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EXECUTIVE OFFICE

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W.T. _____ J.C. _____

D.F. _____ S.W. _____

G.L. _____ D.J. _____

COUNTY COUNCIL

Snohomish County, Washington

for signature

ORDINANCE NO. 82-028
RELATING TO ARCHITECTURAL AND
ENGINEERING SERVICE CONTRACTS

BE IT ORDAINED:

Section 1. Snohomish County Code section 3.09.190 as adopted in Ordinance 80-110 on January 20, 1981, is amended as follows:

3.04.190. Consultant and special services contracts. Consultant contracts may be negotiated by the county executive or the head of any administrative or executive department provided, that such contracts shall be approved by the council. The following are deemed special service contracts rather than consultant contracts: title searches, policies, and reports, real property and personal property appraisals and reports, medical services and reports, contracts for inspection of buildings or other structures, and contracts for services, including reports, of a witness retained in connection with litigation or possible litigation. Special service contracts as stated above, except for contracts for witness services which may be negotiated and approved by the prosecuting attorney, may be negotiated and approved by the executive. Contracts for architectural and engineering services shall be controlled by section 3.04.191 through 3.04.196 to the extent that such sections are inconsistent with this and other sections of this chapter.

Section 2. New sections are added to the Snohomish County Code as follows:

3.04.191. Architectural and engineering (A/E) service contracts - Policy. It is the policy of the county, as provided herein, that the county regularly announce requirements and negotiate contracts for architectural and engineering (A/E) services on the basis of demonstrated competence and qualification for the type of professional services required and for fair and reasonable prices.

3.04.192. Definitions.

(1) "Architectural and engineering (A/E) services" means professional services rendered by any person, other than as an employee of the agency, contracting to perform activities within the scope of the general definition of professional practice in chapters 18.08, 18.43, or 18.96 RCW.

(2) "Person" means any individual, organization, group, association, partnership,

firm, joint venture, corporation, or any combination thereof.

(3) "Consultant" means any person providing professional services who is not an employee of the agency for which the services are provided.

(4) "Application" means a completed statement of qualifications together with a request to be considered for the award of one or more contracts for professional services.

3.04.193 Announcements. In advance of any negotiation on any contract for A/E services, the purchasing department shall publish an announcement stating concisely the general scope and nature of the project or work for which services are required and the address of the county agency which can provide further details (1) on each occasion services required by a consultant are required, or (2) announcing generally to the public a county agency's projected requirements for any category or type of A/E services.

3.04.194 Guidelines. The executive or his designees shall promulgate guidelines and regulations for use in the procurement of A/E services, which regulations shall (1) require the submittal and encourage the annual submittal of statements of qualifications and performance data, in form approved by the executive and require the evaluation of current statements of qualifications and performance data prior to letting and contract for A/E services and provide criteria for such evaluation; and (2) shall include a plan to insure that minorities and women-owned firms are afforded the maximum practical opportunity to compete for and obtain contracts for A/E services. The level of participation by minority and women-owned firms shall be consistent with their general availability within the professional communities involved.

3.04.195 Award of A/E contracts.

(1) Prior to award of any A/E contract, the county agency requesting the services shall evaluate current statements of qualifications and performance data on file or submitted regarding the proposed contract, and shall conduct discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing required data.

(2) The county agency involved shall select from the interested firms, based upon criteria established by the executive and contained in the guidelines required by section 3.04.194, the firm deemed most highly qualified to provide the services required for the proposed contract.

(3) The involved agency shall then attempt to negotiate the terms of contract in accord with county guidelines with the most qualified firm at a price which the agency determines is fair and reasonable to the agency. In making its determination, the agency shall take into account the estimated value of the services to be rendered

as well as the scope, complexity, and professional nature thereof.

(4) If the agency is unable to negotiate a satisfactory contract with a firm selected at a price the agency determines to be fair and reasonable negotiations with that firm shall be formally terminated and the agency shall select other firms in accordance with (1) and (2) of this section and continue in accordance with this section until an agreement is reached or the process is terminated.

(5) After negotiating terms of contract acceptable to the agency with a firm selected as provided above, the agency shall refer the contract to the council or executive, whichever is the responsible authority for awarding such contract under section 3.04.190, together with a record of negotiations conducted with any other firm. The contract may then be approved, rejected, or referred back to the interested agency for further negotiations or any other reason by the responsible authority. Any such contract shall then be signed by the executive.

3.04.196 Emergencies. Nothing in sections 3.04.191 through 3.04.195 shall prevent the county from entering a contract for A/E services in the event of an emergency pursuant to procedures as contained in section 3.04.200.

Section 3. This ordinance shall be effective
_____, 1982.

PASSED this 7th day of April, 1982.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ATTEST:

Shirley Bartholomew
Vice-Chairperson

Ellie Snyder
Clerk of Council

() APPROVED

() VETOED

() EMERGENCY

DATE: 4-14-82

Donna Leifer Johnson Willis D. Tucker

Attest

County Executive

PUBLISHED 3/26/82 and 4/23/82