engineering Services” using the qualifications based selection (QBS) requirements. Any projects will be advertised using a consulting services roster such as the MRSC Consulting Services roster or through a Request for Qualifications (RFQ) that is publicly advertised.

5.08.1.3b Personal Services

Personal Services generally involves technical expertise provided by a consultant to accomplish a specific study, project, task or other work. These services exclude architectural and engineering services as specified in section 5.08.1.3a. All District purchases of Personal Services are subject to authorization & quote/bid requirements as follows:

<\$5,000 - 3 Verbal Quotes, Director approval

\$5,001 - \$20,000 - 3 Written Quotes, Director recommendation to Board/Board Awards

>\$20,000 - Competitive Sealed Bid or Consulting Services Roster Required, Director Recommendation to Board/Board Awards

5.08.1.3c Purchased Services

Purchased Services are those provided by vendors for routine, necessary and continuing functions of the District, mostly relating to physical activities. All District purchases of Personal Services are subject to authorization & quote/bid requirements as follows:

<\$250 : 3 Verbal quotes or Vendor List, Staff approval

\$250-\$1,000 : 3 Verbal quotes, Staff approval

\$1,001-\$5,000 : 3 Verbal Quotes, Director approval

\$5,001 - \$20,000 : 3 Written Quotes, Director recommendation to Board/Board Awards

>\$20,000 - Competitive Sealed Bid or Small Works Roster Required, Director Recommendation to Board/Board Awards